

The original documents are located in Box 11, folder “Office of Native American Programs” of the Norman Ross Files, 1974-75 at the Gerald R. Ford Presidential Library.

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OMHP Programs

FY '69

77 programs

\$25.6 M

FY 70

85 programs

\$23.7 M

(dropped
alcoholism
& M-law)

FY '71

87 programs

\$24.1 M



FY 72

89 programs

\$23.3 M

(dropped
legislation)

FY '73

135 BS

~~#~~ 24.9 M

FY '74 (EST)

about ~~200~~ 180

~~#~~ 30.9 M

FY 75

no est for this program

~~#~~ 32.0 M





DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

APRIL 3, 1974

Honorable Carl Albert
Speaker of the House of
Representatives
Washington, D. C. 20515

Dear Mr. Speaker:

Enclosed for the consideration of the Congress is a draft bill "To extend and transfer to the Department of Health, Education, and Welfare, the Native American Program established under the Economic Opportunity Act of 1964." A summary of the bill is also enclosed.

This bill would authorize the Secretary of Health, Education, and Welfare to continue operation of the Native American Program in the same manner as that program is now being carried out under title II of the Economic Opportunity Act of 1964 under a delegation from the Director of the Office of Economic Opportunity. The authorization of appropriations for title II of the Economic Opportunity Act expires at the end of fiscal year 1974. The proposal would authorize the appropriation of such sums as may be necessary to carry out the program for fiscal year 1975.

The bill would preserve the present focus of the Native American Program. The Secretary would be authorized to provide financial assistance to public and non-profit private agencies for projects to promote the goal of enabling American Indians and Alaskan natives to become fully self-sufficient. Technical assistance, training, and research and demonstration efforts related to the provision of this financial assistance would also be authorized.



Honorable Carl Albert - Page 2

I urge that this proposal receive prompt and favorable consideration.

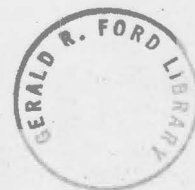
We are advised by the Office of Management and Budget that enactment of the enclosed draft bill would be in accord with the program of the President.

Sincerely,

/s/ Frank C. Carlucci

Acting Secretary

Enclosures



SUMMARY OF PROPOSED NATIVE AMERICAN
EXTENSION ACT OF 1974

Section 1 of the bill would provide that the Act may be cited as the "Native American Program Extension Act of 1974".

Section 2 would provide that the purpose of the Act is to promote the goal of enabling American Indians and Alaskan natives to become fully self-sufficient.

Section 3 would authorize the Secretary of Health, Education, and Welfare to provide financial assistance to public and non-profit private agencies for projects pertaining to the purposes of the Act. Federal assistance would be equal to 80 percent of the cost of an assisted project, unless a higher percentage was authorized by the Secretary. Federal assistance could not be used to replace programs previously funded without Federal assistance, except as authorized by the Secretary.

Section 4 would authorize the Secretary to provide technical assistance and training in connection with the provision of financial assistance under the Act.



Section 5 would authorize the Secretary to support pilot, demonstration, and research projects pertaining to the purposes of the Act.

Section 6 would require the public announcement of information relating to research and demonstration projects, except in certain circumstances.

Section 7 would require that the governing body of an Indian reservation or Alaskan native village must be given the opportunity to disapprove any project under section 3 or pilot or demonstration project under section 5 to be carried out on the reservation or in the village. The bill would require that State and local officials be notified of any project under section 3 or pilot or demonstration project under section 5 to be carried out in their jurisdictions, other than on an Indian reservation or in an Alaskan native village.



Section 8 would authorize the Secretary to prescribe record-keeping requirements for agencies receiving assistance under the Act and would provide for access to the records and books of any such agency.

Section 9 would impose notice and hearing requirements in connection with the suspension or termination of assistance, or the denial of refunding, under section 3 of the Act.

Section 10 would require the Secretary to provide for the continuing evaluation of projects assisted under the Act.

Section 11 would make the Davis-Bacon Act applicable to construction activities assisted under the Act.

Section 12 would prescribe criminal penalties for embezzlement, theft, fraud, and bribery related to projects assisted under the Act.

Section 13 would authorize the Secretary to delegate his duties and authorities under the Act to other Federal agencies.

Section 14 would contain definitions.

Section 15 would authorize the appropriation of such sums as are necessary to carry out the Act for fiscal year 1975.



A B I L L

To extend and transfer to the Department of Health, Education, and Welfare, the Native American Program established under the Economic Opportunity Act of 1964.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Native American Program Extension Act of 1974".

PURPOSE

Sec. 2. The purpose of this Act is to promote the goal of economic and social self-sufficiency for American Indians and Alaskan natives.

FINANCIAL ASSISTANCE FOR NATIVE AMERICAN PROJECTS

Sec. 3. (a) The Secretary is authorized to provide financial assistance to public and non-profit private agencies, including but not limited to, governing bodies of Indian tribes, Alaskan native villages and regional corporations established by the Alaska Native Claims Settlement Act, for projects pertaining to the purposes of this Act. In determining the projects to be assisted under this section, the Secretary shall consult with other Federal



agencies for the purpose of eliminating duplication or conflict among similar activities or projects and for the purpose of determining whether the findings resulting from those projects may be incorporated into one or more programs for which those agencies are responsible.

(b) Financial assistance extended to an agency pursuant to subsection (a) shall be equal to 80 percent of the approved costs of the assisted project, except that the Secretary may approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this Act. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

(c) No project shall be approved for assistance under this section unless the Secretary satisfies himself that the activities to be carried out under such project will be in addition to, and not in substitution for, comparable activities previously carried out without Federal assistance, except that the Secretary may waive this



requirement in any case in which he determines, in accordance with regulations establishing objective criteria, that application of the requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes of this Act.

