

We would like to reiterate a point lightly touched upon earlier in this statement. The size and diversity of the membership of NCAI, its rapid growth over the past decade and its comparatively unique requirement that its membership be Indian, all attest to its capability in providing a genuine comprehensive and synoptic representation of the concerns of the larger Indian community. Its success in achieving this end arises out of the membership present and growing size and the organizational commitment to seek policies which will *collectively* benefit the membership. To maintain this capability NCAI seeks to encourage legislation which has a collective effect. To pursue legislation in a manner which is selectively oriented to accommodate the desire of specific Indian groups could entail a proliferation of small fragmented efforts whose multiplicity would clutter the legislative calendar to an extent which would protract the execution of legislation which benefits only a few Indian groups with the capability and privileges to get on the legislative agenda first. Should this happen, the Indians of this country would be right back where they started in achieving their rights as citizens with their relative impotency as small segmented groups each seeking what is in effect an individual treaty.

We Indians have been this route before and it has certainly not gotten us very much or we wouldn't be at this hearing today nor would there be a need for the legislation presently being considered. Moreover, we feel such fragmentation of efforts by its very nature would generally serve to impede the programs and processes with which we seek to better integrate this disadvantaged Indian into potential advantages of the American Society. It would establish a precedent which could lead to policies in application of any general governmental program in the areas of economic opportunity, health, education, welfare, et. al., where it could be required that these programs submit to individual legislation and negotiation to meet the tailored desires of every particular Tribal group. This conjecture may be excessively negative but it reflects an alerted concern on the part of NCAI about legislative procedures and philosophies which appear to lean in this direction. As an organization, NCAI feels that it honestly represents the interests of its membership and that its membership, in turn, honestly represents the interest of the larger American Indian community. We also feel that our capability in this dimension is the most legitimate and comprehensive of any organization in this nation.

Speaking from this position NCAI strongly recommends that the Honorable members of this Committee endorse S. 1843 and/or H.R. 15122, for subsequent passage to the House of Representatives.

[Telegrams]

Hon. E. Y. BERRY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BERRY: I want to thank you for sending a report on S. 1843, which I understand passed the Senate on December 7, 1967, and for the opportunity to give the views of the Cheyenne River Sioux Tribe.

The Cheyenne River Sioux Tribe were opposed to S. 1843 for the reason it took away authority granted to them under the Act of June 18, 1934 and violated the Constitution and By-Law and the Law and Order Code of the Cheyenne River Sioux Tribe.

At the meeting of the Executive Council of the National Congress of American Indians at Washington, D.C., on March 5, 1968, I drafted a Resolution for the consideration by the Council and it was unanimously passed going on record of approving of S. 1843 with the understanding that as the wording in Section 201 only applied to the court of Indian office and not to the Indian tribal court. In writing the Resolution, or the copying of it, a mistake was made, as the Resolution shows Section 102 instead of Section 201. I am enclosing the Resolution for your information. I am also sending a copy of this letter to Mr. John Belindo, Executive Director of the National Congress of American Indians. As to the mistake made in line 6 of Resolution No. 2, after the word Section, 102 should be changed to 201. Also enclosed for your information is the Constitution and By-Laws of the Cheyenne River Sioux Tribe. See page 5, Subsection (k) under Article IV—Powers of Self Government, Section 1. Also see page 16 of the By-Laws, Article V—Tribal Courts (Judicial Code).

Thanks again for giving the Tribe this opportunity to voice their views.

Sincerely,

FRANK DUCHENEAUX,
Chairman-CRSTC.