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INDIAN EDUCATION ACT OF 1971

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HEARING

BEFORE THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 2482

A BILL TO AUTHORIZE FINANCIAL SUPPORT FOR IMPROVEMENTS
IN INDIAN EDUCATION, AND FOR OTHER PURPOSES

SEPTEMBER 20, 1971



Printed for the use of the
Committee on Interior and Insular Affairs

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INTERIOR AND INSULAR AFFAIRS

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INDIAN EDUCATION ACT OF 1971

MONDAY, SEPTEMBER 20, 1971

U.S. SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
Washington, D.C.

The committee met at 10:05 a.m., in room 3110, New Senate Office Building, the Honorable Henry M. Jackson, chairman, presiding.

Present: Senators Jackson, Hansen, Fannin, Metcalf, and Allott.

Also present: Mary Jane Due, staff counsel; Forrest Gerard, professional staff member; and Thomas Nelson, Jr., assistant minority counsel.

The CHAIRMAN. The committee will come to order.

This hearing is being held by the Interior Committee to give spokesmen from the major Indian organizations an opportunity to advise the Senate on S. 2482, entitled "the Indian Education Act of 1971."

On August 6, 1971, by unanimous-consent agreement, title IV of S. 659 was referred to the Committees on Interior and on Labor and Public Welfare with instructions to report back to the Senate on October 1. The Committee on Labor and Public Welfare has been invited to join with the Interior Committee for this hearing.

It is my hope that based on this and other hearings by this committee, and on the extensive hearings and investigations of the Special Subcommittee on Indian Education of the Labor Committee, the Congress can develop a comprehensive program of Indian education which will meet the needs of Indian children and adults who live both on and off reservations.

I believe the climate has never been better for a breakthrough in Indian education. The American people, Indian and non-Indian alike, have been made aware of the tragic history of the American Indians. I believe the national conscience dictates that we must proceed without delay to right the wrongs of the past.

It is proper that those most concerned with the future of the American Indians, the Indian people themselves, through their representatives, should be given the opportunity to advise us on the kind and scope of legislation which can best meet the need. It is for this reason that the hearing today is limited to spokesmen for the Indian people.

(S. 2482 and department reports follow:)

92^d CONGRESS
1ST SESSION

S. 2482

IN THE SENATE OF THE UNITED STATES

AUGUST 6, 1971

Mr. PELL (for himself, Mr. ALLOTT, Mr. BURDICK, Mr. FANNIN, Mr. JACKSON, Mr. KENNEDY, Mr. METCALF, and Mr. MONDALE) introduced the following bill; which was read twice and referred jointly to the Committees on Labor and Public Welfare and Interior and Insular Affairs

A BILL

To authorize financial support for improvements in Indian education and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That this Act may be cited as the "Indian Education Act
4 of 1971".

5 PART A—REVISION OF IMPACTED AREAS PROGRAM AS IT

6 RELATES TO INDIAN CHILDREN

7 AMENDMENTS TO PUBLIC LAW 874, EIGHTY-FIRST

8 CONGRESS

9 SEC. 2. (a) The Act of September 30, 1950 (Public
10 Law 874, Eighty-first Congress), is amended by redesignat-

1 ing title III as title IV, by redesignating sections 301 through
2 303 and references thereto as sections 401 through 403, re-
3 spectively, and by adding after title II the following new
4 title:

5 "TITLE III—FINANCIAL ASSISTANCE TO LOCAL
6 EDUCATIONAL AGENCIES FOR THE EDUCA-
7 TION OF INDIAN CHILDREN

8 "SHORT TITLE

9 "SEC. 301. This title may be cited as the 'Indian Ele-
10 mentary and Secondary School Assistance Act'.

11 "DECLARATION OF POLICY

12 "SEC. 302. (a) In recognition of the special educational
13 needs of Indian students in the United States, Congress
14 hereby declares it to be the policy of the United States to
15 provide financial assistance to local educational agencies to
16 develop and carry out elementary and secondary school pro-
17 grams specially designed to meet these special educational
18 needs.

19 "(b) The Commissioner shall, in order to effectuate
20 the policy set forth in subsection (a), carry out a program
21 of making grants to local educational agencies which are en-
22 titled to payments under this title and which have submitted,
23 and had approved, applications therefor, in accordance with
24 the provisions of this title.

1 "GRANTS TO LOCAL EDUCATIONAL AGENCIES

2 "SEC. 303. (a) (1) For the purpose of computing the
3 amount to which a local educational agency is entitled
4 under this title for any fiscal year ending prior to July 1,
5 1975, the Commissioner shall determine the number of In-
6 dian children who were enrolled in the schools of a local
7 educational agency, and for whom such agency provided
8 free public education, during such fiscal year.

9 "(2) (A) The amount of the grant to which a local
10 educational agency is entitled under this title for any fiscal
11 year shall be an amount equal to (i) the average per pupil
12 expenditure for such agency (as determined under subpara-
13 graph (C)) multiplied by (ii) the sum of the number of
14 children determined under paragraph (1).

15 "(B) A local educational agency shall not be entitled to
16 receive a grant under this title for any fiscal year unless
17 the number of children under subsection (a), with respect
18 to such agency, is at least ten or constitutes at least 50 per
19 centum of its total enrollment.

20 "(C) For the purposes of this subsection, the average
21 per pupil expenditure for a local educational agency shall
22 be the aggregate current expenditures, during the second
23 fiscal year preceding the fiscal year for which the computa-
24 tion is made, of all of the local educational agencies in the
25 State in which such agency is located, plus any direct cur-

1 rent expenditures by such State for the operation of such
2 agencies (without regard to the sources of funds from which
3 either of such expenditures are made), divided by the aggre-
4 gate number of children who were in average daily en-
5 rollment for whom such agencies provided free public
6 education during such preceding fiscal year.

7 “(b) In addition to the sums appropriated for any
8 fiscal year for grants to local educational agencies under
9 this title, there is hereby authorized to be appropriated
10 for any fiscal year an amount not in excess of 5 per centum
11 of the amount appropriated for payments on the basis of en-
12 titlements computed under subsection (a) for that fiscal year,
13 for the purpose of enabling the Commissioner to provide
14 financial assistance to schools on or near reservations which
15 are not local educational agencies or have not been local edu-
16 cational agencies for more than three years, in accordance
17 with the appropriate provisions of this title.

18 “USES OF FEDERAL FUNDS

19 “SEC. 304. Grants under this title may be used, in
20 accordance with applications approved under section 305,
21 for—

22 “(1) planning for and taking other steps leading
23 to the development of programs specifically designed to
24 meet the special educational needs of Indian children,

1 including pilot projects designed to test the effectiveness
2 of plans so developed; and

3 “(2) the establishment, maintenance, and operation
4 of programs, including, in accordance with special regu-
5 lations of the Commissioner, minor remodeling of class-
6 room or other space used for such programs and acqui-
7 sition of necessary equipment, specially designed to meet
8 the special educational needs of Indian children.

9 “APPLICATION OR GRANT; CONDITIONS FOR APPROVAL

10 “SEC. 305. (a) A grant under this title, except as pro-
11 vided in section 303 (b), may be made only to a local
12 educational agency or agencies, and only upon application
13 to the Commissioner at such time or times, in such manner,
14 and containing or accompanied by such information as the
15 Commissioner deems necessary. Such application shall—

16 “(1) provide that the activities and services for
17 which assistance under this title is sought will be ad-
18 ministered by or under the supervision of the applicant;

19 “(2) set forth a program for carrying out the pur-
20 poses of section 304, and provide for such methods
21 of administration as are necessary for the proper and
22 efficient operation of the program;

23 “(3) in the case of an application for payments for
24 planning, provide that (A) the planning was or will be
25 directly related to programs or projects to be carried out

1 under this title and has resulted, or is reasonably likely
2 to result, in a program or project which will be carried
3 out under this title, and (B) the planning funds are
4 needed because of the innovative nature of the program
5 or project or because the local educational agency lacks
6 the resources necessary to plan adequately for programs
7 and projects to be carried out under this title;

8 “(4) provide that effective procedures, including
9 provisions for appropriate objective measurement of edu-
10 cational achievement, will be adopted for evaluating at
11 least annually the effectiveness of the programs and proj-
12 ects in meeting the special educational needs of Indian
13 students;

14 “(5) set forth policies and procedures which assure
15 that Federal funds made available under this title for any
16 fiscal year will be so used as to supplement and, to the
17 extent practical, increase the level of funds that would,
18 in the absence of such Federal funds, be made available
19 by the applicant for the education of Indian children
20 and in no case supplant such funds;

21 “(6) provide for such fiscal control and fund
22 accounting procedures as may be necessary to assure
23 proper disbursement of, and accounting for, Federal
24 funds paid to the applicant under this title; and

25 “(7) provide for making an annual report and such

1 other reports, in such form and containing such infor-
2 mation, as the Commissioner may reasonably require to
3 carry out his functions under this title and to determine
4 the extent to which funds provided under this title have
5 been effective in improving the educational opportunities
6 of Indian students in the area served, and for keeping
7 such records and for affording such access thereto as the
8 Commissioner may find necessary to assure the correct-
9 ness and verification of such reports.

10 “(b) An application by a local educational agency or
11 agencies for a grant under this title may be approved only
12 if it is consistent with the applicable provisions of this title
13 and—

14 “(1) meets the requirements set forth in subsec-
15 tion (a);

16 “(2) provides that the program or project for which
17 application is made—

18 “(A) will utilize the best available talents and
19 resources (including persons from the Indian com-
20 munity) and will substantially increase the educa-
21 tional opportunities of Indian children in the area
22 to be served by the applicant; and

23 “(B) has been developed—

24 “(i) in open consultation with parents of
25 Indian children, teachers, and, where applica-

1 ble, secondary school students, including public
2 hearings at which such persons have had a full
3 opportunity to understand the program for
4 which assistance is being sought and to offer
5 recommendations thereon, and

6 “(ii) with the participation and approval of
7 a committee composed of, and selected by, par-
8 ents of children participating in the program for
9 which assistance is sought, teachers, and, where
10 applicable, secondary school students, of which
11 at least half the members shall be such parents;

12 “(C) sets forth such policies and procedures as
13 will insure that the program for which assistance is
14 sought will be operated and evaluated in consultation
15 with, and the involvement of, parents of the children
16 and representatives of the area to be served, in-
17 cluding the committee established for the purposes of
18 clause (2) (B) (ii).

19 “(c) Amendments of applications shall, except as the
20 Commissioner may otherwise provide by or pursuant to
21 regulations, be subject to approval in the same manner as
22 original applications.

23 “PAYMENTS

24 “SEC. 306. (a) The Commissioner shall, subject to the
25 provisions of section 307, from time to time pay to each

1 local educational agency which has had an application
2 approved under section 305, an amount equal to the amount
3 expended by such agency in carrying out activities under
4 such application.

5 “(b) (1) No payments shall be made under this title
6 for any fiscal year to any local educational agency in a
7 State which has taken into consideration payments under
8 this title in determining the eligibility of such local educa-
9 tional agency in that State for State aid, or the amount of
10 that aid, with respect to the free public education of children
11 during that year or the preceding fiscal year.

12 “(2) No payments shall be made under this title to
13 any local educational agency for any fiscal year unless
14 the State educational agency finds that the combined fiscal
15 effort (as determined in accordance with regulations of the
16 Commissioner) of that agency and the State with respect to
17 the provision of free public education by that agency for the
18 preceding fiscal year was not less than such combined fiscal
19 effort for that purpose for the second preceding fiscal year.

20 “ADJUSTMENTS WHERE NECESSITATED BY

21 APPROPRIATIONS

22 “Sec. 307. (a) If the sums appropriated for any fiscal
23 year for making payments under this title are not sufficient
24 to pay in full the total amounts which all local educational
25 agencies are eligible to receive under this title for that fiscal

1 year, the maximum amounts which all such agencies are
2 eligible to receive under this title for such fiscal year shall
3 be ratably reduced. In case additional funds become avail-
4 able for making such payments for any fiscal year during
5 which the first sentence of this subsection is applicable, such
6 reduced amounts shall be increased on the same basis as
7 they were reduced.

8 “(b) In the case of any fiscal year in which the maxi-
9 mum amounts for which local educational agencies are eligi-
10 ble have been reduced under the first sentence of subsection
11 (a), and in which additional funds have not been made
12 available to pay in full the total of such maximum amounts
13 under the second sentence of such subsection, the Commis-
14 sioner shall fix dates prior to which each local educational
15 agency shall report to him on the amount of funds available
16 to it, under the terms of section 306 (a) and subsection (a)
17 of this section, which it estimates, in accordance with reg-
18 ulations of the Commissioner, that it will expend under
19 approved applications. The amounts so available to any local
20 educational agency, or any amount which would be available
21 to any other local education agency if it were to submit an
22 approvable application therefor, which the Commissioner
23 determines will not be used for the period of its availability,
24 shall be available for allocation to those local educational
25 agencies, in the manner provided in the second sentence of

1 subsection (a), which the Commissioner determines will need
2 additional funds to carry out approved applications, except
3 that no local educational agency shall receive an amount
4 under this sentence which, when added to the amount avail-
5 able to it under subsection (a), exceeds its entitlement under
6 section 303.

7

"DEFINITION

8 "SEC. 308. As used in this title, the term 'Indian' means
9 any individual who (1) is an enrolled member of a tribe,
10 band, or other organized group of Indians, including those
11 tribes, bands, or groups terminated since 1940 and those rec-
12 ognized now or in the future by the State in which they re-
13 side, or who is a descendant, in the first or second degree, of
14 any such enrolled member, or (2) is considered by the Secre-
15 tary of the Interior to be an Indian for any purpose, or (3)
16 is an Eskimo or Aleut or other Alaska Native, or (4) is de-
17 termined to be an Indian under regulations promulgated by
18 the Commissioner, after consultation with the National Ad-
19 visory Council on Indian Education, which regulations shall
20 further define the term 'Indian'."

21 (b) Effective July 1, 1972, paragraph (1) of section
22 103 (a) of title I of the Elementary and Secondary Educa-
23 tion Act of 1965 is amended—

24

(A) by striking out subparagraph (B), and by

1 striking out “(A)” where it appears after “SEC. 103.

2 (a) (1)”;

3 (B) in the fourth sentence thereof, by striking out

4 “and the terms upon which payment shall be made to

5 the Department of Interior”; and

6 (C) by striking out the third sentence thereof.

7 PART B—SPECIAL PROGRAMS AND PROJECTS TO IM-

8 PROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN

9 CHILDREN

10 AMENDMENT TO TITLE VIII OF THE ELEMENTARY AND

11 SECONDARY EDUCATION ACT OF 1965

12 SEC. 3. (a) Title VIII of the Elementary and Sec-

13 ondary Education Act of 1965 is amended by adding to

14 the end thereof the following new section:

15 “IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR

16 AMERICAN INDIAN CHILDREN

17 “SEC. 810. (a) The Commissioner shall carry out a

18 program of making grants for the improvement of educa-

19 tional opportunities for American Indian children—

20 “(1) to support planning, pilot, and demonstration

21 projects, in accordance with subsection (b), which are

22 designed to test and demonstrate the effectiveness of pro-

23 grams for improving educational opportunities for Amer-

24 ican Indian children;

1 “(2) to assist in the establishment and operation of
2 programs, in accordance with subsection (c), which are
3 designed to stimulate (A) the provision of educational
4 services not available to American Indian children in
5 sufficient quantity or quality, and (B) the development
6 and establishment of exemplary educational programs to
7 serve as models for regular school programs in which
8 American Indian children are educated;

9 “(3) to assist in the establishment and operation of
10 preservice and inservice training programs, in accord-
11 ance with subsection (d), for persons serving Indian
12 children as educational personnel; and

13 “(4) to encourage the dissemination of informa-
14 tion and materials relating to, and the evaluation of the
15 effectiveness of, education programs which may offer
16 educational opportunities to American Indian children.

17 In the case of activities of the type described in clause (3),
18 preference shall be given to the training of Indians.

19 “(b) The Commissioner is authorized to make grants
20 to State and local educational agencies and other appropriate
21 public and private educational and research agencies, organi-
22 zations, and institutions (including federally supported ele-
23 mentary and secondary schools for Indian children) and to
24 Indian tribes to support planning, pilot, and demonstration
25 projects which are designed to plan for, and test and demon-

1 strate the effectiveness of, programs for imposing educa-
2 tional opportunities for American Indian children, includ-
3 ing—

4 “(1) innovative programs related to the educational
5 needs of educationally deprived children;

6 “(2) bilingual and bicultural education programs
7 and projects;

8 “(3) special health and nutrition services, and other
9 related activities, which meet the special health, social,
10 and psychological problems of Indian children; and

11 “(4) coordinating the operation of other federally
12 assisted programs which may be used to assist in meet-
13 ing the needs of such children.

14 “(c) The Commissioner is also authorized to make
15 grants to State and local educational agencies and to tribal
16 and other Indian community organizations to assist and
17 stimulate them in developing and establishing educational
18 services and programs specifically designed to improve edu-
19 cational opportunities for American Indian children. Grants
20 may be used—

21 “(1) to provide educational services not available
22 to such children in sufficient quantity or quality, in-
23 cluding—

24 “(A) remedial and compensatory instruction,
25 school health, physical education, psychological,

1 and other services designed to assist and encourage
 2 Indian children to enter, remain in, or reenter ele-
 3 mentary or secondary school;

4 “(B) comprehensive academic and vocational
 5 instruction;

6 “(C) instructional materials (such as library
 7 books, textbooks, and other printed or published
 8 or audiovisual materials) and equipment;

9 “(D) comprehensive guidance, counseling, and
 10 testing services;

11 “(E) special education programs for handi-
 12 capped;

13 “(F) preschool programs;

14 “(G) bilingual and bicultural education pro-
 15 grams; and

16 “(II) other services which meet the purposes
 17 of this subsection; and

18 “(2) for the establishment and operation of exem-
 19 plary and innovative educational programs and centers,
 20 involving new educational approaches, methods, and
 21 techniques designed to enrich programs of elementary
 22 and secondary education for Indian children.

23 “(d) The Commissioner is also authorized to make
 24 grants to institutions of higher education and to State and

1 local educational agencies, in combination with institutions
2 of higher education, for carrying out programs and projects—

3 “(1) to prepare persons to serve Indian children
4 as teachers, teacher aides, social workers, and ancillary
5 educational personnel; and

6 “(2) to improve the qualifications of such persons
7 who are serving Indian children in such capacities.

8 Grants for the purposes of this subsection may be used for
9 the establishment of fellowship programs leading to an
10 advanced degree, for institutes and, as part of a continuing
11 program, for seminars, symposia, workshops, and confer-
12 ences.

13 “(e) The Commissioner is also authorized to make
14 grants to, and contracts with, public and private agencies,
15 organizations, and institutions (except that no grant may be
16 made to an agency, organization, or institution other than
17 one which is nonprofit) for—

18 “(1) the dissemination of information concerning
19 education programs, services, and resources available to
20 Indian children, including evaluations thereof; and

21 “(2) the evaluation of the effectiveness of federally
22 assisted programs in which Indian children may partici-
23 pate in achieving the purposes of such programs with
24 respect to such children.

