

National Park Boundary Disputes and Changes in the 1970s: Interest Groups Politics

DURATION

Two class periods with reading homework overnight

LOCATION

Classroom

KEY VOCABULARY

Interest Group: individuals & groups organized for common cause or goal

MATERIALS

Resource Packet Folders labeled (Folder not included)

- National Park Service Perspective in the 1970s land dispute
- Havasupai Perspective in the 1970s land dispute
- Sierra Club Perspective in the 1970s land dispute

All Packets get

- Grand Canyon maps showing the Havasupai Reservation boundaries pre-1975 and post-1975 (Hirst, *I Am the Grand Canyon*, 38-39 and 234-35)
- "Interest Group Politics" guide
- Varied Opinions quote sheet
- List of National Park System Areas that had been previously transferred to other federal agencies or political subdivisions
- Map from *A Master Plan for Grand Canyon National Park*
- Senate Bill 1296, 93rd U.S. Congress on Grand Canyon Enlargement

National Park Service packet also includes

- Keller & Turek, *American Indians and National Parks*, chap. 8 (not included here because of copyright laws but an excellent overview and it would be beneficial to borrow or buy the book). If you don't have the book, you can use the overview provided below.
- National Park Service Viewpoints

Havasupai packet also includes

- Hirst, *I Am the Grand Canyon*, chapter 11 (not included with this lesson because of copyright laws but an excellent overview of the Havasupai view and it would be beneficial to borrow or buy the book). If you don't have the book, you can use the overview provided below.
- Statement of the Havasupai Tribe to the US Senate Subcommittee on Parks and Recreation (June 20, 1973)

Environmentalist Packet also includes

- Keller & Turek, *American Indians and National Parks*, chap. 8 (not included here because of copyright laws but this provides an excellent overview and it would be beneficial to borrow or buy the book). If you don't have the book, you can use the overview provided below.
- Statement of John McComb (in quotes document)
- "They're After the Grand Canyon Again" Advertisement
- "The Idea of Wilderness" Brower, *Time and River Flowing Grand Canyon* (EXTRA: not included in packet)

Also included are the following news clippings to provide public views. This may be used for additional learning and analysis if you have time:

- “Land for an Indian Tribe,” *Washington Post*, April 18, 1974.
- “A Chance to Right an Ancient Wrong,” *Los Angeles Times*, June 9, 1974.
- “Grand Canyon Raid,” *New York Times*, July 10, 1974.
- “Letters to the Editor,” *New York Times*, July 19, 1974.
- “Sound Conservation, Elemental Justice,” *Los Angeles Times*, Aug 8, 1974.
- Kenneth Jones, “Letter to the Editor,” *Los Angeles Times*, Aug. 18, 1974.
- “Not So Grand Canyon,” *New York Times*, Dec 18, 1974.

ADDITIONAL
MATERIALS (not
included)

Computer access to Grand Canyon National Park topographic map which identifies the Park boundaries and geographical areas:
<http://www.nps.gov/PWR/customcf/apps/maps/showmap.cfm?alphacode=grca&parkname=Grand%20Canyon%20National%20Park>

Class copies of “Indians and the Canyon,” *Time* (August 12, 1974) online at <http://www.time.com/time/magazine/article/0,9171,908652,00.html>

Hirst, Stephen. *I Am the Grand Canyon: The Story of the Havasupai People*. Grand Canyon: Grand Canyon Association, 2006, chapter 11.

Keller, Robert H. and Michael F. Turek, *American Indians & National Parks*. Tucson: University of Arizona Press, 1998. (Chap. 7 and 8, particularly chap. 8)

3 different colors of highlighter markers (10 of each color for 30 students)
Note: we have chosen three colors below, but they are arbitrary.

60 Minutes segment (DVD): “Who Owns the Grand Canyon” (2/24/1974)

ENDURING
UNDERSTANDING
(BIG IDEA)

The democratic process in the United States includes the hearing of various interest groups, debates, and consensus.

Civil Rights affects many groups and has been a continuous struggle, e.g. American Indians gained more access to the democratic process in the 1960s and 1970s. They also gained more respect for their civil rights and culture from the larger society.

ESSENTIAL
QUESTION/S

- How are decisions made in a democracy?
- How do interest groups organize and present their arguments before political and governing bodies, such as the U.S. Congress?
- In the Grand Canyon land disputes of the 1970s, who was involved, what were the different agendas and who won?
- Does the Grand Canyon belong to anyone?
- How does this case study help explain American society in the 1970s?

LEARNING OBJECTIVES

Students will be able to

- Identify the interest groups involved in the Grand Canyon boundary controversy
- Explain the agendas of the Havasupai, the National Park Service, and environmentalists in this controversy
- Analyze how the boundary disputes were resolved.
- Explain how and why the Havasupai reservation was enlarged in 1975.
- Identify several ways that the Havasupai victory illustrated that the 1970s were a time of “self-determination” and more civil rights for American Indians.
- Explain how this case study of democracy in action illustrates interest group politics?

BACKGROUND

This lesson explores interest-group politics and the 1970s land controversy at the Grand Canyon National Park. It does so to reveal the workings of democracy as well as to show changes in Park policy and changes in federal policies toward American Indians (e.g. more recognition of American Indian cultures and rights).

Historical context. This land controversy takes place in the 1970s, after the civil rights and environmental movements brought significant changes to American society. Inspired by the political activism of African Americans in the Black Freedom struggle, other disadvantaged/minority groups organized to better the conditions of their lives. Women, Puerto Rican-Americans, Latinos, the elderly, gays, and Native Americans organized numerous rights-based campaigns. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 provided legal tools to combat social inequality, while new government programs, such as those fostered by the Office of Economic Opportunity, sought to empower individuals and communities. During this time, a growing number of Americans asserted that “quality of life” should be protected as equally as other constitutionally guaranteed rights. This demand took clearest expression in the burgeoning environmental movement; a movement whose growing influence helped pass important legislation such as the Clean Air Act, Clean Water Act, Wilderness Act, and National Environmental Policy Act. Some environmental campaigns generated awareness about the hazards of environmental toxins, while others moved to preserve the sanctity of protected natural places such as Dinosaur National Monument and Grand Canyon National Park. Occasionally, civil rights activists would also demand solutions for issues that fit under the umbrella of environmentalism. The rhetorical interaction between movements is arguably most recognizable in the discourse of Native Americans and environmentalists, who often borrowed themes or symbols from one another to strengthen their cause. This is perhaps most recognizable in the “Crying Indian” public service announcement that was produced by Keep American Beautiful (available on YouTube). The proposed Grand Canyon Enlargement Act brought Native Americans, specifically the Havasupai, and environmentalists into conflict with one another though.

This particular boundary dispute centered on a master plan to enlarge the

boundaries of the Park and limit land use. The National Park Service and the Sierra Club created the document. In their initial drafts, these two groups consulted others, but they did not consult the Havasupai. When the Havasupai found out that they would be further restricted by the plan, they hired a lawyer and made known their views.

Key questions of the controversy included: Who does the land belong to? How should the land be used? Should this land be allocated to the Havasupai or incorporated into the Park? Should livestock be allowed to graze on it? Should people be able to hike on it? Should it be preserved? Should it cater to tourists? Should it become a Disneyland? Should cars and airplanes be allowed access? Who makes these decisions? Who has a right to the land? What does it mean to set aside land for the public interest? Through this lesson, students will be engaged in these questions and the debate over use of the land. They will do so by exploring the interests and agendas of three groups who were involved in the 1970s debate over the "Master Plan for the Grand Canyon."

In the 1970s, Havasupai Tribal Council Chairman Lee Marshall, pointing to his tribe's occupation of the land for hundreds of years, declared, "I am the Grand Canyon." The National Park Service argued that the Grand Canyon was set aside for the "public interest" and should not be encroached upon. Environmental groups, such as the Sierra Club, contended that the pristine beauty of the Grand Canyon should be preserved and not used.

The readings chosen for this lesson illuminate the various perspectives and Congressional drama.

SUGGESTED PROCEDURE

Homework: On the day before this lesson is started, give each student the *Time* article to read for homework: "Indians and the Canyon," *Time* (August 12, 1974) online at <http://www.time.com/time/magazine/article/0,9171,908652,00.html>

First Day:

1. Open with a discussion about who makes decisions in a democracy (the three branches of the state and federal government; rule by law, interest groups; individual citizen action, etc.). Tell them that what they will be learning in the next two days concerns interest group politics and a case study of democracy in action that involves a land dispute at the Grand Canyon. Tell the students that they will be presenting different perspectives and ideas on how to use the Grand Canyon.
2. Present the general framework of the National Park boundary debate in the 1970s. Outline the case. Ask students how they would marshal public or political support if they were committed to an issue? (i.e. writing letters to politicians, usage of the media and the internet, petition drives, expert testimony, organizational campaign, etc.). After brief discussion, if you have access to the *60 Minutes* segment "Who Owns the Grand Canyon," (2/24/1974),

- show it to the students. If you do not have access to it, you can still continue with the discussion using the *Time* article and your overview of the story. Then ask students to consider the following questions and predict the outcome: Why was there such disagreement over the rights to and usage of the land? How did the media portray the groups and viewpoints (did they sympathize with any particular group)? Who do they think won or lost land?
3. Divide the class into 3 groups: Environmentalists, National Park Service, and Havasupai.
 4. Pass out copies of Hirst's chapter 11 and Keller and Turek's chapter 8 to each student. You may choose to give the Havasupai group the Hirst text and the other two groups the Keller and Turek text, but giving each a copy of two different interpretations of the same event helps students see how historians analyze and present evidence. Historians may select different pieces of evidence to tell the story; they may ignore other aspects of the story. Even using the same evidence, historians may come to very different conclusions. In this case, Hirst includes Marshall's speech and is more sympathetic with the Havasupai while Keller and Turek discuss opposing viewpoints and explain the compromised component of the settlement.
 5. Tell the students to read the chapter looking for any information on the perspective is of their group. As they read, each student should highlight the lines in the article that reveals their group's perspective (students only have to highlight one group's perspective, although students may choose to highlight each to help them learn what the other side thinks):
 - a. Green: highlight with this color all statements that tell of the National Park Service perspective
 - b. Blue: Highlight all portions of the article with this color that tell of the Havasupai perspective
 - c. Red: Highlight all lines that tell of the environmentalist perspective with this color.
 6. Have students begin to read in class with the rest as homework.

Second Day:

1. Begin the class by filling out the "Interest Group Politics" guide individually
2. Break into interest groups and combine answers
3. Declare a spokesperson for the group to present perspective
4. Group presentations with one person assigned to chart the perspectives on the board
5. Discuss as a class the outcome of the dispute. Show the maps of the Grand Canyon National Park before and after the 1975 decision. Discuss who won the debate, why, and how.
6. Discuss how this case study illustrates interest group politics and democracy in action.
7. Discuss how this case study illustrates changing attitudes and actions toward American Indians in the 1970s. This is the era of Self Determination.

