



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY

WASHINGTON 25, D. C. Tribal Programs
4166-60

FILE COPY
Surname:

INDIAN	
Reid	6/1
Langan	6/6
Emmons	6/6
Salisbury	6/8
<i>Reid</i>	<i>6/15</i>
<i>Hyman</i>	<i>6/15</i>
<i>Fitz</i>	<i>6-16</i>
<i>Swann</i>	

JUN 24 1960

Dear Senator Goldwater:

On April 15, 1960, your letter of March 25 was acknowledged by the Bureau of Indian Affairs. You were informed that it would be necessary for the Bureau to contact its field offices to obtain up-to-date information necessary to answer the three questions raised in the transmitted letter of Mr. Caleb Johnson.

In reference to the subject of land leasing on the Hopi Reservation the Bureau of Indian Affairs' Phoenix Area Director informs us that Mr. Johnson need have no concern that the Tribal Council will be leasing Hopi lands. The advice of the Assistant Solicitor, Indian Legal Activities, concerning this question is being followed. A copy of the opinion is attached for your information.

In the matter of religious freedom, the Phoenix Area Director follows guidelines advocated by this office in our letter of January 20, 1960, in which we stated:

"I believe, however, that the wisest course would be for the individuals concerned to settle their religious difficulties within the villages. I am sure that the Government should not become involved in local religious controversies except when it simply cannot, because of its duty, remain out of them.

"The policy of this Department, of course, is to do its utmost to encourage the maintenance of freedom of religion among Indians on reservations. Missionaries are not required to obtain any permission from the Federal Government to enter Indian reservations. On the other hand, if the Indian people themselves object, there is nothing we can or would want to do to force them to accept missionaries. To do so would, in our opinion, constitute interference with their religious freedom. Religious groups or churches should ascertain what the Indian people themselves want, and what the tribal rules may be, and act accordingly."

The members of the Hopi Tribe have been interested in revising their constitution for the past two years and considerable thought has been given to such revision by the Tribal Council and the interested members of the Hopi Tribe. We have no reason to believe that the religious freedom of the Hopi people will be infringed upon in any manner by the Tribe in the revision of its organizational document.

Final Reply PRS 8315

JUN 18 1960

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JUN 20 1960

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JUN 20 1960

ASST. SECT. FROM SOLICITOR

JUN 17 1960

FOR SIGNATURE

At a meeting of the Hopi Tribal Council on March 2, 1960, the Council, upon recommendation of a majority of the Hopi Villages, decided not to take any action toward revision of the Hopi Constitution until the Court had adjudicated the land involved in the pending boundary suit. Many of the Hopis are under the impression, and possibly justifiably so, that upon final adjudication of the Hopi Executive Order Reservation, there may be an undetermined number of Navajo Indians who may wish to remain on land awarded to the Hopi Tribe and who, therefore, will be required to relinquish their rights, title and interest in the Navajo Tribe and come under the jurisdiction of the Hopi Tribal Council. In that event, the Hopis reason it would become necessary to make some provision in the new constitution for representation of these Navajo Indians on the Hopi Tribal Council. This position of the Hopis will be given careful consideration in any program designed to amend the tribal constitution.

The attorney for the Hopis informs us that recent correspondence with the Court and other litigants in the Navajo-Hopi boundary suit indicates that the case will be tried early this summer. Therefore, it would appear reasonable to presume a decision might be reached within the next six or nine months.

Sincerely yours,

(sgd) Roger Ernst

Assistant Secretary of the Interior

Hon. Barry Goldwater
United States Senate
Washington 25, D. C.

Enclosures

Copy to: Secretary's Reading Files
DCCO
SOL
IM
DL
Area Director, Phoenix
Supt., Hopi Agency

JSmith:bb