

RECORD
OF THE
NAVAJO TRIBAL COUNCIL

563

June 1, 1962

The meeting of the Navajo Tribal Council was held in the Council Hall, Window Rock, Arizona, on Friday, June 1, 1962, at 9 a.m.

Vice Chairman Scott Preston, Presiding

Carl Beyal, Interpreting

THE CHAIRMAN: The Council will come to order and we will have the roll call.

(Whereupon, roll was called and 64 Councilmen were present at the commencement of the meeting.)

(Whereupon, Chairman Paul Jones assumed the Chair.)

THE CHAIRMAN: We will ask Reverend Fredericks for the invocation.

(Whereupon, the following invocation was delivered by Reverend Donald Fredericks and made a part of the Record.)

Our Heavenly Father! We come humbly to Thee this morning with hearts of sincere gratitude as we were reminded again on Memorial Day of the peace and freedom we enjoy in America. As we look back upon the battles that have kept us free we cannot help but see Thy protecting hand. We thank Thee for Americans of all races who willingly gave their lives in the battle.

Now Father, as these delegates participate in free and local government, may they have wisdom from Thee. May the budget being completed in this session be one that will bring blessing upon the people; a budget, which when carried out, will bring satisfaction to Thyself.

This we humbly ask in the Name above every name, Jesus Christ. Amen.

THE CHAIRMAN: During the Council meeting aside from regular budget items we are discussing things that enter into our regular program which are more or less unlooked for. For instance, yesterday the representatives from El Paso Natural Gas Company contacted us making a proposal on how to reopen the mill at Tuba City. Since Congress has approved mining of ore at Orphan Mine at Grand Canyon where we get that ore, the latest on it as of yesterday is that it would be opened sometime during August. The proposal for a new installation of machinery will be further discussed a week hence as the date was set yesterday.

Again this morning we received a call by the Superintendent for a recommendation on finding places for campsites for youth or possible work. This is similar to the CCC Program that we had in the years past located here and there, possibly schools, chapter houses, or the youth camp. Whatever is available on a temporary basis will be designated as our answer to Washington with the hope that we can find some type of work for our youth even just for the summer months. If it can be made a yearly event, we will try to do so.

Those are just a few things I pass along to you as information. Last week on the 23rd the Congress approved the bill that we had in Congress, authorizing the Navajo Irrigation Project and the San Juan-Chama Diversion Project. We have worked up a resolution from the Tribal Council to Washington, and we will have that taken up at this time.

MANUEL BEGAY: Mr. Chairman, Members of the Council: This is a proposed resolution of the Navajo Tribal Council, Recommending amendment and adoption of S 107, Navajo Irrigation-San Juan-Chama Diversion Project.

(Whereupon, the following proposed resolution was read by Manuel Begay and made a part of the Record.)

PROPOSED RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Recommending Amendment and Adoption of S107,
Navajo Irrigation San Juan-Chama Diversion Project

WHEREAS:

1. The Navajo Tribal Council and officers of the Tribe have for many years sought to secure a reasonable allocation and use of the waters of the San Juan River for the purpose of irrigating land used by the Navajo people for farming purposes, and
2. The Senate of the United States during the preceding session of Congress passed Senate Bill S107 authorizing the construction of the Navajo Irrigation Project and the San Juan-Chama Diversion, and the House of Representatives on May 23 passed HR 7596 for the same purposes and thereafter amended S107 as referred to the House from the Senate to incorporate all the provisions of the House Bill, and
3. The Honorable Clinton P. Anderson, Chairman of the Senate Interior and Insular Affairs Committee, and author of the original S107, wished to be sure before final passage of the Bill as amended in the Senate, that there were no objections thereto on the part of the Tribe and requested through the Tribe's General Counsel in Washington, D. C. a telegram to this effect which was duly sent in the form attached hereto, and

4. Because of impending vacation period and the possible absence of members of the Senate would have delayed action on the Senate Bill, the public interest and the best interest of the Navajo Tribe required that the passage of the Bill be expedited without awaiting formal action by the Navajo Tribal Council, and Senator Anderson thereupon immediately secured passage of the Bill S107, as amended, on this date.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council approves and ratifies the action of the Chairman and Executive Secretary urging the passage of S107, as amended, by the Senate on May 29 in order to assure its early signature by the President of the United States and the possible appropriation of funds in the present session of Congress for initial engineering work of this project.