1 “(f) Applications for a grant under this section shall be
2 submitted at such time, in such manner, and shall contain
3 such information, and shall be consistent with such criteria,
4 as may be established as requirements in regulations promul-
5 gated by the Commissioner. Such applications shall—

6 “(1) set forth a statement describing the activities
7 for which assistance is sought;

8 “(2) in the case of an application for the purposes
9 of subsection (c), subject to such criteria as the Com-
10 missioner shall prescribe, provide for the use of funds
11 available under this section, and for the coordination of
12 other resources available to the applicant, in order to
13 insure that, within the scope of the purpose of the project,
14 there will be a comprehensive program to achieve the
15 purposes of this section;

16 “(3) in the case of an application for the purposes
17 of subsection (c), make adequate provision for the train-
18 ing of the personnel participating in the project; and

19 “(4) provide for an evaluation of the effectiveness
20 of the project in achieving its purposes and those of this
21 section.

22 The Commissioner shall not approve an application for a
23 grant under subsection (b) or (c) unless he is satisfied that
24 such application, and any documents submitted with respect

1 thereto, show that there has been adequate participation
2 by the parents of the children to be served and tribal com-
3 munities in the planning and development of the project, and
4 that there will be such a participation in the operation and
5 evaluation of the project. In approving applications under
6 this section, the Commissioner shall give priority to applica-
7 tions from Indian educational agencies, organizations, and
8 institutions.

9 “(g) For the purpose of making grants under this sec-
10 tion there are hereby authorized to be appropriated \$25,000,-
11 000 for the fiscal year ending June 30, 1973, and \$35,000,-
12 000 for each of the two succeeding fiscal years.”

13 (b) (1) Effective after June 30, 1972, the Elementary
14 and Secondary Education Act of 1965 is amended—

15 (A) in section 202 (a) (1), by striking out “(A)
16 the Secretary of the Interior the amount necessary for
17 such assistance for children and teachers in elementary
18 and secondary schools operated for Indian children by
19 the Department of the Interior, and (B)” and by strik-
20 ing out “Secretary of the Interior and the”.

21 (B) in section 302 (a) (1), by striking out “(A)
22 the Secretary of the Interior the amount necessary to
23 provide programs and projects for the purpose of this
24 title for individuals on reservations serviced by elemen-
25 tary and secondary schools operated for Indian children

1 by the Department of the Interior, and (B)” and by
2 striking out “Secretary of the Interior and the”.

3 (2) Effective after June 30, 1972, the second sentence
4 of paragraph (1) of section 612(a) of the Education of
5 the Handicapped Act is amended to read as follows: “The
6 Commissioner shall allot the amount appropriated pursuant
7 to this paragraph among Puerto Rico, Guam, American
8 Samoa, the Virgin Islands, and the Trust Territory of the
9 Pacific Islands, according to their respective needs.”.

10 PART C—SPECIAL PROGRAMS RELATING TO ADULT
11 EDUCATION FOR AMERICAN INDIANS

12 AMENDMENT TO THE ADULT EDUCATION ACT

13 SEC. 4. Title III of the Elementary and Secondary
14 Education Amendments of 1966 (the Adult Education Act)
15 is amended by redesignating sections 314 and 315, and all
16 references thereto, as sections 315 and 316, respectively, and
17 by adding after section 313 the following new section:

18 “IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
19 ADULT AMERICAN INDIANS

20 “SEC. 314. (a) The Commissioner shall carry out a pro-
21 gram of making grants to State and local educational agencies
22 and other appropriate public and private educational and
23 research agencies, organizations, and institutions, Indian
24 tribes and other Indian organizations, to support planning,
25 pilot, and demonstration projects which are designed to plan

1 for, and test and demonstrate the effectiveness of, programs
2 for providing adult education for American Indians—

3 “(1) to support planning, pilot, and demonstra-
4 tion projects which are designed to test and demonstrate
5 the effectiveness of programs for improving employment
6 and educational opportunities for adult American In-
7 dians;

8 “(2) to assist in the establishment and operation of
9 programs which are designed to stimulate (A) the pro-
10 vision of basic literacy opportunities to all nonliterate
11 Indian adults, and (B) the provision of opportunities to
12 all Indian adults to qualify for a high school equivalency
13 certificate in the shortest period of time feasible;

14 “(3) to support a major research and development
15 program to develop more innovative and effective tech-
16 niques for achieving the literacy and high school equiv-
17 alency goals;

18 “(4) to provide for basic surveys and evaluations
19 thereof to define accurately the extent of the problems of
20 illiteracy and lack of high school completion on Indian
21 reservations;

22 “(5) to encourage the dissemination of information
23 and materials relating to, and the evaluation of the effec-
24 tiveness of, education programs which may offer educa-
25 tional opportunities to Indian adults.

1 “(b) The Commissioner is also authorized to make
2 grants to, and contracts with, public and private agencies,
3 organizations, or institutions, Indian tribes and other Indian
4 organizations (except that no grant may be made to an
5 agency, organization, or institution other than one which is
6 nonprofit) for—

7 “(1) the dissemination of information concerning
8 educational programs, services, and resources available
9 to Indian adults, including evaluations thereof; and

10 “(2) the evaluation of the effectiveness of federally
11 assisted programs in which Indian adults may partici-
12 pate in achieving the purposes of such programs with
13 respect to such adults.

14 “(c) Applications for a grant under this section shall be
15 submitted at such time, in such manner, and contain such
16 information, and shall be consistent with such criteria, as
17 may be established as requirements in regulations promul-
18 gated by the Commissioner. Such applications shall—

19 “(1) set forth a statement describing the activities
20 for which assistance is sought;

21 “(2) provide for an evaluation of the effectiveness
22 of the project in achieving its purposes and those of
23 this section.

24 The Commissioner shall not approve an application for a
25 grant under subsection (a) unless he is satisfied that such

1 application, and any documents submitted with respect
2 thereto, indicate that there has been adequate participation
3 by the individuals to be served and tribal communities in the
4 planning and development of the project, and that there
5 will be such a participation in the operation and evaluation
6 of the project. In approving applications under subsection
7 (a), the Commissioner shall give priority to applications
8 from Indian educational agencies, organizations, and insti-
9 tutions.

10 “(d) For the purpose of making grants under this sec-
11 tion there are hereby authorized to be appropriated \$5-
12 000,000 for the fiscal year ending June 30, 1973, and
13 \$8,000,000 for each of the two succeeding fiscal years.”

14 PART D—BUREAU OF INDIAN EDUCATION

15 BUREAU OF INDIAN EDUCATION

16 SEC. 5. (a) There is hereby established, in the Office
17 of Education, a bureau to be known as the “Bureau of
18 Indian Education” which, under the direction of the Com-
19 missioner, shall have the responsibility for administering
20 the provisions of title III of the Act of September 30, 1950
21 (Public Law 874, Eighty-first Congress), as added by this
22 Act, section 810 of title VIII of the Elementary and Second-
23 ary Education Act of 1965, as added by this Act, and section
24 314 of title III of the Elementary and Secondary Education
25 Amendments of 1966, as added by this Act. The Bureau shall

1 be headed by a Deputy Commissioner of Indian Education,
2 who shall be appointed by the Commissioner of Education
3 from a list of nominees submitted to him by the National
4 Advisory Council on Indian Education.

5 (b) The Deputy Commissioner of Indian Education
6 shall be compensated at the rate prescribed for, and shall be
7 placed in, grade 18 of the General Schedule set forth in sec-
8 tion 5332 of title 5, United States Code, and shall perform
9 such duties as are delegated or assigned to him by the Com-
10 missioner. The position created by this subsection shall be in
11 addition to the number of positions placed in grade 18 of such
12 General Schedule under section 5108 of title 5, United States
13 Code.

14 NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

15 SEC. 6. (a) There is hereby established the National
16 Advisory Council on Indian Education (referred to in this
17 title as the "National Council"), which shall consist of fifteen
18 members who are Indians and Alaskan Natives appointed by
19 the President of the United States. Such appointments shall
20 be made by the President from lists of nominees furnished,
21 from time to time, by Indian tribes and organizations, and
22 shall represent diverse geographic areas of the country.

23 (b) The National Council shall—

24 (1) advise the Commissioner of Education with
25 respect to the administration (including the development

1 of regulations and of administrative practices and poli-
2 cies) of any program in which Indian children or adults
3 participate from which they can benefit, including title
4 III of the Act of September 30, 1950 (Public Law 874,
5 Eighty-first Congress), as added by this Act, and section
6 810, title VIII of the Elementary and Secondary Edu-
7 cation Act of 1965, as added by this Act and with respect
8 to adequate funding thereof;

9 (2) review applications for assistance under title
10 III of the Act of September 30, 1950 (Public Law 874,
11 Eighty-first Congress), section 810 of title VIII of the
12 Elementary and Secondary Education Act of 1965, and
13 section 314 of the Adult Education Act, and make recom-
14 mendations to the Commissioner with respect to their
15 approval;

16 (3) evaluate program and projects carried out
17 under any program in which Indian children or adults
18 can participate or from which they can benefit, and dis-
19 seminate the results of such evaluations;

20 (4) provide technical assistance to local educational
21 agencies and to Indian educational agencies, institutions,
22 and organizations to assist them in improving the educa-
23 tion of Indian children;

24 (5) assist the Commissioner in developing criteria
25 and regulations for the administration and evaluation of

1 grants made under section 303 (b) of the Act of Septem-
2 ber 30, 1950 (Public Law 814, Eighty-first Congress);
3 and

4 (6) to submit to the Congress not later than March
5 31 of each year a report on its activities, which shall
6 include any recommendations it may deem necessary for
7 the improvement of Federal programs in which Indian
8 children and adults participate, or from which they can
9 benefit, which report shall include statement of the Na-
10 tional Council's recommendations to the Commissioner
11 with respect to the funding of any such programs.

12 (c) With respect to functions of the National Council
13 stated in clauses (2), (3), and (4) of subsection (b), the
14 National Council is authorized to contract with any public
15 or private nonprofit agency, institution, or organization for
16 assistance in carrying out such functions.

17 (d) From the sums appropriated pursuant to section
18 401 (c) of the General Education Provisions Act which are
19 available for the purposes of section 411 of such Act and
20 for part C of such Act, the Commissioner shall make avail-
21 able such sums as may be necessary to enable the National
22 Council to carry out its functions under this section.

1 PART E—MISCELLANEOUS PROVISIONS

2 AMENDMENT TO TITLE V OF HIGHER EDUCATION ACT

3 OF 1965

4 SEC. 7. (a) Section 503 (a) of the Higher Education
5 Act of 1965 is amended by inserting after "and higher edu-
6 cation," the following: "including the need to provide such
7 programs and education to Indians,".

8 (b) Part D of title V of the Higher Education Act of
9 1965 is amended by adding after section 531 the following
10 new section:

11 "TEACHERS FOR INDIAN CHILDREN

12 "SEC. 532. (a) Of the sums made available for the pur-
13 poses of this part, not less than 5 per centum shall be used for
14 grants to, and contracts with, institutions of higher education
15 and other public and private nonprofit agencies and organiza-
16 tions for the purpose of preparing persons to serve as teachers
17 of children living on reservations serviced by elementary and
18 secondary schools for Indian children operated or supported
19 by the Department of the Interior.

20 (b) Nothing in this section shall be construed to author-
21 ize the transfer of funds available for the purposes of this
22 part to the Secretary of the Interior."

1 AMENDMENT TO THE ELEMENTARY AND SECONDARY
2 EDUCATION ACT OF 1965

3 SEC. 8. Section 706 (a) of the Elementary and Sec-
4 ondary Education Act of 1965 is amended to read as follows:
5 “(a) For the purpose of carrying out programs pursu-
6 ant to this title for individuals on or from reservations serv-
7 iced by elementary and secondary schools operated on or
8 near such reservations for Indian children, a nonprofit insti-
9 tution or organization of the Indian tribe concerned which
10 operates any such school and which is approved by the
11 Commissioner for the purpose of this section, may be con-
12 sidered to be a local educational agency, as such term is
13 used in this title.”.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 29, 1971.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on S. 2482, a bill "To authorize financial support for improvements in Indian education and for other purposes."

We recommend against enactment of this bill.

S. 2482 is divided into five major parts:

Part A amends Public Law 874 of the 81st Congress which provides federal assistance to local educational agencies in areas impacted by Federal activities by adding a special category for Indian children.

Part B amends Title VII of the Elementary and Secondary Education Act of 1965 to fund innovative Indian education programs in public and private educational organizations.

Part C amends the Adult Education Act of 1966 (P.L. 89-750—Title III) to add a new section providing adult education programs for Indians.

Part D creates a Bureau of Indian Education within the Office of Education in the Department of Health, Education, and Welfare and an independent National Advisory Council on Indian Education.

Part E contains miscellaneous provisions dealing with higher education for Indian students and their teachers.

S. 2482 first appeared as Title IV in the Committee Print of S. 659, dated August 3, 1971. When S. 659 was passed by the Senate on August 6, 1971, Title IV was stricken by unanimous consent and the language was introduced as S. 2482 on the same day. A single day of hearings on S. 2482 was held on September 20, 1971, at which the National Congress of American Indians and other Indian groups generally opposed the bill.

We have not had a sufficient opportunity since the introduction of S. 2482 to consult adequately with Indian groups about it. On a matter as important as Indian education, we believe that consultation with a broad cross-section of the Indian community is essential before a Federal policy is formulated. This is a central element in President Nixon's policy of promoting maximum Indian self-determination in the management of their affairs. In view of the lack of opportunity for consultation, we have no alternative but to recommend against enactment of S. 2482 at this time.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
September 29, 1971.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in regard to S. 2482, which is being considered by your Committee and which is a bill "To authorize financial support for improvements in Indian education and for other purposes."

The bill would add a new title to Public Law 874, School Assistance in Federally Affected Areas, to provide financial assistance to local educational agencies to develop and carry out elementary and secondary programs to meet the special education needs of Indian children. The amount of the grant to which a local educational agency would be entitled would be equal to the average per pupil expenditure for such agency multiplied by the number of Indian children enrolled in that agency as determined by the Commissioner. There would be a ratable reduction of payments to such agency in the event that appropriations for any fiscal year were not adequate to pay in full that agency's entitlement for that fiscal year.

Grants made under this title could be used for the planning, development and operation of programs specially designed to meet the special education needs of Indian children. Agencies with at least 10 Indian children, or with an enrollment of 50 percent Indian children, would be eligible to receive funds.

Part B of S. 2482 authorizes the Commissioner to make grants for projects designed to test the effectiveness of programs for improving Indian educational opportunities; programs to provide educational services not available to Indian children in sufficient quality or quantity; training programs for educational personnel; and for dissemination and evaluation of the results of Federally assisted programs. The bill would authorize \$25 million for Fiscal Year 1973 and \$35 million for each of the two succeeding fiscal years for such purposes.

Part C of S. 2482 would amend the Adult Education Act by authorizing pilot and demonstration projects, research, evaluation, and operation of adult education programs for Indians. For the purposes of making grants under this part, \$5 million would be authorized for Fiscal Year 1973 and \$8 million for each of the two succeeding fiscal years.

The bill also provides, in part D, for the establishment of a Bureau of Indian Education within the Office of Education. The Bureau would have responsibility for administering Title III of Public Law 874, section 810 of Title VIII of the Elementary and Secondary Education Act, and section 314 of the Adult Education Act as added by S. 2482. The Bureau would be headed by a Deputy Commissioner, appointed by the Commissioner from a list of nominees submitted to him by the National Advisory Council on Indian Education. Such National Advisory Council, consisting of fifteen members appointed by the President, would have wide responsibilities for advising the Commissioner, evaluating programs, reviewing applications for assistance and providing technical assistance on Indian education to local education agencies and Indian organizations.

This bill additionally provides that, after Fiscal Year 1972, funds formerly set aside for the Secretary of the Interior under Elementary and Secondary Education Act titles I (Compensatory Education), II (Library Services), and III (Supplementary Educational Centers and Services), and under the Education of the Handicapped Act, would be discontinued. Full funding of all parts of S. 2482 would result in an estimated cost of \$118.5 million for Fiscal Year 1973, the initial year of operation. Due to the magnitude of the cost of this provision, and consistent with the Administration policy of avoiding unnecessary new categorical authorities in OE grant programs, we do not support the addition of the proposed amendment to Public Law 874. Further, the proposed amendment to Public Law 874 would extensively duplicate Title I of the Elementary and Secondary Education Act since most Indian children are from low-income families.

The sections of S. 2482 summarized above treat several issues in Indian education including: (a) the role of the U.S. Office of Education in Indian education, (b) developmental and innovative needs in Indian education, (c) the organizational structure of OE's effort in Indian education, and (d) the manner in which Indian educators and Indian representatives can effectively participate in policy decisions that pertain to their people. While we applaud the spirit and the objectives of S. 2482, we are not convinced that the bill constitutes the best response to the issues listed above.

The Indian Education Policy Task Group, which Commissioner Marland established and referred to in his April testimony before the Senate Labor and Public Welfare Committee is actively reviewing the general role of the Office of Education in Indian education and is considering a number of alternatives, many of which could be instituted without additional legislation. The Task Group is in the process of submitting its review and final recommendations to the Commissioner. Since this process has not been completed, we do not favor enactment of S. 2482.

Further, we oppose the creation by statute of a Bureau of Indian Education within the Office of Education. The legislating of administrative structure does not necessarily serve the need for comprehensive planning and flexibility to cope with changes in problems, resources and responses over time. In addition, the creation of a Deputy Commissioner to head a single bureau would place that officer out of line with the existing Deputy Commissioners who administer the equivalent of more than one bureau. The Task Group is now reviewing a range of possible administrative initiatives to create an optimal structure for serving the educational needs of public school Indian children.

In his Indian message of July 8, 1970, the President expressed his support for Indian self-determination as a major goal of our national Indian policy. The Administration has proposed legislation to this end, which is currently pending before the Committee on Interior and Insular Affairs as S. 1573. We fully concur in the need for a mechanism to ensure meaningful participation of the Indian communities in the development of educational policy for Indian children. However, in S. 2482, there seems to be a potentially serious overlap of responsibility between the Presidentially appointed National Advisory Council and the Com-

missioner and his appointed Deputy Commissioner of Indian Education. The rather unprecedented review and evaluation authority of the Council would seem to infringe on the program and evaluation responsibilities of the Commissioner and the proposed Deputy Commissioner for Indian Education. In addition, the advisory function of the proposed National Advisory Council duplicates the advisory role of the recently created Education Subcommittee of the National Council on Indian Opportunity.

We believe that the provisions of S. 2482 stand in substantial contradiction to Administration education policy and recommend against passage of this legislation.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

The CHAIRMAN. The first group of witnesses—two witnesses—will be from the National Congress of American Indians. If Mr. Leo Vocu and Franklin Ducheneaux, consultant, will come, please, we will be delighted to have your statement.

STATEMENT OF LEO VOCU, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS; ACCOMPANIED BY FRANKLIN DUCHENEAX, CONSULTANT

Mr. Vocu. Mr. Chairman, my name is Leo Vocu, executive director of the National Congress of American Indians.

I would like to express the appreciation of NCAI for the continuing consultation and cooperation we have had from the chairman and the committee on the various Indian education bills and related matters.

S. 2482 was formerly title IV of S. 659, the Higher Education Act of 1971, which was reported to the Senate by the Labor and Public Welfare Committee on August 3 and passed by the Senate on August 6.

