

Friday morning, January 14th, 1955:

what I had previously said here when it was first stated we should give the privilege of signing contracts to someone besides the Chairman and Vice-Chairman. I opposed it, but, nevertheless, it was done and that was the reason for this so-called mess. I think the Chairman should have left a note saying: "to be held until further notice" and if he had, this would not have happened. As a result of what has happened, we will lose a great deal of ore and that is lost to the Tribe. My thought is then why not let us take that stand right now and the Chairman and Vice-Chairman should understand that no one else should sign a document except in an emergency. I make a Motion to approve this Resolution as read.

Norman Littell:

We thought that Resolution had been distributed. Apologies from all of us. We find that this has not been distributed.

Justin Shirley:

Since this has already been explained and it is quite self-explanatory, which way it is read we all understand the Resolution, the purpose for which it is intended and, with that in mind, I would like to second the Motion made here .

The Chairman:

The Motion is made by Paul Begay, seconded by Justin Shirley that the Council confirm this Resolution of the Advisory Committee here as read and all those who wish to go along with the Motion just made and seconded on the Advisory Committee Resolution - that it be confirmed - may stand.

70 Council members stood.

The Chairman:

Any opposed?

None opposed.

Norman Littell:

There are two Resolutions prepared for the purpose of giving some background and support to the position of the Upper Colorado River Project and the Navajo Dam Project. I will not try to explain them now because it is five minutes before lunch. You might use these five minutes to get started anyway. I will



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read this one - Colorado River Storage Project and Participating Projects:

WHEREAS:

1. Legislation has been introduced in the 84th Congress of the United States to authorize the Secretary of the Interior to construct, operate and maintain the Colorado River Storage Project and Participating Projects, and such legislation includes the Navajo project for the irrigation of lands of the Navajo people in New Mexico.

2. The United States, in establishing the Navajo Reservation in its treaty with the Navajo Tribe in 1868, offered in said treaty to grant 160 acres of agricultural land for every head of a family and 80 acres for single Navajos to establish Navajo families on farm lands, notwithstanding that there was not then, and have never been at any time since 1868, sufficient cultivatable lands to comply in a measurable degree with said treaty.

3. Because of the adverse conditions and the absence of water which prevents the raising of cultivated crops and settlement on farm lands, the Government encouraged the Navajo people to build up large flocks and rely almost wholly upon the raising of sheep and livestock by grazing on the open range, and such grazing, together with successive droughts, greatly reduced the natural forage thereby adversely affecting the production of livestock and depressing the condition of our people to a degree which lead to national concern and caused Congress to pass the Navajo-Hopi Rehabilitation Act of 1950.

4. In limited agricultural areas in the Navajo Reservation along the San Juan river, such Navajo families as could cultivate lands, have proved that Navajos are successful farmers and that if irrigation water is supplied to the lands in the Navajo Project as proposed in the foregoing legislation, one-fifth of our Navajo population could be settled on self-sustaining irrigated farm areas where their earnings would be comparable to those of our white neighbors on irrigated lands.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council, on behalf of the Navajo Tribe, hereby respectfully petitions the Congress of the United States to adopt the proposed legislation authorizing the construction of the Colorado River Project and Participating Projects including the Navajo Project, thereby implementing and aiding in a vital and effective manner the established policy of Congress set forth in the Navajo-Hopi Rehabilitation Act of 1950.



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2. The Council, on behalf of the Navajo people, respectfully suggests to Congress that the passage of said Act is the only possible method of fulfilling to a large extent at this late date the aforesaid commitment in the Treaty of 1868 (which is still the law of the land) by making available a substantial amount of farm lands on the Navajo Reservation.

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The Chairman:

We will now recess until 1:30.

(Whereupon, at 12:05 p.m. the Council recessed until 1:30 p.m. of the same day.)



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The Chairman:

Paul, will you please call the roll?

Paul Jones:

Called the roll. 70 Council members present.

The Chairman:

There being a quorum of the Council members present, the Council meeting will now come to order.

Paul, will you please interpret the reading of the Resolution read to you in English before lunch?

(Paul Jones then interpreted the Resolution entitled Colorado River Storage Project and Participating Projects in the Navajo tongue.)

Edward Manson:

Mr. Chairman: I would like to ask a question at this time of the Tribal Council - whether or not they are again going to meet some time soon - recess now and continue later on? The reason I ask is that we encounter all kinds of hardship going and coming from here, not having time enough in which to go back home and come back here again. It is always not possible to do so. If this meeting is going to continue next week, we will have to dispense with going back home and we will have to stay here. What is the actual plan on that? It was rumored that this would be continued and there were also rumors that it will not be continued. What is the set-up on that?

