

RELATING TO DEGREE-CONFERRING INSTITUTIONS

AMERICAN UNIVERSITIES ABROAD

So far as the committee can determine, there was no intent to forbid the use of the word "American" in the titles of institutions of learning in foreign lands where the word served solely to indicate place of origin, such as the American Academy at Rome, the American School of Classical Studies at Athens, the American University at Beirut, and other well-known schools and colleges abroad.

The committee knows of only one instance of such as institution that would fall under the provisions of the District law. This is the American University at Cairo, Egypt. It is a place of learning of high standards, and its qualifications have been completely investigated by the Board of Education. It is, so far as the committee knows, the only important American university abroad incorporated under the laws of the District and therefore subject to the restrictions of the "diploma mill" law.

Under the law, this university would be compelled to reincorporate in the District under another title, because of its use of the word "American," or to incorporate in another State under the same title.

CONTENTS OF THE BILL

The bill, in every respect identical to one passed by the Senate in the Seventy-first Congress, would permit an amendment of the law to provide that no institution heretofore incorporated under the act, and carrying on its work exclusively in a foreign country with the approval of the government thereof, shall, if continuing in all other respects with the law, be denied a license because of the inclusion in its title, as descriptive of its origin, of any of the words forbidden by the act.

The bill was studied by the commissioners and the Board of Education. Their approval is expressed in the letter appended hereto as part of this report.

The committee feels that the bill will not weaken the force and effect of the act it is intended to amend, and will prevent an injustice to existing educational institutions of known merit and high standing.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, February 5, 1932.

HON. ARTHUR CAPPER,

Chairman Committee on the District of Columbia,
United States Senate, Washington, D. C.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 100, Seventy-second Congress, first session, entitled "A bill to amend section 586c of the act entitled 'An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions,' approved March 2, 1929," which you referred to them for report as to the merits of the bill and the propriety of its passage.

Neither the Commissioners of the District of Columbia nor the Board of Education have any objection to the passage of the proposed bill, and the commissioners therefore recommend favorable action thereon.

Very truly yours,

L. H. REICHELDERFER, President.

72d Congress } HOUSE OF REPRESENTATIVES } REPORT
2d Session } } No. 1883

PERMANENTLY SET ASIDE CERTAIN LANDS IN UTAH AS AN
ADDITION TO THE NAVAJO INDIAN RESERVATION

JANUARY 19, 1933.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. LEAVITT, from the Committee on Indian Affairs, submitted the
following

REPORT

[To accompany H. R. 11735]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 11735) to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes, having considered the same, report it favorably to the House with the recommendation that it do pass with the following amendments:

Page 3, line 1, strike out the period after the word "Utah" and add the following: "nor shall further Indian homesteads be made in said county under the act of July 4, 1884 (23 Stat. 96; U. S. C., title 43, sec. 190)";

Page 3, line 19, strike out the period, insert a comma in lieu thereof and add "except as to the payment of fees or commissions which are hereby waived,"

This bill refers to certain lands now temporarily withdrawn from all forms of entry by an order of the Department of the Interior dated February 19, 1929, and would permanently withdraw the area for use of the Navajo Indians; it also includes a smaller tract of land withdrawn by departmental order of July 27, 1932, and provides that the State of Utah may exchange school tracts within the area for other tracts of public land elsewhere within that State.

This land has been used by the Indians since early history. The first mentioned part was originally set aside by Executive order (1884) for reservation purposes; in 1892 it was restored to the public domain by another Executive order. In 1908 the department withdrew the land for the use of the Indians and, finally, in 1922 it was restored to the public domain in the belief that it might prove more useful if made available for entry. Through all this time the Indians have

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used the land to some extent; during the last 10 years the livestock industry has grown by leaps and bounds among the members of the tribe and it is apparent that, if this business is to continue to thrive, and the friends of the Indians hope it will, additional grazing land must be provided. It appears that only three white families have attempted to reside within the area.

