

Resources

~~CONFIDENTIAL~~
Washington 25, D.C.

Fryer
Scott
Hammond
Fleming
Provine

Mr. James D. Crawford, Superintendent
Hopi Agency

JUN 21 1948

Dear Mr. Crawford:


This will refer to your letter of April 30, 1948 concerning the problems that attend the granting of oil leasing privileges on the Hopi Executive Order Reservation. It appears that you have not seen Mr. McNickle's letter of November 5, 1947 which replied to former Superintendent Ladd's letter of July 9, 1947.

Superintendent Ladd in his letter of July 9 states, "The prejudice and opposition to a tribal council are still very strong. As you know, we have had no council for several years and there is still strong opposition to the election of one." In another paragraph of the same letter, Superintendent Ladd wrote, "I believe, however, that most Hopis in a majority of the villages would like to have their lands leased in order to provide an income and that they are in favor of using the tribal fund for general welfare and community improvements."

The dilemma here is a proper way to obtain tribal consent for a proposal which a majority of the people appear to favor.

In accordance with the provisions of the Hopi Constitution, a tribal council is the only mechanism for a legal expression of the will of the Hopi people. A tribal council elected pursuant to this Constitution would legally be endowed with all of the authorities contained therein. But, one of the reasons for the strong opposition of the Hopis, today, to a tribal council is the broad authorities granted the council by the Constitution which they approved on December 19, 1936.

I do not believe, however, that a tribal council elected for the primary purpose of considering certain well known and pressing tribal problems would break faith with the Hopi people by considering other matters affecting their interest and welfare. There are several major problems which need attention at once in the interest of the Hopi people but which can be acted upon only by a tribal council in accordance with the Constitution. Without a council the Hopi people are thus deprived of the means of securing that assistance which is needed to carry out the wishes of the people. All the while the problems become more difficult so that the impasse which has now developed may result in a loss or neglect of very valuable tribal assets and opportunities.

 *Responsible*
to the public

Carbon for Indian Office

EXHIBIT 36a

Three necessary major actions, which can only be taken through a tribal council, are:

1. Amendments to the Constitution.
2. The selection of a lawyer or lawyers to prepare and present the Hopi claims to the Indian Claims Commission.
3. The authority to lease land for oil development purposes.

It may not be timely to discuss all of these matters with the Hopi people, in connection with the election of a tribal council. You, on the ground, are in a better position than I to judge. If you believe that now is the proper time to discuss with the Hopis amendments to their constitution to overcome certain objections to the powers possessed by the tribal council, they should be well formulated and widely understood before the first meeting of a newly elected tribal council is held. Of course, it should be remembered that the initiation of amendments is the constitutional privilege of the tribal council.

The appointment of a tribal attorney is particularly important. Time is running out. Three years remain during which the Hopis must prepare and present their claims, under the provisions of the Indian Claims Commission Act of August 13, 1946. Indian claims are generally very involved and require intensive study and research before presentation. It is therefore of paramount importance that the Hopis act to recommend a tribal attorney for the approval of the Secretary of the Interior. The only way this can be done is through a tribal council elected pursuant to the provisions of the Hopi Constitution.

The Hopi people should elect a tribal council for the consideration of oil leases. If, however, because of internal political considerations they should refrain from the election of a tribal council, the only recourse would appear to be to recommend legislation to the Congress authorizing the Secretary of the Interior to negotiate oil leases in behalf of the majority of Hopis who want to lease the tribal land for this purpose. It is contrary to the national interest and to the interests of the majority of the Hopi people that these resources, if they exist, be locked up particularly when the majority of the people want to see them utilized. We want, however, to avoid if at all possible the presentation of such legislation since it would have the effect of overriding the Hopi Constitution.

I believe the Hopis will elect a tribal council if they fully understand that a council is the only legal device they have given themselves for taking action on those things which they have expressly reserved to the tribal council by the provisions of their Constitution.

I suggest that you study the opinion of the Solicitor dated June 11, 1946 entitled, "Ownership of the mineral estate in the Hopi Executive Order Reservation" that you may be prepared to discuss its implications with the Hopi people.

I shall appreciate being kept informed of the progress you are making in the election of a council.

Sincerely yours,

(Sgd) William Zimmerman, Jr.

Acting Commissioner

ERF:LL

CC-Phoenix Dist. Office

EXHIBIT 36b

Commr.
51-49--

McNickle

Mr. W. E. Magee
P. O. Box 34
Tujunga, California

MAR 11 1949

21590-1400

My dear Mr. Magee:

President Truman has referred to this Office your letter of December 9, in which you discuss Hopi Indian problems.