As you know, title IV was deleted from S. 659 by unanimous consent and introduced separately as S. 2482 with a joint referral to this committee and the Labor and Public Welfare Committee with instructions to report back by October 1.

While we were in general accord with the concept of title IV of S. 659 and were supportive of the efforts of Senator Kennedy and others to bring about needed change in the area of public school education of Indian children, certain provisions of the bill as reported were not considered to be in the best interests of Indian education, whether provided in the public schools or in the BIA system.

As a consequence, we reluctantly opposed enactment of title IV and, through the efforts and cooperation of Senator Jackson and others, were able to have this second chance to consider this legislation.

We are still in general accord with the concept and provisions of S. 2482.

Two-thirds of our children receive their education in the public schools of this Nation. Yet these school systems, as much if not more than the Federal system, have failed to recognize and meet the unique problems and handicaps that face the Indian child as he moves into the non-Indian educational process.

Cultural disparity, language difficulties, racial discrimination, and the agonies of poverty and deprivation are problems which the Indian child brings to the non-Indian school and which these schools, for a number of reasons, fail to recognize and understand, or refuse to treat.

We feel that with enactment of this legislation, with certain curative amendments, and with adequate funding of the programs it establishes, a giant step will have been taken toward meeting these problems and making quality education for Indian children a reality in the public schools.

Mr. Chairman, before concluding my remarks and moving into our proposed amendments, I would like to make a final comment. In our testimony before this committee on the bill S. 1401, we opposed the provisions of that bill calling for the creation of an independent board of regents for Indian education as a fragmentation of BIA's responsibility. The chairman very correctly suggested that if NCAI opposed the approach of S. 1401 we should have some alternative approach to offer as a solution to the crisis which all admit exists in Indian education.

We have taken that suggestion to heart and have, since that time, been discussing and considering various different alternatives. While we cannot and do not commit NCAI in this respect, we do think that if the bill S. 1401 was amended to establish the Board of Regents for Indian education within the Department of the Interior, independent of the BIA on policy matters but tied to it in budget matters and for administrative support, considerable Indian support could be generated for such legislation.

In any event, we are hopeful that a comprehensive Indian education bill can be passed by this Congress which might include the provisions of S. 2482, a restructured Federal effort along the lines of the chairman's bill, provision for teacher and principal training in Indian education, and Federal aid to public school construction along the lines of Senate Joint Resolution 21 by Senator Anderson.

Mr. Chairman, this concludes my testimony. I would like to have Mr. Ducheneaux present and explain the amendments to S. 2482 we would like to have adopted. Thank you.

Senator METCALF. Thank you very much, Mr. Vocu.

Now, Mr. Ducheneaux, we will go ahead and hear from you.

STATEMENT OF FRANKLIN DUCHENEUX, CONSULTANT TO THE NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. DUCHENEUX. Thank you, Mr. Chairman.

As Mr. Vocu has indicated, NCAI is in general support of the provisions and concept of S. 2482. However, as also indicated in Mr. Vocu's statement, we could not support the bill unless certain amendments are adopted.

As a consequence, we propose the following amendments to S. 2482:

1. On page 3, line 19, before the period insert a semicolon and the following proviso:

Provided, however, that the requirements of this subparagraph shall not apply to any such agency located on or adjacent to an Indian reservation.

We understand that Senator Metcalf has proposed this amendment and commend him for his understanding and concern for the education of Indian children. In this regard, we adopt the reasoning as set out by Senator Metcalf on page S13643 of the August 6, 1971, Congressional Record. The limitations of section 303(A)(2)(B) would result in unfair exclusion of those small schools on and near Indian reserva-

tions with less than 10 Indian children enrolled and with less than 50 percent of such enrollment being Indian.

2. On page 11, lines 9 and 14, delete the word "enrolled."

The fact that many tribal rolls are incomplete or substantially out of date might result in troublesome ambiguity. The word "member" should serve the purpose.

3. On pages 11 and 12, strike all of subsection (B) of section 2, part A. On pages 18 and 19, strike all of subsection (B) of section 3, part B.

The language of the bill which we are proposing to delete in this amendment would have, if enacted, excluded Indian children attending BIA from receiving the benefits of titles I, II, III and VI of the Elementary and Secondary Education Act of 1965, as amended. Last year, BIA schools received \$12 million under these titles to fund programs currently unrefundable under BIA's appropriation. Title I provides funds for programs for educationally deprived and disadvantaged children; title II provides assistance for library resources; title III provides funds for supplementary and innovative educational programs; and title VI provides assistance for handicapped children.

We see no reason why Indian children attending BIA schools should not be treated equally in receiving this kind of Federal aid unless other provision is made for this assistance to be available to the BIA system. We understand the committee is making provision for this alternative and hope that we can support the language to be proposed.

4. On page 13, line 21, after the word "private" and on page 19, line 22, after the word "private" add the word "nonprofit".

We see no reason why funds allocated for the benefit of the Indian people should be eaten up by the profits of non-Indian firms. If Indian tribes want to hire some company to help them, using the money in this bill, that should be permitted. However, the Office of Education should not be given the authority to use money meant for the Indian people to support the instant experts who seem to spring up in the wake of Indian misery and despair.

5. On page 22, lines 14, 15, and 18, strike the word "education" and insert in lieu thereof the word "programs". On page 23, lines 1 and 5, strike the phrase "Deputy Commissioner of Indian Education" and insert in lieu thereof the phrase "Deputy Commissioner for Indian Programs".

The titles "Bureau of Indian Education" and "Deputy Commissioner of Indian Education" will lead many Indian leaders to suspect that Indian education is being transferred from BIA to HEW. If they were led to this conclusion, they might very well oppose the bill. The proposed amendment is cosmetic, but strategic.

6. Many of the existing "advisory" committees, commissions, and councils on Indian matters have not only been meaningless but powerless. Therefore, we take no position on the creation of the National Advisory Council on Indian Education. However, if the committee deems such a body desirable, some provision should be made for a definite term of office for the members and for remuneration for services rendered by the members.

In addition, we recommend that the following amendment be adopted: On page 25, line 7, reword the sentence to read "The improvement of Federal educational programs in the Department of Health,

Education and Welfare in which Indian" If not so amended, the Council's authority to make recommendations would cover the "water-front" of Federal administration of Indian affairs.

7. On page 26, delete all of the language in lines 20, 21, and 22. If funds are to be made available for the training of teachers and principals in the BIA school system for the education of Indian children, there is no reason to preclude the transfer of such funds from HEW to the Secretary of the Interior. We do not propose that such a transfer be made mandatory but we do not wish to preclude it.

8. We doubt whether the Commissioner of Education should have the authority to decide whether Indian-operated schools on the reservation should be eligible to participate in the programs created by this bill as provided on page 27. We feel that, once the Secretary of the Interior has made that decision, these schools should be eligible to share the same as other schools. However, we will abide by the decision of the committee in this regard.

Mr. Chairman, we respectfully request that these amendments be adopted and that the bill, as amended, be favorably reported.

Senator METCALF. Thank you very much for a fine statement. That was very helpful. Thank you for coming in here with precise and comprehensive suggestions as to definite amendments.

Senator FANNIN?

Senator FANNIN. Thank you, Mr. Chairman.

My great concern is the interpretation of just exactly how the program would be administered where you have a public school on a reservation. We have in Arizona, as you know, a public school perhaps on one side of the road and a BIA school on the other side of the road. In your recommendations, how would you handle that situation when you say "on or near a reservation"?

Mr. DUCHENEAUX. For what purpose?

Senator FANNIN. In interpretation of how the funds would be utilized, you are talking about restricting—I would say in your case maybe broadening—the utilization of funds, whereas in the original legislation that was considered in the Congress, which was deleted, there would not be any of those funds utilized in reservation schools.

Mr. DUCHENEAUX. BIA schools?

Senator FANNIN. Yes.

Mr. DUCHENEAUX. As we indicated in the testimony, last year \$12 million did go to the BIA school system out of these kinds of funds.

This bill, if adopted as written, would eliminate BIA schools from sharing in those various titles. Unless other provision is made somehow that BIA schools can get involved in these innovative programs for the special problems of Indian children—

Senator FANNIN. I do not disagree with you at all. That was one of the reasons that the particular section was deleted from the legislation, because of the many complaints we had from different tribes around the Nation, where they felt the BIA schools were being discriminated against.

Mr. DUCHENEAUX. Right. This is one of the reasons why NCAI was objecting to the bill.

Senator FANNIN. Do you feel the amendments that you are recommending would completely correct this inequity?

Mr. DUCHENEAUX. Yes. I think the three sections we referred to in our amendment here—our third amendment, where we strike out

subsection B of section 2 of the bill—this section, if enacted, as has been interpreted to us—it starts on the bottom of page 11 of the bill.

Senator FANNIN. You are talking about the bill?

Mr. DUCHENEAUX. S. 2482.

Senator FANNIN. Yes, all right.

Mr. DUCHENEAUX. Starting with line 21, subsection B, going over to line 6 on page 12, as that has been interpreted to us, if that were enacted, then BIA schools and the Indian children in them would not have the benefit of the programs provided for by title I of the Elementary and Secondary Education Act.

If that happened, they would not have any funds available for these kinds of programs.

The same is true on pages 18 and 19, again as it has been interpreted to us, beginning on line 13 of page 18 and going over to line 9 on 19—we had some expert assistance in going over this bill and they have advised us that that language there, if enacted, would eliminate the BIA schools from sharing in titles II, III, and VI of the ESEA.

We do not feel that this ought to happen unless some other provision is made for the Indian schools and the children in the BIA schools to have funds available for these kinds of programs.

Senator FANNIN. I am in agreement with you. I certainly have observed the great need that we have in the BIA schools. I have visited a public school on one side of the road and I visited a BIA school on the other, and the BIA school was very lacking in equipment—especially when we start talking about the higher grades, seventh and eighth grades and getting into high school.

I know we are talking here about something that is needed. Whether the approach we are taking is exactly the approach that would best benefit the program is something else, because we do have the complicated problem of the dual schools and that is something that is very much in need of attention.

Do you think taking these steps would alleviate some of those problems?

Mr. DUCHENEAUX. I think so.

Senator FANNIN. You think it would help to alleviate some of the problems we now have.

Mr. DUCHENEAUX. Yes.

Senator FANNIN. The trend seems to be on the reservations in going over to the public schools. Do you feel this will be accentuated by taking these steps or deterred?

Mr. DUCHENEAUX. I think, by continuing to provide some kind of assistance in the nature of the ESEA assistance to the BIA schools, there would not be that rapid a changeover to the public school system.

I know there is, on my reservation, a number of children who decide to go to the public schools nearby them because the only effective high school we have is a boarding school. A lot of them are going to the public school.

I do not think this would have that much effect adversely on either system. It would help both.

Senator FANNIN. One of the problems, as you know, in some of the States is that the legislatures have held back on some of the funding because, as the children go from the BIA schools to the public schools, the public schools pick up quite a load and it has been quite expensive

in some areas of the country, especially in counties where the county is obligated to pick up some of the cost involved.

Do you have any suggestions to alleviate the duplication of money and effort in this situation where a BIA school has few students and the public school has the bulk of the students? You talk about, in some instances, having as few as 10 students. You would not advocate that we retain a BIA school where a public school would be available?

Mr. DUCHENEAUX. Senator Metcalf is more familiar with this but I think we are referring to public schools with as few as 10 students.

Senator METCALF. Would the Senator yield?

Senator FANNIN. Yes.

Senator METCALF. Now we are referring to the amendment he is talking about, amendment I, and it has been the policy of many of our States to try to get as many children into the public schools as possible. That was the direction of Public Law 874, to include the Indians and to get them into public schools.

Nevertheless, because these are often in sparsely populated areas, you have a great need for the Indian programs that are developed in this bill, but if we do not provide it for the small and marginal schools along the edge of the Indian reservation, a lot of very deserving and needy Indians will not have the benefit of the programs.

That amendment is calculated to provide that the public schools will get the benefit of all of the Indian programs that are set up here as long as they are located at or near an Indian reservation.

Senator FANNIN. Will the Senator yield?

Senator METCALF. Yes.

Senator FANNIN. The Johnson-O'Malley funds that the States have negotiated in the instance of the schools—

Senator METCALF. The Senator is now pointing out exactly the main point here. When the Congress put in the provisions that the Indians would enjoy the privileges of the impacted area just the same as the others, we also left an opportunity for them to continue to enjoy Johnson-O'Malley, so they could figure which would be the most beneficial. We did not cut off Johnson-O'Malley funds.

The same is true here. We do not cut off impacted-area funds to the reservation public schools as long as there is a chance for them to get a greater benefit or a greater amount of money from existing law, but we gave them a further opportunity to go into something else.

I think this is what is being said here today—and what, at least, my idea was—that we do not say to our Indian friends:

Well, you just have to make a choice and maybe the Congress will appropriate the new money and maybe they won't.

We say:

You already have a program underway and we are not going to eliminate that. We are going to give you a further opportunity for development of educational programs.

Senator FANNIN. I realize that. The big problem we have had over the years, as you know, is the uncertainty of Public Law 874 funds, of the continuation of the program, because to get it through Congress we are not just taking care of the needy school districts—those, for

instance, in areas where Indian schools may be located—but we are forced to take care of school districts where they do not necessarily need the help but they have the political power to force it through. I think this is the weakness of the Public Law 874 funds.

Senator METCALF. Also the strength.

Senator FANNIN. The strength of getting it through Congress; but we are putting a tremendous amount of money into the program that is not needed, whereas if we could have a system—that is why I am trying to work this out here—the basis upon which we could provide the funds under a different program than Public Law 874 and then have the assurance that we would have a continuation without the tremendous expense involved in Public Law 874, that might be much better.

Senator METCALF. If we can leave the alternative that they can go to Public Law 874—or BIA can go to any of the existing programs—and then we provide a new program and can get it funded at a higher amount, the Indians will take advantage of the best of the programs offered.

But we may have the same difficulty in a new program that we have with Public Law 874, and that is the difficulty of getting it funded.

With Public Law 874, we have the most popular program in the Congress. We know there is going to be some funding effort and the Indians will get some benefit. I, for one, am not willing to just say we will burn this bridge before we have gotten another bridge across the river and another avenue established.

Senator FANNIN. All I am saying is that we need a less expensive bridge. We are now paying out millions of dollars to school districts not in need in order to provide the funds for school districts that are in need. I am still adamant in my position that we need—

Senator METCALF. Both you and I will agree that outside and beyond this program of Indian education we should go to work to correct and change the provisions of the impacted-area program, but that is irrelevant as far as I am concerned here today.

I feel that every Indian whose land is subject to the impacted-area program should have the same benefit as the people in Arlington or Alexandria have, and we should leave that program going and let the Indians have that benefit until we have already established something better for them.

Senator FANNIN. I think you realize that my objection is that here we take care of school districts where the highest income bracket in the United States is involved.

Senator METCALF. Put in an amendment to Public Law 874.

Senator FANNIN. We have tried before.

I think we are getting off on something that we cannot do so I think we will get back to the question at hand.

How many Indian youngsters are we talking about that this legislation will affect? Do you have the information?

Mr. DUCHENEAUX. No; I don't know. It is available. I just do not have it.

Senator FANNIN. We have that information in some of the studies, I am sure, Mr. Ducheneaux.

You speak of your desire as far as a change in the school board arrangement. Do you feel we cannot start taking on the administration of reservation schools—say establishing school boards and school districts—I know we had the experimental program in northern

Arizona with one school and with the board, and I have talked to some of the school board members who have been impressed, but what has been your experience in that regard, Mr. Ducheneaux?

Mr. DUCHENEUX. We only have about four or five instances where Indian tribes have gone in and really taken over. Maybe not that many. I think the one real, good example that comes to my mind right now is the one in Senator Metcalf's State where the tribe, itself, has taken over and formed a school district.

One of the reasons NCAI opposed the original title IV was because the wording of that language would have destroyed that effort. That was amended later on before S. 2482 was reintroduced but I think we ought to see more of that, either as school districts or providing some mechanism within the Bureau to have policymaking school boards set up for the BIA schools. We ought to see more of it. Hopefully, if this kind of effort is made, we would have more.

Senator FANNIN. Do you think, with that, we would have some training programs for school board members?

Mr. DUCHENEUX. Right. This was one of the things we talked about in our comprehensive bill. Mr. Vocu's statement said that there should be some provision made for training teachers and principals both in the BIA system and the public school system for reaching Indian children, to give them some idea of the kinds of special problems Indian children have and to really understand these problems.

Senator FANNIN. Thank you very much.

Senator METCALF. Senator Hansen?

Senator HANSEN. I have no questions.

There has been a very interesting discussion between you and Senator Fannin and the responses. I compliment you on the excellence of your presentation.

Senator METCALF. Both Senator Fannin and I are very much interested and concerned about Indian education. It is a vital part of our States, as it is in your State. I was glad to participate.

I had anticipated talking a little bit about your first amendment but I think that the dialog we had with Senator Fannin does make the record clear.

I want to make a comment about your fourth amendment, which has the word "nonprofit." I was reading Forbes magazine and one of their stock analysts, on page 58 of the September 1 issue, called attention to the fact that the Senate, by 51-0, passed a \$5.1 billion education bill and suggested that maybe this was the time to purchase stock in textbook companies and so forth. They point out that Prentice-Hall, McGraw-Hill, Harcourt, and others are very important and have more than half of their business in the publishing of textbooks and so forth, and that this is a good time for the investors to get in on this lucrative market.

Unless there is objection, I will have this whole piece put in the record at this point.

(The article referred to follows:)

[From Forbes, September 1, 1971]

STOCK TRENDS

(By Charles Rolo)

CONSIDER THE TEXTBOOK STOCKS

(Mr. Rolo is a vice president of the New York Stock Exchange firm of Edward A. Viner & Co., Inc.)

IN the dramatic stock market rally triggered by President Nixon's mid-August speech to the nation, the stocks of the educational publishers were not among the market's sprinters. Nevertheless, if the President's new game plan succeeds in checking inflation and in accelerating economic recovery, the knowledge industry, too, would be among the beneficiaries. Thus, for reasons given below, this seems to me a good time for long-term investors to reconsider the merits of this group.

In the early and mid-1960s, the outlook for textbook companies appeared enormously alluring. School enrollments and expenditures per student were strongly on the rise. And the Elementary and Secondary Education Act of 1965 brought about a large infusion of federal funds into an industry which already boasted a growth rate of some 10% annually.

In 1966, earnings skyrocketed (largely because federal funding for two fiscal years was actually spent within the single calendar year), and the prices of textbook issues soared: Some stocks were commanding 40-50 times earnings, and multiples in the range of 25-30 were prevalent. Then, gradually, the whole scenario changed.

The growing demands of Vietnam put a crimp in federal largesse for education. School budgets, strained by rising salaries and construction costs, trimmed outlays for textbooks. Simultaneously, inflation casued editorial and printing costs to tilt upward, with resultant pressure on margins. And the wave of student unrest culminated in disruption of the college market in 1970.

What's the ou look now for educational publishers?

Insofar as school enrollments are concerned, it is negative—except at the college level. Over the next five years, elementary school enrollments are expected to dip slightly and high school will be up only modestly. College enrollments should rise by 25%.