	8. Exit Ticket: How does this case study help explain American society in the 1970s?
EVALUATIONS (ASSESSMENT)	Individual work: Reading and Interest Group Politics guide Group presentations of the various group interests, discussion, and debate Exit Ticket
EXTENSIONS	See the next lesson on Havasupai Empowerment to place the Havasupai people in the larger context of Civil Rights and other Freedom Struggles
TECH NOTES	Computer access beneficial
RESOURCES	<p>Hirst, Stephen. <i>I Am the Grand Canyon: The Story of the Havasupai People</i>. Grand Canyon: Grand Canyon Association, 2006.</p> <p>Keller, Robert H. and Michael F. Turek, <i>American Indians & National Parks</i>. Tucson: University of Arizona Press, 1998.</p> <p>“Indians and the Canyon,” <i>Time</i> (August 12, 1974) online at http://www.time.com/time/magazine/article/0,9171,908652,00.html (accessed July 30, 2008)</p> <p>Ingram, Ingram. “Enlarging Grand Canyon National Park: A Participant’s View of the History and Aftermath of the 1975 Grand Canyon Enlargement Act.” In Todd R. Berger, ed. <i>Reflections of Grand Canyon Historians: Ideas, Arguments, and First-Person Accounts</i>. Grand Canyon: Grand Canyon Association, 2008, 31-35.</p> <p>Hirst, Stephen. “A Havasupai Homeland Becomes a National Park.” In Todd R. Berger, ed. <i>Reflections of Grand Canyon Historians: Ideas, Arguments, and First-Person Accounts</i>. Grand Canyon: Grand Canyon Association, 2008, 45-52.</p> <p>Anderson, Michael. “Natural Disasters within Transitional Societies: The Havasupai Indians at Supai, Arizona.” In Todd R. Berger, ed. <i>Reflections of Grand Canyon Historians: Ideas, Arguments, and First-Person Accounts</i>. Grand Canyon: Grand Canyon Association, 2008, 37-43.</p> <p>Handouts for packets</p>
STANDARDS (National History Standards http://nchs.ucla.edu/standards/)	<p>Era 9: Postwar United States (1945 to early 1970s), especially Standard 4: The Struggle for racial and gender equality and the extension of civil liberties.</p> <p>Historical Thinking Standard 3. Historical Analysis and Interpretation and Standard 5. Historical Issues—Analysis and Decision-Making.</p>

Resource Packet Folder:

National Park Service
Perspective

in the
1970s Grand Canyon Land
Dispute

Resource Packet Folder:

Havasupai Perspective

in the

1970s Grand Canyon Land

Dispute

Resource Packet Folder:

**Sierra Club
Perspective**

**in the
1970s Grand Canyon Land
Dispute**



I AM THE GRAND CANYON

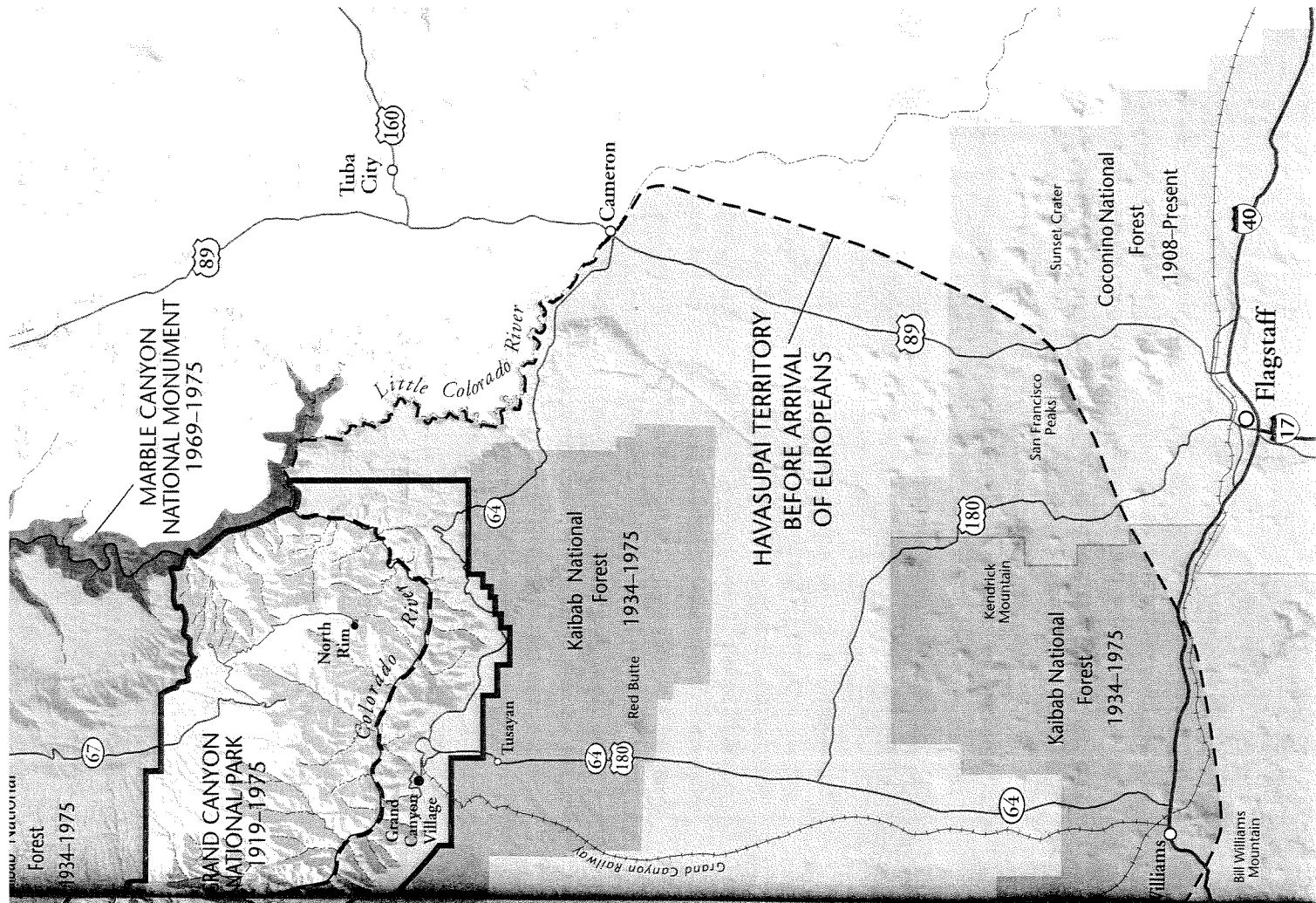
The Story of the Havasupai People

by Stephen Hirst

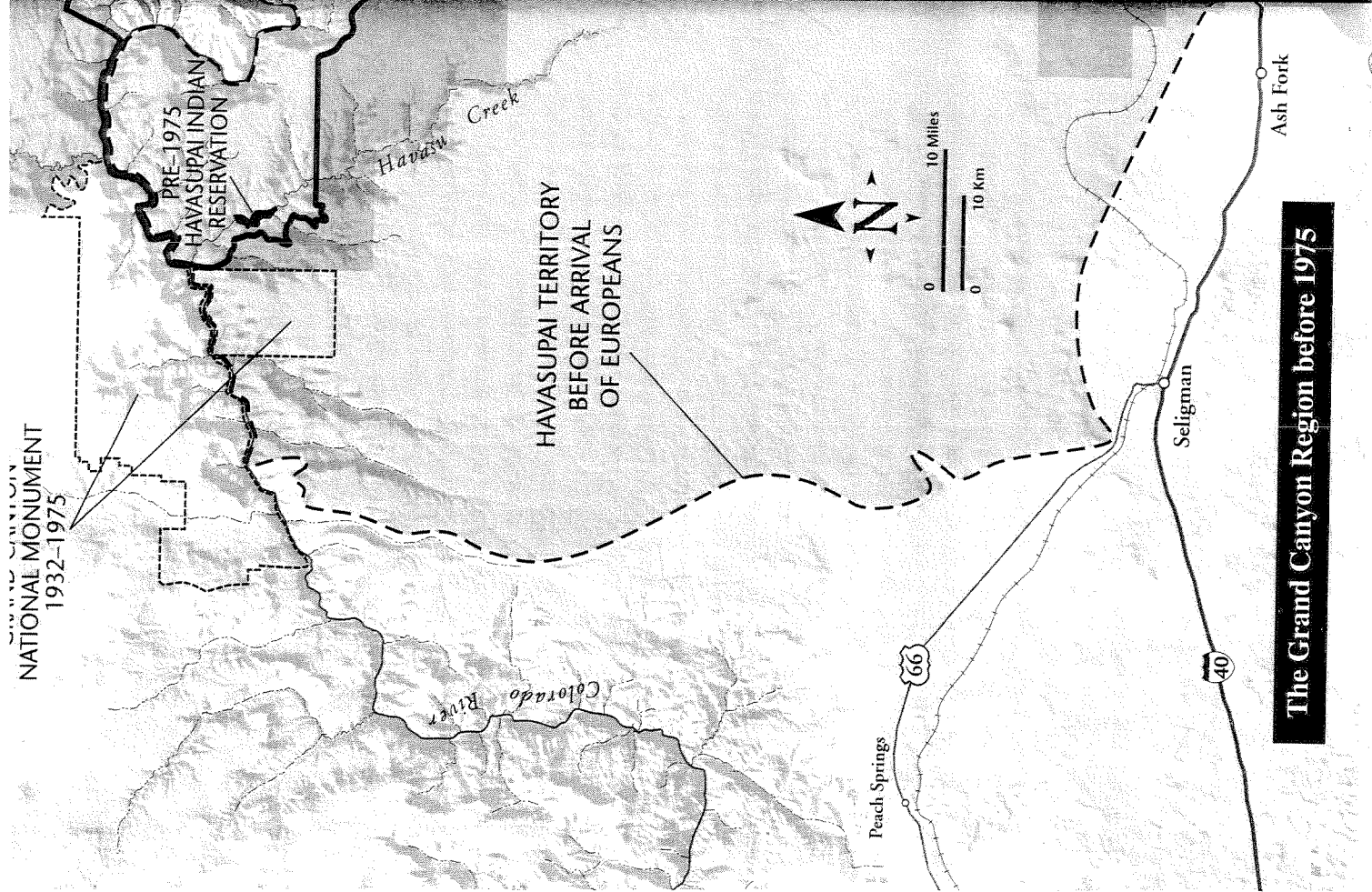


GRAND
CANYON
ASSOCIATION

2006

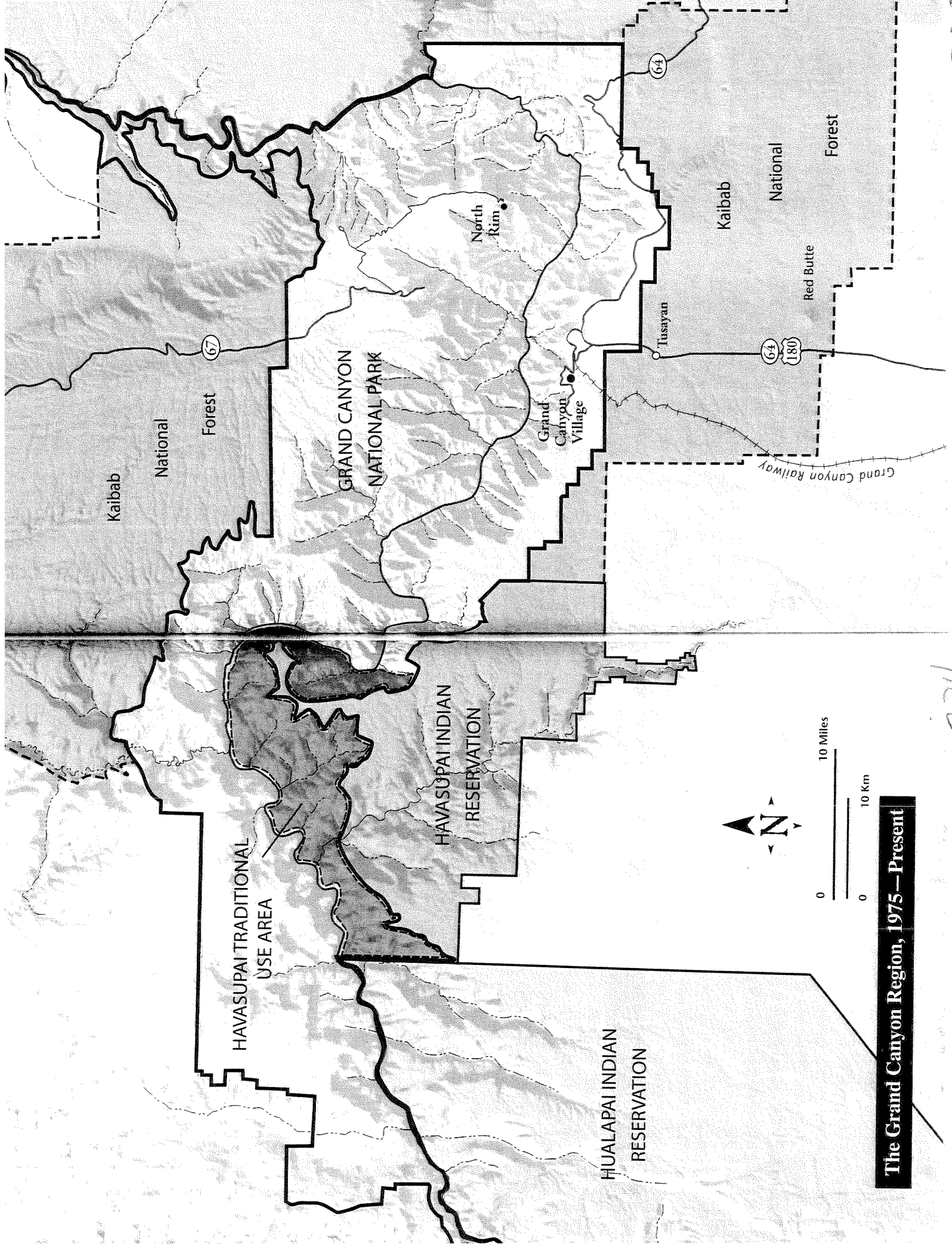


39



38

The Grand Canyon Region before 1975



The Grand Canyon Region, 1975—Present

234

235

Interest-Group Politics in the United States
Case Study: Grand Canyon Land Dispute in the 1970s

Grand Canyon National Park

Why were you involved in this debate? What was your interest in it?	What did you want?	What reasons did you have to make your argument a strong case?	Did you change your arguments or change course during the debate? (compromise?)	What did you win or lose as this played out before Congress?