TECHNICAL ASSISTANCE AND TRAINING

Sec. 4. The Secretary may provide, directly or through other arrangements, (1) technical assistance to public and private agencies in developing, conducting, and administering projects under this Act, and (2) short-term, in-service training for specialized or other personnel which is needed in connection with projects receiving financial assistance under section 3 of this Act.

RESEARCH AND DEMONSTRATION PROJECTS

Sec. 5. (a) The Secretary may provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in furthering the purposes of this Act. He may also provide financial assistance for research pertaining to the purposes of this Act.



(b) The Secretary shall establish an overall plan to govern the approval of pilot or demonstration projects and the use of all research authority under the Act. The plan shall set forth specific objectives to be achieved and priorities among such objectives.

ANNOUNCEMENT OF RESEARCH OR
DEMONSTRATION CONTRACTS

Sec. 6. (a) The Secretary shall make a public announcement concerning --

(1) the title, purpose, intended completion date, identity of the contractor, and proposed cost of any contract with a private or non-Federal public agency for a demonstration or research project; and

(2) except in cases in which the Secretary determines that it would not be consistent with the purposes of this Act, the results, findings, data, or recommendations made or reported as a result of such activities.



(b) The public announcements required by subsection (a) shall be made within thirty days of entering into such contracts and thereafter within thirty days of the receipt of such results.

SUBMISSION OF PLANS TO STATE AND LOCAL OFFICIALS

Sec. 7. (a) No financial assistance may be provided to any project under section 3 of this Act or any pilot or demonstration project under section 5 of this Act, which is to be carried out on or in an Indian reservation or Alaskan native village, unless a plan setting forth the project has been submitted to the governing body of that reservation or village and the plan has not been disapproved by the governing body within thirty days of its submission.

(b) No financial assistance may be provided to any project under section 3 of this Act or any pilot or demonstration project under section 5 of this Act, which is to be carried out in a State other than on or in an Indian reservation or Alaskan native village, unless the Secretary has notified the chief executive officer of the State of his decision to provide that assistance.



(c) No financial assistance may be provided to any project under section 3 of this Act or any pilot or demonstration project under section 5 of this Act, which is to be carried out in a city, county, or other major political subdivision of a State, other than on or in an Indian reservation or Alaskan native village, unless the Secretary has notified the local governing officials of the political subdivision of his decision to provide that assistance.

RECORDS AND AUDIT

Sec. 8. (a) Each agency which receives financial assistance under this Act shall keep such records as the Secretary may prescribe, including records which fully disclose the amount and disposition by that agency of such financial assistance, the total cost of the project in connection with which such financial assistance is given or used, the amount of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.



(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any agency which receives financial assistance under this Act that are pertinent to the financial assistance received under this Act.

APPEALS, NOTICE AND HEARING

Sec. 9. The Secretary shall prescribe procedures to assure that --

(1) financial assistance under section 3 of this Act will not be suspended for failure to comply with any applicable terms and conditions, except in emergency situations, nor an application for refunding under that section denied, unless the assisted agency has been given reasonable notice and opportunity to show cause why such action should not be taken; and



(2) financial assistance under section 3 of this Act will not be terminated for failure to comply with any applicable terms and conditions unless the assisted agency has been afforded reasonable notice and opportunity for a full and fair hearing.

EVALUATION

Sec. 10. (a) The Secretary shall provide for the evaluation of projects assisted under this Act, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such projects, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such projects. The Secretary may, for such purpose, contract or make other arrangements for independent evaluations of projects.

(b) The Secretary shall, to the extent feasible, develop and publish standards for evaluation of project effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been



met in deciding whether to renew or supplement financial assistance authorized under this Act.

(c) In carrying out evaluations under this Act, the Secretary may require agencies which receive assistance under this Act to provide independent evaluations.

LABOR STANDARDS

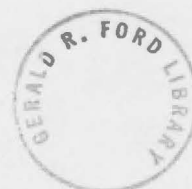
Sec. 11. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting or decorating, of buildings or other facilities in connection with projects assisted under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950, and section 2 of the Act of June 1, 1934.



CRIMINAL PROVISIONS

Sec. 12. (a) Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any agency receiving financial assistance under this Act embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets, or property which are the subject of a grant or contract of assistance pursuant to this Act, shall be fined not more than \$10,000 or imprisoned for not more than two years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with assistance



under this Act, induces any person to give up any money or thing of any value to any person (including an assisted agency), shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

DELEGATION OF AUTHORITY

Sec. 13. (a) The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the Secretary's functions, powers, and duties under this Act, as he may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

(c) Funds appropriated for the purpose of carrying out this Act may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are authorized and appropriated.



DEFINITIONS

Sec. 14. As used in this Act --

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) the term "financial assistance" includes assistance advanced by grant, agreement, or contract, but does not include the procurement of plant or equipment, or goods or services;

(3) the term "State" includes the District of Columbia; and

(4) the term "Indian reservation or Alaskan native village" includes the reservation of any Federally-recognized Indian tribe, including any band, nation, pueblo, or rancharia, any former reservation in Oklahoma, any community under the jurisdiction of an Indian tribe, including a band, nation, pueblo, or rancharia, with allotted lands or lands subject to a restriction against alienation imposed by the United States or a State, and any lands of or under the jurisdiction of an



Alaskan native village or group, including any lands selected by Alaskan natives or Alaskan native organizations under the Alaska Native Claims Settlement Act.

AUTHORIZATION OF APPROPRIATIONS

Sec. 15. There are authorized to be appropriated for the purpose of carrying out the provisions of this Act, such sums as may be necessary for the fiscal year ending June 30, 1975.