Dollar expenditures per student present a more promising growth picture. Another plus factor is the growing use of textbooks and instructional materials by business and government. Also, four lean years have led the publishers to make resolute efforts to cut costs. School budgets are still tight, but pressures for new construction and for increases in teacher salaries should ease, which could make more dollars available for textbooks.

ENCOURAGING CHANGE

Potentially, the most significant development for the textbook industry is an apparent change of mood in Washingt in regard to federal support for education. In June, President Nixon, who in previous years had vetoed education bills, signed the new \$5.1 billion Education Appropriations Bill, which exceeded his budget proposals by some \$400 million.

Then, early in August, the Senate passed (by a vote of 51-0) and sent to the House a \$16-billion authorization bill, which would provide massive aid to colleges and "opportunity" grants to students from low- and middle-income families. Even, if this measure passes the House, it will still be uncertain to what extent, and when, funds will be appropriated. Nevertheless, the Senate vote suggests that education may be about to regain a higher rating among the nation's priorities.

At this juncture, textbook stocks, broadly speaking, have been in a four-year downturn which has shrunk price/earnings ratios, in many instances, to all-time lows (excluding those prevailing in the lower depths of the 1970 bear market). Consequently, long-term investors might find it worthwhile to investigate this area. Below are brief comments on companies whose fortunes I have followed for the past decade.

Prentice-Hall (43) derives more than half its earnings from the college market, in which it shares volume leadership with McGraw-Hill. The stock has traditionally commanded one of the highest multiples in its group on the strength of a superior growth record and aggressive management. Currently selling some 7

points below its 1971 high, it is valued at about 26 times my estimate of 1971 earnings (\$1.65-\$1.70). If textbook stocks do well in the years ahead, PTN is likely to be among the leaders of the group.

McGraw-Hill (18), which sold as high as 57 in 1967 and 29 in 1970, has had a disappointing earnings record in recent years. Currently, the company's business publications are suffering from a sharp decline in advertising revenues; and because of this, I expect 1971 earnings to be roughly the same as last year's 82 cents per share, even though other operations are doing well. Next year, a cyclical upturn in the business publications could raise net per share to around 95 cents. At current levels, I'd rate this blue chip in the publishing group a long-term hold.

Harcourt Brace Jovanovich (45) derives nearly 40% of its income from college and professional books and roughly 30% from the elementary and high school markets. This year's earnings could be in the area of \$2.40 per share (vs. \$2.20 in 1970). At 18 times my 1971 estimate, the stock is selling far below its median multiple of the past five years, and in my view it has good long-term potential.

In fiscal 1971 (Apr. 30), the earnings of *Scott, Foresman* (18) were held back to the \$1.11 level of fiscal 1970 by heavy marketing expenses incurred in the launching of its new and highly innovative basic reading series. These costs will remain high throughout the current fiscal year, but I look for some gain in earnings, possibly to the area of \$1.25 per share. Selling at about 14 times this projection, the stock appears reasonably valued with this proviso: The company's growth prospects are largely dependent on the success of the new reading series—and the jury is still out.

SPECULATIVE POTENTIAL

Crowell-Collier & Macmillan (11) is a depressed situation with, in my opinion, considerable speculative potential if management succeeds in solving its problems in the encyclopedia business. I expect this year's earnings to be in the area of 55 cents (vs. 52 cents last year), but I look for a pickup to 85 cents to 90 cents per share in 1972. Book value and working capital are, respectively, equivalent to \$15 and \$11 per share.

Houghton-Mifflin (14), which sold as high as 41 the year it went public (1967), seems to be modestly valued at 14 times my estimate of \$1 per share for 1971 earnings. The company is strong in two basic elementary school areas, reading and mathematics, and about 13% of its revenues come from the college market.

Among the small companies, *Addison-Wesley* (15), *John Wiley* (30) and *Richard Irwin* (19) appear to have favorable prospects, the latter because of its strength in the fast-growing business and professional market.

Senator METCALF. You bring up a question of an opportunity maybe of further investment and speculative opportunities to use up funds that should be used for Indian education. I approve this idea of limiting it to nonprofit organizations.

We could, as I understand it, make a grant to an Indian tribe because it is a governmental—or, at least, quasi-governmental—institution but the funds would not go to a management firm unless it was employed by such a tribe.

Mr. DUCHENEAUX. Yes, sir.

Senator METCALF. Well, I am glad that you raised that question.

Of course, the second paragraph of your sixth amendment would provide, in reading the whole sentence, that we go into every program in America—not only in Indian schools but in the Defense Department and Agriculture and everything else—which is an ambiguity and I compliment you on your alertness.

I have been holding hearings on advisory committees and their composition and I have some strong views about advisory committees. It would seem to me if we do create such an advisory committee we should, at least, provide that there be representation of certain specified groups on the committee. Unless there is such provision, we may well have one that is not objective in character.

Are there any further questions? Senator Hansen.

Senator HANSEN. Do you have an opinion as to which bill you think might best serve the Indian people? The bill before us or S. 1401? Do you have any feeling?

Mr. DUCHENEAUX. S. 1401 is Senator Jackson's bill?

Senator HANSEN. Yes.

Mr. DUCHENEAUX. Mr. Vocu and I and two other representatives were here testifying on that and objected to enactment of S. 1401 based primarily—the major objection, let's say, was the fragmentation of BIA responsibility and the fear this brought in the minds of many Indians about the termination aspects of this.

Senator HANSEN. Under S. 1401.

Mr. DUCHENEAUX. Right; S. 1401 was not dealing with the kind of thing this is dealing with. That was primarily dealing with the BIA responsibility.

S. 2482 is primarily dealing with the Office of Education program. There is really no similarity.

Senator HANSEN. Thank you, Mr. Chairman.

Senator METCALF. Senator Allott?

Senator ALLOTT. I have no questions.

Senator FANNIN. Before you leave, do you have any suggestions on Public Law 874 funds—I realize the dependency we have on those funds—do you feel, looking at it from the standpoint of the future, that we should remain dependent on Public Law 874 funds as we have been in the past, considering what happens each year when we consider Public Law 874?

Mr. DUCHENEAUX. Of course, Senator, if there was some way the Indian schools, both public and BIA, could receive the kind of funds we receive under 874 with a greater degree of certainty, of course we would prefer that.

As it is now, 874 is the only game in town and we want in. That is what it boils down to.

Senator FANNIN. What you are saying is that you would rather have a decision based on the merits of the educational programs that are not tied in with this overall impacted-areas program which, as the chairman pointed out, is the only way in which we have been able to get these funds approved because practically every school district—or practically every legislative district, congressional district—is involved. You would prefer a more direct method, as I understand it.

Mr. DUCHENEAUX. If we could get some degree of certainty in funding, I think perhaps so.

Senator FANNIN. Thank you.

Senator METCALF. I neglected to comment on S. 1401. As I understand it, with the amendments that are suggested, this modifies your previous testimony as far as that legislation is concerned, Mr. Vocu.

Didn't you say:

In our testimony, we opposed the provisions. We think, if amended to establish a Board of Regents for Indian education within the Department of the Interior, independent of the BIA on policy matters but tied to it on budget matters and for administrative rapport, considerable Indian support could be generated for such legislation.

That is a modification of previous testimony in response to a request from the chairman to bring in an alternative proposal.

Mr. Vocu. Yes, sir.

Senator METCALF. Senator Fannin has one more question.

Senator FANNIN. I just wanted to ask the witnesses if they see any possible conflict between the proposed Office of Deputy Commissioner of Indian Programs and the National Advisory Council on Indian Education over the administration and implementation of the program involved.

In other words, what I am worrying about is whether or not in this legislation we are setting up a method of administration that might bring out conflicts between the advisory council and the proposed office of Deputy Commissioner of Indian Programs over administration and implementation.

Do you feel we have clarified the responsibility sufficiently?

Mr. DUCHENEAUX. I think so, if you are going to have a national advisory committee.

Senator FANNIN. I realize your objection.

Mr. DUCHENEAUX. Hopefully, it would not be a rubber stamp committee for the new deputy and, in their own good opinion, they would advise him to take certain actions in Indian education in the public schools. Even if he did not go along with it, of course he has the last word. This is only advisory.

Hopefully, there would not be an institutional conflict but, hopefully, there would occasionally be some conflict as to policy matters where the advisory committee would really be any good.

Senator FANNIN. Do you feel some of your amendments might clarify the overall administration of the program?

Mr. DUCHENEAUX. You mean just on the advisory committee?

Senator FANNIN. Yes.

Mr. DUCHENEAUX. No. We just thought we ought to point out there was no definite term provided and no pay provided. We made a minor technical amendment with respect to the scope of their recommendations, limited only to Indian education.

As to the conflicts that might arise in OE because of the two bodies, we have not commented on it.

Senator FANNIN. Thank you.

Senator ALLOTT. Mr. Chairman, I do have one remark.

I recall on August 6 this was a part of title IV of a bill reported by the Labor and Public Welfare Committee and, as you know, under the rules of the Senate the Indian education jurisdiction belongs to this committee.

I believe that you were one of those who requested that this bill be referred to this committee; is that correct?

Mr. DUCHENEAUX. Yes, sir.

Senator ALLOTT. I am sure that we had communications from you and many others on it. Do you have any ideas about this matter?

I think the chairman will recall—and others—that I did take a very firm stand on this matter of adhering to the rules on the floor.

Do you have any general ideas or wishes with respect to the jurisdiction of Indian education? In other words, have you changed your mind at all since August 6?

Mr. DUCHENEAUX. We had requested, Senator Allott, that the Interior Committee have a look at the bill, S. 659, title IV, primarily because we saw the possibility of the BIA schools being shortchanged or being adversely affected.

I guess we really do not want to comment on the jurisdiction of the committee. I am sure the Labor Committee feels it has proper authority with respect to OE programs.

Senator ALLOTT. I cannot hear you. I'm sorry.

Mr. DUCHENEAUX. Our objection to title IV of S. 659 was based primarily on the fact that BIA schools, over which this committee surely has jurisdiction, were being adversely affected by being eliminated from some of these ESEA titles, by some of the schools on Indian reservations being thus excluded from 874.

With respect to the general jurisdiction of Indian education and legislation, or legislation which might affect Indian education, BIA, or public schools, I would not want to comment.

Senator ALLOTT. In other words, if I understand your position clearly—and I understand it really is not for you to say which committee should have jurisdiction, although the rules of the Senate are very clear as to which committee does have jurisdiction—your position at that time was based on the fact that you felt that title IV, as it was embraced within S. 659, the general education bill, was not adequate and needed more looking at, more investigation before it was passed into law, and not based upon the jurisdiction of the committees in Congress; is that a correct statement?

Mr. DUCHENEAUX. I think that is pretty much correct. We were happy that the committee agreed to take another look, particularly because it related to BIA schools, but I think that is generally a true statement.

Senator ALLOTT. You felt that title IV needed more review by the Congress but that it was not necessarily a commitment that Indian education should be lodged in this committee.

Mr. DUCHENEAUX. Yes, sir.

Senator ALLOTT. Thank you.

Senator METCALF. Thank you very much. Thank you both, Mr. Vocu and Mr. Ducheneaux, for a very helpful and well-thought-out presentation.

This senator has a very great pleasure in having the next witness before us: Mr. William Youpee, who is president of the National Tribal Chairmen's Association but is also leader of the Fort Peck Tribe.

Mr. Youpee, would you come forward? I understand you are being accompanied by Mr. Nathan Little Soldier, secretary of the National Tribal Chairmen's Association.

Mr. YOUPEE. I have with me, also, Barney Old Coyote, a professor of Indian studies. With your permission, I would like to have him up here, also.

Senator METCALF. I would be delighted to have him come up, too.

May I comment that Earl Old Person of the Blackfeet Tribe is the chairman of the National Congress of American Indians and Mr. William Youpee of the Fort Peck Tribe is president of the National Tribal Chairman's Association.

Senator ALLOTT. Some of these gentlemen are not exactly unknown to me. I am particularly happy to see Barney Old Coyote here.

Senator HANSEN. May I observe that it was my pleasure to be on hand when Mr. Youpee's daughter was made Miss Indian America. It was a proud moment for all of us in Wyoming. She is a very charming, lovely girl.

Mr. METCALF. Yes, and she went to work on my staff.

STATEMENT OF WILLIAM YUPEE, PRESIDENT OF THE NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION; ACCOMPANIED BY NATHAN LITTLE SOLDIER, SECRETARY, AND BARNEY OLD COYOTE, MONTANA STATE UNIVERSITY

Mr. YUPEE. My name is William Youpee, chairman of the National Tribal Chairmen's Association, which is a newly formed organization of elected reservation leaders and federally recognized tribes.

This organization is a grassroots-level organization, probably the first since we started talking about Indian people, and truly represents grassroots thinking of the Indian people.

It is indeed a pleasure to come before this distinguished committee today and make a few remarks on S. 2482.

Recently, at the National Tribal Chairmen's Association, resolution No. 71-16, which has already been submitted to the committee, was passed at that convention. It supported retaining education programs within the Bureau of Indian Affairs.

Senator METCALF. We will insert a copy of that in the record at this point.

(The resolution referred to follows:)

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION—RESOLUTION NO. 71-16

Whereas, education is one of the most important of the programs administered by the Bureau of Indian Affairs in behalf of the Indian people, and

Whereas, education is an integral part of a total program of services extended to Indian people by the Bureau of Indian Affairs, and

Whereas, the success of the education program is dependent upon its interrelationship with other programs administered by the Bureau of Indian Affairs, and

Whereas, the Indian people have on a number of occasions expressed their opposition to transferring the education program from the Bureau of Indian Affairs, and Now, therefore, be it

Resolved, That the National Tribal Chairmen's Association in convention assembled in Albuquerque, New Mexico, July 12 through 14, support the retaining of the Indian education programs by the Bureau of Indian Affairs and oppose any attempt to remove said education program from the Bureau of Indian Affairs.

CERTIFICATION

I, the undersigned as President of the National Tribal Chairmen's Association, do hereby certify that a duly called meeting of the National Tribal Chairmen's Association held on July 12, 13, and 14, 1971, in Albuquerque, New Mexico, the foregoing Resolution was passed unanimously with a quorum being present.

WILLIAM YUPEE, *President*.

Mr. YUPEE. The Indian people who live on reservations appreciate this opportunity to present our views on Indian education. Many of our children go to public schools but many others attend BIA schools. Where the Indian people are on the school board they do a good job and the Indian students are proud to go to school. In too many places, however, the Indian people are not represented and have no voice in the school policies.

In extending these remarks today, I hope to make broad and general representations on Indian education, but these representations will also be from an Indian reservation perspective, not just as they relate to only on-reservation situations. Although I will not make specific and detailed references, I would hope to share one principal thought with you—that not enough has been done in Indian education, although education remains the No. 1 priority within most Indian communities.

We can talk about education in Government schools, public schools, and all the rest, but I think there can be no real improvement in Indian education until there is broad and comprehensive legislation to make that improvement possible.

I think much good work has already been done, but much more needs to be done without discarding some of the good things that have already been started. This is why I personally appreciate this opportunity to appear before this committee.

S. 2482 provides for the Indian people at the local level to have control over special programs provided in this bill for Indian children in the public schools. We believe this is necessary if the needs of Indian children are to be met.

The bill S. 2482 does not provide any money for BIA schools unless the tribe takes them over under a contract. As a matter of fact, the bill takes away the money the BIA now gets from the Elementary and Secondary Education Act. Last year this was about \$12 million. We believe the Indian children in the BIA schools are entitled to all of the services available to other American children. We urge that the BIA schools continue to receive the money from the Elementary and Secondary Education Act for the benefit of the American citizens who attend BIA schools. If this money is taken away, we know it will not be added to the BIA budget. When the Indian loses something he never—or hardly ever—gets it back.

We believe the Federal money in this bill should go to the public and Indian schools and, if possible, the mission schools for programs the Indian people want. We do not believe the money should be paid to people who want to make a profit. If the Indian people want to use their money under this act to hire someone to help them, that is their business, but we do not want the Federal Government paying companies to run programs for us.

S. 2482 provides for a Bureau of Indian Education in the U.S. Office of Education with a Deputy Commissioner. We recognize that this is needed for the new programs in this bill for public schools. However, the term "Bureau of Indian Education" will confuse the Indian people into thinking that all Indian education has been removed from the BIA. I suggest you call the office in the Office of Education something else other than a "bureau."

The bill sets up an Advisory Committee on Indian Education in the Office of Education, with 15 members appointed by the President from lists of names submitted by the Indian people. The bill does not say how long these people serve or how they are to be paid. We believe they should be appointed for specific terms and not for life. We also believe they should be concerned only with programs under this act.

Senator ALLOTT. Could I interrupt you? I think I might add something.

What would you suggest—that there be an overlapping term? The 15 people could all serve for a specific term, or the committee could be established with 15 people with five appointed for 1 year and five for 2 years or for other terms so that the terms overlap? What do you have in mind?

Mr. YOUSEE. I definitely think there should be alternate terms. These people definitely should not be appointed for a lifetime.

Senator ALLOTT. I realize that. Suppose you set a term of 3 years. Suppose you appointed five for 1 year, five for 2 years and five for 3 years. That would be one way of doing it. Another way would be to appoint 15 for a flat term say of 3 years or whatever time is decided on. Which, in your opinion, is preferable—to have them all expire at one time or have an overlapping thing with appointments coming up every—

Mr. YOUPEE. I would say that the overlapping proposal would be more receptive.

Senator ALLOTT. The what?

Mr. YOUPEE. The overlapping proposal.

Senator ALLOTT. The overlapping proposal would be better?

Mr. YOUPEE. That way we would get continuity into the organization.

Senator ALLOTT. Thank you.

Senator FANNIN. Along that same point: "We also believe that it should be concerned only with programs under this act." You are talking about this board of 15 members. Do you feel that it would be wise to limit them just to the programs under this act?

In other words, they will be performing a function for the betterment of the education program of our Indian youngsters. Do you think they should be limited to just programs under this act?

Mr. YOUPEE. I don't think they ought to be involved in the BIA part of it.

Senator METCALF. I can understand that.

I think what Mr. Youpee is saying here is that he does not want an advisory committee to come in and say: "We believe the Indians should be terminated from the BIA," or something of that sort that is foreign and alien to the provisions of Indian education.

Senator FANNIN. I would agree, but I was wondering if we could go as far as saying that they should be concerned only with programs under this act. It is so limited.

Don't you think that is too great a limitation?

Senator ALLOTT. I think he means limited to Indian education.

Senator FANNIN. No, I think not.

Senator METCALF. Did you have something to say on that?

Mr. LITTLE SOLDIER. I would say we are trying to direct it just to the act. I would refer to it as the educational system.

Senator FANNIN. If you say educational system, I would agree with you. That is what the Senator from Colorado had mentioned. That is not what it says.

Mr. LITTLE SOLDIER. Correct.

Senator FANNIN. Thank you.

Senator METCALF. It should not be involved in labor or Indian landownership or title to oil wells or any of those things.

Senator FANNIN. Specifically for Indian education. Fine.

Senator ALLOTT. I think we are all of a mind on that.

Senator METCALF. I think that was helpful. Go ahead, Mr. Youpee.

Mr. YOUPEE. We were very disturbed that the bill reported by the Labor and Public Welfare Committee took the impact aid away from the children in the schools on or near tax-exempt Indian reservations. We note that this bad feature is no longer in the bill. The fact that schools receive impact aid for some Indian children has nothing to do with the fact that they are Indians, but is based on the fact that they

come from tax-exempt land, just like the non-Indian children whose parents live on military bases.