Environmentalists

Why were you involved in this debate? What was your interest in it?	What did you want?	What reasons did you have to make your argument a strong case?	Did you change your arguments or change course during the debate? (compromise?)	What did you win or lose as this played out before Congress?

Havasupai

Why were you involved in this debate? What was your interest in it?	What did you want?	What reasons did you have to make your argument a strong case?	Did you change your arguments or change course during the debate? (compromise?)	What did you win or lose as this played out before Congress?

*Varied opinions
on the proposed Grand Canyon Enlargement Act
and return of land to the Havasupai*

Barry Goldwater to Morris Udall. letter (4/26/73):

‘More than anything else that I have attempted to do in [my] years in Congress is get the Grand Canyon bill passed.... This bill is long, long overdue. It will give the Grand Canyon the protection it is going to need. It will not affect the cattlemen, it will not affect the Indian, it will only affect those people who want to abuse the Canyon, and, believe me, as one who has practically spent his life in it, the numbers are growing.’

(quoted in Robert H. Keller & Michael F. Turek, *American Indians & National Parks*, (Tucson: University of Arizona Press, 1998), 156

Ben Avery, member of the Western Regional Advisory Committee for the National Park Service, Testimony before the Subcommittee on National Parks and Recreation on S. 1296 (June 20, 1973)

“I do not believe that the grant of land to the Havasupai should be made in this bill. It should be a separate action, and their problem should be solved, in my opinion, by grazing allotments on the national forest to assure better management of land. Also, it would be a mistake to relinquish National Park Service control over the waterfalls below Supai. This is a very sensitive area, and economic pressures on the tribe would remove all protective measures. The monetary return to the tribe would be paltry, and the resource would be damaged beyond repair.”

Sterling Mahone, Hualapai Tribal Council, Testimony before the Subcommittee on National Parks and Recreation on S. 1296 (June 20, 1973)

“the Hualapai Tribal Council must oppose S. 1296 unless three important amendments are made. Section 3(a) contains the first unacceptable provision. Pursuant to section 3(a), all of the land opposite the Hualapai Reservation on the north side of the Colorado River would be added to the Grand Canyon National Park. The inclusion of this land in the national park effectively eliminates for all time the development of the proposed Hualapai Dam at the Bridge Canyon Dam site... [Passage of the bill] destroys one of the Hualapai tribe’s principal resources for economic development. The Arizona Power Authority and the Hualapai Tribe have entered into an agreement under which authority has been granted the exclusive right to occupy and use tribal lands for the purpose of constructing, operating, and maintaining the Hualapai Dam. ..Pursuant to this arrangement, the tribe would receive approximately \$1 million in annual revenues from the sale of power created by the Hualapai Dam...in completely eliminating the Hualapai Tribe’s chance to develop its principle economic resource, S. 1296 goes too far.”

whenever ranchers or other commercial interests catch the ear of an influential Senator... deletions are proposed from Grand Canyon National Park and Monument, to be transferred to the Havasupai Indian Reservation, totaling 56,100 acres. These changes are not only highly damaging to the park values, including key areas that visitors are enjoying, but unnecessary, because Havasupai people already use the area in a manner compatible with park values. We would readily support enlargement of the reservation through purchase of nearby private grazing lands, if the Havasupai so desire... Making deletions from the national parks and monuments would open a Pandora's box, full of troubles for the National Park Service, for the Congress, and for the public."

Havasupai Chairman Lee Marshall, Statement of the Havasupai Tribe before the Subcommittee on National Parks and Recreation (November 12, 1973)

"Ask the Park Service what they did to our old homes in 1934. Ask them what they did to Big Jim's place in 1953. Ask them what they did to our burial ground below Havasu Falls. That's how they protect things. We have no faith in the Park Service... Who was it who paid people to kill all the mountain lions around the Grand Canyon? We could have told them the foolishness of that, but no one listens to Indians... They make us laugh when they talk about protecting the environment which they just noticed. Have you seen Grand Canyon Village?... We do not believe the South Rim can support another Disneyland, whether it has so-called environmentalist approval or not. You should replace every Park Service employee on the South Rim, including the superintendent, with a Havasupai before they destroy our homeland forever. We suggest this as the best way to manage all our National Parks."

(quoted in Robert H. Keller & Michael F. Turek, *American Indians & National Parks*, (Tucson: University of Arizona Press, 1998), 168, 169)

Toby Cooper, National Park Conservation Association, in letter to Joanna Carreras (June 24, 1974):

"Southwestern Indians have a poor record as conservationists."
(quoted in Robert H. Keller & Michael F. Turek, *American Indians & National Parks*, (Tucson: University of Arizona Press, 1998), 167.)

Excerpts from David Brower's New York Times Ads (July 8, 1974):

"They're after the Grand Canyon Again? The Grand Canyon!"

"This time the would-be despoilers are exceedingly clever... They are using Indians as a ploy: oppose their scheme and you are 'unkind to Indians'... This time the Havasu are involved, some 425 of them, living in the Shangri-la of Havasu Canyon (which brings them substantial revenue from tourists...). They would like some more land—180,000 acres from the heart of the Grand

Augustine Hanna, Havasupai Tribal Council, Testimony before the Subcommittee on National Parks and Recreation on S. 1296 (June 20, 1973)

“Our plan also adds 1,200 acres of Havasu Canyon between our village and the Colorado River. This area used to be a burial ground for us. The Park Service made a campground of it. Even though the things of the dead should be left to them, those things are all gone with hikers and campers now. We had nothing to say about it. Is this how conservationists are going to protect our land? The only trail to the campground runs through our little 519 acres of land. If we are going to have tourists in our canyon, it should be under our control of land. We’d welcome them that way. Not many of you would stand the humiliation we stand every day. We live in a Park Service zoo. We have to open our house to somebody else’s guest. Remember, we used to own the whole place... Now we come to the big trouble for this bill: these so-called conservation groups who keep saying we want to get this land to make some kind of big developments on it. That’s just crazy... We have a little tribal tourist business which just lets hikers and horse riders come visit our lands. This is our only income, and we are going to keep it going. But we are not talking about anything more than that; none of us wants anything more than that. Some big business operation would change us into white people, and we like our way of life, the way it is. We think it is better than yours.”

John McComb, Southwest Representative of the Sierra Club (Tucson, AZ), Testimony before the Subcommittee on National Parks and Recreation on S. 1296 (June 20, 1973)

“Of major concern to us is the precedent-setting deletion of park quality lands from the existing Grand Canyon National Park and the two monuments essentially for the purposes of economic development. Our national parks and monuments are supposed to be lands reserved from economic and private uses forever. Lands held in trust for all the people of the United States, for all time. If we violate that trust by yielding to economic pressures to delete lands from the present national park system units in the Grand Canyon, then the future of all national parks will be in jeopardy. In our opinion, S. 1296 is totally unacceptable on that one count alone... A large portion of the lands to be deleted are for the benefit of the Havasupai Indian Tribe. The Sierra Club recognizes the need for improving the social and economic well-being of the Havasupai, as well as other native Americans. We further believe that this can be done without violating the trust committed to the establishment of our national parks. If it is determined that an expanded land base for the Havasupai is desirable... then this land base should be sought outside of the national park system... [the nearby] privately owned ranchlands are better suited to grazing than most of the lands in the park. If additional land for the Havasupai is needed, then it appears to us that the purchase of some of these private lands would better serve the Havasupai without taking public parklands.”

George Alderson, Friends of the Earth Legislative Director (Washington D.C.), Testimony before the Subcommittee on National Parks and Recreation on S. 1296 (June 20, 1973)

[one of reasons for opposition] “S. 1296 would delete from the national park system far more land than would be added, setting a precedent for dismemberment of our national parks

Canyon National Park! (If you know the River, they want Elves' Chasm and forty-four downstream miles.)

What *do* we have here? Is it a cigar-store Indian of the proportions of a Trojan Horse, being wheeled in kindness within the walls? Are dam builders and never-tiring developers hidden inside, ready for a windfall at everyone else's expense? Tramway, road, and marina builders, too, ready to demean one of the world's last great experiences?

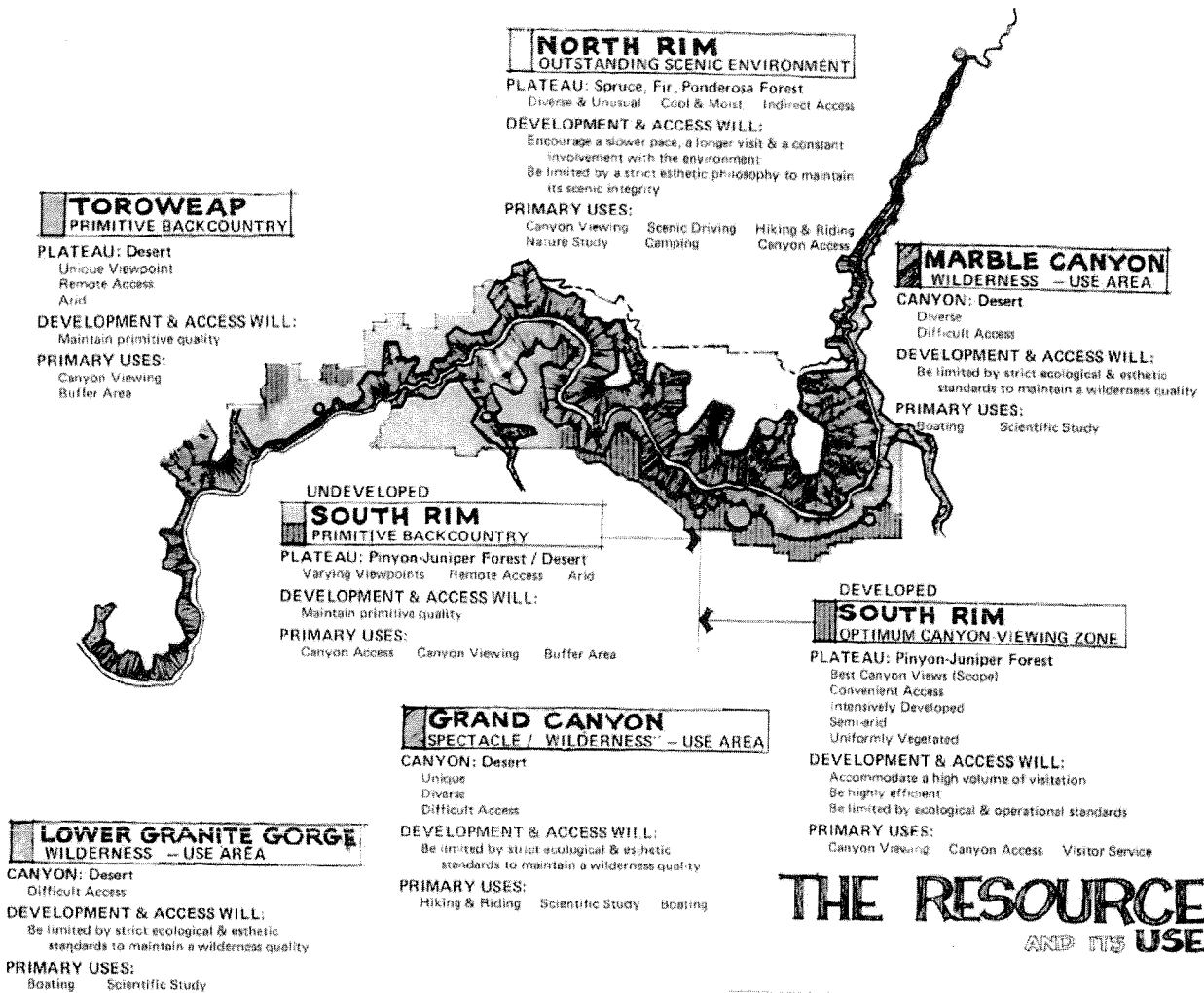
We think so, with reason. The pattern is an old one: Disarm the defenders, deceive a tribal council, and move in. Remember Black Mesa and the Four Corners?...How often have Indians been finessed into playing such an unhappy role?"

