

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS
Navajo Agency
Window Rock, Arizona
March 1, 1955

Mr. L. W. Rogers
Acting Field Land Operations Officer
Tuba City, Arizona

Dear Mr. Rogers:

Reference is made to my memorandum of February 15, 1955 relative to Tuba City school farm.

A review of the records in this office reveals the following information.

1. In accordance with the Treaty of 1868, the right to make assignments rests with the Superintendent.
2. The Act of June 14, 1934 (48 Stat. 960) an Act entitled "To define the exterior boundaries of the Navajo Indian Reservation in Arizona and for other purposes. *** All vacant, unreserved, and unappropriated public lands, including all temporary withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries defined by this Act, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon. ***

The above statute has been reviewed by Mr. Marshall Crosse, Area Counsel, and it is his opinion that both Navajo and Hopi Indians have rights in this area and are entitled to consideration for assignment of this land.

3. It is suggested that both Tribes be represented on the land board.

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4. I would like to be advised what progress has been made in organizing a land board composed of both Hopi and Navajo members.
5. In the next few days we will forward to you additional information on procedures used by other land boards on the reservation.

Melvin Helander
Land Operations Officer

Approved:

K. W. Dixon
Assistant General Superintendent
(Resources)

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