If you have not previously had access to a copy of the Navajo report submitted to Congress a year ago by Secretary Krug, I enclose a copy. This report sets forth the economic conditions in which the Navajo and Hopi Indians find themselves, together with a program of rehabilitation which, if authorized and appropriated for by Congress, should go far toward achieving better conditions for these Indians.

You also attached to your letter a communication addressed to you by Mr. Fred A. Johnson, a Hopi Indian missionary of Oraibi, Arizona. Mr. Johnson refers to the stock reduction program on the Hopi Reservation and in order to explain this program I am attaching a statement issued several years ago.

Mr. Johnson also refers to oil leasing on the Hopi Reservation and indicates that the Secretary of the Interior might authorize leases and in that case would deprive the Indians of any revenues obtained from such leasing. Mr. Johnson's information is in error on this matter. The Hopi Indians are organized under a constitution but they have not succeeded in forming a tribal organization as contemplated in the written constitution. The tribe has the authority to lease tribal lands or to veto any proposed use of such lands by the Secretary or any other official of the Government. However, if the tribe cannot set up a representative body capable of acting for the tribe, other methods will have to be devised for the tribe to express its will. One method might be to have the entire membership of the tribe vote on a proposed lease. Since there are approximately 4,000 Hopi Indians scattered over 11 separate villages, it would be difficult but not impossible to resort to this method. The other possibility would be to obtain legislation authorizing the Secretary of the Interior to act for the tribe in approving leases on tribal land. In acting in this capacity, the Secretary would have no authority to divert lease rentals to the Government. Such rentals would be the property of the Hopi Indians and would be deposited in the United States Treasury to their credit.

Mr. Johnson is entirely in error in claiming that the Indian Reorganization Act or Wheeler-Howard Act was communistic. This

Question for ~~Mr. Johnson~~ ~~Mr. Johnson~~

EXHIBIT 36c

act had nothing to do with stock reduction on the Navajo and Hopi Reservations. Continued drought and over-grazed land were the reasons for the reduction program, a program which has been exercised generally on western lands by private owners as well as by the Government where public lands were involved. Livestock cannot be kept on land where forage has disappeared. By removing livestock or by reducing the livestock load lands can sometimes be restored, although in many cases the top soil is washed or blown away and the land becomes incapable of sustaining any plant life. If you are familiar with the Southwest you have seen great areas from which all plant life has disappeared.

Thank you for your interest in this matter.

Sincerely yours,

3-4-49
DLN/McM

(Sgd) D'Arcy McNickle
D'Arcy McNickle,
Assistant to the Commissioner.

Enclosure 974.

EXHIBIT 36d

Land: Minerals
6898-44-322

[Handwritten signature]
APR - 6 1949 *[Handwritten initials]*

The Ohio Oil Company,
Findlay, Ohio.

-Attention: Hal W. Stewart, Esq.-

Gentlemen:

Receipt is acknowledged of your letter of March 11, concerning the obtaining of oil and gas leases on Navajo-Hopi lands in Arizona.

In a formal opinion approved June 11, 1946 (M.33821), the Solicitor for the Interior Department has advised that the Hopi Indians and those Navajos who settled in good faith on the Hopi Reservation prior to October 24, 1936, have coextensive rights with respect to the natural resources of the reservation, including the mineral estate, and has further advised that under the act of May 11, 1938 (52 Stat. 347, 25 U.S.C. secs.396a-f), lands within the Hopi Reservation may be leased for mining purposes, with approval of the Secretary of the Interior, by authority of the Hopi Tribal Council and the duly authorized representatives of the Navajos having rights within the reservation.

The greatest difficulty in connection with leasing on this reservation will apparently be in obtaining authorized spokesmen for the Navajo residents of the reservation, and in obtaining Hopi Tribal Council action in cooperation with the representatives of the Navajos. The Hopi organization as set up under the tribal constitution approved December 19, 1936, has not been functioning, but it is believed that interest among the Hopis with respect to oil possibilities may be sufficient to enable the Superintendent of the Hopi Agency to obtain action by the council. We have advised the Superintendent that it will be necessary to hold a general council of the Navajo residents or series of community meetings, for the purpose of selecting spokesmen authorized to act for them in leasing matters.

All mineral leasing on the reservation will be handled through the Superintendent of the Hopi Indian Agency, Keams Canyon, Arizona. Applications to have specific lands offered for leasing at public sale should be filed with Superintendent James D. Crawford of that agency.

As above indicated the matter of obtaining authority from the Hopi Tribal Council and the authorized representatives of the Navajo residents to offer the leases is one of considerable difficulty and may take considerable time. The Superintendent of the Hopi Agency is giving this

EXHIBIT 37a

Carbon for Indian Office

matter his attention and he advised us recently that there is a likelihood that the Hopis may take steps to lease their lands for oil and gas mining. We do not have definite information when the price will take action. We are hopeful that it will be possible to offer leases covering land on the Hopi Reservation.

