



UNITED STATES Realty-Acq. & Disp. DEPARTMENT OF THE INTERIOR OFFICE OF THE SECRETARY WASHINGTON 25, D. C.

FILE COPY Surname: INDIAN

FEB 4 - 1958

Handwritten notes in a box: (JOC) 1/25, 1/28, 2-3, 2/3

Dear Senator Allott:

We have received your letter of January 7, requesting copies of documents pertaining to the Hopi Indian Reservation.

An examination of the files indicates that the Land Management Districts on the Navajo and Hopi Reservations were first designated in 1936, but we are unable to locate any formal Departmental order affecting these designations. At that time District No. 6 consisted of 631,194 acres of the Executive Order Hopi Reservation. This Executive Order Reservation, containing 2,472,216 acres, was established December 16, 1882 for the Hopi and such other Indians as the Secretary of the Interior might wish to settle thereon.

By your reference to an Executive order of 1943 establishing Land Management District No. 6, we believe you may have in mind the Grazing Regulations, Navajo and Hopi Reservations, approved by the Department on June 2, 1937, and amended April 13, 1943. As they appear in the 1949 edition of Title 25 Code of Federal Regulations they provide:

"Sec. 72.4 Regulations: scope; exceptions. The grazing regulations in this part are hereby made effective as of July 1, 1937, for the Navajo and Hopi Indian Reservations, including all land held in trust by the United States for the Navajo and Hopi Tribes, and all lands hereafter added to the Navajo and Hopi Reservations, but not including individually owned lands: Provided, That only such provisions of this part shall be enforced on the Hopi Reservation as are not in conflict with provisions of the constitution, bylaws, and charter of the Hopi Tribe heretofore or hereafter ratified or any tribal action authorized thereunder."

"Sec. 72.13(g) Hopi Reservation. For the purpose of the regulations in this part, District 6, as now established or hereafter established shall constitute the Hopi Reservation until such time as the boundaries thereof are definitely determined in accordance with Article I of the constitution and bylaws of the Hopi Tribe."

INTERIOR DEPT. JAN 30 1958

PRS No. 4967

CONGRESSIONAL

COPY FOR THE SECRETARY'S OFFICE

To Secretary

JAN 23 1958

For Signature

SECRETARY'S MAIL CENTER

INTERIOR DEPT.

SECRETARY'S MAIL CENTER

JAN 24 1958

INTERIOR DEPT.

INTERIOR DEPT. JAN 24 1958

SOLICITOR

SECRETARY'S MAIL CENTER

JAN 30 1958

INTERIOR DEPT.

LJM

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Handwritten notes: 2- Fred, Navajo

"Sec. 72.14 Land Management District No. 6. Effective April 1, 1943, the regulations in this part shall not apply to Land Management District No. 6 as now established or hereafter established."

Amendments to these regulations were published in 21 Federal Register 2812, May 1, 1956. Sections 73.13(g) and 72.14 were eliminated in this revision and Sec. 72.4 was revised to read as follows:

"Sec. 72.4 Regulations: scope: exceptions. The grazing regulations in this part are hereby made effective as of the date of approval hereof, for the Navajo Reservation, the area described in Executive Order of December 16, 1882, except Land Management District No. 6, all lands within the boundaries of the Navajo Reservation held in trust by the United States for the Navajo Tribe and all the trust lands hereafter added to the Navajo Reservation. The regulations in this part do not apply in individually owned allotted lands within the reservation nor to Tribal purchases, allotted or privately owned Navajo Indian lands outside the exterior boundaries of the Navajo Reservation."

The quotation last above may be found in the Cumulative Pocket Supplement to CFR 25, January 1, 1957. These regulations were renumbered and published in 22 Federal Register 10513, December 24, 1957. The present Navajo regulations are found in Part 152 of the present CFR 25.

We regret our inability to furnish you with the requested copy of the answer of Navajo Attorney Littell to the petition presented by Attorney Boyden for the Hopi Tribe. This is a rather lengthy printed volume and we were not furnished with extra copies. However, it is possible that Mr. Littell may be able to make a copy available to you. His address is 1824 Jefferson Place, N. W., Washington 6, D. C.

We sincerely hope that the information we have furnished will fill your needs.

Sincerely yours,

(sgd) Roger Ernst

Assistant Secretary of the Interior

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Hon. Gordon Allott
United States Senate
Washington 25, D. C.

LRButler/JOCrow:ic

cc: Secretary's Reading File

DCCO

LM

DL

Area Director, Phoenix (w/c incoming)

Superintendent, Hopi Agency (w/c incoming)