On pages 24 and 25 of this bill the advisory committee is supposed to assist the Commissioner of Education on grants made under Public Law 814 of the 81st Congress. We think this is supposed to be Public Law 874.

On page 26 the bill provides 5 percent of the funds for education for persons to serve as teachers in BIA schools. We believe this should also include programs for administrators and that the bill should provide that preference be given to Indians.

Also, we do not believe that the law should prohibit transferring these funds to the Secretary of Interior if it is decided that this would be useful. Indian people might interpret this provision as a step toward removing Indian education in BIA schools away from the BIA and, as I said, they oppose such a policy.

The bill does not provide any money for construction of public schools on or near Indian reservations. This is one of the biggest problems facing public schools educating Indian students. Public Law 815 is supposed to take care of this and years ago it did. However, for many years there has been no money for construction for public schools for Indians. We urge that Senator Anderson's bill to provide funds for construction be included in this bill as an amendment to the Johnson-O'Malley Act, administered by the Department of Interior rather than the U.S. Office of Education. Then maybe Indian pupils' needs can be met. Under the present setup there appears to be no chance unless each school board goes one at a time to the Appropriations Committee. This is not a good procedure.

What is really needed is a comprehensive bill directed to meet the needs of Indian children wherever they may be going to school. There are about 177,500 Indian children attending public schools, some on or near reservations, some in big cities. There are about 55,000 Indian children attending BIA schools, or schools operated by Indians under contract with the BIA. There are about 10,000 Indian children attending private schools. We believe that all of these children deserve special attention, regardless of where they go to school, because of the many treaties since 1778 in which the tribes gave up their land and were promised education in return.

These promises have never been fully kept. We believe that they must be met now and that the Federal Government has to make special efforts to catch up on their long overdue obligation. We believe that some benefit will result from bills like S. 2482 but there is also need for much improvement in BIA schools and a desperate need for adult education, vocational education, community colleges and more opportunity for young Indian men and women to go to college to become doctors, lawyers, nurses, engineers, teachers, businessmen and public administrators, not only so they can help the Indian people but also because they can show other Americans that our Indian people are as competent and creative as anyone else if given a chance.

Our young people are becoming increasingly impatient. They see other minority groups acting in a militant fashion and getting results. The Indian people want results, too. They do not care about such things as who gets the credit or which House or Senate Committee acts. But they do want action now. And they want to be involved, as we are today, in helping decide what kind of legislation should be passed.

We again thank the Interior Committee for holding this hearing and giving the Indians a chance to express our views.

Senator METCALF. Thank you, Mr. Youpee, for a very splendid statement.

Do you have anything to add, Mr. Little Soldier?

Mr. LITTLE SOLDIER. I would like to say that I see there is quite some concern over our affairs in the discussion of understanding the bills.

We, as Indian organizations—NCAI, National Tribal Chairmen's Association—would very much like to have our input in coming out, for the first time, with a bill presented by the Indians.

We would sit down as soon as possible in central parts of the United States and combine all of these bills here. I think it would be the first time that Indians have gathered together to come up with a comprehensive bill.

Thank you.

Senator METCALF. May I comment on that just briefly? As you know, we on this committee are under obligation by direction from the floor as a result of the debate on the bill presented by the Committee on Education to report this bill back to the floor by October 1.

We are on the threshold of some very, very constructive legislation. I hope that this controversy—it has not been an unsolvable controversy; it has just been a matter of discussion of the rules, as Senator Allott pointed out—will be the catalyst that will cause this committee to go into just exactly the thing that you have suggested—a whole new outlook at the various educational policies that this committee and the Labor Committee and others have adopted, and consult with these Indian leaders—some of them, as I already mentioned, are from Montana—in whom I have very great confidence and most of whom are aware of the serious problems in America, consult with them and bring out legislation, but we cannot halt the course of this bill under the rules and under the agreement which we have.

Do you have any further comments on that specific theme?

Senator ALLOTT. No, except that I think it should be emphasized—not in any way critical of what Mr. Little Soldier said—that we are under a mandate from the Senate and we have no choice with this particular bill. It is October 1 or nothing for us.

Senator METCALF. I am in complete accord with that suggestion that this whole discussion has created a situation where we can talk with the Indian leaders, and perhaps bring about rather comprehensive surveys and renewal of our whole Indian education policy. I think it is a very good suggestion.

Mr. LITTLE SOLDIER. Thank you. I did not realize you had a mandate.

Senator METCALF. We have to get this bill before the Senate on October 1.

Mr. Old Coyote, do you have anything to add?

Mr. OLD COYOTE. Mr. Chairman, I just wanted to express my appreciation for being included in these discussions and I personally want to thank the chairman for his kind consideration. It is a real privilege to meet with members of the committee that I had the privilege of knowing for some time before.

I think the thrust of these discussions is clearly in the direction of getting at some of the more pressing problems that have faced Indians for a long time.

I think, in extending these remarks, the chairman of the National Tribal Chairmen's Association has attempted to portray for you his feeling that for the first time we are perhaps on the threshold, as you say, of getting in depth on some of these problems that the Indian people have known and faced and have lived with for a long time rather than addressing ourselves to another category of programs that can be portrayed as being the ever-expanding attempt to address the Indian situation without getting in depth on some of these problems.

I do appreciate this opportunity to sit here with you today, Mr. Chairman, and the other members of the committee.

Senator METCALF. As the discussion goes forward, I hope all three of you will feel free to respond to questions that both Senator Fannin and Senator Allott will ask.

Senator Fannin?

Senator FANNIN. Thank you, Mr. Chairman.

Certainly, we heard some very excellent testimony. It was very impressive and to the point.

We appreciate your statement of goals with, of course, the understanding that we cannot reach those goals in one bill or even in one session of Congress, or say several sessions of Congress, but we have been making progress.

Don't you think one of the great problems we have is the lack of understanding as to the need and continued need in the foreseeable future of the BIA schools, even the boarding schools? So many people say: "Well, because there is a need for changes in the facilities at the boarding schools and in the operation of the boarding schools, we should do away with them."

But aren't we years away from meeting the needs of our educational programs without the boarding schools? In other words, the boarding schools will be needed for some time; isn't that correct?

Mr. OLD COYOTE. If I may respond on behalf of this panel here, I think our position here today is to make some rather broad and general statements and take broad and general positions on these issues simply because we have not had the opportunity to discuss any of these in detail with the rather broad and complex constituency of the National Tribal Chairmen's Association.

But having said that, I think, in general, what we are talking about here is that we are not prepared at this point to say let's summarily depart from the BIA approach, nor are we prepared to say at this time let's summarily go the direction of the public school route.

What we are suggesting here is that we need to take this good, penetrating look at this time and perhaps come up with specific positions as they relate to specific situations at a later time, primarily consistent with this position of saying let's go to the people for whom these programs are intended and let's get their expressions and let's get their feeling, and see if we cannot start building some of these bridges in addition to those bridges we now have, but to do this in a fashion that responds to the target population that we are talking about—the Indian communities.

Senator FANNIN. Instead of upgrading, as we have been doing, aren't we withdrawing that assistance, with the result that we are changing our policy which we established some years ago?

In other words, this legislation—we are not doing what we were doing in the past or that we had set as a goal in upgrading the BIA

schools—isn't that true, Mr. Old Coyote—by not having this money available through this program; isn't that the result?

Mr. OLD COYOTE. I hope I am responding to the Senator's question in this instance but I think what we are concerned with right now is the danger of losing some of the programs that are now available to Indian people.

These programs will be lost through the process of this piece of legislation.

Our position is very clear. We do not want to abandon these old programs that are of some help. It can be questioned that the BIA schools, the Federal schools, are perhaps not as effective as they should be but in many cases they are doing some good, and let's not abandon them as we address ourselves to this specific act and let's look toward improving those situations through legislation wherever we can.

Senator FANNIN. That has been our goal. That is why I say we have lost sight of that goal if we utilize the stipulations in the legislation as it was considered previously. Now we are trying to change that emphasis and get back in the position we were traveling—or the road we were traveling—previously, where we were upgrading and introducing new programs into the BIA schools so that they would be the equal of the public schools, or in some instances provide the special equipment and assistance that is needed to carry forward the educational program of our Indian citizens.

Mr. OLD COYOTE. I would appreciate this, Senator Fannin. Essentially, what we have been saying is to be brought to a par with the public schools in some instances is not enough. This legislation perhaps would provide those resources to not only upgrade the Indian education system but simply to recognize that we have a lot of catching up to do and that we would hope that the committee, in its deliberations and in its report back to the Congress, would take this into consideration. What we are saying here is, as far as this bill is concerned, it begins to include some of the things we would hope would be included in some of the other pieces of legislation we have heard about and have become aware of. We would hope the committee would take the posture we could go back and think about improving some of the situations through other pieces of legislation and that there be a continuing process, as we were talking about continuing effort of the advisory committee, that we know there will be some legislative proposals coming in from this but not to build one channel and limit ourselves to that.

We think that the Indian people, as they are consulted more and more, will come up with further positions for consideration by this body, by the Congress, and we hope that this effort continues. We are not, I don't think, prepared at this time to be very specific and say this is the ball game as we see it. We think this is a beginning.

Senator FANNIN. We are certainly in agreement, but to the extent possible in this legislation we want to provide for those needs that can be provided under the concept that we have set out here in our discussions.

So I agree and I think there is an understanding as to just what we are trying to do. This legislation is intended to do as much as possible for the time being, with the goal in mind that we will consider other needs as rapidly as possible.

Thank you.

Senator METCALF. Thank you very much, Senator Fannin.

Senator Allott?

Senator ALLOTT. I have no further questions.

Senator METCALF. Thank you.

I note, Mr. Youpee, that you concur with the National Congress of American Indians that we should eliminate any grants to private individuals but make the grants to the Indian tribes, themselves, and let them hire management concerns.

I want to complement you on your statement on page 4 about impact aid. As the members of this committee know, when I was a Member of the House I was the one who introduced the first provision to include Indians under the impact bill, and when you say the fact that schools receive impact aid for some Indian children has nothing to do with the fact that they are Indians but is based on the fact that they come from tax exempt land just like the non-Indian children whose parents live on military bases, that was, of course, the original base and foundation for granting impact aid, just as we grant impact aid on national forest land for the children of the people who are working on that land, or of the men and women working on national parkland. This is tax-exempt land and they are entitled to that aid whether they are Indians or not.

This is one of the reasons why I was so vehement—and the members of this committee who are cognizant and aware of this were so anxious—to eliminate that provision from the bill and demanded that this bill be sent back to this committee for discussion.

Generally, your suggestions are along the same lines as the National Congress of American Indians. I think all of us are grateful to you for presenting these.

I might comment that Senator Anderson's bill, which passed the Senate last year for special construction funds, is still pending in the committee and it has not been reported because there has been some work and improvement by the staff being done on the bill at the present time.

Unless there is something else—

Senator ALLOTT. Your remark prompts one thing.

Senator METCALF. Surely.

Senator ALLOTT. I think at least the three Senators here have always been in support of the 874 funds. I am sure that is true. I would like to make it part of the record here that I have urged for many years that Public Law 874 be overhauled by the Labor and Public Welfare Committee. The richest county in the United States now receives the most money. When you are considering this question, yourselves, I hope you will consider this because I think in the long run that those of us who believe and understand how much 874 funds are a part of the bone and sinew of local schools because there are no strings attached—they support the schools and such—would not want to get into a situation where we take a position against the overhauling of 874. The inequities that do presently exist in that law, in my opinion, are going to make it more difficult as we go along—whether it is under this administration or another administration—to get money and to get the money spent each year until we do correct the very great injustices that occur under that.

With the wealth in the adjoining county to the District of Columbia, I find it very hard to justify the support of their schools under Public Law 874. It was never intended that way and I think the chairman of this committee is aware of that, as is Senator Fannin.

Senator METCALF. I would say to my friend from Colorado that I am in complete accord. This is one of the reasons that this committee passed out Senator Anderson's bill for school construction, because it was pointed out that Indian schools in adjacent areas to Indian reservations often lie on some of the land that is the cheapest and that has the lowest tax base in the United States, whereas over in our adjoining counties in Virginia and Maryland they have the highest tax base. We pay on the basis of \$800 plus per pupil under Public Law 874 to the wealthy counties. That is the base per pupil. Under 874 in those counties adjacent to Indian reservations, we pay \$120 plus or \$150 plus; the lowest base is in some of the Indian areas.

But my insistence has always been that, as long as we have this law and as long as it is based in theory on nontaxable land, the Indians are entitled—Indian land is entitled—to the same consideration as any other land in America, and it is—let us not abandon that, as Barney Old Coyote and Mr. Youpee said, until we have a better program offered to us.

Senator FANNIN. I agree, as I said previously, but I do hope we can revise Public Law 874 in order to provide the funds that are terribly needed, for instance by the Indian education program, and be able to do that with a concept that will make it possible for the funding.

As it is now, we are spending, as has been brought out continuously, millions of dollars where funds are not needed and are neglecting areas in many instances where the money is badly needed.

Senator METCALF. Thank you very much, Mr. Youpee, and thank you for bringing your colleagues with you.

Mr. YOUPEE. Thank you, Mr. Chairman.

Again I want to say we certainly appreciate the concern of you and your committee with respect to education for the Indian people. Thank you very much.

Senator METCALF. I know that Senator Jackson, the chairman of the full committee, would want me to say this: This discussion of Indian education has been a catalyst that is going to cause this committee to have more attention to that particular phase of the Indian program and hopefully we will be able to sit down with Indian leaders such as you are and others who previously testified before us and work out amendments to the whole Indian education program and improvements—a lot of improvements we all know about—and present them in a bill in which we will have some freedom of action before the Congress.

Mr. YOUPEE. Thank you very much.

Senator METCALF. Our next witness is Mr. William Antell, president of the National Indian Education Association. He will be accompanied by Mr. William Demmert, Jr.

Mr. DEMMERT. I am Mr. Demmert.

Senator METCALF. Is Mr. Antell here?

Mr. DEMMERT. I will be representing the association today.

Senator METCALF. Fine. We are delighted to have you here. We are pleased to have the National Indian Education Association appearing before us. I see that you have a prepared statement. You are on your own.

STATEMENT OF WILLIAM G. DEMMERT, JR., MEMBER, BOARD OF DIRECTORS, NATIONAL INDIAN EDUCATION ASSOCIATION

Mr. DEMMERT. I would like to express my appreciation for this opportunity to testify in behalf of the National Indian Education Association. I would also express my appreciation for the concern this committee is demonstrating about the future of Indian education, and for its efforts in providing a means to improve and reorganize all facets of Indian education as we know it, through introduction of S. 2482.

My name is William Demmert, Jr. I am a Tlingit from southeastern Alaska. I have been teaching Indian children in public schools for 10 years, and I am presently a student at Harvard University working on my doctorate degree in school administration.

Senator METCALF. Where have you been teaching?

Mr. DEMMERT. In Washington and Alaska. I taught in Fairbanks, where we had Eskimos. I have taught in southeastern Alaska, where I was born.

Senator METCALF. Thank you. I just wanted that for the record.

Mr. DEMMERT. My total professional life has been spent in education, specifically Indian education, and I have deep concern and interest in the various education acts being introduced in Congress. I have several specific recommendations to make concerning S. 2482 which I hope you will seriously consider, during any revision of this act.

Under title III, financial assistance to local educational agencies for the education of Indian children, "declaration of policy" section 302(a), I would recommend the word "direct" after the word "provide" causing the sentence to read:

Congress hereby declares it to be the policy of the United States to provide direct financial assistance to local educational agencies * * *.

Under "grants to local educational agencies" section 303, I would add a section (c) to provide the funds appropriated under this act 1 year in advance of actual distribution to facilitate proper planning of programs and alleviate the practice of recipients of contracts and grants having to wait until the last minute to begin carrying out the provisions of a contract or grant. For example, hiring of personnel early enough to insure selection of qualified individuals rather than an attempt to hire such personnel after many have already signed contracts for other positions.

Under "payments" section 306(a), provisions need to be made to enable small schools with an inadequate budget to secure funds in advance of actual expenditures because many times they do not have surplus funds to pay for services under a grant or program until such funds have been allocated.

Under part B—special programs and projects to improve educational opportunities for Indian children—"American Indian children" section 810(d)(2), I would recommend the words "or continuation" be inserted after the word "establishment"; the phrase would then read "grants for the purpose of this subsection may be used for the establishment or continuation of fellowship program"

Under "Improvements of educational opportunities for adult American Indians" section 314(a)(4), I would recommend the words "or communities" be added after reservations.

Under "Part D, Bureau of Indian Education," section 5(a), I would recommend the Deputy Commissioner of Indian Education be appointed by the National Advisory Council from a list of nominees submitted to the National Council by Indian tribes and organizations affected by this act. I would further recommend that this Deputy Commissioner be delegated the authority to carry out provisions of this act rather than the Commissioner.

Under "National Advisory Council of Indian Education" section 6(a), I would recommend that the National Board represent a variety of Indian tribes as well as diverse geographic areas of the country.

Under "Part E, miscellaneous provisions," I would recommend a provision for construction funds of \$50 million—\$10 million for the fiscal year ending June 30, 1973, and \$20 million for each of the two succeeding fiscal years be added.

I would further recommend that a pilot project or demonstration area or State be funded to experiment with a tuition voucher system for Indian students in an attempt to provide true self-determination of educational goals by Indians and their children.

I would also recommend a new section be added dealing with Bureau of Indian Affairs schools—that this new section provide for direct Indian control of Indian education and Indian affairs.

The survival of any culture is dependent upon the formal as well as informal educational system of that people. The Indian and Alaska Native people of these United States have fought long and hard for the right to determine their own future—in my opinion this can only be done when we control the education of our children, when we are responsible to ourselves for our actions, and when our rights and privileges as the original inhabitants of this continent are finally recognized.

Thank you.

Before I close, I would like to state that I have undertaken, on my own, a survey of concepts that we as Indians feel should be included in an Indian Education Act. I sent a thousand copies out about the middle of September and I have just begun to get some returns. I would like to include the total of those returns as well as what they indicate before the record closes.

Senator METCALF. As you already heard, this committee, by virtue of the fact that this section of the bill was referred to us after the rest of the Education Act passed, is under a mandate to report by October 1. But, nevertheless, we would be delighted to have all the information from your personal survey, the scope and the breadth of the people to whom you sent it, the tribes that were represented, as soon as it is completed enough to have some definitive results. We would be delighted to have it in the record.

Mr. DEMMERT. Thank you.

Senator METCALF. Senator Fannin?

Senator FANNIN. Thank you, Mr. Chairman. You made a very fine statement. Extremely broad considering this particular legislation. I am trying to follow you on some of the recommendations you have made as to how they could be included in this legislation before us. On your second page you talk about the need for having the funds developed set forth the period in advance so you know just exactly what you will be able to do. That is a common problem with all of our schools, public schools and all, and it is something we have been

working toward settling. I think the chairman provided for this in the legislation now in effect.

Senator METCALF. If the Senator would yield, it would be my opinion that the program has already been adopted so that we do have advance planning and advance appropriation for educational institutions, which is now the law, would be also applicable to this legislation when it is enacted.