There are enclosed three copies of the applicable regulations and three copies of the current tribal lease form.

Sincerely yours,

(Sgd) H. M. Critchfield
For the Commissioner.

Enclosure 632

EF:ab

3-21-49

49 to left
via air mail

EXHIBIT 376

Hopi Indian Empire
Craibi, Arizona
March 28, 1949

The President
The White House
Washington, D. C.

To the President:

We, the hereditary Hopi Chiefs of the Hopi pueblos of Hotevilla, Chungopovy, and Mushongovi humbly request a word with you.

Thoroughly acquainted with the wisdom and knowledge of our traditional form of government and our religious principles, sacredly authorized and entrusted to speak, act, and to execute our duties and obligations for all the common people throughout this land of the Hopi Empire in accordance with the fundamental principles of life which were laid down for us by our Great Spirit, Masau'u and by our forefathers, we hereby assembled in the Hopi Pueblo of Chungopovy on March 9, 15, 26, and 28 of this year 1949 for the purpose of making known to the government of the United States and others in this land that the Hopi Empire is still in existence, its traditional path unbroken and its religious order intact and practiced, and the stone tablets, upon which are written the boundaries of the Hopi Empire are still in the hands of the Chiefs of Craibi and Hotevilla pueblos.

Firmly believing that the time has now come for us the highest leaders of our respective pueblos to speak and to reexamine ourselves, our sacred duties, our past and present deeds, to look to the future and to study carefully all the important and the pressing policies that are coming to us from the Indian Bureau at the present time, we met here.

What we say is from our hearts. We speak truths that are based upon our own tradition and religion. We speak as the first people in this land you call America. And we speak to you, a white man, the last people who came to our shores seeking freedom of worship, speech, assembly and a right to life, liberty, and the pursuit of happiness. And we are speaking to all the American Indian people.

Today we, Hopi and white man, have come face to face at the crossroad of our respective life. At last our path have crossed and it was foretold it would be at the most critical time in the history of mankind. Everywhere people are confused. What we decide now and do hereafter will be the fate of our respective people. Because we Hopi leaders are following our traditional instructions we must make our position clear to you and we expect you to do the same to us.

EXHIBIT 38a

RECEIVED
MARCH 29 1949
8178

Allow us to mention some of the vital issues which have aroused us to action and which we recognized to be the last desperate move on the part of the leaders in Washington, D. C. They are as follows:

1. From the Land Claims Commission in Washington, D. C. a letter requesting us to file in our claim to land we believed we are entitled to before the five-year limit beginning August 13, 1946 is expired. We were told that after this five-year limit is expired we can not file any claim.
2. We are being told by the Superintendent at Kaams Canyon Agency about leasing our land to some Oil Companies to drill for oil. We are told to make decision on whether to lease out our land and control all that goes with it or we may refused to do so. But, we were told, if we refused then these Oil Companies might send their smart lawyers to Washington, D. C. for the purpose of inducing some Senators and Congressmen to change certain laws that will take away our rights and authority to our land forever and placing that authority in another department where they will be leasing out our land at will.
3. We've heard that a \$90,000,000 is being appropriated for the purpose of carrying out the provisions of the Act No. S. 2363 which read: To promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservation, and for other purpose.
4. Recently we were told about the Hoover Commission's proposal to Congress the launching of a program to convert the country's 400,000 Indians into "full, tax-paying citizens" under state jurisdiction.
5. Now we heard about the North Atlantic security treaty which would bind the United States, Canada, and six European nations to an alliance in which an attack against one would be considered an attack against all.

Now these vital issues coming to us from Washington touches the very core of the Hopi life, a peaceful life. By this we know it is time for us to speak and act. It is now time for us as highest leaders of our respective people to come to a definite understanding of our positions before we go forward into the future and before you embark on your new program. We want the people everywhere to know our stand, the Hopi people. It is of utmost importance that we do this now.

EXHIBIT 38b

The Hopi form of government was established solely upon the religious and traditional grounds. The divine plan of life in this land was laid out for us by our great Spirit, Masau'u. This plan cannot be changed. The Hopi life is all set according to the essential principles of life of this divine plan. We can not do otherwise but to follow this plan. There is no other way for us. We also know that the white people and all other races everywhere are following certain traditional and religious principles. What have they done with them? Now we are all taking about the judgement day. We all are aware of that fact because we are all going to that same point no matter what religion we believed in. In the light of our Hopi prophecy it is going to take place here and will be completed in the Hopi Empire. So for this reason we urge you to give these thoughts your most careful considerations and to reexamine your past deeds and future plans. Again we say let us set our house in order now.