(quoted in Robert H. Keller & Michael F. Turek, *American Indians & National Parks*, (Tucson: University of Arizona Press, 1998), 166

The canyon, the rims, and the river are all to be managed for preservation of their significant resource values and managed for appropriate visitor use to enable people to see and experience the essence of Grand Canyon.

**THE CANYON,
THE RIMS, and
THE RIVER**

Since physiography and existing development tend to segment the park into easily defined areas or zones, each having special characteristics and needs, use and development will be discussed within the framework of these broad zones, as they are delineated on the schematic "The Resource and Its Use."



Note: Supai Village is in the bottom of the large side canyon branching off of the South Rim

NATIONAL PARK SYSTEM AREAS WHICH HAVE BEEN TRANSFERRED TO OTHER FEDERAL AGENCIES OR POLITICAL SUBDIVISIONS PURSUANT TO ACTS OF CONGRESS

Area	Size	Location	Creation	Disposal	Transferee
1. Atlanta Campaign National Historic Site	5 sites, 15 acres	Catoosa, Whitfield, Gordon, Bartow, and Paulding Counties, Ga.	Secretarial order, Oct. 13, 1944, 9FRI2862.	Act of Sept. 21, 1950, 64 Stat. 896.	Park system, State of Georgia.
2. Castle Pinckney National Monument	3 1/2 acres	Shoals Folly Island, Charleston, S.C.	Proclamation No. 1713, Oct. 15, 1924, 43 Stat. 1968.	Act of Mar. 29, 1956, 70 Stat. 61.	GSA for disposal.
3. Chickamauga and Chattanooga National Military Park	310 acres	Tennessee-Georgia	Aug. 19, 1890, 26 Stat. 333.	Act of Mar. 5, 1942, 56 Stat. 133.	State of Georgia.
4. Father Millet Cross National Monument	0.0074 acres	Fort Niagara State Park, N.Y.	Proclamation No. 1745, Sept. 5, 1925, 44 Stat. 2286.	Act of Sept. 7, 1940, 64 Stat. 691.	State of New York.
5. Fossil Cycad National Monument	320 acres	South Dakota	Proclamation No. 1641, Oct. 21, 1922, 42 Stat. 2286.	Act of Aug. 1, 1956, 70 Stat. 898.	Returned to public domain.
6. Holy Cross National Monument	1,392 acres	Holy Cross National Forest, Colo.	Proclamation No. 1877, May 1, 1929, 46 Stat. 2993.	Act of Aug. 3, 1950, 64 Stat. 404.	U.S. Forest Service.
7. Lewis and Clark Cavern National Monument	160 acres	Jefferson County, Mont.	Proclamation No. 807, May 11, 1908, 85 Stat. 2187; May 16, 1911, 37 Stat. 1697.	Act of Aug. 24, 1937, 50 Stat. 746.	State of Montana for State park and recreation.
8. Mackinac Island National Park (administered by Secretary of War)	About 2 square miles	Straits of Mackinac, Mich.	Act of Mar. 3, 1875, 18 Stat. 191.	Act of Mar. 2, 1895, 28 Stat. 189.	State of Michigan.
9. New Echoia Marker National Monument	1 acre	Georgia	Executive Order No. 6228, July 28, 1933.	Act of Sept. 21, 1950, 64 Stat. 896.	Park system, State of Georgia.
10. Old Kasaan National Monument	39.7 acres	Prince of Wales Island, Alaska	Proclamation No. 1351, Oct. 25, 1916, 39 Stat. 1812.	Act of July 26, 1955, 69 Stat. 380.	Tongass National Forest.
11. Papago-Saguaro National Monument	2,050.43 acres	Marcopa County, Ariz.	Proclamation No. 1262, Jan. 31, 1914, 38 Stat. 1991.	Act of Apr. 7, 1930, 46 Stat. 142.	State of Arizona, city of Tempe, and National Guard of Arizona, for park and rifle range, respectively.
12. Santa Rosa Island National Monument	9,500 acres	Escambia County, Fla.	Proclamation No. 2337, May 17, 1939, 53 Stat. 2542.	Act of July 30, 1946, 60 Stat. 712.	Escambia County, Fla.
13. Shoshone Caverns National Monument	210 acres	Cody, Wyo.	Proclamation No. 880, Sept. 21, 1909, 36 Stat. 2501.	Act of May 17, 1954, 68 Stat. 98.	City of Cody, Wyo.
14. Sully's Hill National Park	960 acres	Benson County, N. Dak.	Act of Apr. 27, 1909, 33 Stat. 323, and proclamation of June 2, 1904, 33 Stat. 2370.	Act of Mar. 3, 1931, 46 Stat. 1509.	Department of Agriculture as Sully's Hill National Game Preserve.
15. Verendrye National Monument	253 acres	T192H, R93W (Garrison Reservoir), N. Dak.	Proclamation No. 1380, June 29, 1917, 40 Stat. 1677.	Act of July 30, 1956, 70 Stat. 730.	Part to Garrison Dam project; part to North Dakota as a historic site.
16. Wheeler National Monument	3,001 acres	Cochetopa and Rio Grande National Forests, Colo.	Proclamation No. 831, Dec. 7, 1908, 35 Stat. 2214.	Act of Aug. 3, 1950, 64 Stat. 405.	U.S. Forest Service.
17. Glacier National Park	68.47 acres	Montana	Act of May 11, 1910, 36 Stat. 354.	Act of Apr. 11, 1972, 86 Stat. 120.	Do.
18. Lassen National Park	482 acres	California	Act of Aug. 9, 1916, 39 Stat. 442.	do	Do.
19. Petersburg National Battlefield	257.53 acres	Virginia	Act of Aug. 24, 1962, 76 Stat. 403.	do	City of Petersburg, Va.
20. Arches National Monument	9,359 acres	Utah	Proclamation Apr. 12, 1929, 46 Stat. 2988.	Act of Nov. 12, 1971, 85 Stat. 422.	Bureau of Land Management.
21. Capitol Reef National Monument	12,570 acres	Utah	Aug. 2, 1937, 50 Stat. 1856.	Act of Dec. 18, 1971, 85 Stat. 739.	Do.

¹ Area included in Gulf Islands National Seashore, authorized Jan. 8, 1971.

93^d CONGRESS
1ST SESSION

S. 1296

IN THE SENATE OF THE UNITED STATES

MARCH 20, 1973

Mr. GOLDWATER (for himself, Mr. BEALL, Mr. BROCK, Mr. BUCKLEY, Mr. CURTIS, Mr. DOMINICK, Mr. ERVIN, Mr. FANNIN, Mr. HATFIELD, Mr. HELMS, Mr. HOLLINGS, Mr. HRUSKA, Mr. HUMPHREY, Mr. JAVITS, Mr. KENNEDY, Mr. MCGOVERN, Mr. MANSFIELD, Mr. MONDALE, Mr. MOSS, Mr. PACKWOOD, Mr. PERCY, Mr. SCOTT of Pennsylvania, Mr. SPARKMAN, Mr. THURMOND, and Mr. WILLIAMS) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To further protect the outstanding scenic, natural, and scientific values of the Grand Canyon by enlarging the Grand Canyon National Park in the State of Arizona, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Grand Canyon
5 National Park Enlargement Act".

6 DECLARATION OF POLICY

7 SEC. 2. It is the object of this Act to provide for the
8 recognition by Congress that the entire Grand Canyon, from

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★(Star Print)

1 Lees Ferry to the Grand Wash Cliffs, including tributary
2 side canyons and surrounding plateaus, is a natural feature
3 of national and international significance. Congress therefore
4 recognizes the need for, and in this Act provides for, the
5 further protection and interpretation of the Grand Canyon
6 in accordance with its true significance.

7 ENLARGEMENT OF GRAND CANYON NATIONAL PARK

8 BOUNDARIES

9 SEC. 3. (a) In order to add to the Grand Canyon Na-
10 tional Park certain prime portions of the canyon area possess-
11 ing unique natural, scientific, and scenic values, the Grand
12 Canyon National Park shall comprise, subject to any valid
13 existing rights under the Navajo Boundary Act of 1934, all
14 those lands, waters, and interests therein, constituting ap-
15 proximately one million one hundred and ninety-six thou-
16 sand nine hundred and twenty-five acres, located within the
17 boundaries as depicted on the drawing entitled "Boundary
18 Map, Grand Canyon National Park," numbered 113-20,-
19 000-G and dated February 1973, a copy of which shall be
20 on file and available for public inspection in the offices of
21 the National Park Service, Department of the Interior.

22 (b) For purposes of this Act, the Grand Canyon Na-
23 tional Monument and the Marble Canyon National Monu-
24 ment are abolished, and any lands formerly included within
25 such monuments and not included within the Grand Canyon

1 National Park or the Havasupai Indian Reservation, as en-
2 larged by Act, may be utilized by the Secretary for exchanges
3 for lands to be incorporated into such park by or under
4 this Act. Lands not used for such exchange purposes shall
5 be administered by the Secretary in accordance with the
6 laws applicable to the public lands of the United States and
7 section 6. The combined total acreage of such park as en-
8 larged by subsection (a) and this subsection shall not ex-
9 ceed one million two hundred thousand acres.

10 ACQUISITION OF LANDS BY DONATION OR EXCHANGE

11 SEC. 4. (a) Within the boundaries of the Grand Canyon
12 National Park, as enlarged by this Act, the Secretary of the
13 Interior (hereinafter referred to as the "Secretary") may
14 acquire land and interest in land by donation, purchase with
15 donated or appropriated funds, or exchange; but not by
16 condemnation.

17 (b) Federal lands within the boundaries of such park
18 are hereby transferred to the jurisdiction of the Secretary
19 for the purposes of this Act.

20 PROHIBITION AGAINST TAKING OF STATE OR INDIAN LANDS

21 SEC. 5. Notwithstanding any other provision of this Act
22 (1) no land or interest in land owned by the State of Ari-
23 zona or any political subdivision thereof may be acquired by
24 the Secretary under this Act except with the concurrence of
25 such owner, and (2) no land or interest in land, which is

National Park Service Viewpoints

National Park Service. *A Master Plan for Grand Canyon National Park: [preliminary working draft, third draft, January, 1971. [S.I.]: United States Department of Interior, 1971.*

“Trails into Bright Angel and Kaibab Trail corridor, and the trail from Hualapai Hilltop to Havasu campground will be managed for high visitor use.”-12

Section: “The Proposals”

“Long Mesa is the principal feature in a thumb of plateau land on the south side of the Colorado river, lying between the present national park and national monument. The road and trail from above the canyon rim to the Havasupai Reservation traverses land in this addition. The mesa area, and the adjacent upper portion of Hualapai Canyon with the important Hualapai Hilltop access point to Supai Village should be added to the park to insure appropriate management and development above the reservation and Havasu Canyon. This addition will facilitate the National Park Service’s cooperative management with the Havasupai of Havasu Canyon, provide a single Federal management of the trail system to the Reservation, and permit improved law enforcement through clear-cut responsibility and jurisdiction.”-14

“Addition of Cataract Canyon, a major side canyon of the Colorado River, will give park protection to this scenic and scientific area rim to rim. Cataract Canyon in this area is over 1000 feet deep and is characterized by sheer rock walls and interesting side canyons. The Moqui Trail, an old Indian trail used for centuries by the Havasupais and other tribes, is also located within this addition.”-15

“Scenic easements should be provided on the south side of the river to ensure against undesirable development.”-15

“Lying in Havasu Canyon and surrounded by park land is the Havasupai Indian Reservation. Tourism is the most promising economic asset to the Havasupai who reside at the bottom of the canyon in a picturesque setting. The Indians utilize portions of the park and monument rim areas for grazing cattle and horses that are used to transport visitors to Supai Village... There are limited overnight accommodations in the village. The charm and beauty of Havasu Canyon is attracting more and more people, who threaten the area with results of their heavy impact on a limited, rather fragile environment. With extensive development on the reservation, the Havasupai may lose the charm and beauty of their environment, and ultimately the qualities that attract the visitor. Camping at the Park Service’s Havasu Campground below Supai Village will be limited to an established carrying capacity.”—25

“The National Park Service will be offering planning and technical assistance to the Havasupai, Hopi, Hualapai, Navajo, and Paiute Tribes on the recreational use of Indian lands, and in joint planning efforts involving the national park and Indian canyon-rim lands and river input and

takeout points. The Service is extremely interested in the rim areas within the Indian reservations so as to assure there be no intrusions on the inner canyon environment, and it is eager to lend assistance to the Indian groups as its part in regional planning on lands outside the park.”-37

National Park Service. *A Master Plan for Grand Canyon National Park: [final draft, August 1971].* [S.I.]: United States Department of Interior, 1971.