2. The Navajo Tribal Council, on behalf of the Navajo people, extends its thanks and expresses its appreciation to Senator Anderson and all of the members of the Senate and House of Representatives, who have supported the passage of S107 and HR7596, now merged in S107, as amended, and adopted by the Senate.

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MANUEL BEGAY: Mr. Chairman, there is a correction to be made on this date. That should be May 29.

Mr. Chairman, Members of the Council: This is a letter dated May 29, 1962, to the Honorable Clinton P. Anderson.

(Whereupon, the following letter was read by Manuel Begay and made a part of the Record.)

29 May 1962

The Honorable Clinton P. Anderson
Chairman, Interior-Insular Affairs Committee
United States Senate
Washington 25, D. C.

Dear Senator Anderson:

Enclosed herewith is the telegram just received urging, on behalf of the Navajo Tribe, the immediate passage of S107 as amended.

The Navajo Tribal Council is now in session and a proposed resolution is being submitted immediately to the Council to the same effect as set forth in the enclosed telegram. The Tribe and its leaders have waited and worked for so many years for

this irrigation project that approval of the resolution by the Council is a foregone conclusion as affirmed by Paul Jones, Chairman, and J. Maurice McCabe, Executive Secretary, based upon discussions with the Council.

However, due to the three hour difference in time between Window Rock, Arizona, and Washington, D. C., this resolution did not become available until late this afternoon. You will be immediately advised of the action taken by the Council.

In the meantime I am instructed to convey to you the thanks of the Navajo people for your outstanding leadership over many years in respect to the two projects provided for in S107. The appreciation of the Navajos likewise extend to all members of the Congress of the United States who have helped, and who may hereafter help, to bring to full reality this irrigation project long needed for the settlement of Navajo families.

Sincerely yours,

S/Norman M. Littell

Norman M. Littell
General Counsel, The Navajo Tribe

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MANUEL BEGAY: Mr. Chairman, Members of the Council: This is a telegram dated May 29, to Norman M. Littell, Washington, D.C.

(Whereupon, the following telegram was read by Manuel Begay and made a part of the Record.)

RE NAVAJO INDIAN IRRIGATION SAN JUAN CHAMA PROJECT, S107, PLEASE ADVISE SENATOR ANDERSON WE UNQUALIFIEDLY URGE PASSAGE IN THE SENATE OF S107, AS AMENDED, AND HOPE THAT PRELIMINARY APPROPRIATIONS FOR ENGINEERING WORK MAY FOLLOW IN THIS SESSION OF CONGRESS. WE ARE SUBMITTING IMMEDIATELY TO THE NAVAJO TRIBAL COUNCIL NOW IN SESSION A RESOLUTION TO THIS EFFECT WHICH FROM DISCUSSIONS WITH MEMBERS OF THE COUNCIL WILL BE APPROVED AND AIRMAILED TO WASHINGTON TODAY. PLEASE EXPRESS TO SENATOR ANDERSON AND OTHER PROPONATES OF THIS BILL OUR DEEP APPRECIATION AS THE COUNCIL WILL WISH TO DO ON BEHALF OF THE NAVAJO PEOPLE, FOR PASSAGE OF THIS BILL OF

SUCH MAJOR SIGNIFICANCE TO THE NAVAJO PEOPLE.

S/Paul Jones

PAUL JONES, CHAIRMAN,
NAVAJO TRIBAL COUNCIL

S/J. Maurice McCabe

J. MAURICE MC CABE, EXEC. SEC.

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MANUEL BEGAY: Mr. Chairman, this is a telegram to Maurice McCabe, Executive Secretary, the Navajo Tribe, Window Rock, Arizona.

(Whereupon, the following telegram was read by Manuel Begay and made a part of the Record.)