No new policy is established and no outlay of money by the Federal Government is involved. Provision is made for disposition of any revenue arising from any oil and gas which might be discovered within the area and the State of Utah is permitted to select unreserved and nonmineral tracts elsewhere in lieu of school sections within the area. It appears that the rights of all persons involved are adequately protected in the measure.

The Secretary of the Interior reports favorably in the following language:

DEPARTMENT OF THE INTERIOR,
Washington, January 12, 1933.

HON. EDGAR HOWARD,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. CHAIRMAN: In further response to your request of December 29, 1932, for a report on H. R. 11735, which is a bill "To permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes," there is transmitted herewith a memorandum on the subject that has been submitted by the Commissioner of Indian Affairs.

After a review of the proposed measure, I agree with the commissioner.

Very truly yours,

RAY LYMAN WILBUR, Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 7, 1933.

Memorandum for the Secretary.

Reference is made to the letter of December 29, 1932, from the clerk of the House Committee on Indian Affairs, requesting information for the committee on H. R. 11735, a bill to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes.

The bill proposes to return to the Navajo Indians a strip of country in southern Utah commonly referred to as the Paiute strip, and also add an additional small tract adjacent to the reservation in Utah lying between Montezuma Creek and the Utah-Colorado State line.

The so-called Paiute strip area covering approximately 500,000 acres, was originally set aside as a reservation for Indian purposes by Executive order of May 17, 1884. Later by Executive order of November 19, 1892, the tract was restored to the public domain and by departmental order of May 28, 1908, it was again withdrawn for Indian purposes. Subsequently by departmental order of July 17, 1922, the tract was once more restored to its former status as public land, as it was then reported that the Indians were not utilizing the land sufficiently to warrant its retention as an Indian reservation.

Since the last restoration in 1922, conditions have greatly changed with respect to the need of this area for Indian purposes and as the existing reservation does not afford sufficient grazing area for the livestock of the Indians, the so-called strip was by departmental order of February 19, 1929, temporarily withdrawn from all forms of entry or disposal in aid of proposed legislation.

The lands within the strip have always been occupied by Indians, only three white families, "squatters," have been found living within the entire area. These "squatters" have settled close to the present reservation northern boundary for the purpose of trading with the Indians, and not being on the reservation they are not required to operate in accordance with the regulations governing trade with Indians, and as a result the Indians sometimes sell their best stock at times during the year when they are most needy and livestock worth the least.

The smaller area covered by the bill located between Montezuma Creek on the west and the State boundary line on the east covers approximately 52,000 acres and is used by Indians. All vacant land within this area was temporarily withdrawn by departmental order of July 27, 1932.

The Navajo Tribal Council during its annual meeting at Fort Wingate, July 7 and 8, 1932, expressed itself as favoring enactment of the bill, and during its previous meeting of 1931, the council also favored the bill and further requested that the Paiute strip be obtained for the Navajo Indians under the best terms possible to negotiate.

During the past few years objection developed on the part of the local citizens to the addition of these lands to the Navajo Reservation, and accordingly a meeting was arranged which took place at Blanding, Utah, on July 15, 1932, by myself and others with a representative gathering of citizens of San Juan County, Utah. This meeting culminated in the appointment of a committee of nine citizens to represent the local people and a written agreement was reached whereby the citizens as represented by the committee went on record as favoring the bill H. R. 11735 with certain specified qualifications. Three copies of the written agreement are inclosed.

In accordance with item 1 of the agreement, it is necessary to amend the bill slightly so as to preclude the making of any further Indian homesteads. The other items enumerated in the agreement are administrative in their nature and can be worked out in the future should the bill be enacted.

Section 2 of the bill will grant the State of Utah the right to relinquish such tracts of school land within the areas as it may see fit in favor of the Indians, and also the right to make lieu selections of public land within the State equal in area to that relinquished, said lieu selections to be made as is provided for in the Utah enabling act. As the proposed addition of these areas to the reservation benefits the Government in its administration of the affairs of the Indians, it is believed desirable to further amend the bill so as to preclude the payment of fees or commissions by the State should it make lieu selections.

