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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection:** BARR, WILLIAM L.: Files

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**File Folder:** Indian Policy Statement (9) OA 9096 ~~Box 6~~ Box 6  
*(17 of 2)*

**Date:** 5/7/99

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. note	to Kenneth Smith re: draft Indian Policy Statement, 2p	7/27/82	PS 403 10/5/00

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].



**NATIONAL  
CONGRESS  
OF  
AMERICAN  
INDIANS**

202 E STREET, N.E., WASHINGTON, D.C. 20002 (202) 546-1168

July 21, 1982

**EXECUTIVE DIRECTOR**

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*Luiseno-Diegueno*

**EXECUTIVE COMMITTEE**

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**FIRST VICE-PRESIDENT**

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*Omaha*

**AREA VICE PRESIDENTS**

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*Yakima*

**SACRAMENTO AREA**

Juanita Dixon  
*Luiseno*

**SOUTHEASTERN AREA**

Eddie Tullis  
*Poarch Band of Creeks*

Mr. William Barr  
Deputy Assistant Director  
for Legal Policy  
The White House  
Room 235  
Old Executive Office Building  
Washington, D.C. 20500

Dear Mr. Barr:

On behalf of the National Congress of American Indians I want to extend a special invitation to you to attend our 39th Annual Convention to be held in Bismarck, North Dakota on September 27 - October 1, 1982.

It is our expectation that we will have official Tribal delegates from a majority of Indian Tribes and the total Conference delegates in attendance will be over 1,500.

I would hope that you will be able to address the delegates regarding policy developments relative to American Indians, especially in light of the planned Indian policy statement.

Please contact me or Ron Andrade, NCAI Executive Director, with your favorable, we hope, response.

Respectfully,

Joe De La Cruz  
President

RPA:ror

Enclosures

# **"THE EARTH: GIVER OF LIFE"**



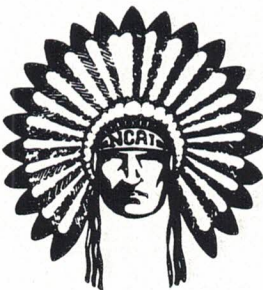
- Pow-wow
- Native Feast
- Miss NCAI Pageant
- Indian Youth Leadership Recognition Luncheon
- Major Speakers
- 9 Issue Committees
- Exhibits
- Parade

## **39TH ANNUAL CONVENTION**

**NATIONAL CONGRESS OF AMERICAN INDIANS**

**SEPTEMBER 26 - OCTOBER 1, 1982**

**KIRKWOOD MOTOR INN AND BISMARCK CONVENTION CENTER  
BISMARCK, NORTH DAKOTA**



**HOST: UNITED TRIBES EDUCATIONAL TECHNICAL CENTER**

For further information contact Roanne Robinson - (202) 546-1168.



**NATIONAL  
CONGRESS  
OF  
AMERICAN  
INDIANS**

# 39th Annual Convention

202 E STREET, N.E., WASHINGTON, D.C. 20002 (202) 546-1168

"THE EARTH: GIVER OF LIFE"

39TH ANNUAL CONVENTION OF  
THE NATIONAL CONGRESS OF AMERICAN INDIANS  
BISMARCK, NORTH DAKOTA

**EXECUTIVE DIRECTOR**  
Ronald P. Andrade  
*Luiseno-Diegueno*

## EXECUTIVE COMMITTEE

**PRESIDENT**  
Joe De La Cruz  
*Quinault*

**FIRST VICE-PRESIDENT**  
Ralph Eluska  
*Aleut*

**RECORDING SECRETARY**  
Ella Mae Horse  
*Cherokee*

**TREASURER**  
Hollis D. Stabler, Jr.  
*Omaha*

## AREA VICE PRESIDENTS

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*Cheyenne River Sioux*

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Guy Pinnecoose, Jr.  
*Southern Ute*

**ANADARKO AREA**  
Newton Lamar  
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E.W. (Bill) Morigeau  
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**JUNEAU AREA**  
Clifford A. Black  
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Gordon Thayer  
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Elmer John  
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**PHOENIX AREA**  
Anthony Drennan  
*Colorado River Indian Tribes*

**PORTLAND AREA**  
Russell Jim  
*Yakima*

**SACRAMENTO AREA**  
Juanita Dixon  
*Luiseno*

**SOUTHEASTERN AREA**  
Eddie Tullis  
*Poarch Band of Creeks*

## CONVENTION INFORMATION

**DATES:** September 26th - October 1st, 1982

**PLACE:** There are 2 meeting site for this year's Convention:

Site #1: KIRKWOOD MOTOR INN, 800 S. 3rd Street  
Bismarck, ND 58501 (701) 258-7700

Site #2: BISMARCK CIVIC CENTER, Box 1075  
Bismarck, ND 58501 (701) 222-6487

General sessions and Issue Committee meetings will be held at the Kirkwood Motor Inn, Sept. 26th-29th. Only general sessions will then be moved to the Bismarck Civic Center for Sept. 30th and October 1st.