“The Havasupai are faced with the problem of a growing population and a limited and isolated land resource. The Indians utilize portions of the park and monument areas for grazing and cattle and horses. On the northern portions of the Great Thumb and Tenderfoot Plateau areas this domestic grazing conflicts with prime desert bighorn sheep habitat, which is essential to the existence of the bighorn in the park.”-15

“To assist the Havasupai in implementing their desire for a greater economic base, the National Park Service proposes an enlarged Havasupai Reservation: About 20,000 acres of land on the Tenderfoot Plateau in Grand Canyon National Monument and about 43,000 acres in the Manakacha/Topocoba area could be added to the reservation. The additions would give the Havasupai greater flexibility, and control over their own actions.”-15

“With a greater land base and opportunity to control their own social and economic life, the Havasupai will be less dependent on the need for land outside their reservation.”-16

“The National Park Service is concerned that there be no commercial exploitation of Havasu Creek or lands which would be added to the reservation. There would be no objection to the pumping of water from Cataract Canyon for domestic use of the tribe and to support a tribal cattle industry, provided an adequate flow of water is maintained in Havasu Creek to perpetuate this superlative scenic area...Developments other than grazing improvements or housing on lands which were previously part of the park or monument should receive the concurrence of the Secretary of the Interior.”

“The National Park Service stands ready to assist in the economic growth of the Havasupai by offering recreational and tourist-development assistance on Havasupai lands, by providing training assistance at the Albright training facility, and by offering job opportunities within the park.”-16

(STATEMENT OF HAVASUPAI TRIBE)

To the United States Senate
 Committee on Interior and Insular Affairs
 Subcommittee on Parks and Recreation

June 20, 1973

Our case is clear and undeniable. We are the people of the Grand Canyon. Our legends say the Havasupai were created on these lands of the Grand Canyon's South Rim.

Anthropologists tell us the Yuman people that include us speak the most ancient languages in North America and have lived in the Southwest tens of thousands of years. Archaeologists tell us our people used the pottery fragments found in our canyons more than 1000 years ago. We know of rock paintings made by our people in the Grand Canyon area so long ago they are lost in legend.

Hopi tradition depicts us as the keepers of the Grand Canyon and its sacred places. The Hopi people tell of the Co'onina (Havasupai) Kachina spirit embodying our guardian function.

Arizona's vast Coconino County takes its name from the Hopi word for our people as a recognition of our historical predominance in the area.

In the 1880's we were driven to the tiny canyon farm where we now live. At that time prospectors invading our area had hopes of getting rich from materials they believed to be on our lands, and settlers took from us our life-giving springs and grasslands for themselves and their cattle. Soon we were crowded from all our ancient lands, viewed as intruders in our own land. Our own federal government even took part in our removal when they federalized our plateau lands into national forests and parks without any thought of how we were to live or support ourselves with all our land gone.

We never agreed to the situation we find ourselves in; we were threatened with imprisonment if we left the canyon. Three times--1920, 1943 and 1968--we attempted to regain some part of our former lands through Congressional action. We are trying again. Our oral history locates these lands from the Little Colorado on the east to the Hualapai Reservation and from the San Francisco Peaks and Bill Williams Mountain on the south to the Colorado. We realize that regaining all these lands is now impossible; most of them are gone under cities, ranches, highways and railroads, but we have a right to expect enough to provide for the well-being of our people. Despite our much wider historical claims, we have chosen to be moderate in our demand, relinquishing many areas which we could claim with equal justice, by asking return only of federal lands to which we have undisputable claim. Our purpose is to provide a plan which you can feasibly accept in its entirety and preserve the spirit of this bill but which you could down only by violating the strongest legal precedents.

We hear of the Park Service's need to protect the Grand Canyon for future tourists and of the Forest Service's need to maintain the multiple-use possibilities of its lands. We alone must live and support ourselves on this land; we alone are residents here rather than visitors. We can only support ourselves by the inclusion of usable grazing and farming lands into our reservation. Failing this, we can only survive on government hand-outs. We reject this solution. Charity is demoralizing, and the need for 90 years of it is demoralizing us.

Therefore, the Grand Canyon bill must include

1. return of all the Park and Forest Services' Havasupai grazing allotments and other permit areas to the Havasupai people as part of our reservation. A study of the letters and documents relating to these lands strongly indicates them as Indian land in recognition of our original possession. Moreover, our permit rights on the Park land clearly antedate the Park's establishment. Documents we have attached make it clear beyond any question that our original permit area included the Great Thumb Mesa. For 65 years we have continuously exercised our permit rights on the Great Thumb right up to the present. It is completely unjust to remove this land from our use now under the uninformed pressure of so-called environmentalists who are totally ignorant of our presence in the area. We have already proposed ample concessions from our permit lands to provide the National Park Service with wildlife study areas.

We offer important reasons for our having these permit lands again: They include places sacred to us for the Havasupai burial grounds and homes and the materials found there, and they include the only usable grazing areas available to us. We have no wish to see these places abused by others.

2. permanent establishment of the quarter-square-mile Havasupai residency area at Grand Canyon Village as a separate piece of our reservation. Located within the Park are four sacred materials that we guard for all Indian people; we must have access rights to these materials, and we should have the right to use Indian Gardens, where we lived for so many hundreds of years. The Havasupai area is a symbol to us; once Indian Gardens and the South Rim were our home. They were taken, but the National Park Service has no need to drive us away like some annoyance, as it has tried to do for several decades now. Grand Canyon--an area where we always welcomed our friends and visitors--is being closed to us, its original inhabitants. The 160 acres on top, located in a relatively developed part of the Park and unused by anyone but our people since the creation of the Park, represents a tiny concession from the Park but a great one to us. We should be granted a permanent collecting permit to gather in handfuls the sacred materials in the Park. This is no white man's mining operation; this is a taking by handfuls of paints and dyes we have used for centuries.

3. return of the strip of Forest Service land containing Pasture Wash immediately adjoining our grazing allotment. Pasture Wash provides the best place we can still locate homes and farm on the plateau, and we have long done so. Its separation from our original permit lands came only from the artificial placement of the Gila & Salt River Meridian, not from the natural features and uses of the area. We realize that a private cattle company presently leases the area from the Forest Service. We stand ready to guarantee the continuation of this lease for its full term. The lease was begun in good faith, and we are not people to break agreements.

If the government feels compelled to protect this company's lease, which is little more than a year old, by withholding the land from the people to whom it rightfully belongs, then by the same reasoning the government is obligated to protect the rights which we have exercised on the Great Thumb for 65 years. The government of all the people of the United States cannot employ a double standard of justice for white people and Indian people. The Great Thumb must be returned along with the rest of our permit land.

4. return of Havasu Campground and all the lowerfalls of Havasu Creek to the Havasupai Reservation. As long as this campground and these falls remain under National Park Service control, so is a great part of our life. Under Park Service management this place was terribly run down through their mismanagement and permitted overuse; only now have they recognized the damage and begun to limit the number of people permitted to use it. This is our home. The present situation is unfair by any standards and can lead only to continued friction with the National Park Service.

5. return to us of the 1866 Atlantic & Pacific Railroad indemnity-grant lands, today designated as the southern part of the Grand Canyon National Monument. By 1943 the Interior Department had recognized reversion of these sections to the Havasupai Tribe, based on the 1941 Supreme Court decision of U. S. v Santa Fe Pacific Railroad, as well as supporting restoration of our grazing permit lands to tribal ownership. Despite this, passage of a Congressional bill enacting the return was blocked by Congressman John R. Murdock, who said, "The Indian reservations don't need this land, and I believe it can be put to better use for other purposes, such as grazing." We believe you have a more developed sense of justice today.

We have delineated what part of this National Monument we wish--no more than two-thirds of the original part. We willingly surrendered our claim to the rest to allow the National Park Service space for wildlife study. Yet this bill even cuts us down further by some 3,000 more acres. This further cutback is completely unnecessary, and we must insist on the placement of the northern boundary as we drew it on the attached map. We have a double claim to this area, as the National Park Service has long granted us a permit on it as well, reinforcing our legally re-established possession.

In sum, we are speaking of a reservation approaching 188,000 acres. Though this is still small, we are not many. We do not seek these lands to develop them into any big business, as some so-called environmentalists claim. This malicious report is designed only to get our land for themselves. There is no basis to this belief. We ask for these lands to give our people a home again on the plateau. Many of our people were born there. We love these lands where we gave birth, built our lives and returned our old people to the earth. Our old homes and burial grounds lie on these lands. Our historical, emotional and legal ties and claims to these plateau lands we have outlined are so powerful they are undeniable to any who view them. We invite you to view them.

We believe the reservation we propose is the only one which can provide us with the essential plateau lands which would assure tribal control of our lives and sacred places forever.

The Havasupai Tribal Council, on behalf of the Havasupai people

Oscar Daza Tribal Chairman
Charles G. Gault Jr. Vice Chairman
Leon Rogers
Erwin Crook
Lloyd Thomas
Stanley Manakaja
Augustine H. Hanna

STATEMENT OF JOHN McCOMB, SOUTHWEST REPRESENTATIVE OF
THE SIERRA CLUB, TUCSON, ARIZ.

Mr. McComb. Mr. Chairman, I am John A. McComb, southwest representative for the Sierra Club. I live in Tucson, Ariz., and have an office located at 2014 East Broadway, Tucson, Ariz. 85719. My own personal familiarity with the Grand Canyon began in 1962. Since then I have spent more than 180 days hiking, driving, boating, and flying in and near the canyon. The vast majority of these travels have been on foot exploring the many aspects of this canyon which I love so well.

The Sierra Club's interest in the Grand Canyon is well known, especially to many members of this committee, for it was the focus of one of the hardest fought conservation campaigns in our history. The direct outcome of the battle was, of course, the rejection by Congress of proposals to build two dams on the Grand Canyon. An indirect result was the widespread conviction that Grand Canyon National Park should be enlarged to more completely protect the great geological feature that is the Grand Canyon from those who would mar its majesty with dams, mines, and other destructive activities. Presently, the Sierra Club has about 145,000 members nationwide. Some 1,600 of these live in the State of Arizona and are members of our Grand Canyon chapter. The protection of the Grand Canyon continues to have a very important place in the priorities of the club.

I will not take the time of the committee to extoll the virtues of the Grand Canyon. It has been the subject of dozens of books, films, magazine articles, and television programs. Few persons in the United States have not at least heard of the Grand Canyon. As noted in the declaration of policy contained in S. 1296, the canyon is a "natural feature of national and international significance."

My statement is of necessity fairly lengthy due to the vast geographical extent of the canyon, the plethora of administrative units into which it is presently divided, the many problems needing attention, and the complexities of the legislation needed to adequately deal with this situation.

A brief statement of the philosophy which underlies our position on Grand Canyon Park proposal is appropriate at this point. First, we believe that the ideal national park would encompass the entire ecological and geographical unit which is the Grand Canyon. This would include the main gorge, plus the tributary side canyons which are an integral part, extending from Lees Ferry to the Grand Wash Cliffs, a distance of some 277 river miles. It would also incorporate the plateau lands adjacent to the rim which are both the setting from which most visitors view the canyon and which represent the country into which the canyon has been carved. There is only one serious complication to the achievement of this ideal. This concerns those portions of such an ideal park which are now within three Indian reservations, the Navajo, Havasupai, and Hualapai. The Sierra Club does not advocate the taking of any Indian reservation lands into an enlarged park.

With that exception, however, there are few major obstacles to achieving, on the non-Indian lands a park that comes close to the ideal. Virtually all of the land is now in Federal ownership and land acquisition costs would be minimal. At the same time the potential of the canyon for economic development, other than that related to

tourism, is also very small. The canyon does not contain vast stores of mineral wealth, merchantable timber is found only along a small portion of the rim, agricultural potential is almost nonexistent, and even the opportunities for grazing of livestock are very limited. Thus, few opportunities for such economic development will be foregone if we enlarge the park. In fact, since the bulk of the canyon is already under National Park Service jurisdiction under a variety of names, these resource allocation decisions have already been made for much of the land.

In our view, any Grand Canyon National Park legislation worthy of support should take at least a large step in the direction of the ideal if it does not go the whole way. Specifically it should extend the park protection to significant areas which are not now protected and equally important it should not delete any park quality lands from any of the existing park units.

In our analysis, S. 1296 does not meet these criteria. The integrity of the national park system and the protection of the Grand Canyon would both be impaired by its passage in its present form. Although superficially the bill appears to extend protection to many deserving areas, a closer examination reveals that the total acreage in the national park system is actually decreased by 47,000 acres. Most of the so-called enlargement is in fact nothing more than a reshuffling of names with little or no material change in the protection afforded.

