



Bureau of Indian Affairs officials have indicated doubt that many of the 7,000 eligible Kiowas, Comanches and Apaches living in the three States would be able to find lands suitable for allotment. Secretary Udall's decision confirmed this when he pointed out that lands incapable of supporting an Indian family cannot be allotted.

Secretary Udall pointed out that the public lands in the Western States were withdrawn from entry and selection in 1934, and that the Taylor Grazing Act requires him to use his discretion in classifying lands as suitable for entry.

In ruling against Hopkins-Dukes' application, Secretary Udall said he considered "the capability, suitability and physical characteristics of the lands for the purpose for which they were sought, and for the other purposes for which the public land laws were enacted."

Secretary Udall pointed out that the Indians' relation to the allotment law is the same as all citizens' relation to the homestead laws. All citizens are born with a homestead right, but only a handful will receive homesteads because of the lack of good agricultural lands in the public domain.

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