4/22/74

OFFICE OF NATIVE AMERICAN PROGRAMS - ISSUE PAPER

The Office of Native American Programs (ONAP) was transferred from the Office of Economic Opportunity to the Department of Health, Education and Welfare in July of 1973. Prior to the transfer the office was the Indian Division of OEO; and although the office operated on a limited budget, it funded programs most consistent with the concept of Indian self-determination. That is, the Indian Division provided funds to strengthen tribal governments, for community and economic development programs; and, most importantly, these programs were local initiative programs--designed, planned, and under the operational control of Indian people. It was predictable that the transfer of this program would cause widespread concern among Indian people. Numerous letters were addressed to Casper Weinberger, the Secretary of HEW, expressing a genuine concern as to what would happen to Indian programs administered by that Department.

Mr. Weinberger assured Indian people that his Department strongly supported the ideals of self-determination and that the transfer of the Indian programs would be effected in the least disruptive manner possible. He went on to state that widespread Indian input would be invited to assist in the establishment of the Office's policies, functions and directions that would be implemented for ONAP.

It should be added that two other factors arose as a result of the transfer. First, a number of Indian programs funded by OEO Regional Offices were also transferred to HEW as a responsibility of ONAP. These programs in the main were non-Federally recognized Indian programs. The second factor was that HEW had an Indian Desk, the Office of Indian Affairs (OIA), which functioned as an advisory, advocacy and policy office for the Department. The response to the concern for an Indian voice to influence Department-wide policies by the Secretary, was that OIA and its functions would be consolidated with the newly transferred office, ONAP.

Events, subsequent to the July 1973 transfer of ONAP, as nearly as we can determine, are as follows:

- (1) The transfer was with little or no disruption of the operation of Indian programs.
- (2) The Indian Division of OEO was transferred intact with all staff, programs and budget moving to the Office of Human Development in HEW.



ONAP -ISSUE PAPER- continued:

(3) Additionally, approximately thirty-six (36) OEO regionally funded Indian programs were transferred to ONAP. We have since learned that many Indian programs funded by regional OEO were not transferred thus did not come under the protection of HEW/ONAP for refunding. But this was a neglect by OEO regional offices not HEW. HEW did, through ONAP, invite widespread Indian input by holding nine (9) regional/area meetings with over 800 tribal leaders and Indian organizations. However, at the very time ONAP was holding these meetings for Indian people to advise and recommend on ONAP/HEW policy, the decision was made to regionalize the non-reservation Indian programs. Indian people have been told by HEW officials that the programs were regional programs and that the decision did not effect a change. Indian people have been further informed that regional programs would be good in that Indian people would have access to local, state and regional resources.

However, during the regional meetings the Indian representatives were all but unanimously opposed to regionalization as unworkable for Indian people.

HEW's response to this opposition is that not all Indian people or organizations are opposed to regionalization. The fact remains that several HEW senior staff were exposed to the violent opposition to regionalization by Indian people. This cannot be balanced by a few, if any, unidentified Indian people not being opposed to regionalized programs.

It is also fact that the OEO regional programs did become the responsibility of ONAP, that is, they became Headquarters programs. This raises serious questions among Indian people as to the significance of Indian input to the Department of Health, Education and Welfare.

Another concern that arose as a result of the transfer is the statutory authority of HEW to operate Indian programs. ONAP, during the first year after the transfer, is operating under OEO authorities, guidelines and procedures. This raises the question of whether HEW will operate the programs consistent with the flexibility of the programs while under OEO. There are widespread rumors that there is an effort to move ONAP to the BIA. This would kill the program. The rumor, and if it becomes fact, also again divides the Indian population. HEW should not be in the position of dividing the Indian but rather, as the largest social serving agency, seeking



ONAP - ISSUE PAPER- CONTINUED:

ways to address Indian problems. This can be accomplished by adding resources to Indian programs, both reservation and off-reservation. It cannot be accomplished by a threat, implied or otherwise, that to serve all Indians would mean to reduce the resources available to the Federally recognized tribes. HEW does after all have a budget in excess of 100 billion dollars; and considering the smallness of the Indian population, such should not pose a problem to HEW's budget in addressing the extreme social and economic problems of Indians.

Going back to Indian input, it has been several months since the input meetings were held. We believe that it is time for the Department of Health, Education and Welfare to respond to this input. This should be done at the highest levels of the Department, that is, a response from a source that really counts--from the Secretary of the Department. The Secretary should hold a national meeting with tribal leaders and Indian leaders representing state, rural and urban organizations. The purpose of the meeting would be to negotiate the present Indian Input as well as structuring a system for obtaining Indian input on a continuing basis.

Perhaps the most disturbing aspect of the manner in which HEW has viewed ONAP is the rather casual manner in which it has handled the necessity to propose legislation to the Congress for the continuation of ONAP. Quite clearly it was necessary to submit legislation last July or August at the time of the transfer of the Office to HEW from OEO. Given the slowness of the legislative process, probably even those dates were late. However, submission of proposed legislation on April 3, 1974 for the continuation of ONAP is a careless, reckless handling of Indian well being. It constitutes a disregard for Indian feelings or an ignorance of the fact that Indians do have feelings. The entire situation has been handled in a most callous manner, subverting again the commitments made by the President to the Indian people.



THE WHITE HOUSE

WASHINGTON

September 23, 1974

MEMORANDUM FOR:

GEORGE BLUE SPRUCE

SUBJECT:

Letter from Illinois State
Representative Bruce Douglas

Instead of writing Mr. Douglas in response to his letter, I telephoned him. He was overseas, but returned and called me today and we had a long talk. He claims he represents perhaps 15,000 to 20,000 Chicago urban Indians. I explained why BIA keeps out of the urban Indian picture, how your office inherited the Presidential (July 8, 1970) instructions to OEO to lead the urban Indian effort, explained how the General Revenue Sharing, CETA, Housing and similar acts now include urban Indian groups as eligible and mentioned (as he knew) that Indian Health had limited seed money for urban Indian projects. He asked if we would (a) put this in writing for him and (b) be willing to help get a meeting together in Chicago with him and with the appropriate regional people -- or have him come here if necessary.