**HOUSING:** Hotel reservations can only be made by completing and sending the enclosed hotel reservation form. NO HOTELS WILL ACCEPT RESERVATIONS BY PHONE.

**EXHIBITS:** Local Indian artists, government agencies and corporations will have exhibits at the Kirkwood Motor Inn.

**SPECIAL EVENTS** will include the Miss NCAI Pageant, a pow-wow and feast, parade, dances and banquet. Fees for these events, if any, will be announced later. A special INDIAN YOUTH LEADERSHIP RECOGNITION LUNCHEON will be held on Thursday, September 30th in the Bavarian room of the Kirkwood Inn. Tickets for the luncheon are available for \$10.00 each. All tickets will be held for pick-up at the door.

**REGISTRATION FEE:** \$45.00. A pre-registration form is enclosed.

**STUDENT REGISTRATION FEE:** \$15.00. Only payable at the Convention and valid student identification must be shown.

**AIR TRAVEL:** Satrom Travel Agency of Bismarck has arranged special discount airfares for NCAI Convention delegates. See the enclosed flyer for details.

**AIRPORT LIMOUSINE SERVICE** to and from the hotels in the Bismarck area will be available to Convention delegates free of charge. Hotel parking will also be free.

FOR FURTHER INFORMATION CONTACT: Roanne Robinson (202) 546-1168

SEE YOU IN BISMARCK!!

# (CVB) HOUSING INFORMATION

**RETURN FORM TO: Bismarck-Mandan Convention & Visitors Bureau  
P.O. Box 1675 - Bismarck, ND 58501**

CONVENTION National Congress on American Indian DATES September 26 - October 1, 1982

HOUSING REQUESTS WILL NOT BE ACCEPTED AFTER: Friday, September 10, 1982

**IMPORTANT:** All information is of utmost importance to prevent delay in processing your reservation request. PLEASE FILL OUT THE FORM BELOW AND RETURN IT DIRECTLY TO THE HOUSING BUREAU, P.O. Box 1675, Bismarck, North Dakota 58502, U.S.A. All correspondence relating to hotel reservations should be directed to the Housing Bureau. Allow at least three weeks for processing. The Housing Bureau will acknowledge your reservation request and will confirm your reservation request and will confirm your reservation. All confirmations will be sent to the individual indicated in Part 1. The hotels will not accept reservations directly, nor will reservations be accepted over the telephone. ALL CHANGES AND CANCELLATIONS MUST BE MADE IN WRITING THROUGH THE HOUSING BUREAU.

Please read instructions contained on the Official Housing Request Form and insert the numerical code from the list below for five hotel choices. Please print all items to assure accuracy, completing each part in detail for correct and rapid processing. Should more than one (1) room be needed, a supplemental room list must be attached using the same format as in Part III.

CODE	HOTEL	*1p1b	*2p1b	*2p2b	*EPC
030	FLECK HOUSE	\$30.00	\$32.00	\$36.00	\$4.00
060	HOLIDAY INN	\$34.00	\$42.00	\$45.00	\$5.00
070	KIRKWOOD MOTOR INN (HEADQUARTERS)	\$40.50	—	\$47.50	\$4.00
110	RAMADA INN	\$36.00	\$48.00	\$48.00	\$8.00
140	TOWN HOUSE	\$40.00	\$46.00	\$48.00	\$4.00
170	ECON-O-INN	\$21.90	\$25.90	\$28.90	\$3.00
180	THRIFTY SCOT	\$22.90	\$26.90	\$29.90	\$3.00
200	PRINCE	\$17.00	\$20.00	\$23.00	\$3.00
530	SEVEN SEAS	\$34.00	\$42.00	\$42.00	\$4.00
550	LEWIS AND CLARK	\$20.00	\$24.00	\$28.00	\$4.00

**NOTE:** Please Complete the Entire Form!

\* The above rates do not include North Dakota Sales Tax. \* Rates listed subject to change.

## OFFICIAL HOUSING FORM

CONVENTION National Congress on American Indian DATES September 26 - October 1, 1982

HOUSING REQUESTS WILL NOT BE ACCEPTED AFTER: Friday, September 10, 1982

**PART I:** Please complete requested data using abbreviations as necessary.  
(NAME OF PERSON REQUESTING ROOM)

(FIRST NAME)										(LAST)									

(NAME OF COMPANY OR FIRM)																			
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(STREET ADDRESS OR P O BOX NUMBER)																			
------------------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(CITY)					(STATE, PROVINCE)					(POSTAL CODE)				
--------	--	--	--	--	-------------------	--	--	--	--	---------------	--	--	--	--

(COUNTRY)					(AREA CODE)					PHONE NUMBER				
-----------	--	--	--	--	-------------	--	--	--	--	--------------	--	--	--	--

**PART II:** Select five hotels/motels of your choice. See above for code.

FIRST CHOICE	<input type="text"/>	SECOND CHOICE	<input type="text"/>	THIRD CHOICE	<input type="text"/>	FOURTH CHOICE	<input type="text"/>	FIFTH CHOICE	<input type="text"/>
	(HOTEL CODE)		(HOTEL CODE)		(HOTEL CODE)		(HOTEL CODE)		(HOTEL CODE)

**PART III:** 1. Print names of all person occupying room.  
2. Complete all information. 3. Supplemental lists for additional rooms must use same form.