The Chairman:

In connection with your question, there are two problems that need to be looked into and we would like to have these two problems solved before the present Council adjourns.

First of all, you were presented a Resolution last June on the trader problem. We found out that that has not been approved and until it is received, we do not know what the status will be. The same is true of the grazing regulations. It was our hope that some definite commitment could be received from the Government during this session, but so far we have not received any. In any event, if we should get these two from the Government before the 24th, you will be notified of the impending discussion of these two subjects. However, if no notification reaches you, you will understand there will be no further meeting of the General Council.



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Norman Littell:

On the subject of the traders, I had a long distance telephone conversation with Bart Greenwood yesterday. They are approving both Resolutions, but felt that there is a possible indefiniteness in the arrangement if the latter Resolution were ever invoked, leaving part of the June 3rd Resolution still applicable, so they have asked us to combine those two Resolutions, which is purely a formal matter, and I can do it if you hold another Council meeting, but I could not possibly do it during this Council meeting.

Paul Begay:

Mr. Chairman: I want to ask a question - that the last part of the last sentence in the Resolution on the Colorado River Storage Project and Participating Projects - the No. 1 paragraph, where it says "for the irrigation of lands of the Navajo people in New Mexico." be stricken, my thought being that only Navajos in the State of New Mexico would be employed. We do not want to misconstrue that and I want to have that last sentence stricken.

Norman Littell:

There is no harm in striking it, but that is where the projects are.

Walter Collins:

I do not view any misunderstanding here. It is very clear, and, with that in mind, I want to approve this Resolution as read.

Mescaléto Nelson:

I second the Motion.

The Chairman:

The Motion is made by Walter Collins, seconded by Mescaléto Nelson, that the Council approve this Resolution as read and also that the Council go along with the Motion made and seconded on the Resolution and all those who wish to go along with this Motion please stand.

69 Council members approve.

The Chairman:

Any opposed?

One Council member opposed.



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Norman Littell:

Here is the second Resolution on the same subject. This other one is entitled "Financing of Farm Unit Development, Shiprock Division, Navajo Project". I will read it:

WHEREAS:

1. In preparation of the feasibility report for the Navajo Project, decision must be made relative to a means for financing the settlement of farm units, following their development.

2. Most of the farm operators who settle on the irrigated lands of the Shiprock-San Juan Project will require credit to purchase farm machinery, to provide fences, housing, farm buildings, seed, fertilizer, and livestock; and to defray the costs of bringing their land into production.

3. The Navajo Tribal Council believes that where possible, the financing of settlement on the farms should be done through normal commercial credit sources, but that where this cannot be done the financing should be accomplished through Navajo Tribal resources.

4. Preliminary estimates indicate that with a 20-year settlement period a revolving credit fund of around \$3,000,000, based on the present price level, would be required to finance settlement of about 1,500 Navajo families on the project.

NOW THEREFORE BE IT RESOLVED:

1. That the Navajo Tribe endorses the general policy of relying to the fullest extent possible on private credit institutions to furnish the credit to settlers on the project, and of giving all possible assistance to settlers in obtaining credit from such institutions.

2. That to the extent credit is not available from private credit sources, the Navajo Tribe agrees, providing funds are available at the time of project settlement, to establish a revolving credit fund from Tribal funds to aid the farm operators.

3. That, in view of the fact that the time of settlement of the Shiprock Division of the proposed Navajo Project is in the unpredictable future, the amount of the revolving credit fund to be established, the size of the loans, and the terms thereof should be determined at the time of project construction, to be based on the level of prices and costs prevailing at that time.

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Norman Littell:

The purpose of this Resolution is simply to recognize on behalf of the Tribe that the lands are available and that \$3,000,000. is estimated as a revolving fund to finance that development, but that is not your three million dollars. Do not get the idea that the Tribe is being asked to appropriate three million dollars. You then in the Resolving Clause endorse the use of private credit facilities to these Navajos who borrow from banks and the Government funds available in the ordinary process of getting resettled on these lands. In Paragraphs 2 and 3 you say, however, as to the extent that Tribal funds will be available. For these credit purposes, the Tribe will establish a revolving credit fund to lend to these people to get established but nobody can determine the amount of this fund now until you get the project in being and know what the problem is. My opinion is that this is something your Credit Committee will certainly do and be glad to do if you get this project established and the lands are available. This Resolution merely says that you will do this so that Mr. Keesee can use it in his feasibility report which is nearing completion.