Do you have such a broad information sheet on the eligibilities available for urban Indians, including CETA and housing etc? If not, would you at least give him some of the specific statutory citations and xerox the pages from the right statutes so he knows where to start? I would appreciate it if you would write him on the President's behalf (with a copy sent back to me) and mention my conversation with him.

Please also discuss the possibility of a meeting, either in Chicago or Washington.

Thank you,


Bradley H. Patterson, Jr.





DR. BRUCE L. DOUGLAS, State Representative, 12th District

ILLINOIS HOUSE OF REPRESENTATIVES

1725 WEST HARRISON, CHICAGO, ILLINOIS 60612, 312/829-4213; 942-6332
2093 STATE OFFICE BUILDING, SPRINGFIELD, ILLINOIS 62706, 217/782-5551

August 14, 1974

Honorable Gerald Ford
President of the United States
Washington, D. C.

Dear President Ford:

I am writing to you as a representative of what may well be the largest urban American Indian community in the United States, and as Chairman of an American Indian Committee of the Illinois State House of Representatives.

As you know, the plight of the urban Native American has received only minimal attention from the federal government. The Bureau of Indian Affairs of the Department of the Interior has concentrated its greatest efforts on those Indians who reside on reservations, and, to a limited extent, to the Indians who leave the reservations, but only for a brief period of time.

I would sincerely appreciate knowing what the posture of your administration will be on the issue of THE URBAN NATIVE AMERICAN.

I would encourage you to ask a re-evaluation of the federal government's role in assisting such people to achieve an equal social and economic opportunity role in society. I would also ask that you stress the importance of carrying programs for the Indian population that are traditionally for residents of reservations to the cities to which many Indians are migrating. I know that the Indian Health Service of the Department of Health Education and Welfare is starting to move in that direction, and I would like to see similar efforts made in the fields of housing, treatment of alcoholism, and other areas of particular concern to this segment of our population.

Thank you for your attention to this matter, and best wishes to you for a very successful administration.

Sincerely,

Bruce L. Douglas
Bruce L. Douglas

BLD:vr



ONAP

Called Jan 11-15-75 2:10

Blue Spruce

7

Previous dr.



DR. BRUCE L. DOUGLAS, State Representative, 12th District

ILLINOIS HOUSE OF REPRESENTATIVES

1725 WEST HARRISON, CHICAGO, ILLINOIS 60612, 312/829-4213; 942-6332
2093 STATE OFFICE BUILDING, SPRINGFIELD, ILLINOIS 62706, 217/782-5951

October 8, 1974

Mr. Brad Patterson
Office of the President
White House
Washington, D. C.

Dear Mr. Patterson:

A few months ago, I wrote to President Ford to learn of his position on the problems of the urban American Indian. You called and assured me that you would send me material on the federal government's present role in dealing with this serious matter, which, you will recall, affects some 15,000 Americans of Indian descent who live in my representative district.

I have heard nothing from you since our telephone conversation.

I am under constant pressure from my Native American constituents "to do something for them". They know that I wrote to the President, and they know that I talked to you in his behalf.

I will have to assume, if I hear nothing from you in a reasonable period of time, that President Ford is no more concerned about the urban American Indian problem than his predecessor, and I will be forced to say that publicly.

Sincerely,

Bruce L. Douglas
Bruce L. Douglas

BLD:vjr
cc: President Gerald Ford



MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY

TO : Mr. Bradley B. Patterson
Assistant to the Special Consultant
to the President

DATE: OCT 08 1974

FROM : Director
Office of Native American Programs

SUBJECT: Letter to Mr. Bruce L. Douglas

Attached please find a copy of the letter I have sent to
Mr. Douglas in response to your recent request. I do hope
that the information supplied therein is sufficient.

for *George Clark*
George Blue Spruce, Jr., D.D.S., M.P.H.

Attachment



OCT 08 1974

Dr. Bruce L. Douglas
State Representative, 12th District
Illinois House of Representatives
1725 West Harrison
Chicago, Illinois 60612

Dear Dr. Douglas:

I have just received a copy of your August 14 letter to President Ford and a request from Mr. Bradley Patterson of the President's staff to expand on many of those subjects which you and he recently discussed in a phone conversation.

Let me begin by saying that I am delighted to learn of your expressed interest in the Urban Indians of Chicago. As you noted in your letter, thus far only minimal attention has been paid this segment of the United States population by the Federal Government or for that matter by State and local governments.

The tide appears to have turned, however, as is evidenced by legislation, Administration commitments and activities over the past several years. I understand that Mr. Patterson enumerated several of these areas to you over the phone but he has requested that I expand on them at this time and where possible provide you with specific statutory citations on Public Law numbers to facilitate your compilation of information.

Although the General Revenue Sharing Act does not directly benefit the Urban Indian population, other than as part of the general population, there is an example of Special Revenue Sharing specifically including Urban Indians as potential beneficiaries. Title III, Part A, Section 302 of the Comprehensive Employment and Training Act of 1973 (CETA), Pl. 93-203, relates directly to Indian Manpower programs with the definition of Indians including both reservation and urban groups. In many corridors CETA is regarded as a model piece of Indian self-determination legislation.

It provides for program administration and operation by Indian people and recognizes Indian organizational entities such as Urban Indian Centers as potential prime sponsors. Above all it takes into account the extreme deprivation of Indian people by reserving for Indian manpower programs not less than 4% of the total Title I appropriation.



