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**For Immediate Release:** April 6, 1979
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Interior Solicitor Leo M. Krulitz Friday said Indian tribal sovereignty could be endangered unless tribal leaders weigh the political ramifications of tribal decisions as carefully as they weigh other factors.

Krulitz told leaders of the Affiliated Tribes of Northwest Indians meeting in Pocatello, Idaho, that the mood in the United States toward Indian rights has shifted in recent years as measured by a spate of anti-Indian legislation introduced in the last session of Congress. Federal courts, for years thought to be the last and strongest defense of Indian rights, have delivered a number of opinions recently which were adverse to Indian interests.

"The constituency for legislation such as that to abrogate all Indian treaties grew in part from a reaction to the progress, the gains of the Indian people--meager as those gains have been," said Krulitz. "And the constituency grew in part from the simple tenor of the times-the realization that resources are scare and growing scarcer; the reality that there are no unclaimed resources and every assertion of Indian claims for those resources threatens those who also claim them.

"But those factors alone simply do not explain the vehemence, the hostility embodied in some of these anti-Indian legislative proposals. If we are going to be honest with ourselves, I think we have to conclude that the hostility grew, in significant part, from some of the things done or proposed in the name of tribal sovereignty."

As examples, Krulitz cited:

--Tribal governments which have asked the Interior Department to accept into trust status isolated tracts of land in non-Indian residential neighborhoods, then putting the land to commercial use for liquor stores, smokehouses or other things "all in the name of tribal sovereignty and all in disregard for the nature of the neighborhood."

-Proposals by some tribes to operate gambling casinos on trust lands;

--The "cavalier" treatment some tribal governments have given business agreements--trying to "change the economics of a deal by using the tribes taxing power."

"These are the kinds of things which threaten to make the air in this country plainly poisonous to tribal sovereignty," said Krulitz. "The tribes zoning powers are important and we'll defend them, but their indiscriminate use subjects both the zoning power and tribal sovereignty to risk.

"Bingo is one thing, but casino gambling? It's reasonable to expect hostility toward such proposals. And finally, many bad deals have been approved in the past and we'll do our best to correct them. But using the taxing power to do it places the taxing power itself in jeopardy."

Krulitz said tribal leaders must remember the unique status of Indian tribes in this country--that of "dependent sovereigns."

"If we forget the word 'dependent' we risk losing sovereignty," he said. "Secretary Cecil Andrus is charged with trusteeship over Indians, their property and the future of their way of life in this country. You know where he stands on the question of Indian rights.

"But he is legally bound to act in your long-term best interests and he takes that obligation very seriously. He won't approve a contract which provides you less than a fair return; he won't allow anything which threatens the long-term value of an Indian resource. Similarly, where he has the authority to approve or disapprove an ordinance, he will take into account the potential impact of tribal sovereignty and act accordingly--whether or not the tribes agree."

Krulitz said the Secretary has not only the authority but a legally binding duty to deny or disapprove any action or activity which could damage Indian interests or which threaten; to endanger tribal sovereignty.

"We hope the days of Washington’s dictating to the tribes is past," said Krulitz. "But the Secretary will carry out his duty. We are in a sensitive time, a delicate time--a time when perceptions are often more important than facts. We must conduct our affairs in such a way that we do not make it impossible for our friends in the Congress to continue showing that friendship.

'"You will have to consider in tribal decisions not only the economic and social implications of a given course but also the political--the public relations--implications."