

customs, and such authorities as they may prescribe, subject only to the controlling power of the Government of the United States." Number 4 of this Treaty "The Government of the United States will, at its earliest convenience afford to the contracting Pueblos its protecting power and influence will adjust and settle, in the most practicable manner, the boundaries of each Pueblo which shall never be diminished, but may be enlarged whenever the Government of the United States shall deem it advisable." In consideration of these and other promises on the part of the United States, the Pueblo of Santa Clara placed itself "under the exclusive jurisdiction and protection of the Government of the United States, surrendered the right to use force to protect its lands, its waters, and the interests of its inhabitants" and agreed that "all cases of aggression against the persons and interests of their respective pueblos shall be referred for adjustment and settlement to such tribunals as the government of the United States has provided or may provide." Neither the promises of the United States in aforesaid agreement nor those of the Pueblo of Santa Clara were made dependent upon any further action by the Senate or President of the United States, or by any other person or body. James S. Calhoun, in executing the aforesaid agreement, represented the United States by virtue of an appointment by the President made with the advice and consent of the Senate, and acted pursuant to instructions for the Commission of Indian Affairs, dated April 24, 1850. The Pueblo understood that it was bound by reciprocal promises which it had given, and thereafter faithfully adhered to those promises. The Pueblo does not know of any advice or notice ever issued by the United States to the effect that such agreement is invalid or has ever been revoked or rescinded, and if any such notice or advice has been issued and is known to the United States Government, the Pueblo of Santa Clara hereby petitions that such records be produced and presented to this committee.

Present state.—Like states, territories, and municipalities, we are an integral part of the national governmental structure, but our roots lie in international law and in treaties and decisions of the United States Supreme Court beginning with Chief Justice John Marshall who in *Worcester vs. Georgia* in 1832 recognized them as "distinct, independent, political communities" a doctrine reasserted by the court as recently as 1954.

We are in complete accord with Title III of the S-1843 in so far as it repeals Public Law 83-280 and support the Resolution of the 19 All-Pueblo Indian Council of New Mexico. To permit state jurisdiction, as the Public Law 280 would presently allow, would infringe on the rights of the Indians to govern themselves and would undermine the authority of tribal governments and courts over reservation affairs. For these reasons and those of the foregoing presentation, we pray and petition this committee to give great consideration and weigh them carefully. Surely, we do need state assistance through their Executive, Legislative, and Judicial Branches, but we do not wish to surrender our cherished self-determination, and self-government. Once the conditions of Title III are satisfied, there is no provision made for the retrocession of jurisdiction back to its true owner.

The Indians are better qualified as to the right of the democratic principle of the consent of the governed. By leaving this decision to the Indians, our Federal Government will demonstrate to the world that a wide diversity in forms of local self-government, cultures and customs is the strength and health of our kind of society, the very foundation of the democratic way of life. We like to live in dignity and peace as has been our way of life.

Thank you, Mr. Chairman, for giving us this opportunity to be heard.

I remain,

Respectfully yours,

JUAN CHAVARRIA,
Governor, Pueblo de Santa Clara.

The CHAIRMAN. Mr. Lieutenant Governor, how much education have you had?

Lieutenant Governor SINGER. Twelfth grade, sir.

The CHAIRMAN. At an Indian school?

Lieutenant Governor SINGER. No, at the public school. Espanola High School.

The CHAIRMAN. What is your present vocation outside of being lieutenant governor?