GUEST NAME/S (PRINT LAST NAME FIRST)			
1.			
2.			
3.			
4.			

I will be arriving by car  yes  no

I will be arriving by air Flight No. \_\_\_\_\_  
Airline \_\_\_\_\_

CHECK ONE

- \*1p1b       P + 1  
 \*2p1b  
 \*2p2b       P + 2

ARR. DATE

DEP. DATE

ARRIVAL TIME

AM  PM (Check One)

**NOTE:** One nights deposit is required on all reservations, unless guaranteed by credit card. (List Above)

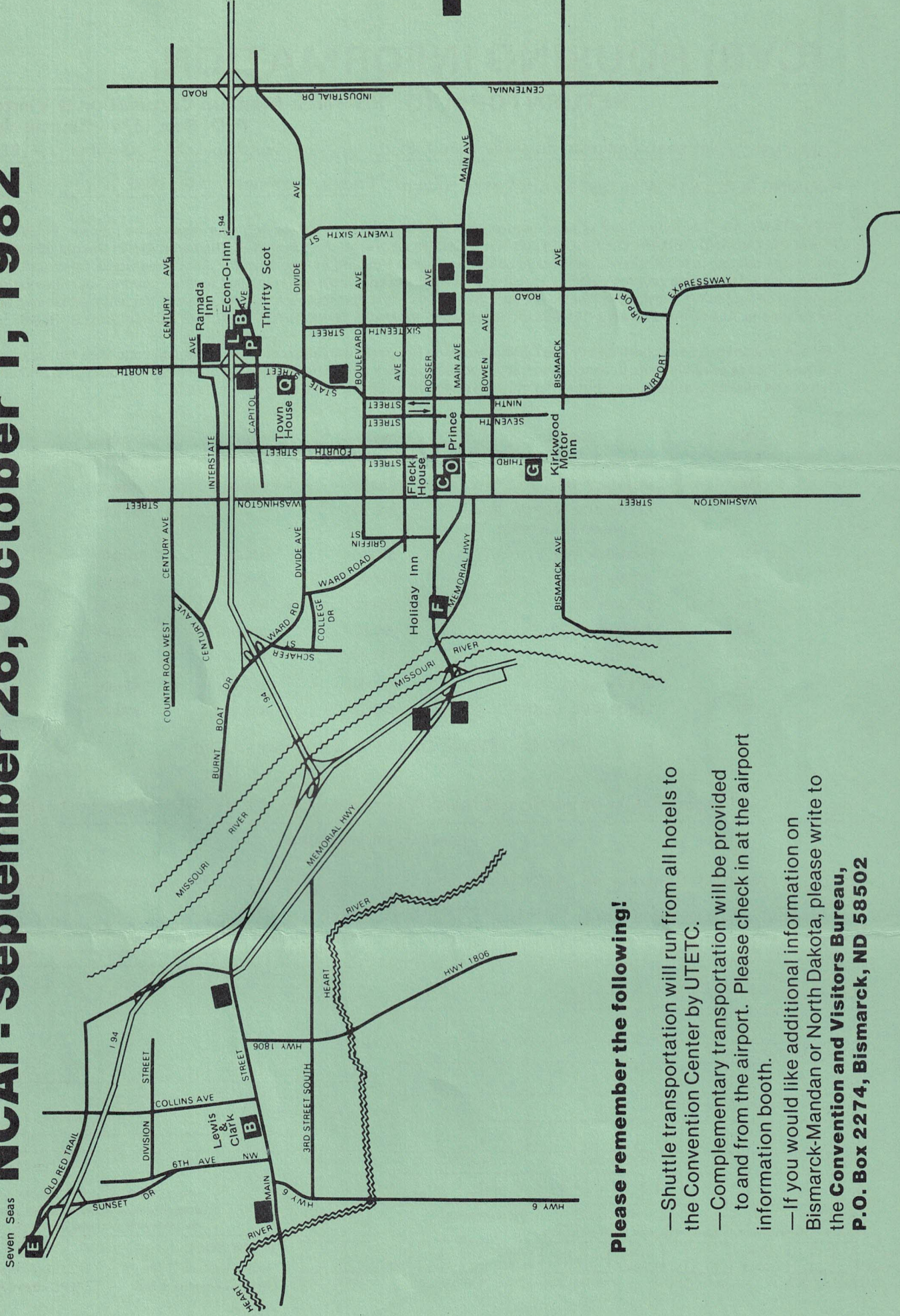
### ROOM CODE

\*1p1b - 1 person 1 bed  
\*2p1b - 2 persons 1 bed

\*2p2b - 2 persons 2 beds  
\*EPC - Extra Person Charge

# BISMARCK - MANDAN WELCOMES

## NCAI - September 26, October 1, 1982



**Please remember the following!**

- Shuttle transportation will run from all hotels to the Convention Center by UTETC.
- Complementary transportation will be provided to and from the airport. Please check in at the airport information booth.
- If you would like additional information on Bismarck-Mandan or North Dakota, please write to the **Convention and Visitors Bureau, P.O. Box 2274, Bismarck, ND 58502**