The Chairman:

The Bureau of Indian Affairs has been busy in working out the preparation of this feasibility report and, in that connection the feasibility report is asked for from Washington to consider if it is feasible to do these things being talked about and what are the actual crops realized from the working of that land? Would it be comparable to a good income that will be realized for people who are steadily employed? Those are some of the things it is our hope will be considered in that report that they have requested. The interest on the part of the Bureau has been shown to the extent they are busy working on that feasibility report. We have not expressed our interest as a Tribe or encouragement to have that accomplished and this is going to be an instrument to that effect, namely, this Resolution will bring about expressing our feeling about that project, meaning that we state people would like to start formulating plans even though it is in the distant future, to show our interest in the project.

Sam Gorman:

With the understanding that we have with the reading of the Resolution, it is quite plain and there is no question there will be little argument about the question and I make a Motion that we approve the Motion as read.

Eugene Gordy:

I second the Motion.



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Paul Begay:

Mr. Chairman: I feel differently about the Resolution here. To my way of thinking, it is just another means of a Navajo being tied down to conforming with a big debt he is not able to pay. The first statement is that the regular commercial houses will be called upon to furnish credit to settlers there. We have seen in the past that many of the members of the Tribe have not been able to repay the loans received and now the talk is about having these repayments. There is a danger of the commercial houses taking our belongings if we do not pay it. It will be just a big burden the way I see it and the reason I am not in favor of it is because it is to distant in the future - you do not know what it would be, and it is not time to express ourselves on it. If we see it with our own eyes, the accomplishment of this project, then will be time enough to say something.

Grey Valentine:

I want to state this is something that meets with my approval. We do not want to be content with the dryness of our land without any water for irrigation purposes. This is an opportunity to realize some moisture on our land. It is time now to make plans for it because, if we do not, our children will find fault with us, saying: "Why did not our leaders, when this was being discussed, formulate plans where credit could be obtained?" I feel, for this reason, this is something we must approve of.

The Chairman:

Let me give you points on this question that you raised here against this proposed Resolution. Those of us who go from place to place see land in operation. When you get into the real history of that particular land - in any case you go and find out what you are talking about - that the original individual who started that project did not make any money on it. He went broke on it and had to relinquish that land to somebody else, but that is not the reason the land was left idle. Somebody took it over and made it worthwhile and it has now become an income producing land. It is true there are hardships in connection with any type of business, and in that particular kind of business I am talking about. The same is true with the livestock enterprise. No matter how much we like to keep good bands of sheep, nevertheless, because of conditions beyond our control, we lose some. That encourages you to do better and take care of the loss and replace them and be in that business all along. For that reason I think we should not be discouraged at this stage about this. On the other hand, the public wants to know whether or not you are interested in the program and we would like to place before the general public our expression of interest and encourage our leaders to do all



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they can to help us realize this project. At the present time, the only logical place irrigation would be good is around the river itself, but this is going to be outside of that area. Along with it you should consider the Government program that the Reservation is going to be put up for sale by the Government and the money given to the Indians themselves. Would we be willing for the Government to get rid of that land from under ourselves? The more we develop this land, the more it would be in value if such a time does come, with all the development on it, the land that is worked, the land that has been producing, come in various forms, mining, oil or something else. Naturally, if the Government wants to get rid of it, there will be a good price for it and we, in turn, will get a good price for it. Why should we be satisfied with the land unproductive when there is a possibility where we can develop it into an income making land?

Anna Wauneka:

Mr. Chairman and Members of the Council: I believe this subject is something that is worthwhile because it is an instrument to be considered as making plans for the future. After all, that is something worthwhile. Due to the fact there is ever-increasing pressure on our Navajo people, there is no end to the increase as we see it at the present time and, naturally, that should be of concern to us. Our forefathers have been concerned about it. They have been asking about development. I believe it is now in sight. We may not see it, but now it is closer than when they lived and, for that reason, I would like to say that is something you are planning in the future for our people. With that in mind, I stand willing to approve as presented and the only change I recommend is that the date of 1954 as inserted here be changed to 1955.

Paul Begay:

I would like to ask Mr. Littell a question. In Paragraph No. 4 it means the settlement of about 1,500 Navajos on the project. What is the average per family?

Norman Littell:

\$1,500.00

Paul Begay:

I mean what is the average number per family?

Norman Littell:

Five.



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Paul Begay:

With 75,000 Navajos, how many could that help?

Norman Littell:

7,500. This is a long time in advance and, by the time you get up there, if we are so fortunate as to get this project, you can change and revise it. This is a declaration of intention to help those people get settled.