Of major concern to us is the precedent-setting deletion of park quality lands from the existing Grand Canyon National Park and the two monuments essentially for purposes of economic development. Our national parks and monuments are supposed to be lands reserved from economic and private uses forever. Lands held in trust for all the people of the United States, for all time.

If we violate that trust by yielding to economic pressures to delete lands from the present national park system units in the Grand Canyon, then the future of all national parks will be in jeopardy. In our opinion, S. 1296 is totally unacceptable on that one count alone. When the deletion of over 97,000 acres proposed by that bill is compared with the meagre expansion of park protection in other areas, then it is clear that the Grand Canyon, the national park system and the American people would be better off with no park bill at all if the only alternative is S. 1296 in its present form.

The adoption of this negative stance on a bill which we might be expected to support was a very difficult decision for us. We realize that in doing so we may scuttle the chances for any Grand Canyon National Park enlargement in this Congress. I frankly hope that this will not be the case, but unless some major improvements in this legislation can be made, then there is no question that we will oppose the passage of S. 1296. This decision was especially agonizing since we had worked closely with Senator Goldwater to try and develop a park bill which we could both support.

We appreciate the many efforts Senator Goldwater made to meet with us and other groups concerned with the Grand Canyon. We also know and appreciate how hard he has worked to protect the Grand Canyon from other threats. It saddens us indeed that the result of the many meetings on this legislation is not something which we can endorse.

A large portion of the lands to be deleted are for the benefit of the Havasupai Indian Tribe. The Sierra Club recognizes the need for improving the social and economic well-being of the Havasupai, as well as other native Americans. We further believe that this can be done without violating the trust committed to the establishment of our national parks.

If it is determined that an expanded land base for the Havasupai is desirable, in addition to their present permitted use of national park and national forest lands, then this land base should be sought outside of the national park system.

Historically the Havasupai ranged over a large portion of northern Arizona. Much of this former territory is now in private ownership, including a large segment immediately adjacent to the public lands which S. 1296 would transfer to the tribe. These privately owned ranchlands are better suited to grazing than most of the lands in the park. If additional land for the Havasupai is needed, then it appears to us that the purchase of some of these private lands would better serve the Havasupai without taking public parklands.

Administration of the Grand Canyon is now fragmented among five units of the national park system, three Indian reservations, the Forest Service, the Bureau of Land Management, plus some scattered parcels belonging to the State of Arizona, or in private ownership. A meaningful park enlargement would give greater unity to the management of the canyon. It would help insure that the canyon will not be damaged by the crush of visitors and at the same time it should enhance their appreciation of it. Most importantly, it would extend park protection to those parts of the canyon which now have only minimal protection. The remainder of my statement will examine the changes in S. 1296 which are needed to achieve these goals and produce an acceptable bill.

We believe that the following additions beyond those proposed in S. 1296 are essential in any Grand Canyon National Park bill:

1. Extend the park upstream to Lees Ferry, the recognized beginning of the Grand Canyon which is located about 5 miles above Lees Ferry. All of this addition is presently located within Glen Canyon National Recreation Area.

2. Include a strip of land along the western rim of Marble Canyon, approximately 1 mile wide. This would be an expansion of the existing narrow strip—500 feet wide—in much of this area. Obviously this existing strip should not be deleted as proposed in S. 1296—the Marble Canyon West deletion of 3,550 acres. At several locations farther downstream we also recommend a similar strip of plateau lands along the rim be incorporated within the park. The reasoning behind these recommendations is the same in all cases, the need to protect the setting of the canyon from timber harvesting, vegetation manipulation projects, mining, and ill-planned developments.

3. In the past the Sierra Club has recommended the addition of large portions of Kaibab Plateau. There was considerable opposition to these proposed additions, particularly from timber interests and sportsmen to whom it is an important hunting area. As a result of further study we have modified our recommendations to restrict this addition only to those areas which are particularly important from the point of view of scenery, biology, or geology. We believe that the park

should include the highly scenic De Motte Park Area which lies along the north entrance road to the park, plus the North Canyon-Cockscombs Area each of De Motta Park where the East Kaibab Monocline marks the eastern edge of the Kaibab Plateau. From the rim of North Canyon, spectacular views are available across House Rock Valley to Marble Canyon. Beyond one can see Navajo Mountain and the Vermillion Cliffs. North Canyon also contains a limited population of the endangered Arizona Native Trout.

4. Along the south rim of the present Grand Canyon National Park, two minor expansions are desirable. First, the Coconino Plateau addition of 640 acres proposed by S. 1296 should be expanded somewhat to better protect the East Rim Drive. More important, however, would be the acquisition of the Tusayan area which lies along the south entrance road at the park boundary. Presently a great deal of unsightly, poorly planned, and inappropriate development is taking place here which virtually every park visitor, even those arriving by air, must drive through as he enters the park.

5. In the Havasu Canyon area, we have already expressed our objections to the deletion of any parklands here, as proposed by S. 1296. This deletion contains three of the waterfalls for which Havasu Canyon is so famous. Rather than deleting lands from the park here, the park should be expanded upstream as recommended by the Park Service in the draft master plan presented in public hearings in May 1971 in Phoenix and at the Grand Canyon. This rugged canyon country is rich in natural beauty and is the home for a variety of wildlife with the desert bighorn sheep being the most important.

6. The Kanab Canyon addition proposed by S. 1296 should be expanded to include this entire canyon system rather than being limited merely to the lower portion. Even though there are no developments and probably there should never be any in this area, it is attracting increasingly heavy recreational use. The deep, narrow canyons which characterize this area are unusual even for the Grand Canyon. Within the canyon, there is virtually no conflict with any existing use of the area. As in other parts of the canyon, we also recommend that the plateau country immediately adjacent to the rim be included within the park. This is particularly important for portions of the Kanab Canyon area since current Forest Service plans call for logging these areas up to the rim in the early 1980's.

7. Along the northern boundary of Grand Canyon National Monument we strongly object to the deletion of 38,080 acres in three parcels for the benefit primarily of a few ranchers. These plateau lands contain important archeological resources in addition to their value as the approach to the canyon rim in this area. There is no justification for these proposed deletions.

8. To the west of the present Grand Canyon National Monument we recommend the addition of the narrow valley of the Toroweap which is the main avenue of approach to the monument plus the southern end of the Uinkaret Plateau—an area of volcanic peaks and recent lava flows which extend to the rim of the main gorge of the Colorado River. These peaks bring an irregular and elevated silhouette to the rim which is elsewhere dominated by a tabular skyline. The contrasting geology of this area is the strongest single reason arguing for its inclusion, but it also has significant scenic and archeological values.

9. An examination of the map accompanying S. 1296 reveals that the proposed park would encompass only a very narrow strip along the northern side of the Colorado River where it is joined by Whitmore Wash and the Parashont-Andrus Canyon systems. There is no reason why the park should be so narrow in this location, not even including the land now within Lake Mead Recreation Area. A major expansion is called for to include these entire canyon systems. Parashont Canyon in particular, is an unusually long and narrow defile which a marginal mining operation nearby threatens its beauty without producing any important amounts of minerals.

10. S. 1296 would effect a major extension of Grand Canyon downstream to the Grand Wash Cliffs, long a major goal of conservation groups. We strongly support this extension and recommend only that a protective strip of the Shivwitz Plateau also be incorporated. The southernmost extension of this plateau, ending at Kelly Point with the Colorado River bent around it, overlooks and wilderness of canyons unequalled in beauty anywhere along the river. These wild lands should not be developed in any way, but rather should be retained in a primitive condition representative of how the earliest explorers found the Grand Canyon. Virtually all of this area, both above and below the rim, is now a part of Lake Mead National Recreation Area, however it is important that a few small parcels outside the recreation area be included in order to prevent further disturbance of native vegetation which in places has extended right up to the rim.

Section 4 of S. 1296 would take away from the Secretary of the Interior his present power to condemn private lands within the park. While this authority is seldom used, it is vitally needed protection in the event that voluntary negotiations fail and the owner of the inholding proposes to carry out some activity or development which would be detrimental to the park. The authority to acquire lands by condemnation should be retained.

Overall, land acquisition for any enlarged park in the Grand Canyon is not a major problem since so little of this region is in private ownership. Even with the expanded boundaries which we propose, less than 1½ percent of the area is privately owned. Although these lands are important to the Grand Canyon, the cost of acquisition will be minimal due to their low economic potential in other uses.

Section 6 of S. 1296 would establish a new concept in park protection, a so-called zone of influence which could restrict uses of the land outside the park boundary if needed to protect the park itself. While the concept may have some value, the specific proposal contained in S. 1296 contains several very serious weaknesses. First, any such zone is not a substitute for actually including within the park those lands that belong there. This is compounded by the difficulties facing its implementation. The concept, in a strong useful form, would have to survive the opposition of miners, timber interests, and others who might be affected by the authority it would grant to the Secretary of the Interior. Even if it does emerge from Congress in a usable form, we are still faced with the battle of convincing the Secretary to apply these restrictions in all locations where they are needed.

S. 1296, section 8, would authorize the Secretary of the Interior to fund or otherwise assist in the development of recreational or tourist programs on Indian lands near the park. We feel that this

language should be amended, by the addition of some guidelines to insure that the Federal Government does not assist in developments that are detrimental to the area. Specifically, we would like to encourage the three Indian tribes or nations which have lands within the Grand Canyon to protect these lands in a manner consistent with their national park caliber. Any assistance should be conditioned upon reasonable guarantees of such protection.

The concept of providing for aircraft regulation in and over a national park in order to protect not only the safety of the visitor, but the natural environment is a meritorious one, especially needed in the Grand Canyon where flights deep in the inner gorge are becoming distressingly commonplace. We believe that the specific language contained in section 10 should be strengthened by providing for an outright ban on flights within the canyon and appropriate regulations of flights above the park.

Section 11 of S. 1296 specifically reaffirms the provisions in existing law which would allow the construction of dams or reclamation projects within the park if authorized by Congress. In doing so it would extend this provision to areas outside the present park. Rather than reaffirming this language, it should be repealed, leaving no doubt that such activities are inappropriate in the Grand Canyon.

The inclusion of language relating to the designation of wilderness in Grand Canyon National Park is entirely appropriate. However, the wilderness proposed in this bill is inadequate on two counts. No mention is made of wilderness possibilities on any of the lands to be added to the park. Even within the area covered, the specific boundaries proposed for the wilderness do not include all lands which should be so designated. Specifically, both the Colorado River and qualifying areas on the plateau lands adjacent to the rim should also be given wilderness protection.

One of the major headaches facing those Federal officials responsible for the management of the Grand Canyon is the regulation of travel on the Colorado River. This is complicated by the uncertainty regarding the location of the existing park system units along the river, particularly in relation to the Hualapai Indian Reservation. Specific language should be incorporated clarifying the authority of the National Park Service to regulate river travel throughout the entire length of the Grand Canyon. As it is now, river trip operators sometimes claim they are not in violation of Park Service regulations governing the river since the left half of the main stream may be outside of their jurisdiction.

I would like to conclude my remarks by giving our complete endorsement to the provisions contained in section 7 of S. 1296 which would authorize and encourage the National Park Service to develop a program which will interpret the entire Grand Canyon as a unit, removing the present restrictions which limit such activities to the actual areas designated as units of the National Park System. This is especially important in the Grand Canyon where the major portions within the three Indian reservations will remain outside any enlarged park.

Thank you for this opportunity to present our views.

[Subsequent to the hearing Mr. McComb submitted the following map:]

They're After The Grand Canyon Again?

The Grand Canyon!

The reason for saving the Grand Canyon is still the one Theodore Roosevelt made perfectly clear in 1903:

"Leave it as it is. You cannot improve on it."

The ages have been at work on it and man can only mar it." Mr. Nixon seems to have forgotten. But with Lady Bird Johnson's valiant help, and with Senator Henry M. Jackson's, the late John P. Saylor's, and Stewart Udall's, too, citizens all over the land got Congress (and President Johnson) to save the Grand Canyon and to agree to introduce a bill to complete Grand Canyon National Park.

The bill has now been introduced. Initial amendments were responsive to conservation needs. All Americans, Congress included, took seriously their responsibility toward the Wonder of the World powerfully described by Joseph Wood Krutch as: "... at least two things besides spectacle. It is a biological unit, and the most revealing single page of the earth's history open on the face of the globe."

Grand Canyon is also one of the leading candidates for inclusion in the new United Nations World Heritage, which President Nixon at one time supported.

All Americans took this responsibility seriously? Almost all.