# AIR TRAVEL COORDINATION

for the

## 39th Annual Convention

Bismarck, North Dakota

September 26 - October 1



NATIONAL  
CONGRESS  
OF  
AMERICAN  
INDIANS



The three air carriers serving Bismarck, North Dakota (Frontier, Northwest Orient, and Republic), have agreed to offer special discount air fares for the 39th Annual NCAI Convention. The "Convention Desk" for each of the three airlines is prepared to quote the lowest available fares, and in some cases, additional discounts for NCAI convention travelers.

If you have 10 or more people traveling to Bismarck on an **identical** itinerary, then ask the "Convention Desk" for the special "group fares".

### HOW TO RECEIVE NCAI CONVENTION DISCOUNTS

Only the "Convention Desk" at Frontier, Northwest Orient, and Republic is authorized to reserve space using the NCAI Convention Discount fares. Follow the procedure below to secure the appropriate discount.

1. On the back of the sheet, determine which air carrier serves your city and call the appropriate "Convention Desk" using the toll free number. These special convention reservationists are familiar with the NCAI Convention and are prepared to assist you.
2. Satrom Travel & Tour, Inc. of Bismarck, North Dakota has been designated by the NCAI as the official travel agency responsible for securing and monitoring NCAI Convention discounts. For that reason, all NCAI air reservation records are automatically sent to Satrom Travel & Tour. If you wish to have Satrom Travel & Tour mail your ticket to you via registered mail, please indicate this to the "Convention Desk" when making your air reservations. Payment may be by credit card or check.
3. Reconfirm your flight departure 24 hours prior to your travel in the event that there has been a schedule change. If Satrom Travel & Tour does your ticketing, this travel agency will automatically reconfirm your departure **out of Bismarck** and will contact you at your Bismarck-Mandan motel in the event that there are any changes.



316 N. 5th Street • Bismarck, ND 58501

If you need to talk directly to the official NCAI travel agency, please call collect 701-258-5000.  
Weekday Office Hours: 8:00 am - 6:00 pm (CST)  
Saturday Hours: 8:00 am - 1:00 pm (CST)



CONVENTION DESK TOLL FREE TELEPHONE NUMBERS: NCAI Convention discounts available only from the *Convention Desks!*

**FRONTIER AIRLINES**

1-800-525-1092 Nationwide

1-800-332-0143 In Colorado

Connections through Denver

**NORTHWEST ORIENT AIRLINES**

1-800-328-7747 Nationwide

1-800-552-1290 In Minnesota

Connections through Minneapolis with northwestern states connecting through Montana

**REPUBLIC AIRLINES**

1-800-328-1111 Nationwide

1-800-272-1408 In Minnesota

*Your Republic convention*

*code is CAI: 222*

Connections through Minneapolis

**AIRLINE SERVICE INTO BISMARCK:** You may depart from the following cities on Frontier Airlines (FL) and Northwest Orient Airlines (NW) and Republic Airlines (RC).

**ALABAMA**

Huntsville/Decatur - RC  
Mobile - RC

**ALASKA**

Anchorage - NW  
Fairbanks - NW

**ARIZONA**

Phoenix - RC - FL - NW  
Scottsdale - FL  
Tucson - RC - FL

**ARKANSAS**

Ft. Smith - FL  
Little Rock - FL

**CALIFORNIA**

Burbank - RC  
Fresno - FL  
Los Angeles - FL - NW - RC  
Oakland - RC - FL - NW  
Orange County - RC - FL  
Palm Springs/Indio - RC  
Sacramento - FL  
San Diego - RC - FL  
San Francisco - NW  
San Jose - NW  
Stockton - FL

**COLORADO**

Colorado Springs - FL  
Delta - FL  
Denver - FL - RC  
Durango - FL  
Grand Junction - FL  
Montrose - FL

**DISTRICT OF COLUMBIA**

Washington, DC and  
Baltimore - NW - RC

**FLORIDA**

Ft. Lauderdale - NW  
Ft. Meyers - NW  
Jacksonville - RC  
Miami - RC - NW  
Orlando - NW - RC  
Sarasota/Bradenton - RC  
Tampa/St. Petersburg - NW - RC

