

and maintained on an annual basis, and that Senate document 319, containing treaties, laws, Executive orders, and regulations relating to Indian affairs be kept current on an annual basis. The section authorizes the necessary funds for carrying out the purposes of title VI.

The need for adequate and up-to-date research tools in the area of Indian affairs is pronounced. If our Indian citizens are to receive benefits in full measure from their own efforts, as well as from the activities of their attorneys and of scholars working on their behalf, full and easy access must be had to relevant documentary sources. Instances of out-of-print, out-of-date and out-of-circulation materials must be corrected.

I should now like to discuss recent objections to certain titles of S. 1843.

The charge has been made that Title I would impose unreasonable burdens upon tribal governments and would destroy traditional forms of Indian tribal government. I do not believe that these objections are valid. All Indians are citizens of the United States and in my view, should be entitled to the basic constitutional rights which are secured for other citizens by the Bill of Rights. I cannot understand why anyone would object to giving them such basic rights. For instance, I fail to see why any tribal government would want to try any Indian for the same offense twice, or compel any Indian to be a witness against himself or impose excessive fines, or inflict cruel or unusual punishments, or deny to any Indian the privilege of the writ of habeas corpus or any of the other rights enumerated in Title I of S. 1843. Hundreds of Indians and numerous tribal leaders have told the Subcommittee that they have no fear of the provisions of Title I since their tribal courts already adhere to the basic principles of fairness and justice embodied in those provisions. To insure that these rights will always be secured to individual American Indians against possible infringement by any tribal government, we must have an organic written law which places limits upon the whims of man and provides for the rule of law rather than the rule of man. Obviously, no piece of legislation will please all men at all times. In our form of majority rule in America, democracy assumes that individual objections may not always be accommodated by the legislative process.

I realize that the All Indian Pueblo Council of New Mexico has voiced serious objections to the provisions of Title I and has asked to be exempt from that Title. In all sincerity, I do not believe that the fears of this fine group of Indian citizens can be justified. The Pueblo Indians have a rich, colorful form of government founded on tradition and wise experience. In no conceivable way is it my intention, through the provisions of Title I of S. 1843, to hamper, weaken or destroy the Pueblo tribal tradition or any Indian tribal governments in this Nation. In fact, I believe that the provisions of S. 1843 would strengthen tribal governments and grant dignity to every tribal court in our Indian nations. Most importantly, however, Title I would grant to the individual Indian safeguards against tribal misunderstandings, capriciousness and well-intentioned miscarriages of justice.

Several members of Pueblo tribes in New Mexico, both in the 1961 and 1965 hearings expressed a desire that all Indians be given rights under the Constitution which would be free from the whims of a temporary majority. Some Pueblo individuals and groups have written to the Subcommittee in recent weeks to reiterate that desire.

Quoted below are excerpts from letters received from individual Pueblo Indians urging adoption of S. 1843 in its entirety.

ISLETA, PUEBLO, ISLETA, N. MEX., *March 25, 1968.*

Hon. SAM J. ERVIN,
U.S. Senator, Chairman, Subcommittee on Constitutional Rights,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR ERVIN: We read the material in the Congressional record of March 14, 1968 in regard to the Constitutional Rights of the Indians of the United States.

This journal of the proceedings was read and discussed in the House of Representatives (H.R. 2516). It is registered as Title II through Title VII, Rights of Indians. We are fully aware of what rights and protections we are entitled to under the U.S. Constitution as citizens of the United States.

We as a Committee in behalf of our Community who previously signed the letters favoring the Constitutional Rights, hoping, waiting and praying that this will come to pass.