This land is a sacred home of the Hopi people and all the Indian Race in this land. It was given to the Hopi people the task to guard this land. Not by force of arms, not by killing, not by confiscating of properties of others but by humble prayers, by obedience to our traditional and religious instructions and by being faithful to our Great Spirit Masau'u. We are still a sovereign nation. Our flag still flies throughout our land. (the flag of our ancient ruins) We have never abandon our sovereignty to any foreign power or nation. We've been self-governing people long before any white man came to our shores. What Great spirit made and planned no power on earth can change it.

The boundaries of our Empire were established permanently and was written upon stone tablets which are still with us. Another was given to this white brother who after emerging with the first people to this new land went east with the understanding that he will return with his stone tablets to the Hopis. These stone tablets when put together and if they agree will prove to the whole world that this land is truly belongs to the Hopi people and that they are true brothers. Then the white brother will restore order and judge all people here who have been unfaithful to their traditional and religious principles and who have mistreated his people.

Now, we ask you Mr. President, the American people and you, our own people, American Indians to give these words of ours your most serious considerations. Let us all reexamine ourselves and see where we stand today. Great Spirit, Masau'u has granted us the Indians, the first right to this land. This is our sacred soil.

EXHIBIT 38c

Today we are being asked to file our land claims in the Land Claims Commission in Washington, D. C. We, as hereditary Christians of the Hopi Tribe can not and will not file any claims according to the provisions set up by Land Claims Commission because we have never been consulted in regard to setting up of these provisions. Besides we have already had our land claims recognized in this hemisphere long before Columbus' great, great grand-mother was born. We will not ask, you, a white man, who came to us recently for a piece of land that is already ours. We think that white people should be thinking about asking for a permit to build their homes upon our land.

Neither will we lease any part of our land for oil development at this time. This land is not for leasing or for sale. This is our sacred soil. Our true brother have not yet arrived. Any prospecting, drilling and leasing on our land that is being done now is without our knowledge and consent. We will not be held responsible for it.

We have been told that there is a \$90,000,000 being appropriated by the Indian Bureau for the Hopi and Navajo Indians. We have heard of other large appropriations before but where all that money goes we have never been able to find out. We are still poor, even poorer because of the reduction of our land, stock, farms, and it seems as though the Indian Bureau or whoever is planning new life for us now ready to reduce us the Hopi people under this new plan. Why we do not need all that money and we do not ask for it. We are self-supporting people. We are not starving. People starve only when they neglect their farms or when someone denies them a right to make a decent living or when they become too lazy to work. May be the Indian Bureau is starving. May be a Navajo is starving. They are asking for it. Too, there are the aged, the blind and the crippled needed our help. So we will not accept any new theories that the Indian Bureau is planning for our lives under this new appropriation. Neither will we abandon our homes.

Now we cannot understand why since its establishment the government of the United States has taken over everything we owned either by force, bribery, trickery, and sometimes by reckless killing, making himself very rich and after all these years of neglect of the American Indians have the courage today in announcing to the world a plan which will convert the country's 400,000 Indians into "full, tax-paying citizens" under state jurisdiction. Are you ever going to be satisfied with all the wealth you have now because of us the Indians? There is something terribly wrong with your system of government because after all these years, we the Indians, are still licking on the the bones and crumbs that falls to us from your tables. Have you forgotten the meaning of Thanksgiving Day? Have the American people, white people, forgotten the treaties with the Indians, your duties, and obligations as guardians?

EXHIBIT 38d

Now we have heard about the Atlantic security treaty which we understood will bind the United States, Canada and six other European nations to an alliance in which an attack against one would be considered an attack against all.

We the traditional leaders want you and the American people to know that we will stand firmly upon our own traditional and religious grounds. And that we will not bind ourselves to any foreign nation at this time. Neither will we go with you on a wild and reckless adventure which we know will lead us only to a total ruin. Our Hopi form of government is all set and ready for such eventuality. We have met all other rich and powerful nations who has come to our shores, from the early Spanish Conquistadors down to the present government of the United States all of whom have used force in trying to wipe out our existence here in our own home. We want to come to our own destiny in our own way. We have no enemy. Will neither show our bows and arrows to anyone at this time. This is our only way to everlasting life and happiness. Our tradition and religious training forbid us to harm, kill and molest anyone. We, therefore, objected to our boys being forced to be trained for war to be come murderers and destroyers. It is you who should protect us. What nation who has taken up arms ever brought peace and happiness to his people?

All the laws under the Constitution of the United States were made without our consent, knowledge, and approval yet we are being forced to do everything that we know are contrary to our religious principles and those principles of the constitutions of the United States.