Dick Beyale:

Mr. Chairman and Members of the Council: I wonder why anyone should say anything against this proposal here. I wonder if you have never seen the people who live along the river. We have our Navajos living along the river and the development and income from land is something we envy of these people. Those of us who live on dry land, we wish we could have that moisture so we could have production. Just as soon as this Resolution was read, it had my full approval. All I am requesting now is that we vote on it. The need is there and even though we may not see it ourselves, our children will get the benefit. It would be nice for them to remember us by. That would be pretty good, so why oppose it? I have been wanting to say something about it, but this is the first opportunity I have had. I want to feel that I have earned my money and here I have not said anything about it and this is my contribution.

The Chairman:

The Motion is made by Sam Gorman and seconded by Lawrence Gordy that the Council approve the Resolution as read and all those who wish to go along with the Motion just made and seconded on this Resolution, to approve this Resolution, may stand.

72 Council members stood.

The Chairman:

Any opposed?

None opposed.

Norman Littell:

Instead of taking "Revolving Credit", the Resolution we have been waiting for has arrived and it pertains to mining particularly and I will ask Laurence Davis to present it. This is his first Resolution incidentally. He drafted it.



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Laurence Davis:

Mr. Chairman and Members of the Navajo Tribal Council:  
I have been asked to present the Resolution requesting Congress to appropriate money to survey the Navajo Reservation. The outer boundaries of this Reservation were surveyed many years ago. The original area of the Treaty Reservation has been surveyed and boundaries of the Executive Order Reservation, which include the Hopi lands, have also been surveyed, but it is just the outer boundaries. They have never surveyed and run lines into the interior of the Navajo Reservation except to a very small extent. Recently, a few surveys have been made near Farmington on the Reservation and there were small surveys in the Old Treaty Reservation, some of which have been cancelled by the Secretary of the Interior. The reason the Navajos are asking for extended surveys into the Reservation is that under our mineral regulations, we issue prospecting permits, mining permits and mineral leases for a definite area. If the land has not been surveyed, how can they find the area? Under the present system when this Tribe issues a mineral prospecting permit or lease, and there is no Government survey - the Government survey is called a cadastral survey - when there are no cadastral surveys, the mineral lease or prospecting permit have to describe the area with reference to mountains, rocks or trees and the possibility always is there that the permit will be described as the starting point of Red Rock and then go 500 feet north and east and then they will issue another prospecting permit that will overlap it because we do not know where the starting point of one area lies in relation to the area described in another. Consequently, the leases can be overlapping and the miners can go out and start working and find they have not a valid lease because somebody else had it leased previously. The result of this is that bankers hesitate to lend money to the holders of prospecting permits and mineral leases on this Reservation because there is always a possibility that the mineral leases may overlap on other mineral leases and the miner may have no right to go out there and start mining.

The Bureau of Land Management makes these Government surveys and they are willing to survey any part of the Reservation if we will pay for it but most of the western part of this country has already been surveyed, not to the expense of the people who live on it, but to the expense of the Government. That is why we are proposing this Resolution because why should the Navajo have to pay for a survey of their Reservation when everybody else in the western part of the country got their survey made free?

Now, I will read the Resolution, which speaks for itself pretty well.



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Cadastral Surveys of the Navajo Reservation

WHEREAS:

1. The ability of the Navajo Tribe to develop its uranium and other mineral resources is impaired by the lack of cadastral surveys on its reservation, and
2. The said reservation comprises some 15,000,000 acres of land in New Mexico, Arizona and Utah, only 10% of which have been surveyed, and
3. A large portion of the few existing surveys are old and obliterated and such surveys as were made on the Navajo Meridian in New Mexico were cancelled by the Commissioner of the General Land Office in 1936, and
4. Some of the largest undeveloped uranium deposits in the United States are located on the Navajo Reservation, and this uranium is of utmost importance to the defense effort of the United States, and
5. Other valuable minerals such as coal, vanadium and gold exist on the Navajo Reservation, together with extensive oil and helium deposits, and
6. Minerals on the Navajo Reservation are developed, according to governing laws and regulations, under prospecting and mining permits and mineral leases, all issued for definite areas, and
7. The lack of cadastral surveys on the Reservation makes accurate description of the land embraced by such permits and leases almost impossible, and
8. Such a situation leads to overlapping permits with resulting disputes and litigation, and
9. The possibility of overlaps and conflicts of mineral leases and permits on the Navajo Reservation casts a cloud on all titles to such leases and permits and makes financing difficult for the leases and permittees, and
10. All the above circumstances, ascribable directly to the lack of cadastral surveys, are serious delaying and impeding mineral development of the Navajo Reservation, with great harm to the Government's atomic energy program and to the Tribal economy, and,