Enter the Opportunists

Disquieting noises from Arizona and Southern California tell us that people still want to flood the Chapel. They are using "energy crisis" as sheep's clothing. Dam plans that should have been burned up are being dusted off.

In Grand Canyon, this time, the would-be despoilers are exceedingly clever. We are forced to infer that they are using Indians as a ploy; oppose their schemes and you are "unkind to Indians." They used Indians before — the Havasupai. This time the Havasupai are involved, some 425 of them, living in the Shangi-la of Havasu Canyon (which brings them substantial revenue from tourists). Since their population has nearly doubled since World War II, they would like some more land — some 250,000 acres, part from Kaibab National Forest on Grand Canyon's South Rim, part from Grand Canyon National Monument —

— and 180,000 acres from the heart of Grand Canyon National Park! (If you know the River: they want lives' Chasm and forty-four downstream miles.)

Almost four times this much land is on the market nearby, at \$18 million. It is outside national park, monument, and forest. It is land far more useful to Indian flocks and herds. Remember, the canyon's rim, river, and side canyons are nice places to visit or to try to work your way through, but you would hardly want to live there. Soil, forage, forest, and browse are scarce there. It is terrain that contains superb scenery and supports some wildlife, but can sustain few people, even if you chain down the "forests."

Is this an answer for Indians? Draw your own conclusions. Our conclusion is that it is wrong for anyone, including Indians, to pretend it is an answer in any way, except to exploiters.

A Tired Scenario

When a real solution exists and a phony one is put forward, the wise man — and wise Indian — is suspicious. What do we have here? Is it a cigar-store Indian of the proportions of a Trojan Horse, being wheeled in kindness within the walls? Are dambuilders and never-tiring developers hidden inside, ready for a windfall at everyone else's expense? Tramway, road, and marina builders, too, ready to demean one of the world's last great experiences?

We think so, with reason. The pattern is an old one: Disarm the defenders, deceive a tribal council, and move in.

Remember Black Mesa and the Four Corners, in Hopi and Navajo country? Watch the instant playback: Traditional Indians, carefully spared from knowing about the devastation that lay in store. Much of their land being permanently put out of production. "Reclamation" being done with mirrors. Los Angeles, Phoenix, and Las Vegas glowing neon-brighter. Indian country growing darker, its air polluted with city garbage exported by wire to a once-clean land, where Indian coal is now ruthlessly mined and burned. For some promoters' 35-year bonanza. For all others, a loss. Forever.

SAVE THE GRAND CANYON!

(as often as necessary)

The Honorable Roy Taylor, Chairman
 Subcommittee on National Parks
 House Office Bldg., Washington, D.C. 20015

Please use your leadership to perfect and protect the National Park, Monument, and forest of Grand Canyon. Also, please support acquisition of other lands to meet the needs of the Havasupai.

Name _____
 Address _____
 City _____ State _____ ZIP _____

(Senator Henry M. Jackson, Chairman, Committee on Interior and Insular Affairs, Senate Office Bldg., ZIP 20510, can help too)

SHOULD WE ALSO FLOOD THE SISTINE CHAPEL SO TOURISTS CAN GET NEARER THE CEILING?

EARTH began four billion years ago and Man two million. The Age of Technology, on the other hand, is hardly a hundred years old, and on our time chart we have been generous to give it even the little line we have.

It seems to us hasty, therefore, during this blip of time, for Man to think of directing his fascinating new tools toward altering irreversibly the faces which made him. Nevertheless, in these few brief years among four billion, wilderness has all but disappeared. And now these:

- 1) There is a bill in Congress to "improve" Grand Canyon. Two dams will back up artificial lakes into 148 miles of canyon gorge. This will benefit tourists in power boats. It is argued, who will enjoy viewing the canyon will more closely. See headline. Submerged underneath the tourists will be part of the most revealing single page of earth's history. The lakes will be as deep as 600 feet deeper for example, than all but a handful of New York buildings are high, but in a century, silt will have replaced the water with that much mud, wall to wall.

There's no part of the wild Colorado State, the Grand Canyon's sculptor, that will not be maintained.



houses over the fill; and now there's a new idea — still more fill, enough for an air cargo terminal as big as Manhattan.

There exists today a mentality which can conceive such destruction, giving commerce as ample reason. For 74 years, the 40,000 member Sierra Club has opposed that mentality. But now, when even Grand Canyon can be threatened, we are at a critical moment in time.

This generation will decide if something untrammeled and free remains, as testimony we had love for those who follow.

We have been taking ads, therefore, asking people to write their Congressmen and Senators' Secretary of the Interior Stewart Udall; the President; and to send us funds to continue the battle. Thousands have written, but meanwhile, the Grand Canyon legislation has advanced out of committee and is at a crucial stage in Congress. More letters are needed and more money, to help fight a mentality that may decide Man no longer needs nature.

David Brower, Executive Director
 Sierra Club

Eight years ago, because it ran ads to save the Grand Canyon from dams, the Sierra Club lost its tax status. Friends of the Earth asks you to remember that classic ad.

How often have Indians been finessed into playing such an unhappy role? Are a few more now forgetting the ethic an Indian poet tells about in "Song of the Earth Spirit?"

The voice of the earth is my voice.
 The feather of the earth is my feather;
 the earth surrounds me.
 I, I am the sacred words of the earth.
 It is lovely indeed, it is lovely indeed.

It's Not Either/Or

The organizations across America who have joined to keep Grand Canyon National Park intact want to see ancient wrongs corrected. But two wrongs don't correct anything. Friends of the Earth has been trying to link together a series of rights instead. We believe in a national park concept that protects the needs of endangered cultures as well as vanishing ecosystems. We have demonstrated this belief in litigation, in-legislative action, in books, and in world-wide cooperation with the United Nations Environment Programme. For more than a year we have advocated acquisition of land for the Havasupai. We have supported both cultural and scenic values in Glen Canyon, at Rainbow Bridge, elsewhere in the Southwest, in strip-mined lands in the Northern Plains, in the wild places of Alaska, in Hawaii, and in Minnesota. With our sister organizations abroad we have supported this concept in Stockholm and Nairobi. Ours has been one voice in a chorus, all deserving support, and we will continue this effort.

The Emergency in a Nutshell

At this writing, the pressure is on to jam a badly maimed bill through the House Committee on Interior and Insular Affairs, then onto the house floor with poor chance for corrective amendment unless your voice is heard.

The National Park Service, which should be leading the defense of the Grand Canyon, has apparently been muzzled again.

The now-or-never environmental battle Mr. Nixon once talked about has, Watergate and all, gone into reverse. A campaign of half-truth, deception, and coverup is wiping out the conservation gains of this century, as if a 34-vote Senate minority against impeachment were worth more than they. The gains in peril were not won for Americans alone, but also for all who care about what is happening to the only earth.

Pro-park is Pro-earth (and Pro-Indian)

Experience still says "To be safe, resist the beginnings." You, acting in time, can stop the beginning of the end of Grand Canyon's integrity, and the unraveling that would ensue.

Please urge your government to take these steps:

- 1) By no means relinquish National Park System land.
- 2) Provide the Havasupai adequate usable livable fertile land near by, not in a hostile land of sheer steep slopes and precipitous river edge.
- 3) Develop real opportunities for Indians: for example, the chance to teach visitors, always, about Grand Canyon. (This is a role sought in Alaska by North Slope natives.) What better teachers to reveal in Grand Canyon and environs how people can get along with the land (reclaiming, if must be)? And in ways that leave it unspoiled for all children, including Indian children, for all time we can foresee.
- 4) Remember that all the foregoing is the essence of one of America's finest ideas — the national park idea.

To Wait Is to Lose It

The battle to save the earth's great places, such as the Grand Canyon, is endless. It must be won, generation after generation. Now and then, every eight years, it seems. Only the exploiters, opportunists to a man, can win the canyon's destruction for keeps.

Please do your part to pass the Grand Canyon along alive. Urge the alternatives to the present scheme for a two-step disposal of a World Heritage, a Grand Canyon that belongs to all Americans, then, now, or on order.

Please don't put this down until you have set in motion your own train of thought that will move you today. The coupons, perhaps. Better, your own direct thoughts, by letter, wire, or telephone. We would like it if you could join us or otherwise help us see these things through in your behalf.

Will you join in this effort to keep whole what no one can put back together if we let it come apart?

Thank you.
 David R. Brower, President
 Friends of the Earth
 (Chairman, Friends of the Earth International)

David R. Brower, President
 Friends of the Earth
 529 Commercial St., San Francisco, CA 94111

- Here is a donation* of \$ _____ toward continuing your effort to keep the public informed, including me.
 - Please send "Song of the Earth Spirit" and its four-color presentation of Indian life in the Southwest (\$14.95)*
 - Please send "World Energy Strategies" for its perspective on using energy without harming the World Heritage (\$4.95)*
 - I would like to be a member of Friends of the Earth (\$15/year)*
- *FOE lobbies substantially and is not tax-deductible.

Name _____
 Address _____
 City _____ State _____ ZIP _____

(Contributions to Friends of the Earth Foundation are tax-deductible and are used for litigation and educational purposes only. Same address.)

(please send this coupon, or equivalent, to your own Congressman)

Time

Monday, Aug. 12, 1974

<http://www.time.com/time/magazine/article/0,9171,908652,00.html>

Environment: Indians and the Canyon

The bill being considered by the House Interior Committee would double the size of Grand Canyon National Park. The amendment added to it last week by a 24-11 vote was sponsored by Arizona's conservation-minded Morris Udall. Thus the measure might be expected to have the support of every environmental group in the nation. Instead, it has provoked anguished protests from both the Sierra Club and the Friends of the Earth. Says Sierra Club spokesman Brock Evans: "It's a disaster of the first rank for the national park system."

The reason for the outcry is the innocuous-seeming amendment. It would give the 430-member Havasupai Indian tribe trust title to 185,000 acres of their homelands on the southern rim of Grand Canyon. Now confined to 500 acres on the canyon floor, more than 300 of the Indians are cut off from civilization during the winter, when the eight-mile trail that leads down to their village ices over. With their land back, the Indians say, they could again live on the mesa in winter and graze their cattle there.

But environmentalists cite two major reasons for opposing the return

Land for an Indian Tribe

The Washington Post (1974-Current file); Apr 18, 1974; ProQuest Historical Newspapers *The Washington Post* (1877 - 1992)
pg. A26

Land for an Indian Tribe

FOR SHEER remoteness from the rest of American life, little compares with the location of the Havasupai Indian tribe. It lives beneath the ledges, cliffs and rims of a corner of the Grand Canyon. Some 325 tribe members exist on a small portion of arable land, and the tribe itself traces its origins in the area back some 1,200 years. Unlike the case with most Indian tribes, the westward expansion of the white man did not immediately devastate their culture or their land. But pressures came later, in the 1880s when more than two million acres of the Havasupais ancestral range were taken from them, driving the tribe to the bottom of the canyon. Despite poverty, disease and powerlessness, the small band did not die off. Currently, the tribe reports a per capita income of \$700 a year; the reservation has no school; housing is severely overcrowded and fuel (such as cottonwood trees for fires) is scarce. As if this weren't enough, the Havasupais are now involved in a complex struggle for land, a dispute that involves their own need, the opinions of environmentalists and the legislative judgments of Congress.

The center of the debate is the Grand Canyon National Park bill. The Senate passed it last fall and the House has yet to vote on its version. Originally, the Senate bill—under the leadership of Sen. Barry Goldwater (R-Ariz.) who visited the Havasupais in their canyon home—asked that the tribe's reservation be enlarged by some 145,000 acres, land that would come from the present Grand Canyon Park and the National Forest. Later, however, this provision was amended in committee and a study of the land transfer was ordered.

One of those favoring the latter solution was the Sierra Club; among other things, it opposed public lands being given over to a private group. A club official explains that it is aware of its highly sensitive position, but insists it is a consistent one because the club also opposes public lands being given over to such private

interests as strip mining or timber companies. Since taking its position, however, a number of the club's members have taken another view, preferring instead the original intention of putting the land in trust for the Havasupais. The Indians themselves argue that a study of the situation is not needed. They point to earlier studies that conclude the tribe should be given the land in trust. "Another study would only repeat these earlier findings," the tribe told the Senate. ". . . We oppose the proposal that we wait and be re-studied while our presently-used land be given over to the use of others."

There is no argument that the land is crucial to the Havasupais and that they need more of it if they are to survive. To this end, the original thrusts of the Senate bill and an identical one in the House were sound. To re-study the issue is to delay it; it also suggests that the tribe may exploit the land in some unforeseen way. However ironic such a move would be—Indians taking land away from the white community—the fear appears to be unfounded. The Havasupais are a people whose culture and livelihood are based on sound land use, not exploitation. If such a worry exists, it is possible to put environmental sanctions into the bill; the Havasupais themselves would welcome them.