**GEORGIA**

Atlanta - RC - FL - NW

**HAWAII**

Honolulu - NW

**IDAHO**

Boise - FL

**ILLINOIS**

Chicago - NW - RC

**IOWA**

Des Moines - FL

**KANSAS**

Ft. Riley - FL  
Junction City - FL  
Manhattan - FL  
Salina - FL  
Topeka - FL  
Wichita - FL - NW

**KENTUCKY**

Frankfurt - FL  
Lexington - FL

**LOUISIANA**

Baton Rouge - RC  
New Orleans - RC - NW  
Shreveport - FL

**MASSACHUSETTS**

Boston - NW - RC

**MICHIGAN**

Detroit - NW - RC - FL  
Escanaba - RC  
Grand Rapids - RC  
Ironwood/Ashland - RC  
Lansing - RC  
Saninaw/Bay City/Midland - RC

**MINNESOTA**

Duluth/Superior - RC  
Hibbing/Chisholm - RC  
Minneapolis/St. Paul - NW - RC  
Rochester - RC - NW

**MISSOURI**

Joplin - FL  
Kansas City - RC - FL - NW  
St. Louis - FL - NW

**MONTANA**

Billings - NW  
Bozeman - NW - FL  
Butte - NW  
Great Falls - NW - FL  
Helena - NW - FL  
Kalispell/Whitefish - FL  
Missoula - NW - FL  
West Yellowstone - FL

**NEBRASKA**

Grand Island - FL  
Lincoln - FL  
North Platte - FL  
Omaha - RC - FL - NW

**NEVADA**

Las Vegas - FL - RC - NW  
Reno - FL - RC

**NEW MEXICO**

Farmington - FL

**NEW YORK**

New York/Newark - NW - RC

**NORTH DAKOTA**

Fargo - NW  
Minot - RC

**OHIO**

Cincinnati - RC  
Cleveland - NW  
Toledo - RL

**OKLAHOMA**

Oklahoma City - FL  
Tulsa - FL

**OREGON**

Eugene - FL  
Portland - NW

**PENNSYLVANIA**

Philadelphia - RC - NW  
Pittsburgh - NW

**SOUTH DAKOTA**

Sioux Falls - FL

**TENNESSEE**

Memphis - RC - FL  
Nashville - RC

**TEXAS**

Dallas/Ft. Worth - FL - RC - NW  
El Paso - FL  
Ft. Worth - FL  
Houston - FL - RC - NW

**UTAH**

Salt Lake City - FL - RC

**WASHINGTON**

Seattle/Tacoma - NW - RC - FL  
Spokane - NW - FL

**WISCONSIN**

Eau Claire - RC  
Green Bay/Clintonville - RC  
LaCrosse/Winona - RC  
Madison - RC - FL - NW  
Milwaukee - NW - RC  
Oshkosh - RC  
Rhineland - RC

**WYOMING**

Casper - FL  
Cheyenne - FL  
Columbia Falls - FL  
Jackson - FL  
Lander - FL  
Laramie - FL  
Riverton - FL  
Rock Springs - FL

White House Working Group  
on Indian Policy

Our statement and supporting documents are due to the Cabinet Council on Human Resources by July 31, 1982. Thus, the meeting on July 27, 1982, will be limited to principles only. If you cannot attend, please send written comments by messenger to Lo Anne Wagner, Room 4141, Dept. of Interior, 18th and C Streets, N.W. no later than Noon, July 27. Your comments will be presented at the meeting.

1. Revised Draft Statement

The revised draft is a combined version of the last two draft statements. It incorporates language on the Presidential Commission on Development on American Indian Reservation Economies since the Working Group leaned heavily in this direction at previous meetings.

2. Action Item Issue Papers

The Issue Papers attached discuss action items that could be undertaken immediately and which would enhance the government-to-government, self-determination, and economic development focal points of the policy statement. As noted in the policy statement, specific areas such as health, housing, education, etc. would be remanded to the Cabinet Council for additional review.

Decisions from the meeting will be incorporated into the final statement on July 28-29 and circulated for approval on the 30th.

Please have all papers handled on a confidential basis within your office. If you have any questions, please contact Lo Anne Wagner at 343-4576.



OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

RESEARCH AND  
ENGINEERING

27 JUL 1982

MEMORANDUM FOR WHITE HOUSE WORKING GROUP ON INDIAN POLICY  
ATTENTION: LO ANNE WAGNER

SUBJECT: Comments on Revised Draft Statement and Action Issue  
Papers

1. I endorse the substance of the Revised Draft Statement on Indian Policy. It could, however, benefit from further editing. For example, it shifts uncomfortably between the Presidential "I", the collective "we" and the third person without preparing the reader. Early paragraphs and pages have a distant, lecturing tone about them while later pages are more intimate. Some sections are headed by questions, but others are headed by declarative statements; consistency should be the rule.

2. I support:

- a. Establishment of the Presidential Commission on Development of American Indian Reservation Economies,
- b. Expanding the Advisory Commission on Intergovernmental Relations (ACIR) to include Tribal representation,
- c. Requesting interim ACIR participation by the Assistant Secretary for Indian Affairs, Department of Interior, pending Tribal admission.