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11. Almost all the areas of the public-land States inhabited by white people were surveyed years ago at the expense of the Federal Government, and

12. The failure of the Government to complete the survey of the Navajo Reservation, unintentionally but effectually constitutes a discrimination against Indian citizens, who are already under a severe handicap in competing for a living in white civilization, and likewise constitutes a great obstacle to carrying out the policy of Congress in the Navajo Rehabilitation Act, and

13. The cost of completing the cadastral survey of the Navajo Reservation is estimated to be between five and six million dollars, an expenditure which would be more than offset by the advantages to the United States Government in expediting the recovery of minerals vitally needed for the national defense.

NOW THEREFORE BE IT RESOLVED:

1. That the Tribal Chairman is directed to transmit copies of this Resolution to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States as a memorial requesting the appropriation of whatever sum may be necessary for the immediate completion of the cadastral survey of the Navajo Reservation by the Department of the Interior at Federal expense, as has already been done in almost all the original public-land areas inhabited by white people.

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The Chairman:

What does that mean - Cadastral Surveys?

Laurence Davis:

The public land survey - the square survey used on the public lands in this country. That is all it means.

Mr. Chairman and Members of the Council: I am the only person in the room who understands what Cadastral Surveys mean. Even Mr. Littell does not know. Those are words I learned when I worked in the Department of the Interior and we do not speak Navajo there, but lots of people said we did not speak English either. The Cadastral survey or square survey is made in the following manner: First, the surveyor goes out on the ground and starts walking from the south, due north, and every half mile he puts down a steel marker in the ground in cement and from each mile



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along this line going north and south, he runs out lines going east and west and he marks along those every mile and then he goes north and south again every mile and in that way he marks a series of squares and a corner of each one is marked with a steel peg and at half-mile points the corners are marked with steel pegs.

Anos Singer:

Mr. Chairman: I just want to say this - that at every session of our Council here, we have always been talking about the land and the value of our land and we have been very much concerned about land and there has not been a Council that has been held here in times gone by but what something has been discussed about the land. With that in mind, I make a Motion that this Resolution be adopted as read because I do not think there is any question or any argument required as far as this Resolution is concerned.

Edward Manson:

I second the Motion.

Walter Collins:

Mr. Chairman: This is something that I was just wishing and hoping it would come to pass some day and which it has done now and I am very happy about it and so I do not really have anything contrary to it only that I would like to mention this: That, over where I come from, the old Executive Order line they say runs along the current of the San Juan River, right in the middle of the stream. That river zig-zags all along. It was that way when the Executive Order was made and the white people on their side, they have always been protecting their shore of the river while, on our side, it is being washed away.

David Clah:

Mr. Chairman and Members of the Council: Although this may all be clear, still, I want to ask a question on it regarding this cadastral survey. Mr. Davis here explained to us what that meant. He said the land is set into blocks. Now, I would like to be informed to make sure that I understand it correctly, because, if I do not, maybe those other members do not and be kind of confused on it and they think we are getting allotments for individuals on the Reservation. We do not want to get that started as a rumor on the Reservation. It has nothing to do with allotments, has it?



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Laurence Davis:

Along rivers like the San Juan river, the surveyor runs his lines to the river bank and there, at every mile of the river bank he puts down a marker and they would put that on the north bank and maybe the river changed course but it was originally on the North bank the markers were put and, if they survey the Reservation they will put markers on the South bank and then they would run lines due south and then cross those with lines east and west at every mile and if somebody wanted to come out and get a mineral lease, we could give him Section 10 in such and such a Township and range. We could give the exact location of the plot and no two people would get the same plot and if some Navajo would have his house or corral there, we would not issue a mineral lease. We would not give a mining permit where anybody had his house. This has nothing to do with allotments. This just means a way to identify where somebody's mine or house is. You can take a map after this is surveyed and say so and so's house is here and so and so's mine is here. It is just a way where you can tell where everybody's house and mine and fence is.

Mescalito Nelson:

Mr. Chairman and Members of the Council: I would like to ask a question too. When anything comes up it is always pertaining to the Reservation proper. We never seem to be considered, those of us who live outside of the Reservation. That has been discussed and the Navajo Dam which is going to be built up here along the San Juan River somewhere and I wonder if that location is in the same place where it was proposed in the beginning and if that should come to pass and the dam is built and canals are taken out of that, would the people off the Reservation be benefitted? Would they be given use of that and eligible to use it?