Mr. DEMMERT. Good.

Senator FANNIN. I wanted to clarify that because we established this is in the legislation that is presently in force. Then when we get to your third page, under part E, you are talking about the amount of money that you would recommend be included. It would be very difficult, I think, to accomplish that objective. I realize the need we do have, but I am just wondering exactly where this money would be expended. In other words, you are talking about construction funds of \$50 million allocated over a period of 3 years. How would you recommend that this be handled?

Mr. DEMMERT. Well, in the first place——

Senator FANNIN. I assume it is because you do not feel Public Law 815 funds have been made available.

Mr. DEMMERT. Correct.

Senator FANNIN. Shouldn't this proposal be handled through Public Law 815?

Mr. DEMMERT. If the provision of Public Law 815 were to be made for insuring that construction of buildings for Indian education be a priority, you are right, it is possible.

As I understand it, that has not been a priority and, as I also understand it, we are probably about \$50 million behind in the construction and repair of buildings needed for at least minimal buildings for Indian education.

Senator METCALF. Would the Senator yield again?

Senator FANNIN. Yes.

Senator METCALF. Senator Fannin was a member of the committee and voted last year to report out Senator Anderson's bill for special legislation for construction of schools in or adjacent to Indian reservations.

As I recall, there was about \$100 million backlogging for construction of Indian schools that was supposed to be taken care of by Public Law 815. It was already pointed out that was inadequate funding in recent years. Senator Anderson's bill has \$80 million over 3 years and your suggestion—and I know Senator Fannin is going to be interested and concerned about it—will be of great interest when we take up that bill. It was passed by this committee and by the Senate last year. I have every confidence that, when we iron out a few of the difficulties that are confronting us right now, we will pass that legislation again and take it out of Public Law 815 and give it a special independent priority, but we will still leave the Indians equal rights in 815, too.

Senator FANNIN. Mr. Chairman, I certainly agree. I was neglectful in pointing out what had been done previously on Senator Anderson's bill and the need to give it priority before accomplishing that objective. It is regrettable this was not handled through Public Law 815 or it would not have been necessary for us to have special legislation. I thank the chairman for bringing that out.

You say you recommend a new section be added dealing with Bureau of Indian Affairs schools to provide for direct control of Indian education and Indian affairs. I think the attitude now that is being established is to give our Indian people a greater say in the administration of the schools. Do you think that special training is needed for school administrations or for school board members to accomplish the objective that you recommend?

MR. DEMMERT. I guess it depends what you mean by special training. If you mean special training before they are to take something over, let's talk about school boards—

Senator FANNIN. School boards, I would say we have some pilot projects now, some have been mentioned, I think there is one in Montana and I know there is one in Arizona—would you feel this should be expanded? That we should strive to prepare these people if they are going to have this responsibility?

MR. DEMMERT. Along the lines of school boards, I do not believe that there is a need in most cases—in fact, in my opinion, in all cases—for a training program, for a group as an advisory school board. In my opinion, if we have a school board, they need to have control with the responsibility of hiring and firing of teachers, and the administration. The reason I say this is that no one is able to really improve or learn unless he does something himself and benefits from the mistakes he makes. Many mistakes have been made in Indian education by Indians and by the Federal Government and by the public education system. In my opinion, the people that make the mistakes should be responsible to themselves for those mistakes and not have someone else make the mistakes for them. I do not know if you are grasping what I am getting at or not.

Senator FANNIN. If you can avoid those mistakes, wouldn't it be far better? If we could assist them to the point where they have an understanding of what is needed and what should be accomplished, I follow then we will be achieving the objective, that you are not desirous of having them dictated to—isn't that what you are referring to in your statement?

MR. DEMMERT. I would like to give you an example that I think might be relevant to something like this. I was trained as a school administrator, supposedly, in higher learning. When I went to take over a school directly I found there were many things I did not learn. All that the school really did was find out whether or not I was capable of taking over a school. When I went to the school, I learned how to run it my first year. By the end of the second year, I was familiar with most of the things that had to be done.

In my opinion, this should be the way a school board should operate. They should be given the responsibility.

I constantly hear that the Indians do not have the training, do not have the expertise, they aren't competent. But I have found that, in every instance I have been connected with, the Indians do have the competence, they do have the expertise to at least do what they, at that time, see as necessary. Now, it may not be the same as another culture would see as necessary, but again unless a people have the right to determine their own future and grow with that future and change the culture as they see it should be changed, you are causing the destruction of a people. A people cannot retain their culture, they cannot exist as a people unless they control their own educational

system because passed a culture is on to the children by the educational system.

Senator FANNIN. I think that you are misconstruing what I have in mind. I am not talking about some system that would set up the exact method in which they would operate. I am talking about giving them training where the school board members benefit by having the assistance of people that have worked in this field for years. All I am talking about is assisting that person to that extent. In other words, give them the necessary expertise so they could make their own decisions. We do not want to make the decisions for them, but, rather we want them to be prepared so they will not have the difficulties that I have seen already in not only our full Indian school boards but where there are some Indians on the school boards. I think it would be helpful if we could have some sort of training program. As a teacher, could you give me your thoughts—is there a high turnover rate of teachers in the public school systems located near Indian reservations or on reservations?

Mr. DEMMERT. I will respond to that but I would like to respond to your other statement first in that I agree with you. We may differ in degree as to when a board should take over. I say the board should take over the school and have the right to hire consultants, people that are familiar with organizational structures, and then go ahead. Then in response to the high teacher-turnover rate, it is my understanding that there is a high teacher-turnover rate in most Indian schools but I would like to cite an example I am extremely familiar with to bring up something that can happen when an Indian community takes over its own school. In southeastern Alaska, I was the administrator of a small school. The community itself runs the school, makes the decisions, hires the board, it comes up with a budget, sends it to the State where it has to be approved by the Commissioner of Education.

In the last 3 or 4 years, the only teachers that have left are those that were going back to school or were married to one of the teachers going back to school, and in almost all cases they have requested a leave of absence so that they could return. The same thing is happening in a community 7 miles away where I was born. The community runs the school system. They have enough money to operate. They have enough money to really get in and do something they think is worth while. As I understand it, they did not lose a teacher last year.

Senator FANNIN. Well, I think we agree that we have specific problems on the schools on or near the Indian reservations and our whole objective in trying to amend or correct the legislation that has previously been adopted is to provide the funds for the special training, provide the funds for the increased costs of the teachers, equipment, and the overall needs of the schools. That is our principal objective in considering this legislation. Do you feel that this is a serious problem that you have observed in your activities? Do you agree with that?

Mr. DEMMERT. Right.

Senator FANNIN. Thank you, Mr. Chairman.

Senator METCALF. Thank you very much, Senator Fannin, I am not disposed to argue with you, Mr. Demmert. I just think it is stupid to have a man in charge of a machine, and safety regulations developed, and not to train another person coming in by saying to him, "Well, if you stick your hand in this direction, you will get your hand or your arm cut off." We need training programs for Indian and non-Indian school board members alike.

Mr. DEMMERT. I agree.

Senator METCALF. We need training programs to teach them to comply with various State and Federal regulations and take the best advantage that they can.

Mr. DEMMERT. I agree.

Senator METCALF. Of the money and so forth. I think that is all we are talking about when we say that we would like to give our Indians who are just beginning to participate in the Indian education program a training program for basic things that have been learned and have been developed as a part of a school board activity on non-Indian people's parts over the years. That does not mean a person elected to the school board has to be dictated to. I have been an advocate of a training program for Members of Congress the day they are elected. That does not mean they have to vote one way or another on Vietnam or appropriations, or anything of the sort. You just teach them the rules and the regulations and the matters that they are going to be concerned with in their everyday life. I do not see how this is going to effect anybody or how it is any reflection on the competence or the ability of our newly emerging Indian school board members to say that they need some training in the ordinary routine of doing their job.

Mr. DEMMERT. I agree with you. The only part we may disagree on is when they should take control over as opposed to an advisory position.

Senator METCALF. When the school board organizes, it takes over in the State of Montana.

Mr. DEMMERT. Good.

Senator FANNIN. I certainly agree. If we did not have this need why would we have the National Advisory Council or why would we recommend—

Senator METCALF. We have a need for training for all school board members.

Senator FANNIN. I say that to take the attitude that you are not going to, even to some extent, control the school board activities would certainly be wrong. You just cannot say, "Here, we will turn it over to you and this is the end of it."

Senator METCALF. We are saying that the school board to be composed of the Indians should have just exactly the same jurisdiction the day it takes over as the former school board had the day that it lost its seat in the last election.

Mr. DEMMERT. I agree.

Senator METCALF. Thank you very much. We have a panel from the Southwest Indians. Mr. Benny Atencio, Mr. Bernard Kayeta, Mr. Sefarino Tenorio, and Mr. Tom Daley. I have the same competence as a drill sergeant of pronouncing these names, so please correct me.

STATEMENT OF BENNY ATENCIO, CHAIRMAN, ALL PUEBLO COUNCIL

Mr. ATENCIO. My name is Benny Atencio. I am chairman of the All Pueblo Council.

Senator METCALF. Would you introduce your colleagues?

Mr. ATENCIO. I will introduce them as we go along if I may.

Senator METCALF. All right.

Mr. ATENCIO. Members of the committee, I have a few copies here if you want to pass them out. Also it is indeed a great honor to appear before you to express the views of the 19 Indian pueblos regarding the problems of Indian education and how we might resolve them. With me today are some of my colleagues from the 19 pueblos. Gov. Tom Daley of Laguna pueblo, Mr. Sefarino Tenorio, chairman of the legislative committee, Mr. Bernard Kayeta, chairman of the education committee, and Mr. Tom Olson, attorney. Also we are privileged to have Domingo Montoya, former chairman of the All Indian Pueblo Council. I would like to have him recognized also.

Senator METCALF. We are delighted to have you with us.

Mr. ATENCIO. Thank you.

Over the years, there have been many surveys with suggestions and recommendations made by professional educators on how Indian education might be improved. We have taken some of their ideas and our own experiences to present our statement to you today.

You are aware that Indian education is far from adequate with regard to physical plants, specialized personnel to work with the many-faceted problems confronting our children; the noncompetitive salaries provided teachers and administrators who in many instances live in isolation. The problems created by cultural conflicts and so on. Moreover, the concepts that Indian children cannot learn the academic subjects has been proven a myth. But the attitude appears to persist; hence we hear of cases where teachers do not utilize creativity and innovation to motivate Indian children toward academic excellence. Perhaps there is insufficient orientation to prepare new teachers and reorientation for those teachers working with Indians, but we wonder how much of this problem is due to the attitude I expressed above.

Many of us are concerned also about the lack of job opportunities existing on Indian reservations which prevents our educated people from remaining at home to give us assistance; more important—to demonstrate to our young people that Indians can attain those goals and objectives which may have not been attainable had an academic education not been pursued. We must keep these educated Indians on the reservations so that our young people can see and aspire to those same goals and professions.

Today, we hear from many Federal agencies that we, the Indian people, must be involved to the fullest extent possible in setting policy and determining priorities as to what is best for us. Our contribution has been quite limited, largely because for years we were left out of this involvement and now we lack the experience to play an effective role. Programs which bring together the non-Indian communities and professional staff of the various schools should be initiated so that mutual review of problems and their resolutions are practical as a matter of habit.

As our Nation adapts into automation, the vocational skills possessed by our citizens become obsolete. For Indian children, we continue to overemphasize vocational training. It appears as if we are intentionally guiding the Indian into oblivion if we do not train him for the relevant skills which we will need in this highly technological society. Traditional arts and crafts as practiced by the Indian is good; however, we must be realistic and admit that arts and crafts in the curriculum should be given its proper perspective and emphasis.

More and more of our young people are entering colleges and universities primarily because of the scholarships provided through Federal, tribal, and institutional grant programs. This is good, but in terms of the number of Indians wanting to enter college it is insufficient. Perhaps it would be less costly to establish a 4-year university for Indians where a larger group might be accommodated.

We can spend more time discussing many other facets of the Indian education problems as we view them. However, time does not permit. Therefore, let me present our views on the several bills which have been introduced to date. While all of them contain good concepts, we prefer bills such as one introduced by our distinguished Senator, Senator Montoya. Let me add that the other bills contain sections which we would like to see incorporated into one comprehensive bill.

In presenting our views to you today we emphasize one very crucial concern our people have; that is, the assurance of continued Federal trust responsibility of the U.S. Government to the Indians and Alaskan Natives. With such in mind, the All Indian Pueblo Council through its 19 pueblo governors voted unanimously to keep the Indian education program within the Bureau of Indian Affairs.

The following are some specific recommendations which we urge you to consider, so that, as an end result, we will have together developed an Indian education program which is most responsive to the expressed needs of our Indian people. Herewith are our recommendations:

1. The original bill S. 659, proposed to eliminate Public Law 81-874 funds which the public school districts use for basic operational programs and, more important, are in fact tax contributions for Indians to such school districts. We are encouraged that this is no longer the intent and that instead S. 2482 as proposed would provide additional new financial aids to support special educational needs of Indian children within these school districts. We support the plan that such funds appropriated by this act should be, and must be, used under the advice and consent of local parent groups or local Indian representative committees established by the local Indian community or communities.

Furthermore, we strongly support that these funds be used for programs or projects above and beyond all other Federal money, and that appropriations under this category does not in any way jeopardize appropriation for other special funds such as Johnson-O'Malley—and the title I funds of the ESEA used for the benefit of Indian children.

2. Plans under part B of this bill (S. 2482) providing for the development of projects to upgrade and improve Indian education programs are generally acceptable. We do strongly oppose the proposition that profitmaking agencies and organizations are eligible to receive grants under this part. Previous experiences under such arrangements have proven undesirable as this places a tremendous difficulty on Indian tribes to compete with such profitmaking agencies and organizations who have the means to solicit for such grants available under this part. Furthermore, in too many instances such services as research and evaluation of Indian education needs have only been that and nothing more. The findings of such efforts have not been used to implement programs for resolving Indian education programs. To insure that the policy of Indian self-determination is implemented, we need to consider the fact that local Indian tribes know best what their needs are, consequently they can develop a program or programs relative to their needs. In developing such programs they can determine which agencies or organizations can best assist their efforts.

3. We are here today trying to establish the best possible education programs for the thousands and thousands of Indian children throughout the country. In planning objectively for such opportunities, we must remember that many of the Indian children for different reasons attend, and will continue to attend, Bureau and public schools; the bill as proposed eliminates similar benefits to Indian students who attend Bureau of Indian Affairs schools and does not take into consideration those Indian children who attend private schools. We strongly urge that this discrepancy be corrected to include the students mentioned above.

4. Part C of this bill—providing for special programs relating to adult education for American Indians—certainly is desirable. As has been stated time and again, much of the unemployment problems, lack of parental incentives for children to aspire and attain a higher level of education, has been due to the fact that many of our adult Indians have historically not been afforded such opportunities as are being proposed in this day and age. A program for the improvement and availability of educational opportunities for adult American Indians is strongly supported by the All Indian Pueblo Council.

Miscellaneous provisions of this bill calling for the inclusion of programs for Indians under the Education Professions Development Act is certainly desirable for the development of education professions relevant to the unique needs of Indians. However, in keeping with our previous statement of concern for all other Indian students who attend other than public schools, we oppose the prohibition of transfer of these funds to the Bureau of Indian Affairs.

6. S. 2482 establishes a Bureau of Indian Education in the Office of Education to administer the provisions added. We agree that such an agency is necessary to effectively carry out these new provisions. We do maintain, however, that this agency be kept within the Bureau of Indian Affairs but that it is created as a separate part of the Bureau governed by a National Board of Indian Education.

The bill also proposes to create a National Advisory Council on Indian Education. The Bureau of Indian Affairs already has a National Indian Education Advisory Committee. However, we find that it is ineffective because the committee has no authority whatsoever. We prefer having a National Board of Indian Education with authority to regulate the Indian education programs. This poses the question of who has final authority. I submit, gentlemen, that the Federal Government, because of its trust responsibilities, should have final authority. But it seems that, in order to allow American Indians to play a more effective role in determining their destiny, some concessions on control and regulatory authority need to be made by the FEDS if meaningful and sound programs are truly to be implemented. Without such arrangements, the declared policy of the present administration and, for that matter, any administration, regarding self-determination for American Indians is, and will continue to be, only lip service. To overcome this ineffectiveness in determining priorities and policies, we suggest that this national board be given such authorities to control those powers that are now vested in the Secretary of Interior relating to Indian education. We further suggest that such authorities of the Deputy Commissioner of Indian Education as proposed under S. 2482 be incorporated as the authorities for the Board of Indian Education.

The Indian education bills proposed by our honorable Senators have many outstanding points. It is gratifying to know that these men are seriously concerned about the type of education our Indian children ought to receive. We feel confident that this country can provide an education for our Indian children with these great men behind us.

The expressed desire of our pueblo governors is the incorporation of these fine points into a comprehensive Indian education bill, including construction of facilities as advocated by our senior Senator Anderson and Senator Montoya.

The need for local control of educational programs cannot be overemphasized. The bill should mandate greater participation of the Indians in making policy and determining the types of educational programs they want for their children.

A mechanism for accountability of funds used for special educational programs should be devised and geared for the use of our Indian people. We have experienced tremendous improvements in the areas where local control has been implemented, such as many of our OEO programs.

We feel very strongly that more education contracts and grants be made with and to Indian tribes, Indian communities, and nonprofit Indian organizations.

We have a contract with the Bureau of Indian Affairs in the administration of grants to college students which is quite successful and extremely well accepted by the Pueblo Indians.

We know that the probability of making mistakes exists in any new venture. Therefore, a well-rounded training in the administration of new programs is paramount.

The Indian input and philosophy should be put into practice at the birth of a comprehensive Indian education bill, by seriously considering the recommendations and views of the Indian people.

I again thank you for this opportunity to express the views of my people.

Governor Daley also has a statement he will present to the committee and I shall turn the mike over to him.

Senator METCALF. We would be pleased to hear from you.

STATEMENT OF TOM DALEY, GOVERNOR, LAGUNA PUEBLO

Governor DALEY. Thank you. I would like to express my appreciation for the opportunity to appear before this committee. I have a brief statement in writing that I would like to present at this time. I certainly want to say that we all concur with the statement of our All Indian Pueblo Council chairman.

Senator METCALF. Thank you very much. Go right ahead.

Governor DALEY. I am testifying before you today as the governor of the pueblo of Laguan. Our pueblo is located in the State of New Mexico, about 45 miles west of Albuquerque. We have a membership of about 5,000 and a resident population of about 3,000.

There are two schools on our reservation, a high school operated by the Grants Municipal School District as a part of the State school system, and an elementary school, operated by the Bureau of Indian Affairs. Both schools were built at the special request of the people of my pueblo. Fortunately, we had the strong support of Senator Montoya in getting the necessary appropriations.

Our people are very much interested in education and follow closely what is going on in the schools. My council has considered the various proposals for new laws on the subject of Indian education and has taken a position on them.

My people are practical people. We are thinking of what the new laws mean to our schools and we want you to know what our schools are like.

We have problems with both the high school and the elementary school. But we find that in our BIA school, the elementary school, we now have a good deal to say about how the school is run. We have a school board, of which I am a chairman, which meets with the principal and other BIA officials. On the other hand, our high school is run from the outside, because a majority of the votes cast for the Grants School Board is cast by the non-Indians in the city of Grants; or the Grants School District.