A handwritten signature in cursive script, reading "William A. Long", is positioned above the typed name.

WILLIAM A. LONG  
DEPUTY UNDER SECRETARY  
(ACQUISITION MANAGEMENT)

July 27, 1982

NOTE TO KENNETH SMITH, ASSISTANT SECRETARY FOR INDIAN AFFAIRS

On behalf of Dorcas R. Hardy, Assistant Secretary for Human Development Services, I wish to offer the following comments on the draft Indian policy paper which was distributed to the members of the Working Group on July 26 prior to our meeting on July 27.

1. The paper does not fully reflect the recent agreements and understandings which have been reached by members of the Working Group. The language appears to have been largely taken from two early drafts and does not reflect later staff work and discussions.
2. The three major headings -- background, the political relationship and economic development -- are suitable for organizing the ideas which have been agreed upon, but the subheadings are unnecessary and are inappropriately worded.
3. Much of the language is paternalistic and inappropriate even when the content has merit. Examples include, on page 3, "When Indian tribes and their governments meet these expectations, what can they expect from this Administration?" and "Tribes should act responsibly in their governmental and internal affairs." There are many other examples. Much of the language is indefensible and is likely to cause a hostile reaction from tribal leaders.
4. The latest draft does not specifically repudiate the policy of termination, although such a statement was included in the initial draft. This statement should be made near the beginning of the paper so that other statements will not be construed in a different light.
5. It is acceptable to define the trust relationship in terms of property alone, but the treaty obligations regarding Federal responsibilities to make provisions for health and education must not be overlooked or contradicted. The emphasis should be on tribal responsibility and tribal control for their own programs, not Federal programs -- a policy which is consistent with the President's basic

philosophy. Where the Federal government has responsibility by treaty to provide resources, this should be upheld, but in the spirit of local control and self-determination. The Federal government has a responsibility to assure the survival of tribes and their governments. Although self-determination speaks largely to tribal operation of Federal programs, this policy statement gives this Administration the opportunity to apply the spirit of local control and responsibility to tribes in the same way that it is applied to State and local governments. Apart from the trust responsibility and treaty obligations, it should be this Administration's basic tenet that tribal governments, in keeping with the government-to-government relationship and the President's own philosophy, should be treated in the same manner as State governments.

6. Language in the last paragraph on page 2, "We will be firm in requiring that tribes be accountable for their use of Federal funds in accordance with the terms of their grants and contracts" perpetuates the concept that tribes should simply administer Federal programs. The emphasis in the policy statement should be on the right of the tribe to set its own priorities, establish its own programs and serve its own members in keeping with local needs. The President's philosophy focuses on accountability to the people served. This should be true for tribal governments as well as state and local governments. As for fiscal accountability, tribes should be held responsible the same as any government or entity which receives Federal dollars.
7. The statement on page 5 in support of direct funding in the social services block is on target. However, the introduction to this statement, taken from an earlier draft, is misleading and does not reflect the additional refinements in language which appeared in the issue paper on block grants.
8. The paper makes no case for and provides little background on a private sector role. Wording does not reflect the considerable study and discussion which has surrounded the idea for establishing a Presidential Advisory Commission on the Development of Reservation Economies.
9. It is not acceptable to say "We will support the responsible exercise of tribal governmental authority including, to the extent the law allows, the exercise of regulatory authority over all reservation activities." (page 3) A recent sub-working group agreed that the proposed Commission would review obstacles to economic progress, including existing laws and regulations, and make recommendations for changes. Thus, the policy agreed upon was that this Administration would favor changing laws and regulations if that appeared appropriate in order to foster developmental activities and encourage private sector involvement.
10. The paper does not mention the extent to which tribal advice was sought and used in preparing the statement, nor does it mention that tribal consultation would be secured as the policies are implemented.

White House Working Group  
on Indian Policy

July 27, 1982  
2:00-4:00 PM  
Room 330 - OEOB

AGENDA

- I. Review of revised Draft Statement
- II. Discussion and decision on Action Item Issue Papers
  - A. Commission on Development of American Indian Reservation Economies
  - B. Expansion of the Advisory Commission on Intergovernmental Relations to include Indian representatives
  - C. Recommendation to move White House liaison for Federally-recognized tribes to the Office of Intergovernmental Relations

ISSUE:

Should the President establish a Presidential Advisory Commission on Development of American Indian Reservation Economies?

BACKGROUND

This Administration has made a commitment to the principles of the government-to-government relationship, the Federal policy of self-determination and the Federal trust responsibility for American Indian tribal governments. Within this context, as well as the legal and historical background concerning American Indians, it is clear that tribal governments must play the primary role in the development of Indian communities and reservations.

In the past, there has been no systematic Federal effort to support tribes in exercising their governmental powers to stimulate and develop healthy reservation economies. Rather, past policies and practices have created an unhealthy dependence on public services and set up barriers to self-sufficiency.