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Ltr. to Mr. [redacted]

This is, needless to say, a remarkable percentage considering that the Indian population represents only 0.4% of the total population.

The Regulations for C TA's Indian Manpower Programs were published in the Federal Register on June 26. Please find enclosed a copy of these as well as a copy of an August issue of "Interchange" which should provide you with further information.

Another recent piece of Legislation which includes Urban Indian groups within its scope is the Housing and Community Development Act of 1974, PL. 93-383. You might wish to obtain a copy of this as well as the proposed rulemaking relative to this Act, published in the Federal Register on September 17, Volume 39, Number 181.

I would now like to turn to the activities of the Department of Health, Education and Welfare (DHEW) vis a vis Urban Indian Affairs, and in particular the activities of my office, the Office of Native American Programs (ONAP).

ONAP is a relatively new office within the Department. It came into existence in August of 1973 when the transfer of the Office of Economic Opportunity (OEO) Indian Division took effect. It comprises not only the grant-in-aid program previously operated under the auspices of OEO, but also the authorities and responsibilities of what had been the DHEW Office of Indian Affairs. This latter Office had operated as an advocacy office for Indian people and as the primary departmental advisory body to the Secretary of HEW with regards to the review and formulation of Departmental policy. ONAP also inherited the responsibility for taking the lead in Urban Indian Affairs. Although this responsibility was originally placed in OEO as a result of the 1970 Presidential Statement on Indian Affairs, it, too, was transferred to DHEW in August of last year.

All Native Americans, be they Federally recognized, State recognized or Urban organizations, are eligible for receipt of ONAP resources. At present, ONAP grants cover 175 tribes, tribal groups, communities, and Alaskan Villages as well as 52 urban organizations of which 19 were new programs in FY '74. For FY '74 ONAP expended 4.2 million dollars for urban programs and it is anticipated that in FY '76, this figure will increase by another one million dollars.

During the Spring of this year the decision was made to regionalize the ONAP Urban Indian Programs in order to place the urban projects in greater proximity to state and local resources which they might tap for additional funding. The Regional Offices have been directed to assist their Urban Indian grantees and other Urban Indian groups in identifying



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Ltr. to Mr. Douglas

and coordinating with various potential sources of funding. The objective in this effort is to increase the Urban Indian's access to programs and services which in the past have all too frequently been out of his reach.

The individual whom you might wish to contact in the Region V office is Mr. George Holland. It is he who has primary responsibility for Urban Indian Affairs in your Region.

Another area in which ONAP has made recent strides regarding Urban Indians is in our Indian input and consultation mechanism. During October, November and December of last year we conducted a series of Regional consultation meetings with Urban Indian representatives. Many of the ideas and concerns expressed by the attendees at this time are reflected in the ONAP long-range Indian strategy which has been incorporated into the overall DHEW Office of Human Development's Planning Process.

There are also other programs, besides ONAP, which provide funds to Indians, regardless of their place of residence. For example, National Institute for Alcohol Abuse and Alcoholism (NIAAA) awards grants from its Indian set aside monies to Indian groups be they reservation, rural, or urban, for alcohol prevention and rehabilitation projects. Under Title IV, Part A of the Indian Education Act, the Office of Education (OE) provides money to local educational Agencies, which can obviously be made up of urban, rural or reservation representatives. The Indian Health Service (IHS) is another example of the expanding resources and focus on Urban Indians. As you know, IHS has in the past primarily served the Reservation Indian population. Yet several years ago they began contracting with Urban Indian groups to conduct studies to define such things as Indian health needs, health barriers, outreach practices, and so on. At the moment, there are eight city sites with IHS contracts, namely: Chicago, Seattle, Milwaukee, Dallas, Minneapolis, Oklahoma City, Denver and Portland, as well as a contract with the California Urban Indian Health Council, an umbrella organization which itself serves nine urban sites. The name of the Chicago organization is Indians for Indians, Inc., the Director of which is Mr. Al Cobe. Should you wish to contact him the address is: 1046 West Wilson Avenue, Chicago, Illinois 60640.

You will find enclosed a copy of names, addresses and phone numbers of the DHEW Indian Officers/Directors. All of these, excepting one, might be of some assistance to you at a later date regarding a more detailed accounting of resources and efforts directed at the Urban Indian population. The one exception is Mr. Dominic Mastrapasqua since the Indian Head Start Program is directed totally at reservations.



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LTR. to Mr. Douglas

I do hope that the information provided here will be of assistance to you. Should you later find yourself in need of further material, please do not hesitate to contact me. In the mean time I and my staff will be most anxious to learn of your activities in the Chicago area with respect to your Urban Indian population.

I am forwarding a copy of this letter to Mr. George Holland of the Regional Office, whom I mentioned above. It is my understanding from Mr. Patterson that you would be interested in meeting with the appropriate Regional staff in order to discuss some of these issues. I am, therefore, requesting Mr. Holland to contact you so that together you might arrange a convenient time for the appropriate people to get together. In the event that you also wish a member of my staff to attend any such meeting please let me know.

Sincerely,

/s/ George Blue Spruce, Jr.

George Blue Spruce, Jr., D.D.S., M.P.H.
Director
Office of Native American Programs

Enclosures

- List of HEW Indian Desk Directors
- August issue of "Interchange"
- Copy of regulations for CETA



September 23, 1974

MEMORANDUM FOR:

GEORGE BLUE SPRUCE

SUBJECT:

Letter from Illinois State
Representative Bruce Douglas

Instead of writing Mr. Douglas in response to his letter, I telephoned him. He was overseas, but returned and called me today and we had a long talk. He claims he represents perhaps 15,000 to 20,000 Chicago urban Indians. I explained why BIA keeps out of the urban Indian picture, how your office inherited the Presidential (July 8, 1970) instructions to OEO to lead the urban Indian effort, explained how the General Revenue Sharing, CETA, Housing and similar acts now include urban Indian groups as eligible and mentioned (as he knew) that Indian Health had limited seed money for urban Indian projects. He asked if we would (a) put this in writing for him and (b) be willing to help get a meeting together in Chicago with him and with the appropriate regional people -- or have him come here if necessary.