The Chairman:

The San Juan diversion which is somewhere in the neighborhood of the mouth of the Pine River coming to the San Juan that is being proposed, they have the canal, and when the Canal is built, that will be off-Reservation and all those who have land whether Navajo allotment or white man or Spanish-American, they will get the use of the water off-Reservation and until it gets into the Navajo Reservation, then it is the Navajos' benefit of the water and I think the people of McKinley County are very hopeful now that they will realize some of the water in McKinley County, so the main object is to get the diversion made, the canal realized, and not telling how wide an area it will be used. That remains a question.

The Motion was made by Amos Singer and seconded by Edward Manson that the Council approve the Resolution as read and all those



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who wish to go along with the Motion made and seconded for the Resolution to be approved as read may stand.

70 Council members stood.

The Chairmen:

Any opposed?

None opposed. (2 Members abstained from voting.)

The Chairman:

We will take a ten minute recess now.

(Whereupon, at 3:30 p.m. a ten minute recess was taken.)

The Chairman:

We will continue with the session now.

I think Mr. Thompson will explain to the Council, the report on his program, but he wants to draft a Resolution to be acted upon by the Council but that will have to wait until the next session.

Paul Begay:

As long as we have no Resolution on this subject, there is no use to talk about it. Just lay it aside until the Resolution is ready. Go on to another subject. We all know who owes money and all that but until we get a Resolution we cannot take any action on it.

Mr. Thompson:

Mr. Chairman and Members of the Council: I appreciate your comments. I have a draft of a Resolution which I would like to read to you and I am sorry I do not have copies to pass to all of you but I had in mind that as complicated a subject as this is, you would want to study it over and if you meet again next month, maybe you will be in a position to act upon it. A copy of it will be mailed to each of you.

You were all furnished a report showing the status of the loans. I would just like to summarize briefly how much progress has been made during the last year. A year ago there were 331 loans outstanding of which 271 were delinquent or 82% of them a year ago were delinquent on payments. At the present time or as of the first of January, there remained 247 loans outstanding of which 119 were delinquent on payments so that made 48% remaining delinquent on payments.



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During the past year your Loan Committee met with a good many borrowers which resulted in 67 of the loan agreements being modified and 92 loans were paid off in full. The total collections from loans made to individuals during the year 1954 amounted to \$57,460.93. During the past year only ten new loans were approved and most of those were educational loans. We did not furnish you a report on the loan status of the Tribal enterprises but there remains loans outstanding on Tribal enterprises in the amount of \$650,000.00.

Over six months ago we reviewed with the Loan Committee and the Advisory Committee certain suggestions for action that needed to be taken before the Loan Program was reopened and one of those suggestions was that at least 75% of the loans outstanding a year ago should be current on their repayments before you reopened the Loan Program. I wanted to report to you that through your help, and particularly the help of the Loan Committee, who, for the first time a Loan Committee has taken an active part in collecting delinquent loans, that we have accomplished 65% of that objective. We still have ten percent to go which could be achieved in three more months if we have your support on it.

As I mentioned before, I have prepared a draft of a Resolution which sets forth our suggestions of what action the Council should take before the Loan Program is reopened. I will read the Resolution clear through and let Mr. Sandoval interpret it in full.

RESOLUTION  
OF THE  
NAVAJO TRIBAL COUNCIL

Navajo Revolving Credit Program

WHEREAS:

1. The Navajo Revolving Credit Fund which was established in 1949 has been closed for the past year except for a few educational loans and there remained 247 loans outstanding December 31, 1954, of which 119 were delinquent on payments.
2. Difficulty in collection of delinquent loans has resulted partly from lack of procedures for foreclosing mortgages in the Navajo Courts, inability to enforce the terms of mortgages and to prevent the unauthorized sale of mortgaged property, and lack of adequate follow-up on loans following approval, and
3. In a number of cases, the borrowers are deceased or for other reasons the loans are uncollectible.