The issue of coordination of Federal Indian programs and funding cannot be separated from the President's New Federalism initiative which proposes to turn back numerous programs and funding to the States and to reduce the Federal regulatory

burden. This initiative, now at a formative stage, offers the Federal Government the opportunity to reduce the stifling Federal presence in Indian affairs while strengthening its government-to-government ties and maintaining the Federal trust responsibility.

DISCUSSION:

The economies on American Indian reservations are extremely depressed with reservation unemployment rates among the highest in the country. Leaders of the Indian community view the development of reservation economies as their number one priority. This was clearly the consensus of tribal leaders in testimony at recent hearings held by the Senate Select Committee on Indian Affairs. Attempts by individual agencies, tribes and the Congress to come to grips with this problem have been fragmented and largely ineffective. Involvement of private industry has been limited, with only infrequent success. Developing reservation economies offers a special challenge for many reasons: the trust status of the land inhibits normal investment procedures; legal barriers restrict the type of contracts tribes can enter into; numerous and complex regulations hinder economic growth.

A comprehensive approach is needed with insights from private industry as well as tribal government. If tribal governments have the primary responsibility for meeting the basic needs



of the Indian communities on reservations, they must be allowed the chance to succeed. This means eliminating legislative and regulatory constraints impeding the delivery of services, as well as affording tribal governments the tools similar to those available to State and local governments to fulfill their responsibilities. Tribal leaders and Administration officials involved with Indian programs believe the problems are solvable, but an encompassing review and an action plan by Indian leaders and the private sector is necessary.

The President's Task Force on Private Sector Initiatives is not an appropriate vehicle for action because its mission is too sweeping, its membership too diverse and its tenure too short to be able to focus on the complexities of developing Indian reservation economies. Likewise, strongly worded Presidential endorsement for private sector involvement, backed by tribal and intergovernmental support, would likely result in only fragmented development because there would be no mechanism for assuring any kind of coordination between public and private sectors.

There are three remaining options -- a Presidential Commission, a Secretarial Commission, or an interagency working group -- but only a Presidential Commission shows promise for providing the encompassing review and action from both the public and

private sectors, Indian and non-Indian. There are technicalities involved in establishing a commission at any level, but the difficulties are outweighed by the overriding necessity of having private sector and tribal governments participation in defining problems and recommending solutions.

### Options

Option 1: Establish, by Executive Order, a Presidential Advisory Commission on Development of American Indian Reservation Economies.

Discussion: The Commission, made up of Indian and private sector representatives, would advise the President what Federal actions are required to create a positive environment for the development and healthy growth of reservation economies, with the intent of less restrictive involvement by the Federal Government. The Commission would identify obstacles to economic growth in the public and private sectors at all levels; examine and recommend changes in legislation, regulations and procedures; examine and identify appropriate tribal and Federal roles; and recommend ways for the private sector, both Indian and non-Indian, to participate in the development of reservation economies. The Commission would be supported by the appropriate agencies on the Cabinet Council on Human Resources. (Charter Commission draft attached.)

Pros:

- (1) Establishment of a Presidential Commission on Development of American Indian Reservation Economies composed of representatives of tribal governments and the private sector would demonstrate this Administration's awareness of the seriousness of the economic situation on reservations and its commitment to finding solutions compatible with Indian values.
  
- (2) The Linowes Commission on Royalties on Federal and Indian Lands, with its focused mandate and limited time frame and budget, set an example of efficient problem-solving within an area of concern which could be primarily addressed by the Department of the Interior. However, the complex nature of building an enduring economic foundation and addressing problems with roots in so many public and private sector areas -- Federal, State and tribal legislation, regulations from several Federal agencies, etc. -- requires a Presidential level initiative with joint Federal effort among many agencies if major changes are to be effected.

- (3) Recent hearings on Tribal Economic Development held by the Senate Select Committee on Indian Affairs generated a great deal of creative thinking by tribal government leaders, Indian individuals and national Indian groups. Tribal testimony on the need for developing reservation economies was extremely persuasive. The testimony, backup papers and data are still pertinent, and could be made available to the Commission.

Cons:

- (1) Creation of a Presidential Commission might seem to some as inefficient and perpetuating the growth of government.
- (2) Creation of a Presidential Commission might seem to be a way of sidestepping action by doing another "study."
- (3) White House clearance for Commission members requires 6-8 weeks.

Option 2: Establish a Commission at the Secretarial level.

Pros:

- (1) This option avoids creation of another Presidential Commission.

- (2) A Secretarial Commission could have the strong endorsement of the President. White House clearance on the membership of such a Commission takes, on the average, about a week.

Cons:

- (1) A unilateral Secretarial Commission, no matter how efficient, cannot effectively address problems which cross departmental lines.
- (2) It is not possible to establish a Commission which is sponsored equally by two or more Departments because of prohibitions against the co-mingling of funds and staff. Thus, one Department would have to chair and a report would go to one Secretary with copies to others.