S.107 NAVAJO IRRIGATION SAN JUAN CHAMA DIVERSION PASSED THE SENATE ON VOICE VOTE AND ON THE WAY TO THE WHITE HOUSE FOR PRESIDENTS SIGNATURE. CONGRATULATIONS TO ALL NAVAJOS FOR THIS HISTORIC ACHIEVEMENT AND ESPECIALLY TO THOSE WHO ORGANIZED ABLE PRESENTATION TO CONGRESS.

NORMAN M. LITTELL

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THE CHAIRMAN: We will have your comments on the proposed resolution of the Tribal Council as read to you.

HOWARD MCKINLEY: Mr. Chairman, the passage of these bills mentioned in this proposed resolution are proposals that have been made forty years ago. Since then, many of your friends have made concerted effort to get these bills through Congress. In 1947 there was an attempt made to pass the Navajo Irrigation Bill along with the Long-Range Rehabilitation Act. That was stricken from the Long-Range Rehabilitation Program. Since then, also, a bill was drafted to pass the construction of the Navajo Dam and also of this irrigation project. It resulted in the passage and appropriation of funds for the Navajo Dam.

It is very fitting and appropriate that we express our appreciation and gratitude to all the many friends who have worked hard to get this bill through Congress and also obtain the necessary appropriations.

HR 5796 passed the Senate with the help of our friends, Senator Anderson and other congressmen from New Mexico, Arizona, Colorado, and Utah; also with a lot of work on the part of our Chairman and our Executive Secretary. That was referred to the House of Representatives after a slight revision, I think, led by Congressman Aspinal and other Congressmen. This revision as far as I could tell was in favor of the Navajo Tribe.

The bill is rather technical. I read it two or three times. It is difficult to understand it without legal explanation, legal counsel. After this bill passed the House of Representatives, a comparison was made between the two bills, and there was an attempt to further amend HR 7596. One of the proposed amendments in the House was to separate the Navajo Irrigation Project and also the San Juan-Chama Project. In fact, there was an attempt to eliminate or to sever the San Juan-Chama from the Navajo Irrigation Bill and have a separate bill. As you may have been told, one of the congressmen accused the supporters of this bill that the San Juan-Chama Project was hiding under the Navajo blanket for passage, but the supporters contended that it was a "double-shot wedding"; so they contended that that is where it belonged and that is where it should remain. (Laughter)

The bill passed as it was. Three other amendments were proposed, but these amendments all failed, so the bill passed as it was presented. There was a difference in the two drafts between S 107 and HR 7596. I think this resolution is to adopt and to amend S 107 in order to compromise between the two drafts. So, in order to get the initial appropriations for engineering studies for the canals for the irrigation distribution system, for aqueducts, perhaps for reservoirs, water gates, pumps, and the like, it would require very comprehensive and very thorough studies and surveys. That is the reason we should make every effort to seek and the initial appropriation. I don't know how much that would be, but I only guess somewhere around \$8, \$9, or \$10 million.

The only question here, I think, for us to ask is perhaps we might ask what the specific amendment is, what it pertains to, one paragraph or two paragraphs, or specifically what this bill would be. As far as I know, the bill is in the favor of the Navajo Tribe. I think we should pass this resolution in order to get the initial appropriation.

THE CHAIRMAN: You will note that the telegram on the last page here from Mr. Littell to Mr. McCabe explains that the bill has been passed by the Senate and it was on its way to the White House for the signature of the President. All this resolution shows is that we approve the amendment that they have accomplished in the Senate, favoring it the way the bill was passed in the House. We are a little bit late with that, but then we are just saying that we approve whatever they did in our behalf. That is the way the resolution is set up.

J. MAURICE McCABE: Mr. Chairman, Members of the Council: After the House bill was passed on the 23rd of the month, the following day on the 24th I met with Mr. Littell and Mr. Leland Graham, who took Charles Alexander's place, and Mr. Casey of the Bureau of Indian Affairs. We compared the bill as passed by the House against the bill passed by the Senate, and basically, the bills were structurally different. In other words, perhaps section B of one paragraph would be section C in the next bill, but basically, they were the same bill. After our General Counsel, Mr. Littell, Mr. Graham, and Mr. Casey, together with a Congressional delegation had gone over the bill, they found that they could agree on the Senate bill. So, actually, there was basically no real change in the legislation in the two bills. Mr. Littell mentioned four differences here, but indicated to us that he was ready to go along with the bill.

