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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

WILLARD SEKIESTEWA, CHAIRMAN OF THE HOPI TRIBAL COUNCIL OF THE HOPI INDIAN TRIBE FOR AND ON BEHALF OF THE HOPI INDIAN TRIBE, INCLUDING ALL VILLAGES AND CLANS THEREOF, AND ON BEHALF OF ANY AND ALL HOPI INDIANS CLAIMING ANY INTEREST IN THE LANDS DESCRIBED IN THE EXECUTIVE ORDER DATED DECEMBER 16, 1882,

Plaintiff,

vs.

NO. CIVIL-579-PCT.

PAUL JONES, CHAIRMAN OF THE NAVAHO TRIBAL COUNCIL OF THE NAVAHO INDIAN TRIBE FOR AND ON BEHALF OF THE NAVAHO INDIAN TRIBE, INCLUDING ALL VILLAGES AND CLANS THEREOF, AND ON BEHALF OF ANY AND ALL NAVAHO INDIANS CLAIMING ANY INTEREST IN THE LANDS DESCRIBED IN THE EXECUTIVE ORDER DATED DECEMBER 16, 1882; WILLIAM P. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, ON BEHALF OF THE UNITED STATES,

Defendants.

ANSWER OF WILLIAM P. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, IN BEHALF OF THE UNITED STATES TO CROSS-CLAIM FILED BY COUNSEL ON BEHALF OF NAVAHO INDIAN TRIBE

First Defense

Defendant William P. Rogers, Attorney General of the United States, in behalf of the United States, denies that this Court has jurisdiction of this action on the ground that the determination of what, if any, rights shall be accorded the Indian claimants to the reservation created by the Executive Order of December 16, 1882, presents a political and not a judicial question, and thus does not present a justiciable controversy under Article III, sections 1 and 2, of the Constitution.