Option 3: Establish an Interagency Task Force on Development of Reservation Economies or use the existing Working Group on Indian Policy.

Pros:

- (1) Interagency activities can be carried out without the technicalities involved in setting up a Commission.

- (2) Interagency action is a mechanism which is easily understood and widely used.
- (3) High level intergovernmental involvement can bring about limited change.

Cons:

- (1) An interagency mechanism has no provision for tribal or private sector involvement, a flaw so fatal that the purpose -- developing reservation economies -- is not likely to be achieved.
- (2) Interagency actions to date have not provided comprehensive, long range solutions to Indian economic development issues.

RECOMMENDATION:

The Working Group on Indian Policy recommends the establishment, by Executive Order, of a Commission on Development of American Indian Reservation Economies to advise the President on what Federal actions are required to create a positive environment for the development and growth of the economies on Indian reservations.

Further, the Working Group recommends that it continue its activities in order to achieve interagency cooperation and

CHARTER  
COMMISSION ON  
DEVELOPMENT OF AMERICAN INDIAN  
RESERVATION ECONOMIES

**DRAFT**

1. The official designation of the Commission is the Presidential Advisory Commission on Development of American Indian Reservation Economies.
  
2. The purpose of the Commission is to advise the President what Federal actions are required to create a positive environment for the development and healthy growth of the economies on American Indian reservation lands. The underlying principles of this mission are the government-to-government relationship, the established Federal policy of self-determination and the Federal trust responsibility. The Federal role must be in the direction of reducing the stifling Federal presence in Indian affairs. To complete its mission, the Commission will, at a minimum:
  - (a) Define the problems and identify the obstacles in the public and private sectors at every level which impede the creation of a positive economic environment. These include Federal, State, local, tribal and business sectors.

- (b) Examine legislation (existing and pending), regulations, and procedures which contain any of the obstacles identified and recommend changes or other remedial actions necessary to remove these obstacles.
  - (c) Examine the Federal-Tribal Government relationship to identify the proper role of each in creating this environment and make appropriate recommendations.
  - (d) Identify conditions which would create a positive climate for reservation economies and recommend ways for the various levels of government to establish these conditions for Indian reservations.
  - (e) Recommend ways for the private sector, both Indian and non-Indian, to participate in the development and growth of reservation economies.
3. The Commission shall be composed of 10-12 members, evenly divided between the private sector and tribal governments, who shall be appointed by the President from recommendations made by the **White House** Working Group on Indian Policy. Representative segments of the private sector might include financial establishments, manufacturing,



agribusiness, energy and timber industries or others. The National Tribal Chairmen's Association (NTCA), the National Congress of American Indians (NCAI) and the Council of Energy Resource Tribes (CERT) will coordinate recommendations to the Working Group from Tribal governments on tribal government representation. A non-Indian corporate representative and an Indian representative shall serve as co-chairmen of the Commission.

4. The Commission will be in existence not to exceed six months from the appointment of the last Commissioner.
5. The Commission will deliver its final report to the President, and will function independent of, but in cooperation with, the various Federal agencies.
6. Staff support of the Commission is to be provided by the Federal agency or agencies selected by the White House Working Group on Indian Policy.
7. The duties of the Commission are advisory in nature in accordance with this document.
8. The estimated operating cost of the Commission is approximately \$100,000, to the government, excluding approximately 1.5 staff-years of support. Donations from the private sector will be encouraged.

9. The Commission will meet approximately 15 times at the call of the chairmen. All meetings of the Commission and all agenda must have prior approval of the chairmen.
  
10. The Commission shall submit a final report to the President within six months after appointment of the last Commissioner, or no later than June 1, 1983, whichever comes earlier, and shall terminate 60 days after the final report is submitted unless extended by the President.
  
11. Creation of this Commission is by Executive Order of the President.
  
12. Members of the Commission may receive compensation, travel and per diem expenses for each day such member is engaged in the work of the Commission. Travel and per diem reimbursement shall be up to a daily rate in accordance with the Federal Travel Regulations.
  
13. In carrying out its responsibilities, the Commission is authorized to:
  - (a) use the support services within the Federal agency or agencies selected by the White House Working Group on Indian Policy, as appropriate, in carrying out its functions.

- (b) select an Executive Director and other required personnel in accordance with an established budget.
  - (c) conduct hearings (swearing in witnesses as appropriate), interviews, and reviews at field sites, or wherever deemed necessary to fulfill its duties.
  - (d) review Federal information with full access to all unclassified pertinent Federal files.
  - (e) confer with Indian tribal government officials and members, private sector business officials and managers, and other parties dealing with matters pertaining to the Commission's mission.
14. The co-chairmen or a Commissioner specifically designated by the co-chairmen shall be the official spokespersons for the Commission for contact with the Congress, public, media, and others.

15. All Commission meetings and activities will operate in accordance with the Federal Advisory Committee Act (5 U.S.C., Appendix I § 10).

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President

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Date Signed

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Date Filed