Now we ask you, American people, what has become of your religion and your tradition? Where do we stand today? The time has now come for all of us as leaders of our people to reexamine ourselves, our past deeds, and our future plans. The judgement day will soon be upon us. Let us make haste and set our house in order before it is too late.

We believed these to be truths and from our hearts and for these reasons we, Hopi chieftains, urge you to give these thoughts your most earnest consideration. And after a thorough and careful consideration we want to hear from you at your earliest convenient. This is our sacred duty to our people. We are,

Sincerely yours,

Chief Talanaftewa
Village Chief
Bear Clan

Shungopovy

Talanaftewa

Basevaya
Adviser
Katochin clan

Shongopavy

Basevaya



EXHIBIT 38e

Andrew Barmaquastewa
Adviser
Blue Bird Clan

Shungopovy Andrew Barmaquastewa

Chief Sackmasa
Village Chief
Coyote Clan

Mushongopovy Sackmasa

Chief James Pongayawma
Village Chief
Kokop Clan, (fire)

Hotevilla James Pongayawma

Chief Dan Katchongova
Adviser, co-ruler
Sun Clan

Hotevilla Dan Katchongova

Interpreters

Thomas Banyacya
(Formerly Thomas Jenkins)

Craibi, Thomas Banyacya

Herbert Talahaftewa

Shungopovy Herbert Talahaftewa

George Masafatie

Shungopovy George Masafatie

Roy Kuchinhogva

Mushongovi Roy Kuchinhogva

Others

Lewis Tawawimwa, Shungopovy Antelope

666 Namaratawa, Mushongovi

Naguchingwa, Mushongovi

Leah Tawawimwa, Mushongovi

Lisa Tawawimwa, Mushongovi

Mama Tawawimwa, Mushongovi

Mama Tawawimwa, Mushongovi

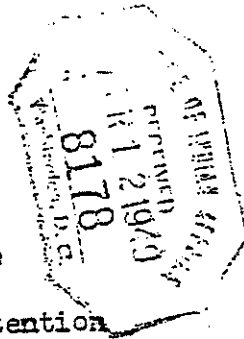
Starke Longueville - Missionary
Andy Silitana - Missionary
Will. H. Hesse - Missionary
Taylor Waffin - Missionary
Lawrence - Missionary
Glen Sauter - Missionary
Otis Pollock - Missionary
Wadsworth Newayauk - Snake Chief
Franklin Cochrane - Kawn, Chief

EXHIBIT 38g

THE WHITE HOUSE
WASHINGTON

INTERIOR DEPT.
APR 11 1949 ✓
SECRETARY'S
MAIL CENTER

INTERIOR DEPT. April 8, 1949
SECRETARY'S
MAIL CENTER
APR 12 1949
TO OFFICE OF
INDIAN AFFAIRS



Respectfully referred to the
Secretary of the Interior for attention
and appropriate acknowledgment.

WILLIAM D. HASSETT
Secretary to the President

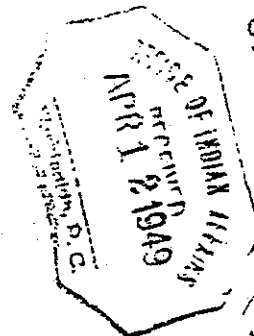
EXHIBIT 38h

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

FIELD SERVICE

Hopi Indian Agency
Keams Canyon, Arizona

April 7, 1949



T. Williams

Commissioner of Indian Affairs
Department of the Interior
Washington 25, D. C.

Sir:

Enclosed is a copy of a petition which is being circulated among the Hopi Chiefs for their approval and signatures. It has not yet been signed by any, but it is indicative that at least the names of those who appear expect to sign. Although the letter is addressed to the President and when completed will be sent to him, I know you will want as much advance information as possible.

I have attended meetings at all villages, with the exception of Old Oraibi, where Chief Tewaquaptewa does not care to take even the time to listen about any problem. Our meetings at the lower district of Moencopi have likewise met with no enthusiasm because they are still looking to the Oraibi chief for instructions. When he gives no instructions, they too become inactive and not very interested in any program.

The Villages of Hotevilla and Shungopavi have never indicated any approval of a new council, and this petition is a direct result of their opposition to it. I have carefully explained the provisions of the Claims Commission Act and furnished their leaders with additional copies. This petition appears to be the work of Thomas Jenkins and Chester Moto, English speaking advisors to the Hotevilla leaders. I presume you have their records.