On the basis of our experience, we believe that the BIA school should stay with the BIA. If a national school board is to be appointed, it should be part of the BIA. At the same time, we believe that the BIA education program should be strengthened by providing more funds. We also believe that the civil service rules should be changed to make it easier to get rid of bad teachers. As chairman of our school board, I can tell you that we now have a good deal of say in the hiring of new teachers in the elementary school. But our problem is that we can hire a good new teacher only when there is a vacancy. We want the opportunity to replace those teachers who simply cannot help our children.

As I have already said, we have greater problems with the State-operated high school. We are told, for example, that the Johnson-O'Malley funds for the school lunch program are insufficient. We would like to see adequate funds appropriated for the programs of the high school. At the same time, we would like to have a real say, not just an advisory role, in how these Federal funds are spent at the high school at which our children are being educated. We of Laguna have certainly shown that we know how to handle our own tribal funds. We have shown that our Indian school board can function effectively at our elementary school. We want to do the same with regard to our high school.

To sum up what I have already said: We ask you not to make any basic change in the administration of the Indian education program. What we do hope you will do is authorize the appropriation of more funds, so as to improve the educational opportunities of our children. We also ask you to give local Indian school boards a say in the spending of Federal funds on Indian education whether it takes place in BIA or State schools. You can do this by taking portions from the Kennedy bill, the Jackson bill, and the Montoya bill and putting them into one package that the Indian tribes would approve. I would ask that, after such a new package is prepared, that you have a further hearing.

Thank you very much.

Senator METCALF. Thank you very much.

Mr. Atencio?

Mr. ATENCIO. I have one other resolution which was passed last Saturday by the All Indian Pueblo Council. This concerns the hot lunch program and I would like to submit this as part of the record for the committee. We would like to stay with the Johnson-O'Malley

funds and not lose any of their benefits to our young people. I understand that it is now going to be administered by the Department of Agriculture, and we already experienced some problems with them. I would like to submit this resolution for the record.

Senator METCALF. It will be included in the record at this point.
(The resolution referred to follows:)

[ALL INDIAN PUEBLO COUNCIL, INC.—RESOLUTION No. 71-17

Whereas, the United States Government has recently announced its intention to gradually phase out the Johnson O'Malley Hot Lunch Program which has served to feed thousands and thousands of our Pueblo Indian children as well as many other Indian children within the State of New Mexico who would otherwise be hungry, and

Whereas, the same United States Government intends to institute a new program under the auspices of the United States Department of Agriculture a program which would be more restrictive with its criteria and that would serve substantially fewer Indian children, and

Whereas, the Government by reason of its legal obligations, the responsibility to educate American Indians and its special relationship with the entire Indian people has an obligation to furnish services in feeding our Indian children at least on the scale provided in the Johnson O'Malley State Plan, now, therefore, be it

Resolved That the All Indian Pueblo Council representing the 19 New Mexico Pueblo Indian Tribes hereby takes the stand that all Indian children who legally qualify under the Johnson O'Malley Plan should continue to be served, be it

Further Resolved, That we strongly want to remain under the Johnson O'Malley, and that no Indian children should be deprived under the program of the United States Department of Agriculture or any similar program.

CERTIFICATION

The foregoing Resolution was duly adopted by the All Indian Pueblo Council at a meeting held on the 18th of September 1971, with 16 members voting for 0 voting against and 3 members absent.

BENNY ATENCIO,
Chairman, All Indian Pueblo Council.

Attest:
ERNEST L. LOVATO.
Secretary, All Indian Pueblo Council

Senator METCALF. You all have heard the comments made already that we welcome our attention drawn to various bills before the committee but we are under the time problem with the mandate to report this bill out by October 1 and we will have to leave some things in which the committee is in full accord, such as Senator Anderson's bill on school construction, and some of the appropriations that we also seek from the Appropriations Committee for some future date.

You will be advised as to the hearings on those bills and certainly consulted. I am delighted that you have come in and commented on other facets of Indian education but this specific hearing and this specific action from the committee is going to have to be confined to the Kennedy bill that is before us in view of the parliamentary situation. I am sure you understand that.

Senator FANNIN?

Senator FANNIN. Thank you, Mr. Chairman. Mr. Atencio, you have made a very comprehensive statement on the needs that face your tribe as well as other tribes of our Nation.

I am wondering, on page 3, when you talk about vocational skills, and, of course, we are talking about in this specific legislation the needs and what should be done, you talk about the vocational skills possessed by our citizens becoming obsolete. This is a changing world.

We realize that even in professional work the same applies. I hope that you are not losing sight of the need for vocational education for most of your youngsters, because whether they are Indian children or not, a large percentage of our people will be employed in the future, as they have been in the past, in training skills that can be bettered by a vocational education program, whereas a small percentage perhaps—we wish it were larger—of both Indian and non-Indian youngsters will continue going into professional work. Are you of the opinion that you should perhaps cut back on your vocational training programs?

Mr. ATENCIO. By all means, we are not opposed to vocational education—as a matter of fact, we just got a brand new school which will handle this. What I am saying here is that rather than directing or putting emphasis into vocational skills, there are many young people who would like to pursue academic professional areas and we ought to have some flexibility within the granting or appropriations that funds can be moved or switched for those people who want to on into higher education.

Senator FANNIN. I wholeheartedly agree. I will just reflect on the experience I had with the late Senator Robert Kennedy when we traveled throughout the West visiting the Indian schools. We asked children: "How many of you would like to be lawyers, doctors, professional people?" and very few hands were raised. Then we asked how many of the girls would like to be nurses and quite a few hands came up. I am just wondering if we are not doing exactly what you are trying to correct. We are not bringing to the young people the opportunities that are obtainable. I think you are very wise in presenting what you have but I was a little concerned over what you said about vocational training.

Also on page 5 when you say, "We do strongly oppose the proposition of profitmaking agencies and organizations being eligible to receive grants under this title." I notice that later on you say in developing such programs you talk about the Indian tribes having the right, I think, to negotiate or to contract with firms or organizations. Wouldn't those contracts be with profitmaking organizations in many instances?

Mr. ATENCIO. I think what we had in mind was that in many instances in the past the contracts are negotiated from someone here in Washington and then it is handed down into our areas. What we are proposing is that, if any contract is to be negotiated for that purpose, it be directed to the tribes and the tribes can then find the people that they would be able to work with and follow through to those recommendations.

Senator FANNIN. But, Mr. Atencio, you say "we do strongly oppose the proposition that profitmaking agencies and organizations are eligible to receive grants under this part."

Now, I understand what you mean by your explanation but this statement would indicate that there was something wrong with profitmaking agencies. I do not agree with that.

Mr. ATENCIO. This is a competitive world. I think the Indian tribes ought to be able to compete with those profitmaking organizations if they have the technical resources on hand. Many times the corporations who have the staff and know where to go on the moment of the funds becoming available are right there at the door ready to hand in some accomplishments, where our Indian people are out there having no information available. This type of thing we are opposed to.

Senator FANNIN. I cannot follow you on that because in your State of New Mexico you have one of the large corporations that gives employment to a large number of Indians and I understand their work is satisfactory. We are striving daily to hold that work in the United States so it will not go across the water into the areas like Taiwan or Korea or places like that, and they do have training programs and Government contracts, but I understand that it has been satisfactory and very beneficial to the Indian tribes.

Mr. ATENCIO. That is because the tribes were involved in it. I think the Navaho tribes were involved from the beginning to negotiate that contract. This is the type that we are advocating. Joint cooperation before any contracts are handed out.

Senator FANNIN. I am sorry but that isn't what you have said. You have said that "we strongly oppose the proposition that profit-making agencies or organizations are eligible to receive grants under this part." You do not mean that, do you? You are saying now that as long as the Indians have an opportunity, the Indian tribes have an opportunity to work with the agency that will make the contract or that they will have the right to make the contract, that it is satisfactory.

Mr. ATENCIO. We prefer that the Indians have the negotiating part.

Senator FANNIN. This blanket condemnation in saying that you oppose that any profitmaking agencies and organizations being eligible to receive grants under this part would be very detrimental to you, would it not?

Mr. TENORIA. I think, Senator, if we can put it in such terms that we actually say that the profitmaking agencies in these cases are not independently given grants independent of the Indian tribes involved and that the grants should go through the Indian tribes involved.

Senator FANNIN. I am not disagreeing with your having an input into it.

Mr. TENORIA. I think this statement would be corrected if we said this, included it as part of the record.

Senator FANNIN. You are not just opposing any profitmaking agencies or organizations be eligible under this particular program.

Mr. TENORIA. Yes; we are advocating that this goes primarily through the Indian tribal groups involved.

Senator FANNIN. Well, you are not answering my question. Are you opposed to any profitmaking agency or organization receiving grants under this program?

Mr. ATENCIO. Directly, yes. But if they work through the tribes, we are not opposed to that.

Senator FANNIN. The thing is then that you are not opposed—just because they are profitmaking agencies you are not opposed to them.

Mr. ATENCIO. Repeat the question again.

Senator FANNIN. Just because they are profitmaking agencies you are not opposed to them; are you?

Mr. ATENCIO. No. We are not opposed just because they are profit-making agencies.

Senator FANNIN. I just want to correct your testimony from that standpoint because you say "we strongly oppose the proposition that profitmaking agencies and organizations are eligible to receive grants under this part." If we remove all profitmaking agencies from being able to assist, we would probably lose the specific expertise that is needed. That is what I am worried about.

Mr. TENORIA. As you can note here, we are saying that such profit-making agencies have the means to solicit for the funds directly, and many agencies have done that.

Senator FANNIN. I understand all that but we still get back to—I think I made it clear that this statement that you have made is not your intent.

Mr. ATENCIO. What we are emphasizing is that the Indian tribes should be part of that negotiation.

Senator FANNIN. Well, then would you say that nonprofit organizations and agencies—and now many of the Indian agencies are nonprofit. Would you eliminate them from any assistance?

Mr. ATENCIO. They still must work through their tribal organizations and I think this is what we are emphasizing here.

Senator FANNIN. NCIA, I believe, asked that this bill be amended to change private educational agencies to nonprofit private educational agencies. Is that what you are desiring? I do not think it is. I should not wish to lead you into making an answer that perhaps is not your intent since you do, in your statement, on page 5 talk about developing such programs. But I just did not want to have your testimony stand that you did not want these other organizations, profitmaking agencies or organizations, to be eligible to receive grants under this program.

Mr. ATENCIO. I think we probably clarify it by saying that we encourage and put emphasis on that, that any profit organization attempting to undertake such projects be working through the tribal organizations.

Senator FANNIN. That is fine, if that is your clarification.

Thank you very much.

Mr. ATENCIO. For the committee's information, under the higher education scholarships that the All Indian Pueblo Council has been administering the past 3 years under the leadership of Mr. Montoya, we got the grant from the Bureau of Indian Affairs. Today we have something like 65 pueblo young people graduating from higher institutions and some of them are pursuing into even higher professions. This is the encouraging part of it. This is what we are asking, for continued contracting or giving out grants to that extent of help to our people who want to go on into the professional field.

Senator METCALF. This is in further clarification of that statement that you made that you have a contract with the Bureau of Indian Affairs.

Mr. ATENCIO. Yes, sir.

Senator METCALF. Now many applicants did you have for these grants to college students?

Mr. ATENCIO. We have over 500 applicants this year and can only provide scholarship to 385. This includes the graduate students.

Senator METCALF. You feel that you had about 500 qualified applicants.

Mr. ATENCIO. That want to go on into higher institutions.

Senator METCALF. 115 were deprived or denied the opportunity.

Mr. ATENCIO. Because of lack of funds.

Senator METCALF. For lack of funds.

Mr. ATENCIO. That is right.

Senator METCALF. And the boys and girls who have been given grants, what percentage have been successful in going on to attaining a degree?

Mr. ATENCIO. I think the percentage is something like 90 percent.
 Senator METCALF. That is remarkable.

Mr. ATENCIO. Next year we anticipate something like 60 graduating from colleges and this is encouraging. Unfortunately the Government has seen fit to take away some of the privileges that have given us as far as administering the programs and not allowing us to administer the money portion of it.

Senator METCALF. Where do these funds come from?

Mr. ATENCIO. We contracted through the Bureau of Indian Affairs—

Senator METCALF. Do you put up your own funds or does the Bureau of Indian Affairs put up some—

Mr. ATENCIO. The portion we administer comes from the Bureau of Indian Affairs but the other portion comes from tribal resources such as the Laguna pueblo tribe and other agencies which we bring in and combine, trying to make an effort jointly. This is how we have been able to help those young people.

Senator METCALF. You have as a part of your tribal funds money set aside from income from resources, money for scholarships to cooperate with this program.

Mr. ATENCIO. This is what many of the tribes are doing, yes.

Senator METCALF. If you had more tribal money, 115 more boys and girls would be allowed to go to school.

Mr. ATENCIO. If we had—

Senator METCALF. And if you had more appropriated money, 115 more.

Mr. KAYETA. When we speak of tribal moneys, we mean only certain tribes. Now this scholarship program is for the 19 pueblos and not all of them have resources for such funds. So, therefore, although some do have the funds, all of these 115 could not have been accommodated without additional funding. For instance, I will give you a specific example: The Laguna Tribe has a scholarship program but it is only for Lagunas; so, therefore, other people like from the other 18 pueblos could not qualify for that.

Senator FANNIN. When you talk about 90 percent graduating, are you talking about 4-year colleges?

Mr. ATENCIO. Yes.

Senator FANNIN. How many students are we talking about?

Mr. ATENCIO. We have now over 385 in school today and we hope within 4 years that all of them will have graduated. Of the ones that started about 4 years ago, we will have about 95 percent who have gone on through and finished college.

Senator FANNIN. Ninety-five percent. That is higher than non-Indian students. That is commendable if they have been able to attain that.

Mr. ATENCIO. We need to assure the students they will have continued support throughout the years, year after year, but we do not have this type of assurance because, as we say, the contract is from year to year. Right now, we do not have any authority to promise anyone anything as far as monetary value is concerned because of the contracting question that the Bureau of Indian Affairs is now involved in. All we are doing is promising through paperwork and we like to see that some correction be made on this so the tribes can administer the entire programs if they so desire.

Senator FANNIN. I understand. Now, this program has expanded over the past, say, 5 or 6 years, is that your understanding?

Mr. ATENCIO. We were promised an increase of from \$340,000 to \$550,000 this current fiscal year.

Senator FANNIN. Five or 6 years ago, how many youngsters were graduating and going into the 4-year colleges that you talk about?

Mr. ATENCIO. I am sorry, I do not have that information that far back.

Senator FANNIN. Would it be 100?

Mr. KAYETA. May I say something that might help? The scholarship grant contract has only been under the All Indian Pueblo Council for 2 years now. This is the third year. It was under the Bureau of Indian Affairs previously. We had very few people, very few Pueblo Indians going on that scholarship program. But since the All Indian Pueblo Council took over, we had more and more going because they know more about it and they seem to be more confident of coming to us for the grants.

Mr. ATENCIO. Personal counseling and personal attention on the part of those people administering the program is paramount in this. They go out day and night to talk with the parents as well as the students. The Bureau staff has not done it in the past.

Senator FANNIN. What I was trying to clarify was the statement that, even if you had 60 or 70 percent graduation experience, I think it would be remarkable under the circumstances that exist. I know that in my State of Arizona I watched this very carefully, but aren't you talking about what you anticipate will happen rather than what has happened when you say that you have 95 percent record—you can use 90 percent one time and 95 percent another—

Mr. ATENCIO. I am going back 4 years. There was 35 going to school from Pueblos. This past year 30 of them, 30 or 32 graduated.

Senator FANNIN. Of the 30 that started 5 years ago—

Mr. ATENCIO. I am not sure what percentage that will be but I think that is a real good—

Senator FANNIN. It is very good. Just five drop out, is that what you are saying?

Mr. ATENCIO. Yes. Perhaps they are still pursuing but they may have dropped out 1 year and then continued on.

Senator FANNIN. But you had a graduation record of 30 out of 35—

Mr. ATENCIO. That started 4 or 5 years ago.

Senator FANNIN. Completed their schooling in that regard.

Mr. ATENCIO. Yes.

Mr. TENORIA. We would like to add this has a lot to do with what they set in regard to counseling programs that are also incorporated into the scholarship plan. We have right now a staff going to universities visiting these students. We are encouraged by provisions in other bills such as that one proposed by Senator Montoya in relation to the vocational act which would provide training for teachers in those vocations, including counselors, which is very necessary to accommodate the unique needs of Indian children. We find that many public schools do not employ those kinds of professional people. We wish to also restate that we are in strong support of the amendment proposed by S. 2482 to extend the Education Professions Development Act to include professional development for the unique needs of Indian

children. These are the reasons that we can attribute to the success that we have been seeing in the last 2 or 3 years.

Senator METCALF. Now, this program is for the 18 pueblos, is that right? For all 18?

Mr. ATENCIO. For 19 pueblos, yes.

Senator METCALF. Some of the pueblos down there, such as yours in Laguna, have considerable resources, uranium and mining resources. Others have very few resources at all, except sparsely populated agricultural land, is that correct?

Mr. ATENCIO. The governor can answer that.

Governor DALEY. Let me answer that. Laguna does have a scholarship program and scholarship funds also, but each student is limited. We have a limitation of how much each student is to receive. Since the cost of higher education is such that we cannot afford the full cost of education, therefore, we go to the All Indian Pueblo Council scholarship for a supplement. This is the way we have been handling our program.

Senator METCALF. I agree, and I am not being at all critical, but suppose this is a pueblo that does not have the resources and the tribal funds and the tribal income that you have in Laguna and still has a well-qualified boy or girl that should be sent on to the school. How does he or she get assistance? Full assistance from this contract group?

Mr. ATENCIO. Yes, we give full assistance. But we also, as I said before, are trying other sources. Private foundations or other universities are now coming through with matching funds but we do not have that power now because we cannot promise this is how much we have. The Bureau has the say-so today as to spending the money. All we are doing now is recruiting and trying to encourage young people. We have to submit vouchers each month and this takes time. But what we want is to give us that opportunity as in the past that we handle the entire program so that if we make mistakes we will correct those mistakes and answer for them.

Senator METCALF. It certainly sounds as if it is not only a worthwhile program but one that is being pursued with much greater competence than most of the scholarship programs and fellowships programs we hear about. I congratulate you.

Mr. KAYETA. May I add something? I think Mr. Atencio has touched on it, that before, up to now, we have handled all the funds. But it has really created problems since the BIA has withdrawn the grant part of the funding and since they are doling out the money. What we have to do is make out the vouchers, send them to another office and they send them to another office which is Denver and back again probably the same way. I think it is more costly this way and more time consuming. It is sort of frustrating in a way when you are in there trying to do something and then somebody is, at the same time, trying to hold your hands or tie your hands. We want more freedom in this sort of thing.

Senator METCALF. I certainly agree with you. I think that you have already demonstrated your good will. With your permission, Senator Fannin, I will have the staff look into the Bureau of Indian Affairs' administration of this program and see if there cannot be a little more permanence, a little more security as far as these boys and girls are concerned that embark on a college program, so they can look forward to having some support 4 years later at the end of the trail.