Do you have such a broad information sheet on the eligibilities available for urban Indians, including CETA and housing etc? If not, would you at least give him some of the specific statutory citations and xerox the pages from the right statutes so he knows where to start? I would appreciate it if you would write him on the President's behalf (with a copy sent back to me) and mention my conversation with him.

Please also discuss the possibility of a meeting, either in Chicago or Washington.

Thank you,

Bradley H. Patterson, Jr.



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OCT 25 1974

Mr. John A. Crowe, Principal Chief
The Eastern Band of Cherokee Indians
Qually Boundary
P.O. Box 455
Cherokee, North Carolina 28719

Dear Mr. Crowe:

Your letter of September 13 to President Ford has been forwarded to me for reply.

I am pleased to have this opportunity to address the issue you raised relative to the funding authority of the Office of Native American Programs (ONAP). It appears that there is considerable misunderstanding relative to this matter. Hopefully, this letter will serve to eliminate the confusion.

To begin with, ONAP inherited those programs and responsibilities previously operated under the auspices of the Office of Economic Opportunity's (OEO) Indian Division. These responsibilities and authorities included the Presidential mandate, by virtue of the 1970 Indian Message, to take the lead among Federal agencies in addressing and meeting the needs of off-reservation Indians. In other words, concomitant with the transfer of the OEO's Indian grant-in-aid programs the Department of Health, Education, and Welfare (DHEW) was delegated as the agency with primary responsibility for continuation of the off-reservation Indian efforts.

Secondly, we would like to point out that funding authority in the Economic Opportunity Act contains no mention of restriction to only Federally recognized tribes. The statute states that "The Director may provide financial assistance to Community Action Agencies for the planning, conduct, administration and evaluation of Community Action Programs and components. These components may involve, without limitation, other activities and supporting facilities designed to assist participants including the elderly poor."

The ONAP within this Department is presently funding the Lumbee Regional



Page - 2 - Mr. John A. Crowe

Development Association as your letter noted. The authority for funding that corporation, a public, non-profit corporation, is Section 222(a) of the Economic Opportunity Act which provides for special programs "to meet or deal with particularly critical needs or problems of the poor." In other words, eligibility for assistance under this statute is based on economic condition and not on "Indianness." The assistance which the Lumbee Regional Development Association receives pursuant to this statute is because of the Lumbee's status as a poverty group, and not because of their status as Indians. Consequently, P.L. 84-507 stating that "nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians shall be applicable to the Lumbee Indians," is not applicable with respect to this ONAP grant.

There is, therefore, no illegality of expenditures as your letter states. Since its inception, ONAP has been concerned with and acted on the behalf of all Indians, regardless of their place of residence. Its authority to do so as outlined above is further magnified by the fact that ONAP also inherited the responsibilities and authorities of what had been the Office of Indian Affairs in the DHEW. This latter office served as advocate for all Indian people and as advisor to the Secretary of the Department regarding policies relative to all Indian affairs.

One more reference which might serve to assure you that ONAP is not providing illegal funding to organizations not eligible for Indian programs and that ONAP is not, nor shall it be, restricted to funding only Federally recognized tribes is the language used in the Notice of Designation signed by Director Designate Alvin J. Arnett at the time of the OEO's Indian Division transfer to the DHEW. This Notice of Program Designation, published in the Federal Register on July 20, 1973, states that grants will be awarded to include such purposes as "the support for establishment and operation of urban centers serving Indian people living off reservations and funding to encourage self-help and community economic development efforts."

Please be assured, Mr. Crowe, that at no time have funds been expended on behalf of the urban or off-reservation Indian population to the detriment of the Federally recognized tribes.



Page - 3 - Mr. John A. Crowe

I do hope that the above information has helped to clarify this issue for you and allay any fears or concerns you might have had regarding possible unauthorized expenditures on the part of ONAP.

If I might be of any further assistance to you, please do not hesitate to contact me.

Sincerely,


George Blue Spruce, Jr., D.D.S., M.P.H.
Director
Office of Native American Programs

THE WHITE HOUSE

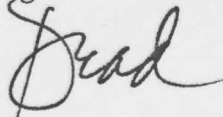
WASHINGTON

September 20, 1974

George:

Kindly prepare a response for my signature.

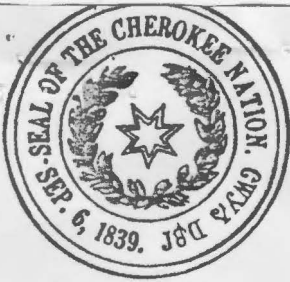
I think we should do a fairly positive defense and assertion of OEO/ONAP's authority to assist any disadvantaged people because they are economically disadvantaged (to use the OEO Act language) and many of them happen to be Indian. Using this authority, and spurred by the President's Message of 1970 (quote it) ONAP aids many Indian recipients both on and off Federally recognized reservations and will continue to do so. BIA and HEW funds for Federally recognized Indian tribes themselves have gone from _____ in FY 1969 to _____ in FY 1975. That kind of tone. Do you agree?



Bradley H. Patterson, Jr.