Specifically, Mr. Littell reported that in the first five sections of both bills, they were substantially the same, except for minor language differences which were not significant. Number two, the bill provided for the fact that certain crops could not be raised on the irrigated land--those crops included corn, cotton, peanuts, tobacco, rice, wheat--until ten years after the completion of the project. As you will recall in your reading of the publicity and the objections to these bills, these objections came basically from the Farm Belt and from those areas where surplus crops were the problem. However, in the reviewing of this section on the item of corn alone, and wheat, we maintain that the Navajo people will not raise corn and wheat for commercial purposes; but their crops will be basically subsistence crops for many, many years to come. That was not objectionable to the Navajos in our opinion.

Number three, there was some difference in language providing for the Tribe to acquire the land in fee simple along the canal works from Navajo Dam to the irrigation projects, and those differences have been agreed upon. In my opinion, it has left it open for the Tribe to purchase those lands as we have agreed to do.

The fourth difference, which was re-emphasized by Congressman Aspinall of Colorado, was that the appropriation for the Navajo Irrigation or the San Juan-Chama Project will not come out of the over-all Upper Colorado River Basin appropriation, but they will have to be separate and distinct appropriations for these projects, which was already agreed and we insisted it be written in there.

Mr. Chairman, those are the differences in the two bills which I would like to characterize as insignificant, and having been agreed upon in the Senate, of course, passed and approved in Senate 107 which incorporates the changes. The bill should be signed by the President very shortly now.

Mr. Chairman, Members of the Council: I should like to take this opportunity to draw your attention to the very fine work the Navajo delegation accomplished while back there. Actually, I suppose that other Indian delegations have been in Washington, and they have not been as effective as or as dignified and sophisticated as our group was when we went in several weeks ago. I heard nothing but good from the Congressmen with whom I discussed the matter, and I would like to reiterate that this delegation did a very good job. They were tired after the second day, but after I gave them the score as to how many Congressmen we had to contact, how many yeses there were and how many noes, they went at it with renewed vigor and we worked to a quarter of twelve, the Congress being in session at twelve. So, we worked right down the line. Our delegation was very effective; they dressed well; they made a fine appearance. Their presentation was very good, and I was never more proud of my own Navajo people than I was last week.

There were Indian tribes whom I called upon to help us, particularly those tribes located along the Corn Belt or the Farm Belt of the country, Minnesota, Wisconsin, through Iowa and Kansas. We called on the tribes in Florida, the tribes in the Pacific Northwest, the tribes in California; and I am proud to say that even our Indian brothers came to our assistance. We definitely know they did because I have here a sheaf of correspondence with names and addresses of those whom I have to write and thank for their assistance in getting this bill through.

I believe that special recognition should be given to Senator Anderson who has gotten this bill through the Senate three times and on the fourth try it was passed into law. Also special recognition should be given to Congressman Morris who was actually the chief strategist and who has been giving full time to the passage of this bill. I believe it was through these efforts that many Congressmen who otherwise would have been against this bill voted for and supported this bill. Congressman Montoya was also very effective, and I believe Congressman Montoya indicated to us his friendship to the Navajo people and to Indian people. I believe it is fitting at this time to give them complete recognition in their tremendous effort in helping us achieve this goal in the passage of this bill.

There were many others who helped out, the Governor of New Mexico, the Lieutenant Governor, many of the Republican party members, and many of them deserve a lot of credit. Basically, it was a nonpartisan project, and the cooperation that was had between the Congressional delegates, state officials, and particularly the Navajo Tribe was wonderful. I do not believe this bill would have passed had it not been for your own people lobbying there on the grassroots level.

THE CHAIRMAN: At this time we will have a brief recess.