I have held three meetings at Mishongnovi, and from the questions asked they appeared to be very interested in supporting a council. This village, however, is still quite badly divided on account of the Billingsley followers. They are further confused because of the lack of a Kiikmongwi or anybody to take his place. The present chief of the Lowly Coyote Clan has grabbed the authority and is acting until someone with traditional authority is selected to lead the village. One of the clan chiefs of Shungopavi is married in Mishongnovi and is also a leader there.

EXHIBIT 38:

April 7, 1949

Page 2

Sipaulavi, a direct descendent from Shungopavi, however, has refused to have anything to do with this petition. Previously, they had selected their councilman, David Talawitama, and they wish to present a reasonable claim for the consideration of the Claims Commission - to lease their land for oil and to formulate and support a progressive program.

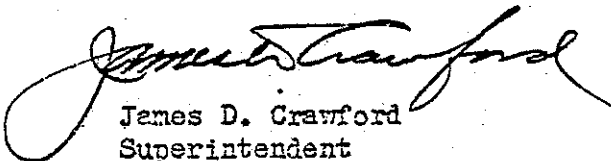
Bacabi has been without a Kikmongwi for over a year. A committee was appointed by themselves to guide their activities until a Kikmongwi is selected. They wish to support a progressive program and are interested in leasing their lands for oil exploratory purposes. This village is also suffering from lack of recognized leadership.

The upper district of Moencopi selected a councilman at their "election" last November. However, their organization was challenged by Hopis of the village and upon complete investigation, we found that the organization was not formed in conformity with the Hopi Constitution. They now wish to organize in conformity with the Hopi Constitution.

The First Mesa villages have held many meetings. I met with them first and thoroughly discussed our problems with them. The leaders met together further and decided to support a council. The leaders then met with the entire population of all the First Mesa villages and received complete approval to support a program. This, by the way, is completely breaking traditional form for the Kikmongwi and his leaders have the traditional power to make decisions for the people.

I shall keep you informed of the reaction from the villages to this petition as soon as they make decisions. Your recommendations will be very much appreciated.

Respectfully,



James D. Crawford
Superintendent

Enclosure

EXHIBIT 38j



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON 25, D. C.

IN REPLY REFER TO:

Commr.
8155-49 -
8178-49

C O P Y

May 16, 1949

Mr. Dan Katchongova
Hotevilla Village
Oraibi, Arizona

My dear Mr. Katchongova:

The letter dated March 28, 1949, signed by yourself and other leaders of Hotevilla, Shungopavi, and Mishongnovi, addressed to President Truman, has been referred to this Office for appropriate consideration.

I am very happy that you and the other leaders have made this effort to explain your traditions and your position with respect to Hopi matters. Some of your statements, if I understand them correctly, suggest that the facts known to you or understood by you are not complete and should have further explanation.

You indicate that the Indian Claims Commission has written you a letter advising you to file with the Commission a petition within five years if the Hopi Indians intend to make a claim in connection with their lands. The purpose of the Claims Commission is to provide an opportunity for the Hopi and other Indian tribes to tell the court their story as to what lands they may once have occupied and used which were taken from them without their consent and without payment.

A few years ago the Hualapai Indians who live near you made a claim in court that certain of their lands had been given by the United States without their consent and without payment to the Santa Fe Railroad. The court, after hearing the claim made by the Hualapai Indians, decided that the lands in question did not belong to the United States to give away and it ordered that the land be restored to the Indians. The acreage thus restored was more than 500,000 acres. If the Hopi Indians have a similar belief that lands have been taken from them, I feel that it would be a mistake on your part not to ask the court to hear you. I cannot say what the court would decide, but unless the Hopis present their story they may never again have the opportunity of securing a remedy for any harm that has been done to them.

With respect to the leasing of Hopi land for oil production, it is true that under the law as it is now written, the Hopi Indians must consent to any lease involving their land. Congress, if it chooses, could change this law and give the Secretary of the Interior the authority to lease the land without consulting the Indians. The Indian Bureau, up to now, has been opposed to any change in the law

EXHIBIT 39 a

which would take away from the Hopi Indians their right of consent. We hope that the Indians may decide among themselves to act in their own behalf since it is possible that the income to be derived from oil production will be large enough in amount to provide assistance to the families who need help.

Congress has been requested to authorize a ten-year program for the Navajo and Hopi Indians at a total cost of \$90,000,000. You state that this money is not needed by the Hopi Indians, although you admit that the Hopis have been made poor by the reduction of your land and livestock. It is hoped that if this money is appropriated range and water development work can be carried out in the Hopi area which will make it possible to stabilize your farming and livestock operations. The reduction of your stock was forced upon you by the severe droughts of the past years. If the great arroyos crossing your country could be checked, and if the rain water could be spread over the land rather than draining away as it now does where repairs have not been made, your range would be improved and you could feel greater security in the future. I do not understand why you would want to oppose this kind of help.

