

A STATEMENT ON BEHALF OF THE CITY OF ALBUQUERQUE, N. MEX., RELATIVE TO
PROPOSED AMENDMENTS TO PUBLIC LAW 83-280 RELATIVE TO INDIANS

We are very recently advised that there are several proposals now pending in Congress to amend Public Law 83-280 (67 Stat. 588) so that the State of New Mexico (or any other state) may not exercise jurisdiction over Indian country unless the Indian council or tribe consents to the jurisdiction. We understand a hearing on one of these bills will be Friday of this week, March 29.

I am viewing the matter in its relationship to Albuquerque. There are three Indian pueblos near Albuquerque: Isleta on the south, Laguna on the west, and Sandia on the north. Sandia Pueblo is 10 miles from the northern City limits; the Isleta Pueblos is 10 miles from the south City limits; Laguna is 35 miles away.

The proposal would provide that neither state legislation nor city and county legislation would apply to Indians unless they took affirmative action to approve. It may be helpful to illustrate some of the possible points of disagreement.

It has been proposed that a pulp mill be established on the Isleta Indian Reservation south of Albuquerque. The location in the Rio Grande Valley would assure distribution of the air pollutants throughout the Valley area of Bernalillo and Sandoval counties, and the well-known contaminants from the pulp mills would become part of the atmosphere in this area. If the proposals before Congress were enacted the City of Albuquerque could do nothing about it, nor could the State of New Mexico without the consent of the Isleta Tribe. The latter may hardly be expected to accept control where the financial inducements for tribal gain are so great.

Since the building of the Panama Canal, malaria control through mosquito abatement has been familiar to Americans. Along the Rio Grande Valley, mosquito breeding is a continuing hazard which has not been reduced in systematic fashion by unified efforts at control because of the overlapping governmental jurisdictions which extend along the river and the lack of authority in certain special service districts to utilize funds for such purpose. If the legislation is passed, the effort to unify the control over areas of this kind will be aborted by the power of the Isleta Pueblo in this area to refuse to accept the responsibility for doing their part in the tribal area.

Although discussion of the problems of industrialization in our Indian pueblos may appear speculative as of today, recent legislation enacted by Congress for the encouragement of industrialization in the hope of improving the lot of American Indians does provide economic inducements to manufacturers which will ultimately turn speculation into reality. When this occurs the other results of industrialization may be expected to follow. It is not hard to foresee that families working in or with such industries will have school children and that convenience will dictate the building of school facilities on tribal areas. We have already found in New Mexico that compulsory school attendance does not apply to the Indians; and one can easily foresee that this kind of differentiation will result in a denial to the Indian child of his right to an equal education, not because of the selfishness of the white man, but because of the existing restrictions on the enforcement of school attendance laws and the indifference of some tribal leaders to the need for education.

A food processing plant presently exists on one of the nearby Indian reservations. This plant, and others in the future, must depend on off-reservation sales. It is essential that any such food processing operation comply with all state and local laws relating to food sanitation, water supply, liquid and solid waste disposal, vermin control, labeling, weights and measures, etc.

The collection, transportation and disposal of solid wastes must be handled on an area-wide basis. Most governmental units are too small to economically handle this land pollution problem by themselves. The only solution lies in a co-operative, area-wide approach. The City of Albuquerque has just received a \$65,000 United States Public Health Service planning grant to plan for effective solid waste disposal for the Middle Rio Grande Area from Bernalillo to Belen. This area includes the densely populated areas of two Indian reservations.