(Whereupon, at 10:15 a.m., the Navajo Tribal Council recessed for ten minutes.)

(Whereupon, John Todea assumed the position of Interpreter.)

THE CHAIRMAN: Council will come back to order, please.

This is a matter of agreeing with the amount that has been accomplished in the Senate as has been portrayed here by the telegram from Mr. Littell to Maurice McCabe. That has all been effected, and that is on its way to the President for signature. If there are no further questions, we would like to have you act on this as soon as possible.

JOHN NEZ BEYALE: Mr. Chairman, Members of the Council, Tribal Officials, and Visitors: Inasmuch as the subject on the floor has to do with an expression of appreciation for several things which need to be accomplished, among those several things, this item has been pending for a long time: water development and how to utilize that type of resource available to the Tribe. It has taken so long that oftentimes we have lost hope that we would achieve the goal. As of now, we are now dealing with the question which has been approved by the leadership of the country. What we will achieve here is to achieve the benefits for the future Navajo generations to come and how to apply the water resources in the future growth of the Navajo Tribe. We have received a lot of assistance through our Tribal legal staff.

I believe there is no question that what we are trying to do here will be appreciated for time immemorial. Those of you who made the trip to Washington in behalf of the approval of this subject, we certainly owe you our thanks. We thank you for the efforts that you have put forth in behalf of your people. Mr. Maurice McCabe has explained fully what has taken place toward approval action of this matter of water development of the San Juan River. The only thing we have to do is to reaffirm our position on this subject. This is a major item, but then it has become involved in the other items for which this Council is in session.

I make a motion at this time that we pass on this resolution recommending amendment and adoption of S 107, Navajo Irrigation-San Juan-Chama Diversion Project.

Furthermore, Mr. Chairman, I have one more item to add to the statement and motion I have made. The Council feels they should be excused along about 3 o'clock this afternoon. They told me while we were in recess that in case we get the chance to get the floor to add this announcement to our statement.
(Laughter)

ANNIE WAUNKA: Mr. Chairman, this may be a little bit off the subject, but I want to make a comment commending the efforts of

the Council. I would like, in the first place, to indicate that I will second Mr. Beyale's motion.

The reason I say I want to comment to the Navajo Tribal Council is this: When I went over there, I thought these were highly important and intellectual groups who served as leaders of the country. That doesn't seem to be true. It is more or less a picnic that they have over there. The only controlling factors are committees who discuss specific items. They control the whole effort; that is, the goal they need to meet. The rest of them are just like a bunch of kids, just strolling all over the chambers. Then, you have announcements made or push-button systems where everybody comes in and answers roll call. It seems to me that without having to be in attendance at all minutes or hours of the day, these people seem to understand what is going on anyway. I don't know how they do it, but that is true.

To my confirmation of their efforts, these people, maybe the whole Congress, may be dissolved at any hour; but then they come together again. They just have a push-button system there and you discern that each one of these people understand what the subject is about. That is the reason I say here in the Navajo Council we are here together: We have one set of eyes, one mouth, one set of ears. We all come to our agreement without having to chase around and get somebody else's information. (Applause)

THE CHAIRMAN: We have not gone that far to copy every bit of the Congress' action. We are happy to know that the Council delegation who witnessed the operation of the House as well as the Senate were able to see the way they conduct their business. This is of benefit to us.

All those in favor, please stand; all those opposed.

The vote is 67 in favor and none opposed.

At the conclusion, Mr. McCabe said he would acknowledge all the help that we received from other Indians. He is going ahead with that. I am receiving some letters myself. They are being turned over to him for acknowledgment. We do not know how many of our Indian groups have helped us, but letters are coming in to the Congressmen and various friends we have in Washington who have influence. We want to acknowledge all of those.

We will proceed with the next item.

MANUEL BEGAY: Mr. Chairman, we are on Department 15 of the Resources Division, the Forestry Department. The approved budget for 1962 was \$69,076; the proposed budget for 1963 is \$64,590. I would like to call to your attention the Remarks section where it says, "Overall budget reduced due mainly to service and maintenance of forestry radio equipment being included in one department instead of several."