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BE IT THEREFORE RESOLVED THAT:

1. Applications for new loans be considered when 75% of the 331 loans outstanding January 1, 1954, are current on repayments, and that, in the meantime, only loans for education purposes and those emergencies where failure to make a loan would cause undue hardship to the individual, such as loss of property or where a new loan may be required to dispose of property obtained through liquidation of an existing loan be approved.
2. Authority be delegated to the Central Loan Committee to remove from the active accounts of the Revolving Credit Fund, in accordance with existing credit regulations, those loans which are uncollectible, and that exercise of this authority be subject to review by the Advisory Committee through submittal to that Committee each month of a list of those loans which the Loan Committee determines to be uncollectible. If the Advisory Committee fails to object to the determinations made by the Loan Committee within 30 days following receipt thereof, those determinations shall be final and binding.
3. Attorneys for the Tribe and Government submit for approval a Tribal code of regulations governing suits to collect debts in the Navajo Courts, including foreclosure, garnishment and attachment proceedings, designation of a Tribal official to bring suit in the name of the Tribe and procedures for appraisal and sale of debtor's property; that authority be vested in the Central Loan Committee to decide which loan cases require court action; and that the Advisory Committee be authorized to approve the regulations
4. The Secretary of the Interior be requested to amend the trading regulations for the Navajo Reservation to provide for cancellation or suspension of a reservation trading license when a trader purchases mortgaged property where such mortgage is of record, without arranging in advance for release of such mortgage.
5. The Secretary of the Interior be requested to issue regulations making the sale of mortgaged property on the Navajo Reservation or the removal of such property from the Navajo Reservation without the written consent of the lender a criminal offense within the jurisdiction of the Navajo Courts, thus permitting punitive action on the reservation comparable with that existing in off-reservation areas.



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6. That the Council Chairman be authorized to appoint one local Loan Committee man from each Grazing District to assist with loan work, such Committeeman to receive compensation at the same rate as Grazing Committeeman, provided that total expenditures for such Committeemen service shall not exceed \$10,000 per fiscal year. Councilmen shall not be eligible to serve as local Tribal Loan Committeemen.
7. That funds be provided in the 1955-1956 Tribal Budget to pay local Loan Committeeman's salaries and to employ two Loan Examiners to be paid from appropriated Tribal funds to assist with credit work .
8. That effective with reopening of the Loan program, the loan contract between the Tribe and the Government be revised to provide for the following interest rates:
  - 2 per cent on educational loans (no charge from present rates)
  - 4 $\frac{1}{4}$  per cent on loans to finance tribal enterprises
  - 5 per cent on loans to cooperatives.
  - 4 per cent on loans to individuals for land purchase, land leveling, construction or major repair of homes or other buildings.
  - 5 per cent on loans to individuals for purchase of farm machinery, equipment, purchase of livestock, etc.
  - 6 per cent for operating items, such as seed, fuel for tractors, feed, etc.

**BE IT FURTHER RESOLVED THAT:**

The Central Loan Committee and Advisory Committee give further consideration to the other proposals in the "Suggestions Regarding Reorganization of Navajo Revolving Credit Program" submitted by the General Superintendent on July 15, 1954, and make specific recommendations to the Council by July 1, 1955.

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Many of these suggestions that we have outlined here in this proposed Resolution are probably rather difficult for you to understand and I would like to take time to take them one by one and explain them rather thoroughly. I do not know that you want to take the time now, as it is near the end of the day and you have other things to do and what I would suggest is that we mail each of you a



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copy of this proposed Resolution and I hope we have a chance to discuss it the next time you meet, assuming that you do meet before too long.

Roger Davis:

Mr. Chairman and Members of the Council: I would like to suggest that we take up the subject of Navajo relief and assistance to the destitute.

The Chairman:

There is no Resolution at hand now that the Council can discuss and I do not know that we have anything on that .

Descheenie Nez Bogay:

Mr. Chairman and Members of the Council: I fully agree with the speaker - what he mentioned here, and I second the Motion on it.

Arthur Lee:

Mr. Chairman and Members of the Council: I also am very much in favor of what Mr. Davis brought up but, as it has been said there is no Resolution, we cannot start discussing it but would this be proper that if and when we meet again, that a Resolution be prepared to that effect so that we can discuss it?

The Chairman:

Gentlemen: If you are favorable to it, we can take up this item tomorrow.

Mrs. Wauneka:

Mr. Chairman: If we are going to go into tomorrow, I would suggest we work until noon because there is some sing going on back home.

The Chairman:

What do you think of that suggestion? Do you favor it?

Marcus Kanuho:

Mr. Chairman: I am not in favor of the suggestion because in a lot of the communities back home there is a lot of work to take care of yet regarding this Tribal election coming up.



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Dick Boyle:

Mr. Chairman: I am not in favor of the suggested meeting tomorrow because it is just like the former speaker said, we have these other duties we have to take care of and we of District 19 have telephoned to have a meeting with people there. Monday is our big Province Convention and I would suggest that we adjourn now.