George Blue Spruce
ONAP/HEW





THE EASTERN BAND OF CHEROKEE INDIANS

QUALLA BOUNDARY / P. O. BOX 455, CHEROKEE, N. C. 28719 • PHONE (704) 497-2771, 497-4771

John A. Crowe
Principal-Chief

Leroy Wahnetah
Vice-Chief

Jerome Parker
Executive Advisor

June Maldonado
Office Manager

Mildred Jessan
Enrollment Officer

Alice Lambert
Administrative Assistant

Robert Blankenship
Tribal Planner

Patricia Smith
EDA Secretary

Elsie Arch
Receptionist

September 13, 1974

To George Blue Spruce
ONAP/HEW

BP
The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D. C.

Dear Mr. President:

Recently it was brought to my attention that the Office of Native American Programs, Department of Health, Education and Welfare, has been funding a non-federally recognized group with money designated for federally recognized Indian tribes.

For the last three years the regional office of the Office of Economic Opportunity and later the Office of Native American Programs have funded the CAP agency of the "Lumbee", the Lumbee Regional Development Association, with money mandated for reservation and urban Indians, in spite of PL 570 which specifically precludes the "Lumbee" from receiving such Indian money. (PL 570 copy attached.)

Lobbying activities on the part of the "Lumbee" and their supporters have fashioned HR 12216 which would extend ONAP eligibility to the "Lumbee" in an effort to legitimize their receipt of such funds. (This Bill, as amended will soon be released by the Committee on Interior and Insular Affairs.) The wording of HR 14449, the new ONAP legislation, is so vague as to allow the inclusion of almost any group claiming to be Indian. (This Bill has been passed by the House, but has not been passed by the Senate.)

The alteration of the original OEO and ONAP eligibility criteria to include other than federally recognized tribes on reservations and in urban areas is totally unacceptable. Such a change will not alter the illegality of previous expenditures on the "Lumbee", nor will such changes encourage a better relationship between the government and the American Indian. Though this relationship has historically been of little serious concern to the government, it has always been of great consequence.



TRIBAL COUNCIL MEMBERS:

Joe Bradley, Chairman; Jonathan Ed Taylor, Vice Chairman; Gerard Parker, Edmund Youngbird, Bertha Saunooke, John Young, Tom Bradley

The Honorable Gerald R. Ford
Page 2
September 13, 1974

At various times the "Lumbee" have claimed to be Croatans, Tuscarora, Cherokee, and simply "the Indians of Robeson County". The "Lumbee" do not live on a reservation, they have no language nor culture to distinguish themselves from other non-Indians, they are not an urban segment of a recognized tribe, they have no rolls as do recognized tribes, they are precluded by law from receiving funds earmarked for Indians, and yet they have been receiving such funds.

The Robeson County, North Carolina area certainly deserves no less economic aid than any other. However, the illegal funding of non-recognized groups with money designated for recognized Indian Tribes must stop. Should Congress pass this legislation, and fail to review these misappropriations, they will be endorsing a gross injustice to recognized Native Americans of no less importance than the injustices imposed upon the American people by "Watergate cover-ups".

Native Americans are proud of their languages, their histories, and cultures. These were preserved only at great individual and tribal sacrifice. What we have preserved is shared willingly with those who worked as our brothers, but not with those who suddenly claim brotherhood.

We would appreciate your immediate investigation of these misappropriated funds.

Sincerely,

EASTERN BAND OF CHEROKEE INDIANS

John A. Crowe
John A. Crowe
Principal Chief

Ige Bradley
Ige Bradley, Chairman
Tribal Council

JAC/JB:ejw

Attachment



Public Law 570

CHAPTER 375

June 7, 1956
[H. R. 4636]

AN ACT

Relating to the Lumbee Indians of North Carolina.

Whereas many Indians now living in Robeson and adjoining counties are descendants of that once large and prosperous tribe which occupied the lands along the Lumbee River at the time of the earliest white settlements in that section; and

Whereas at the time of their first contacts with the colonists, these Indians were a well-established and distinctive people living in European-type houses in settled towns and communities, owning slaves and livestock, tilling the soil, and practicing many of the arts and crafts of European civilization; and

Whereas by reason of tribal legend, coupled with a distinctive appearance and manner of speech and the frequent recurrence among them of family names such as Oxendine, Locklear, Chavis, Drinkwater, Bullard, Lowery, Sampson, and others, also found on the roster of the earliest English settlements, these Indians may, with considerable show of reason, trace their origin to an admixture of colonial blood with certain coastal tribes of Indians; and

Whereas these people are naturally and understandably proud of their heritage, and desirous of establishing their social status and preserving their racial history: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians now residing in Robeson and adjoining counties of North Carolina, originally found by the first white settlers on the Lumbee River in Robeson County, and claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina, shall, from and after the ratification of this Act, be known and designated as Lumbee Indians of North Carolina and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of North Carolina and of the United States as they enjoyed before the enactment of this Act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of North Carolina and the United States. Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

Lumbee Indians
of North Carolina.

SEC. 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved June 7, 1956.

Public Law 571

CHAPTER 376

AN ACT

To further amend the Military Personnel Claims Act of 1945.

June 7, 1956
[H. R. 3996]



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20201

Dr. Bruce L. Douglas
State Representative, 12th District
Illinois House of Representatives
1725 West Harrison
Chicago, Illinois 60612

Dear Dr. Douglas:

I have just received a copy of your August 14 letter to President Ford and a request from Mr. Bradley Patterson of the President's staff to expand on many of those subjects which you and he recently discussed in a phone conversation.

Let me begin by saying that I am delighted to learn of your expressed interest in the Urban Indians of Chicago. As you noted in your letter, thus far only minimal attention has been paid this segment of the United States population by the Federal Government or for that matter by State and local governments.

The tide appears to have turned, however, as is evidenced by legislation, Administration commitments and activities over the past several years. I understand that Mr. Patterson enumerated several of these areas to you over the phone but he has requested that I expand on them at this time and where possible provide you with specific statutory citations on Public Law numbers to facilitate your compilation of information.