It is true that the Hoover Commission has recommended that the Indian people be placed on an equal footing with the non-Indian people of the country. It is not intended that this would be done forcefully or that the Indians will lose any rights they now have by reason of their participating more fully in American life. It is a statement of purpose, one that is hoped will be achieved over the years, and in my opinion it can only be achieved by the voluntary cooperation of the Indians involved.

I am well aware of the tradition of peaceful living which is at the core of Hopi life. We in this nation can learn a great deal from the manner of living espoused by the Hopi people. There was one time when the Hopi villages found it necessary to join forces not only among themselves but with the Rio Grande Pueblos as well in order to throw out an invader. This you will remember was in 1680 when the Spaniards were driven from New Mexico. The action of the North Atlantic nations in signing the security treaty is in effect an agreement to join their forces if an invader should come among them.

I would be greatly indebted to you if you would have my words carefully interpreted in the villages of Novevilla, Shungopavi, and Mishongnovi. I shall also send a copy of this letter to Supt. Crawford and ask him to inform all the villages of Hopi of what I have written.

Sincerely yours,

/s/ John R. Nichols
Commissioner

EXHIBIT 39b

Hopi Indian Nation
Shungopovy, Arizona
December 23, 1949

Congress of the United States
House of Representative
Washington, D.C.

Gentleman:

We, the undersigned, Hopi tribal advisors of the villages of Hotevilla and Shungopovy, speaking for the head men of these two villages which represents all Hopi tribe do hereby call your attention to several important matters with regards to the Navajo-Hopi long-range program which was recently vetoed by the President and which we understood will be taken up again in the House of Representatives in a revised form.

Every since we heard about this Navajo-Hopi bill we have repeatedly rejected the whole bill for the reason that these programs were made for and by the Navajo Tribe without our knowledge, consent nor approval. We have sent our letters of protests and our petition to Rep. Toby Morris, Chairman of Subcommittee of Indian Affairs; Rep. John E. Murdock and Sen. Carl Hayden of Arizona and to others. In our letter to the President of the United States dated March 23, 1949 we have clearly stated our opposition to the bill. We have requested for a hearing but so far no one came to us to explain these measures to our people.

On December 8, 1949 we invited Supt. James D. Crawford, Hopi Agent at Keams Canyon to our meeting at Shungopovy village. We explained to him our reasons for opposing the bill. We told him our religious beliefs and our traditional history all of which were recorded. We want to have this written up and placed in the hands of the House of Representatives before the revised bill is acted upon.

We requested that the name Hopi be taken out of the Navajo-Hopi bill. We wish to remain as Hopi people and not Navajos nor a white man. We want to remain on our own traditional form of government which we have been following long before any white man came to our shores. Just recently we have received the original bill and we found no provision made for the protection of the Hopi Tribe. We also found that the long-range program was intended only for the Navajo people based upon the Treaty of 1868. Those who favor such a bill are government employees, the people of the State of Arizona to get control of our resources, our water rights and eventually our land. We know this because we were taught these warnings in our religion. Should this bill ever becomes a law it would simply means the subjection of the Hopi people to the Navajo Tribe and to their Treaty of 1868. This is absolutely wrong and against our will. It will mean that in the land boasts of the four freedoms the Hopis are being denied the right to speak, heard and express their opinions on matters vital to them.

EXHIBIT 40a

Filed by L. P. L.

It would be the most disgraceful act on the part of the government of the United States and the Navajo Tribe to pass such legislation. We will never submit ourselves to such plans of these two parties. Navajo asked for these programs to let it be only for that tribe. Why include the Hopi in this bill against his will?

This bill will take away our rights and our authority to our own resources, property and our homeland. It will be just plain robbing the peaceful people. It will not solve the so-called 'Indian Problem'. We say it is a white man's problem for it is the white man who created these problems in quest for material wealth and security. Putting the Indians under state jurisdiction will not solve this Indian problem. It will only create more problems for the white man.

The only solution is to allow the Hopis and all other Indians in this land to ~~allow~~ them to work out their own destiny in their own way. Let them have their own land and stop all these wild theories, new ideas or expert plannings of the Indian Bureau and give Indians a living chance to decide for himself in making his own existance. Let us come together and settle this land question first! Just who really and truly own this land? Who was here first? We say this is our land and our home. We have our sacred stone tablets which was given to us by the Great Spirit, Masau'u and upon which is written the boundary of the Hopi, land. We are ready to prove this. Our head men are anxious to settle this first. We have suffered long enough and the time has come for us to speak and act. It is time that the general public listen to our voice. This is a plan laid down for this land by our forefathers and by the Great Spirit, Masau'u. It will be fulfilled.