James Beccenti:

Mr. Chairman: Do I understand it correctly that we meet tomorrow and work until noon? Would that be the final meeting of this Council? Somebody said another meeting was coming and so I make a Motion that we convene on the 24th of this month.

The Chairman:

Now, if you are going to work tomorrow until noon, there are several Resolutions ready which you can take care of tomorrow before noon and also after we recess from here this evening, I would like to have the Advisory Committee get together. Regarding the Tribal elections coming up, there are certain ones designated to take care of that job and so it is up to those fellows to take care of that. We should not be concerned about that.

Eugene Gordy:

Mr. Chairman and Members of the Council: I am fully in accord with the Chairman as to what he said. That is what I had in mind to say and I am in favor of working up until noon tomorrow.

Roger Davis:

What about letting the Advisory Committee do this?

The Chairman:

That is on the balance of the additional requests for funds like contingency money and also the appropriation of \$25,000 to finish the records which are being carried out by Remington Rand Company. That is Tribal General Council work too and not the Advisory Committee.

Roger Davis:

What about the Council authorizing the Advisory Committee to take these questions up and settle them?



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Frank Bradley:

We can only appropriate a few dollars.

The Chairman:

McCabe sent word over by Mr. Littell that the Council should work tomorrow.

Marcus Kanuho:

I insist that we adjourn now and go home. I have to go back home because I have an appointment for tomorrow.

Tohonnio Nez:

I favor what Kanuho just said because I am very much in favor of meeting again on the 24th because we have to take up this Grazing Regulation and trading regulation.

The Chairman:

Our Tribal Attorney says that we could finish this up before the new Council.

Hoskie Cronmeyer:

Mr. Chairman: I rather prefer that we take up this matter on the meeting of the 24th because you all know, you have the Agenda before you, and you know all the items to be taken up by the Council and one item takes a whole day or a half day and what we have on the Agenda is not going to be taken care of in one-half day. If we do, it will be careless and we will not go into it thoroughly as we should and I am very much in favor of calling another meeting on the 24th and clean up everything here so that the new Council will have a clean plate and, on the 24th there are some Government officials coming here that we can meet with.

Norman Littell:

I told you before you left we would report back to you on grazing and I did not do so because some of the high officials raised some questions that gave rise to some conflict on certain points and as they were in this region, they have been ordered by the Commissioner to come over here and thrash out those two or three points so the General Council and the Advisory Committee will have the advantage of that conference and there is no use in talking about it now. It will only waste time. There are one or two matters that I have been



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working on which will be left with the Advisory Committee and will be reported to them like the housing construction contract, as this meeting will be adjourning at five o'clock and, as far as the legal work is concerned, I now have a basket to put it in when I leave with a big label on it marked "Laurence Davis". I say that because I am leaving on the early morning train and I will not get home until next Monday in this weather but I do call attention to this fact there is now a stationary legal service here and it is a relief to you and to me, and you should call on him before you make a commitment of any character. He can draft Resolutions and all these things for the Advisory Committee.

An item of interest before I go is a telegram received from Charles Alexander advising that Goldwater had put in a Bill in the Senate and Senator Murray has put in an identical Bill, one referring to the Judicial Committee and one referring to the Insular Affairs Committee. This Bill would amend Public Law 280 which, as you will recall, make it possible for any State to extend civil and criminal jurisdiction to an Indian Reservation, by passing an appropriate law or a Constitutional amendment in that State. The amendment would provide that there could be no such extension of civil or criminal jurisdiction to this Reservation without the vote of the adult members of this Tribe. The Council would have to ask for such an election or if the Council did not ask for the election, 20% of the adult vote could petition for such an election to the Secretary. That is the kind of a law we wanted so that criminal and civil jurisdiction could not be thrust upon you at any time.

The opinion in the Williams versus Lee case on which the Judge made an erroneous opinion, is that this jurisdiction already exists, and, of course, it does not exist. It is not often that a lawyer talks so confidently about the error of the Court, but the Judge is as wrong as he can be, and we will show him in due time. If the Judge was right, why did we need a Bill like this? We would not need it at all and yet, we are put to the expense of reviewing him and taking him to the Supreme Court of Arizona and trying to set him down a peg or two. We will have to do it.

Congratulations on a good Council meeting. I think you accomplished an awful lot of work, knowing there are other things on people's minds, if I understand the matter correctly. (Laughter)

The Chairman:

I think it is O.K. that the Council come the 24th. Those local Councilmen be sure to come on horseback or wagon. We will meet from the 24th to the 28th, so we will now adjourn. (Applause)

(Whereupon, at 5:30 p.m. the Council meeting adjourned.)