Mr. ATENCIO. That is real encouraging news. We have asked the Secretary of the Interior to give us that waiver so we can continue with the past programs.

Senator METCALF. We will utilize some of the members of our staff and they will cooperate with you and also the Bureau and give the committee a full report on this, because it is a program that has excellent cooperation from what I have heard as far as the Indians are concerned, and we should continue the best parts and discontinue some of the other doubtful parts.

Governor DALEY. May I bring up another point here? We mentioned high school, public high school on Laguna Reservation. The enrollment is such that it is getting overcrowded now. We have been asking for additional facilities for the expansion of the school but since Public Law 815 is no more—

Senator METCALF. The public law is there but the funding isn't there.

Governor DALEY. Yes. We need expansion for the school.

Senator FANNIN. What percentage of Indian students attend that high school?

Governor DALEY. About 90.

Senator FANNIN. Thank you.

Mr. KAYETA. Could I add something to Governor Daley's statement? A very specific example is there is a garage which has not been used for some time across the road from this school. When I was by there one day, some people were cleaning out the garage. They had classes in there for a few days and it was not very adequate for classes. For a shop, it could be very well incorporated into the school. But they are going to the extent of utilizing whatever they can to accommodate some of the students.

Governor DALEY. They are also utilizing portable classrooms which are temporary.

Senator METCALF. Now, the New Mexico schools are a prime example of need for legislation before this committee. As I understand it, your Senator—Senator Montoya—and Senator Anderson, managed to secure from the Appropriations Committee some special appropriations for a couple of Indian schools and when the Laguna school came up the Appropriations Committee turned them down and said they had to have authorization from this committee largely because I guess they looked around at the other members of the committee and decided that we would be in from Colorado and Wyoming and Montana and Idaho and every place else for similar appropriations—which we would have. So we passed last year the general authorizing legislation which Senator Anderson introduced, and I have every confidence that that legislation will again be passed, approved by this committee and passed by the Senate before the end of this session. That will take care of the problems that you raise on construction. For a long time we thought Public Law 815 was going to take care of our construction problems, and it did, and finally they only funded it to 50 percent and now it is even less than 50-percent funding and the Indians are so far down in the category of entitlement that it will be years before—there will be a whole generation graduating from school before they will take care of it. But Senator Anderson had a bill that this committee approved and it passed the Senate last year—it is being revised and I have every confidence, as I say, that this committee will take that bill up and pass it before the end of this session.

So we are working in that direction for authorization not only for the pueblo schools, of course, but for reservation schools and special Indian needs all over the United States.

Mr. TENORIA. I might add that one of the reasons for Public Law 815 not really getting to the Indian people is that it had its priority for disaster areas and the only way we could possibly get funds for Indian construction is to declare the Indian areas disaster areas.

Senator METCALF. Let me tell you that even the disaster areas—I was one of the authors of that special provision—the disaster areas aren't getting any money either.

Mr. TENORIA. Well, I hope that the Committee on Interior and Insular Affairs will work with our Senators from New Mexico in pushing that bill through. I think it is an urgent need. We have young people now protesting to us for adequate school facilities which we cannot solve even through the legal route. We tried to resolve this in our school testimony last year but lack of funds is the main thing that is holding any adequate schooling for our children.

Senator METCALF. As I recall, it was very eloquent testimony from New Mexico and Arizona that representatives of the school districts that had Indian involvement that was the most persuasive thing in getting that bill passed last year.

Mr. ATENCIO. Well, I hope the committee will pursue and push that bill again. We want to thank you for giving us this opportunity from the pueblo areas and if you have any questions we will continue to answer.

Senator METCALF. Thank you. I hope you will work with the committee in getting that report on the effect and possible changes in your contract with BIA.

Thank you very much.

We have another witness who has asked to testify. Mr. Oren Lyons from New York State. Mr. Lyons you have a rather long statement. Would you be willing to summarize it so we can get through this morning? Fine; then we will call you now and put your statement in the record as if read and hopefully you will touch on the high points and eliminate the repetition of what has been said in the previous testimony.

STATEMENT OF OREN R. LYONS (JO-AGQUISHO), ONONDAGA NATION, FIREKEEPERS OF THE SIX NATION CONFEDERACY, HOODONOSHAWNEE

Mr. LYONS. I am one of the Onondagas from the Six Nation Confederacy. I have been sent by my nation, the Onondagas, Firekeepers of the Six Nation Confederacy, to listen and support this bill if all appears correct, for it seems to embody many of the precepts we have stated in our school proposal to the State of New York which you have in front of you now.

It is unusual for us to be involved in legislation. We have always maintained our separateness as a confederacy recognized by treaties with the Confederated Colonies, now the United States of America, treaties that promise, among other things, education for our people.

We are of a self-determining nature, and being such, we have created and developed a junior and senior high school proposal that recognizes the urgent needs of our people to remain ourselves and yet be best

able to coexist in harmony and good will with the people of the United States of America.

It seems to us that it is more than a coincidence the leaders of the United States have now seen fit to present such a good thing so long overdue to the native people of this ancient land. I would thank you on behalf of our nation for this consideration and would hope that the needs of the Indian people are truly served.

I would just like to make a couple of comments on things that have gone by here. We had only about 3 days to look at this and, more or less, I was sent down to listen. But I am very glad that our brothers, NCAI and all the rest of the witnesses here, have scrutinized this so closely. We have not been able to do this. It gives me a better feeling that they have been able to look at it closely.

I concur with the remarks of Mr. Youpee concerning the treaties which I have just stated and then I understand also the apprehension over hasty decisions made by Mr. Little Soldier.

You stated several times today you are pushed by October 1. It always seems necessary, or it always seems to occur these time limits are there, and it is just a statement I feel I must make that it happens all the time, or seems to.

Senator METCALF. It happens to us all the time, too.

Mr. LYONS. In terms of self-determination, what we are concerned with—and you will see it in the proposal we have in front of you—great care must be taken. I heard from all these witnesses the different and diverse situations that occur in particular areas and I would hope that this bill will be flexible enough to take into account all the considerations that are going to occur that are not on the surface at this time.

This bill is going to be presented and hopefully executed and things are going to be said and done that I hope are flexible enough to take in the next people that have not heard about it, or who are going to come to you with very peculiar problems to very peculiar areas.

We have situations in New York State with school boards where we have maybe one Indian member on a board, or none, and the one Indian member on the board is very ineffective as far as we are concerned just by the nature of five against one.

Also, in our school proposal we intend to have our own school. We started this. We are well into our fourth meeting with the State of New York. We are looking for funds. This is why this occurrence to us seems so timely. Perhaps we can find some area of resources in this bill coming up.

We have definite plans. We have very definite ideas. The statement of Indians knowing themselves best is true. I know that your feeling—I heard you say it several times today—that Indians should be adequately prepared to take on certain offices and certain responsibilities that come to the school board, for instance, or just the mechanics of running it—I think you will find out that throughout the Nation—Canada, America—they will run the whole gamut from inability to tremendous ability to do the whole thing.

That is why I say be very careful in making one determination to cover the whole thing, because some people will be able to do it and some people will need help. I think the people that are able to do it are the people that want to do it. The first criteria is the motivation to want to do it and they will find a way, just as we always have.

As for ourselves, I feel no better statement on the thinking of our people can be made than the one prepared by our people in the form of the school proposal that you have in front of you. This was handed out by them and only by them over a short period of time under great duress, but has received great consideration by the State of New York because of its content.

I would say that, in the light of only five pilot programs completed by Indian schools on Indian reservations, certainly there is room for more consideration in this area and that would be about what I have to say.

I want to thank you again for allowing us to say something here. Senator METCALF. I want to thank you for your appearance here.

I want to assure you—as I tried to assure everyone else here today—that just because we are confronted with a mandate situation on the provisions of this particular bill does not mean that we are not going to take a whole look at the whole Indian education program such as you and other witnesses have suggested.

I can assure you on behalf of Senator McGovern, who is chairman of the Indian Affairs Subcommittee, and Senator Jackson who is chairman of the full committee, that we are not going to only look at part of the picture but we will look at the Indian education with a whole overview approach and give the consultation to the Indian people as has been requested today.

Now that you have appeared before the committee, I shall certainly instruct the staff to continue to consult you, too, because of your knowledge and experience of a wholly different variety of Indian problems in education from what we have in Montana or Arizona or New Mexico or some of the western reservation areas. After all, we have to be concerned with national programs here and that is why you are a most welcome witness this morning.

Mr. LYONS. Thank you. I appreciate that.

Senator METCALF. Thank you very much.

Unless there is something else to come before the committee, we will stand in recess subject to the call of the Chair.

(Whereupon, at 12:55 p.m., the hearing was recessed.)

(Mr. Lyon's supplementary statement follows:)

SUPPLEMENTARY STATEMENT OF OREN R. LYONS (JO-AGQUISHO), ONONDAGA NATION FIREKEEPERS OF THE SIX NATION CONFEDERACY, HOODONOSHAWNEE

EXPLANATORY STATEMENT OF THE PHILOSOPHY

In the minds of many of the people on the Onondaga Reservation the proposed school already exists. The conscience of our ancestors, and the conscience of the contemporary Indian, will prevail in the school as it now does in some of our lives.

You must follow me closely now, because to understand what the philosophy is saying, you must understand how it evolved.

Imagine it is a short time in the future, and our school has been completed. All of our students are in front of the school, and because the school has a conscience it would be able to address the students.

This is what the school would say to the students.

I. PHILOSOPHY OF THE NEW SCHOOL

I am a living entity. The Creator inspired my birth. Let our lives become entwined. I have numerous parts. When you become part of me, my parts will become part of you.

Your thirst for the truth about yourself, and of Mother Earth, will be within your reach when your spirit and mine are congruent. My truth will give you the

strength and courage to exist in all cultures, but it also will give you the ability to retain the intrinsic values of the Indian way of life.

Your inborn desire to survive, and perpetuate, will be fulfilled when our entwined spirit is the guide for your conscience as to how you will live.

Someday some of you will return to me, and share with others what you have gained, both within me, and in other entities similar to me in our little brothers culture.

The pride that I will generate in you, and the way of life that I will give you will place you high above all of your enemies, such as greed, envy, jealousy, resentment, self-pity, anger, revenge, dishonesty and egotism.

If I live within you, you will be like the Eagle.

II. PRIMARY NEEDS FOR A JUNIOR-SENIOR HIGH SCHOOL

1. To raise the number of graduates for High School.
 - A. Show numbers of graduates over a 10 year period. Also show numbers of graduates from the Elementary School.
 - B. Indians who attended Haskell, Santa Fe, Chilocco. Graduates against non-graduates. Pupils stated that they wouldn't have completed high school if they stayed in a public school.
2. To increase the number of children receiving regents diplomas.
3. Motivation program—to continue education.
 - A. To see our children use their abilities that we know they have, but die out once they reach an integrated school.
 - B. To increase the number attending higher education at all levels.
4. Integration—To properly prepare our children to go into the dominate society.
 - A. To bring together into a whole. Behavior, as of the individual, in harmony with the environment.
 - B. In terms of behavior—to move between two contrasting cultures, never losing our inherited culture, and being comfortable in any other culture.
5. To instill and revitalize our way of life.
 - A. History.
 - B. Culture.
 - C. Language.
 - D. Morals and ethics.
6. To provide our children with understanding, respect, and appreciation of other cultures.
 - A. To share our culture.
7. To provide ways for every child to feel fulfilled and not because of an abundance of ability or lack of ability but because he or she is trying. How a child learns is as important as what he learns.
8. To bring our children out of the city ghettos and racial problems, tensions, conflicts inherent in these environment.
9. To learn to use the Indian culture to cope with drugs, liquor and vice that destroy our bodies, minds and spirit.
10. To provide a vocational program that will satisfy the needs of our children.
11. To provide an institute that our students can return to in order to help educate their own people.
12. To provide an adult educational program.
 - A. Our adults expressed the desire to return to school if classes were here on the Reservation.
13. To provide a closer relationship between parents and school through participation.
 - A. The Indian feels that the white man's school is bent on taking away his Indianness.
14. All monies spent on this school would be spent on Indians and not diverted into another program.

III. PRIMARY OBJECTIVE—SHORT RANGE

1. To create a fully accredited secondary school on the Onondaga Reservation, that will be educationally above the average high school in New York State.
2. To prepare an increased number of Indian youth for higher education.
3. To institute a program that will motivate more students to remain in and complete school.
4. To institute a program that will instill and revitalize our Indian way of life.

5. To institute a program that will properly prepare our children to integrate into the dominant society.
6. To institute a program that will perpetuate the Indian cultural values.
7. To offer a program for non-Indian graduate students who want to study our culture. To be positive that the graduate student record the true values of the Indian way.
8. To offer the non-college bound students a vocational opportunity to give them a broader choice on what they want to do.
9. To institute a program, through the Indian way, that will restore the pride and integrity by instructing them about the dangers of alcohol and drugs.
10. To relieve our urban Indians of the economic, racial and moral conflicts that embrace the sections of the city where most Indians live.
11. To institute a program that will be geared for the recent dropouts, so that the dropout will return to school and graduate.
12. To create a continuous educational program so that our children will be able to use the abilities that we know they have but die out when they reach an integrated school.
13. To institute language programs so that our children may perpetuate our Indian language.
14. To develop a program that will enhance the understanding and values of the non-Indian culture.
15. To develop a high level sports program that instills the pride of one's people for both boys and girls.
16. To develop an adult education curriculum that will revitalize the undeveloped latent, intellect that is within many Indian adults.
17. To create an atmosphere of equalness and calmness so that the abilities of the students can be motivated to the highest possible level.

IV. SECONDARY OBJECTIVES—LONG RANGE

1. The confidence that will result from attending the school will allow young Indians to integrate with a greater amount of ease and comfort.
2. The overall integration will enhance the true understanding by the non-Indian cultures relative to the Indian culture. Also the individuals in the Indian culture will better accept many parts of the non-Indian culture as essential to a comfortable way of life.
3. Many of today's "drop-outs" will obtain their high school diplomas through an adult education program.
4. To gain through the knowledge of our culture the integrity with which our forefathers were so highly regarded for applying to their lives.
5. An unification of tribes into one, to live as one people regardless of tribe, religion, belief, instead of using petty feelings that turn us into our own enemy.
6. Raise the standard of living in general.
7. To reduce the number of families on State and Federal assistance.
8. To equip each one with the ability to understand cultures of more than one people and so better cope with problems of one another.
9. Eventually more of the Indians will come back to the Reservation to teach.
10. The school would be the center of Onondaga activities, consequently, more people will become part of the educational system.
11. The vocational training will allow more individuals to set up their own business, and become "economically independent".
12. More individuals will become recognized in the arts, (music, dance, painters, artists and writers).
13. We will regain the respect of surrounding communities because of self-determination by our people and producing graduates in many fields.
14. The educated youth will be able to help to educate the parents.
15. Indians educated in their own culture would be able to work as advisors to television or movies, so that the correct story would be told.
16. There would be a revitalization of a culture that has values that are essential to the survival of all mankind.
17. The genocide of a "people" would be transferred to a rebirth of a irreplaceable way of life.
18. The vocational program will provide a variety of professions that will broaden the culture of the modern day Indian.
19. All Indian people will see the results of the work, in cooperation, of both Indian and non-Indian. Modern day politicians will be fulfilling the promises of their forefathers.

V. FACILITIES

The fifth part was to be included, but the Council of Chiefs decided to ask your recommendations and evaluations relative to the facilities that would be necessary to institute this type of program.



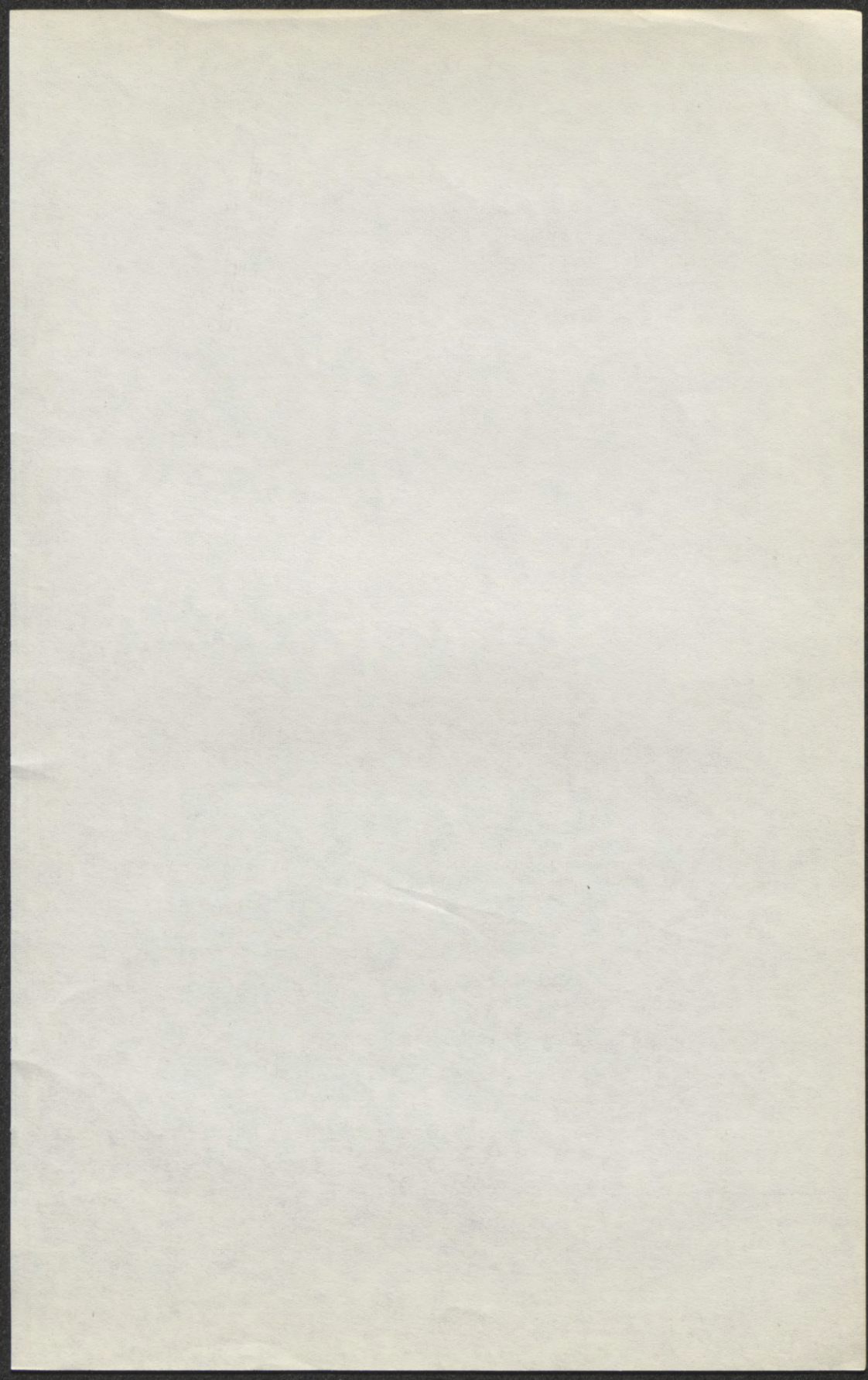
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W. T. GILBERT

The first part was to be included but the second part of the book was to be revised and rewritten to include the facilities that would be necessary to institute the first program.





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