The short history of ^{the} a whitemen plainly shows that his policy has been to exterminate the Indians and to confiscate his property. Today we face the most critical time in the history of mankind. What the Navajo and government of the United States do to the most peaceful, self-supporting and truly democratic people in this country will be done also to them. This is the divine law of this land.

We have every right to be Hopis, to live as Hopis and to worship as we please. We have lived in true democracy, a democracy in which there is no written laws, no police, prisons, paid politicians and taxation. We believed this is good and right for us so we will not abandon it. We will not sell our heritage, our homeland and our birthrights for a few pieces of silver. We still await for our true 'white brother' who will come and read our stone tablets. He alone will clean this land of all wicked forces and settle matters for a common man. So we urge you gentlemen to give our words a very serious consideration for we speak truths and facts.

EXHIBIT 40b

We also appeal to all the people of this land to consider our message for we know the time is at hand when we will all be judged according to the deeds we have committed. Our tradition plainly warns us against such schemes as this Navajo-Hopi bill. It will mean the end of all civilization should we fail to set our house in order. We were told that our white brother will come suddenly, people will rain from the sky and surround us. His power and might will overcome all opposition. No weapon, no matter how powerful will stop him. This is our ancient beliefs and warnings for these times. We are also told that a white man should know these things. The forces of nature will tell us that we are about to make the great mistake again by abandoning our religious beliefs, our Great Spirit, for material things of this world.

We will meet with the Navajo Tribe, with the Chairman of the Navajo Tribal Council and we also would like to have anyone interested in our message to come out to our Hopiland to hear us. This is our sacred duty. We must speak before it is too late.

We again request you gentlemen to take the name Hopi out of the Navajo bill for the above reasons. We do not want to destroy this land, our lives and our peace as it was done in the lower world. Let us hear from you at your earliest convenient. We are,

Very sincerely yours,

Andrew Hamequafstawn
(Advisor, Shungopovy)

Dan Katchongva
(Advisor, Motevilla)

cc-Commissioner of Indian Affairs
Toby Morris, Chairman of Subcommittee
Indian Affairs
National Congress of American Indians
Association on American Indian Affairs, Inc.
Navajo Tribal Council
Papego Tribal Council
Supt. James D. Crawford, Hopi, agent
Fellowship of Reconciliation, Calif.
Members of Senate and House of Representatives

Sec. of Interior

EXHIBIT 40c

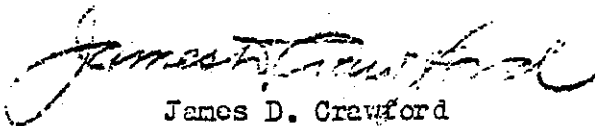
Hopi Indian Agency
Keams Canyon, Arizona
March 21, 1950

Dear Sir:

During the past several years a number of individuals representing various oil companies have received permission for their field plottings to conduct geological reconnaissance work on the Executive Order Reservation. There has been a volume of correspondence, telephone calls, and individual conferences relative to the Hopi people leasing their land for oil development purposes. I have tried to keep you currently informed from time to time as to the progress of the reorganization of the Tribal Council. Meetings for the reorganization of the Tribal Council were held on January 27, February 9, and March 1, 1950. The results of these meetings have been to again formally organize, with ten of the authorized seventeen members certified to the Council. The organization is now awaiting official approval of the Commissioner, Bureau of Indian Affairs, before considering the many and varied problems of the Hopi people. As you realize, this is a new problem for the Hopi people, and although they will receive all of our official help relative to the laws governing the leasing of lands, they wish to learn your side of the problem also. The Council has requested that you help them by presenting your problems and recommendations in this matter. I wish to stress the fact that there are a number of important problems which the Hopi Tribal Council may wish to consider before they take up this problem of leasing their lands for oil drilling purposes. However, the information they are requesting will help them in their preliminary consideration and discussion.

The Council has authorized me to write to each of the companies and individuals who have indicated an interest in the possibility of leasing Indian lands in the Executive Order Reservation.

Very truly yours,



James D. Crawford
Superintendent

JDC:mcp

cc: Stanolind Oil and Gas Company
Pure Oil Company
Amerada Petroleum Company
Southwood Exploration Company
Jnio Oil Company
Texas Oil Company
Phillips Petroleum Company
E. J. Bergundthal
Thomas B. Scott, Jr.
H. W. Dixon

Cabot Carbon Company
Cities Service Oil Company
California Company
Stanzona Petroleum Company
A. B. Cobb Company
Humble Oil and Refining Company
Union Oil Company
George C. Graeger
Perley M. Lewis
Continental Oil Company

copy to Mr. [unclear] 3-11-50
[unclear]
EXHIBIT 40A