Although the General Revenue Sharing Act does not directly benefit the Urban Indian population, other than as part of the general population, there is an example of Special Revenue Sharing specifically including Urban Indians as potential beneficiaries. Title III, Part A, Section 302 of the Comprehensive Employment and Training Act of 1973 (CETA), Pl. 93-203, relates directly to Indian Manpower programs with the definition of Indians including both reservation and urban groups. In many corridors CETA is regarded as a model piece of Indian self-determination legislation.

It provides for program administration and operation by Indian people and recognizes Indian organizational entities such as Urban Indian Centers as potential prime sponsors. Above all it takes into account the extreme deprivation of Indian people by reserving for Indian manpower programs not less than 4% of the total Title I appropriation.



Page 2

Ltr. to Mr. Douglas

This is, needless to say, a remarkable percentage considering that the Indian population represents only 0.4% of the total population.

The Regulations for CETA's Indian Manpower Programs were published in the Federal Register on June 26. Please find enclosed a copy of these as well as a copy of an August issue of "Interchange" which should provide you with further information.

Another recent piece of legislation which includes Urban Indian groups within its scope is the Housing and Community Development Act of 1974, Pl. 93-383. You might wish to obtain a copy of this as well as the proposed rulemaking relative to this Act, published in the Federal Register on September 17, Volume 39, Number 181.

I would now like to turn to the activities of the Department of Health, Education and Welfare (DHEW) vis a vis Urban Indian Affairs, and in particular the activities of my office, the Office of Native American Programs (ONAP).

ONAP is a relatively new office within the Department. It came into existence in August of 1973 when the transfer of the Office of Economic Opportunity (OEO) Indian Division took effect. It comprises not only the grant-in-aid program previously operated under the auspices of OEO, but also the authorities and responsibilities of what had been the DHEW Office of Indian Affairs. This latter Office had operated as an advocacy office for Indian people and as the primary departmental advisory body to the Secretary of HEW with regards to the review and formulation of Departmental policy. ONAP also inherited the responsibility for taking the lead in Urban Indian Affairs. Although this responsibility was originally placed in OEO as a result of the 1970 Presidential Statement on Indian Affairs, it, too, was transferred to DHEW in August of last year.

All Native Americans, be they Federally recognized, State recognized or Urban organizations, are eligible for receipt of ONAP resources. At present, ONAP grants cover 175 tribes, tribal groups, communities, and Alaskan Villages as well as 52 urban organizations of which 19 were new programs in FY '74. For FY '74 ONAP expended 4.2 million dollars for urban programs and it is anticipated that in FY '76, this figure will increase by another one million dollars.

During the Spring of this year the decision was made to regionalize the ONAP Urban Indian Programs in order to place the urban projects in greater proximity to state and local resources which they might tap for additional funding. The Regional Offices have been directed to assist their Urban Indian grantees and other Urban Indian groups in identifying



Page 3

Ltr. to Mr. Douglas

and coordinating with various potential sources of funding. The objective in this effort is to increase the Urban Indian's access to programs and services which in the past have all too frequently been out of his reach.

The individual whom you might wish to contact in the Region V office is Mr. George Holland. It is he who has primary responsibility for Urban Indian Affairs in your Region.

Another area in which ONAP has made recent strides regarding Urban Indians is in our Indian input and consultation mechanism. During October, November and December of last year we conducted a series of Regional consultation meetings with Urban Indian representatives. Many of the ideas and concerns expressed by the attendees at this time are reflected in the ONAP long-range Indian strategy which has been incorporated into the overall DHEW Office of Human Development's Planning Process.

There are also other programs, besides ONAP, which provide funds to Indians, regardless of their place of residence. For example, National Institute for Alcoholic Abuse and Alcoholism (NIAAA) awards grants from its Indian set aside monies to Indian groups be they reservation, rural, or urban, for alcohol prevention and rehabilitation projects. Under Title IV, Part A of the Indian Education Act, the Office of Education (OE) provides money to Local Educational Agencies, which can obviously be made up of urban, rural or reservation representatives. The Indian Health Service (IHS) is another example of the expanding resources and focus on Urban Indians. As you know, IHS has in the past primarily served the Reservation Indian population. Yet several years ago they began contracting with urban Indian groups to conduct studies to define such things as Indian health needs, health barriers, out reach practices, and so on. At the moment, there are eight city sites with IHS contracts, namely: Chicago, Seattle, Milwaukee, Dallas, Minneapolis, Oklahoma City, Denver and Portland, as well as a contract with the California Urban Indian Health Council, an umbrella organization which itself serves nine urban sites. The name of the Chicago organization is Indians for Indians, Inc., the Director of which is Mr. Al Cobe. Should you wish to contact him the address is: 1046 West Wilson Avenue, Chicago, Illinois 60640.

You will find enclosed a copy of names, addresses and phone numbers of the DHEW Indian Officers/Directors. All of these, excepting one, might be of some assistance to you at a later date regarding a more detailed accounting of resources and efforts directed at the urban Indian population. The one exception is Mr. Dominic Mastrapasqua since the Indian Head Start Program is directed totally at reservations.



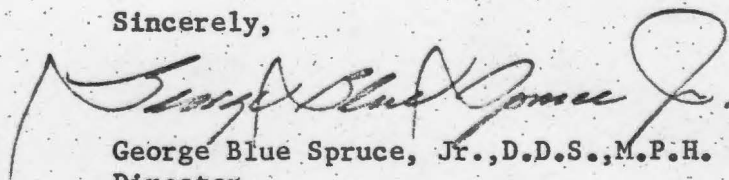
Page 4

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Sincerely,



George Blue Spruce, Jr., D.D.S., M.P.H.
Director
Office of Native American Programs

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