It is therefore recommended that the bill be amended as follows:

Page 3, line 1, after the word "Utah" add the following: "Nor shall further Indian homesteads be made in said county under the act of July 4, 1884 (23 Stat. 96)."

Page 3, line 19, immediately after the statute reference, add the following: "Except as to the payment of fees or commissions which are hereby waived."

Should the bill H. R. 11735 be amended as suggested, it is recommended that it be enacted.

C. J. RHOADS, Commissioner.

BLANDING, UTAH, July 15, 1932

MEMORANDUM OF AGREEMENT MADE BETWEEN A COMMITTEE OF NINE, REPRESENTING THE CITIZENS OF BLANDING, UTAH, AND THE COMMISSIONER OF INDIAN AFFAIRS, REGARDING THE PAIUTE STRIP

1. It was agreed, after full discussion, that the lines described in H. R. 11735, Seventy-second Congress, first session, should constitute the northern boundary of the Navajo Reservation.

2. In consideration of the proposed addition to the reservation contemplated by the above bill, it was agreed that no more fourth-section Indian allotments or Indian homesteads under the 1884 act should be made in San Juan County, Utah, outside of said boundary lines.

3. The north line of the proposed reservation addition, east of Montezuma Creek, is to be fenced by the Indian Service.

4. The 37½ royalty clause in the above bill is to remain, but the State of Utah is free to change to the usual form.

5. The clause in the bill relative to granting the State the right to exchange its school lands within the area involved is satisfactory to the committee.

6. It is agreed that the scenic tracts are to be developed by the National Park Service, with the cooperation of the Indian Service.

7. Control of the killing of game outside the proposed reservation lines is to be in accordance with the State game laws.

8. Such Indian allotments, if any, north of the river and outside the proposed reservation line, are to be fenced.

9. In the event Indians drive their cattle or sheep across non-Indian land, the standard rule governing driving of stock under such conditions shall apply.

Signed on behalf of the Committee of Nine and the Commissioner of Indian Affairs:

Committee: George A. Adams, Monticello, Utah; Charles Redd, Blanding, Utah; George W. Perkins, Blanding, Utah; Dr. John Rogers, Blanding, Utah; Arthur Hurst, Blanding, Utah; Marion Hunt, Bluff, Utah; Carl S. Barton, Verdure, Utah; H. C. Perkin, Blanding, Utah; B. D. Black, Blanding, Utah; by Charles Redd, Benj. D. Black, B. D. Black. J. M. Stewart, section chief, Mark W. Radcliffe, field agent, on behalf of the Commissioner of Indian Affairs.

Approved.

C. J. RHODES.

RESTORATION OF AN INDIAN AGENT FOR THE LOWER BRULE INDIAN RESERVATION

JANUARY 19, 1933.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. WILLIAMSON, from the Committee on Indian Affairs, submitted the following

REPORT

[To accompany H. R. 13007]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 13007) providing for the restoration of an Indian agent for the Lower Brule Indian Reservation, having considered the same, report thereon with the recommendation that it do pass without amendment.

STATEMENT OF FACTS

Long prior to 1898 the Lower Brule Indians had occupied lands assigned to them by the Government on the Missouri River in Lyman County, S. Dak. By the treaty of March 1, 1898, approved March 3, 1899 (Kappler, vol. 1, 2d ed., p. 688), they ceded a very considerable part of this reservation to the United States. About the only consideration they received for this cession is contained in article 4 of the treaty, which reads:

ART. 4. The United States hereby agrees to maintain and continue the Lower Brule Agency and agency boarding school as at present for those Indians who remain upon the Lower Brule Reservation.

These Indians at that time were unlettered and all the headmen or chiefs signed by mark.

On August 1, 1924, the Bureau of Indian Affairs ordered the agency at the Lower Brule Reservation closed, transferred its superintendent, and placed these Indians under the supervision of the agent at Fort Thompson on the Crow Creek Reservation. The Crow Creek Indians are a distinct tribe and there is no more reason for putting the Lower Brules in charge of their agent than there would be for putting them in charge of the agent at Rosebud, Pine Ridge, or any other Indian agency, except that the Crow Creek Agency is

Serial 9649