Essentially, the question is one of both land use and survival. At a time when a moderately enlightened land use bill couldn't get through Congress, it is a little odd to be hedging about a comparatively small number of acres being given over to Indians. As for the survival of the tribe, it appears only just that this small tribe of American Indians be allowed a chance to survive on its fair share of land. Injustices have been inflicted on the Havasupais in the past, and enough exist now in the form of poverty and disease. The tribe believes some of its suffering may be eased through the acquisition of more land; it ought to be given the chance to work out its destiny in this way.

A Chance to Right an Ancient Wrong

Los Angeles Times (1886-Current File); Jun 9, 1974; ProQuest Historical Newspapers Los Angeles Times (1881 - 1986) pg. F2

A Chance to Right an Ancient Wrong

In legislation now pending, Congress has an opportunity to right an ancient wrong committed against the little-known, tiny band of helpless Havasupai Indians now condemned to live in stark isolation and poverty at the bottom of the Grand Canyon in Arizona.

What the Havasupai want, and what simple justice demands they be given, is trust title to 251,000 acres of land on the surrounding plateau. They now have limited use of this land, but only at the sufferance of government agencies and under annually renewable permits.

Some dimension of their plight can be gained from their tragic history. They first settled on the plateau south of the rim of the canyon about AD 700. Centuries later, drought compelled them to descend into the canyon during the summer to farm along Havasu Creek; after each harvest they returned to their homes on the plateau. This seasonal migration continued for six centuries. It was then that they discovered that their treatment by the federal government would be more disastrous than the suffering imposed by natural calamities.

One of the turning points in their history came in 1919 with an act of Congress that established Grand Canyon National Park. Since the Havasupai were assigned in 1882 to a 518-acre reservation on the canyon floor, they had used and occupied the 251,000 acres of plateau land under federal permit. The act of 1919 sought to protect their rights to this land, but, according to William Byler, execu-

tive director of the Assn. on American Indian Affairs, the National Park Service ignored the intent of Congress. Over the years, the park service has driven the Havasupai off the plateau, burning their homes on occasion to force them down into the canyon. Today, only Havasupai livestock is free to live on the plateau.

The present situation of the tribe is intolerable. The Havasupai are visited by a doctor only once a month. Medical evacuation in an emergency is often impossible. In the winter, an eight-mile horse trail to the nearest road is sometimes blocked for weeks by snow. Two children died last winter because medical assistance was not available. These harsh conditions have held down the tribe's life-expectancy rate to 44 years, 26 years less than the national average.

No schools are available for their children at home. At the age of 10, Havasupai children are taken 300 miles away to boarding schools. This separates children from their parents for the academic year.

The claim of the Havasupai Indians to the 251,000 acres (their lands once totaled 3 million acres) will be considered the week of June 17 by the House Committee on Interior and Insular Affairs in connection with the Grand Canyon National Park bill. Legislation to honor the claim was first proposed in 1908. A delay of 66 years is enough. It is time for Congress, as representatives of the American people, to treat the Havasupai, numbering only 425 persons, as human beings.

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Countless tribes could file for additional land "to relieve overcrowding . . . and to provide a better economic base." The Navajo lay claim to the whole eastern half of Grand Canyon National Park, and the Pit River Indians in California argue that they once owned all of Mount Lassen National Park. If any one of these claims is allowed on an *ad hoc* basis by Congress, the prospect for expensive lawsuits and political wrangling is endless.

The Havasupal may well need special economic help, as do certain other Indian tribes. Congress can provide that assistance in numerous acceptable ways. Chopping a piece out of Grand Canyon National Park is not one of them.

Grand Canyon Raid

The tiny tribe of Havasupal Indians has a reservation in a side canyon of Grand Canyon. The tribe—fewer than 300 persons live on this reservation—principally makes a living by guiding tourists on muleback to see the spectacular waterfalls in its canyon.

In a little-noticed statement released in Phoenix, Arizona, in May, President Nixon proposed turning over 251,000 acres of national park and forest lands along the rim of the Grand Canyon to the Havasupal. "In addition to its historic and religious claims, the tribe needs this land to relieve overcrowding on the reservation and to provide a better economic base," the President declared.

Arizona Representatives Morris Udall, Democrat, and Sam Steiger, Republican, have both introduced highly undesirable amendments, embodying the Nixon 251,000-acre proposal, to a highly desirable Senate-passed bill that would considerably enlarge the existing boundaries of Grand Canyon National Park. Even without the Udall-Steiger proposals, this bill has already been weakened in the House with an amendment providing that the Secretaries of Interior and Agriculture study the situation with the objective of giving the Havasupal tribe the use of an unspecified 100,000 acres.

Although this version is less damaging than the Udall-Steiger proposal, all are deeply wrong in principle and in their practical effect. National parks and national forests are inviolable; they are held in trust for all Americans, including Indians. They are not available to be bartered or exchanged.

There are scores of claims by Indian tribes against parks and other public lands held by the Federal Government. The proper tribunal for settling these disputes is the Indian Land Claims Commission. The Havasupal adjudicated their claim before the commission and accepted a settlement of \$1,240,000 in 1969. Mr. Nixon's line of reasoning would create a disastrous precedent.

Letters to the Editor

What 'MIRVing' Our Cows Would Do

To the Editor:
The Times should be commended for giving so much attention to the world hunger problem recently. Your editorials have drawn attention to what may become the greatest human tragedy the world has ever witnessed unless immediate steps are taken to increase global food production.

However, I would like to take exception to a portion of Mr. Reston's July 7 column, "How to MIRV a Cow," in which he implied that the world hunger problem might be alleviated if scientists find a way to produce multiple births in cattle. Nothing could be more disastrous to efforts to alleviate world hunger. MIRVing cows would accelerate the spread of world hunger just as fast as MIRVing missiles has accelerated the arms race.

Our agricultural resources have been put under enough strain as it is by the human population explosion without having to support a cattle population explosion as well. There are already over 120 million head of cattle in the U.S., each of which consumes about twenty times as much grain as is needed to feed a human being. If you figure it out, American livestock consumes enough grain to feed over two billion people. Moreover, cattle give a very poor return on what they eat, supplying only one pound of protein for each 21 pounds of feed they consume.

Livestock have placed such a great burden on the world's grain supplies that the price of grain has soared beyond the reach of the underdeveloped nations, where most of the world's population live. With an expected doubling in the world popula-

tion within the next 25 years, MIRVing cows is a most ill-advised proposition.

I don't want to suggest that we decrease the number of cattle in the United States. But until we develop new, more efficient ways of feeding them, and feeding humans, it doesn't make sense to try to increase their number. American livestock producers are having enough financial difficulties as it is because of overproduction.

I recently introduced a bill in the House of Representatives, the Food Research and Development Act, to establish a Government-sponsored program to help find more efficient ways of feeding cattle, as well as human beings. One promising area of research which this bill would support is research into the production of "single-cell" protein by using microorganisms. Researchers in this field estimate that 50 million tons of protein could be produced from the 200 million tons of animal manure generated by U.S. livestock each year by using microorganisms. The Food Research and Development Act would also support the development of new processing techniques to turn this and other forms of vegetable protein into palatable food for humans.

Rather than devoting our efforts to MIRVing cows, I hope that more attention will be given to the development of substitute sources of protein and other new types of food for human and animal consumption in order to alleviate world hunger.

JOHN F. SHIBERLING
Member of Congress, 14th Dist., Ohio
Washington, July 12, 1974

The Havasupais' Land

To the Editor:
In the July 10 issue of your newspaper, you have an editorial entitled "Grand Canyon Raid." You are completely misinformed as to the Havasupai Tribe and its needs.

Long before white men ever came to the Grand Canyon, the Havasupais occupied most of the land on the south rim. When they were reduced to reservation status, they were placed in a canyon with less than 800 acres. The land they are asking for and the land which President Nixon has given them is completely valueless for forest purposes or park purposes. In fact, it is probably the poorest grazing land in the whole Southwest, but the Indians want it because it was their land and it is sacred to them.

The Indian Land Claims Commission is no place to settle questions like this. The Havasupais have made no real claim for lands, they are merely asking for fair treatment, and I am surprised that a newspaper so devoted to the rights of individuals such as yours can see injustice in granting a tribe of close to 500 Indians slightly more than one acre apiece, when, for example, the Navajo Nation of over 120,000 Indians occupies 16 million acres.

From my very close knowledge of the land involved, I can assure you that the transfer of this land will do no damage to the park or forest services or anything else, but it will help the morale and well-being of these long-neglected Indians.

BARRY GOLDWATER
United States Senator, Arizona
Washington, July 12, 1974

Our Suffering Ears

To the Editor:
The recent efforts of City Air Resources Commissioner Ethan Eldon to decrease noise levels in the New York City subway meet the attention of all New Yorkers. [Editorial July 9.]

The subways pose the most acute environmental noise problem in the city. A report of the Department of Air Resources has measured subway sound levels greatly in excess of the goal set by the United States Environmental Protection Agency for the protection of the public from hearing loss. Although riders may spend relatively short periods in the subway, it is possible—and probable when long trips are made—that many will suffer hearing damage over the years.

A recent, valuable report by the Mayor's council on the environment makes the point that the subways are the cheapest, fastest, least polluting and, during the day, most energy-efficient means for moving people from place to place in our town. A 600-foot subway train can carry roughly 2,200 people at a cost of about 64 cents apiece (of which each directly pays but 33 cents). Forty fifteen-foot automobiles, by comparison, could carry a maximum of 240 persons at a cost in highway construction, purchase price, fuel, parking, insurance and idling time that would be incalculably greater—even if it were possible to get those 240 persons to car-pool it in a



GIACCO DELBONO

total of forty non-polluting automobiles. Finally, a reduction in vehicle miles traveled in New York City is—and will be—a vital part of the plan to reduce automobile pollution to attain clean, healthful air for people who live and work here. If this goal is to be reached, many more people than now will have to be attracted to the subways for much of their local travel.

Think how grand it will be, on that day in the not-too-distant future, if New Yorkers still can hear themselves to congratulate each other on how clean the air has become. Eldon's efforts advance that day.

ERIC B. OUTWATER
Deputy Regional Administrator
U.S. Environmental Protection Agency
New York, July 11, 1974

The Fine Theme

To the Editor:
As the music of the "Star-Spangled Banner" is once more under attack, perhaps we should at last look into the difficult matter of passing judgment on a melody.

Arthur Schnabel once said that although he could not prove that Bach was superior to Berlin, he doubted that Mr. Berlin would hold to the contrary. Being then without proof of the superiority or inferiority of the present melody, we ought to take a look at the credibility of the judges. In this instance, we have the Puccini of "Madama Butterfly," and the Baghley of the famous but seldom-known-by-title "National Emblem March."

Early in the first act of "Butterfly," Puccini introduces the first line, minus the "Oh," of the "Star-Spangled Banner" through the word "light" and returns to this a number of times. For his part, in the splendid "National Emblem March," Baghley, after a few introductory measures, uses the same complete line of the "Star-Spangled Banner," as the lower melody of a fine contrapuntal line. I submit that these composers knew a fine theme when they saw it.

DORIS H. SORRE
Brooklyn, July 10, 1974

Forgotten Words

To the Editor:
I don't know whether it is within the province of Mr. Shanker, the local school boards or boards of education (lower and higher), but can't someone

make an effort to revive "me," "him" and "her"? On TV and radio, I listen to carefully prepared scripts and muddled plays which always seem to say, "between you and I," "they called he and I" and "with he and she." There is a sad lack of "grammatical" in our "dramma." CLEMENS O'BOYLE
Woodside, N. Y., July 12, 1974

"The Brownstone Is Not Lost"

To the Editor:
New Yorkers and brownstone lovers will applaud the sentimental regard for brownstones expressed in your editorial of June 21. However, the statements concerning brownstone costs and the effect of the brownstone revival movement on neighborhoods—to say nothing of your premature obituary for the brownstone—are far removed from reality.

First, your statement that "the brownstones' operational economics have been marginal." This is true of those multiple dwellings where the immovable object of rent control has met the irresistible force of rising costs; it is not true of renovated, owner-occupied brownstones where the "operational economics" are so favorable that they have enabled thousands of middle-class families to stay in New York at a price they can afford. It is the brownstone coup to live in the equivalent of a millionaire's East Side town house on a school-teacher's salary.

You say, "Where neighborhood revivals take place, the price for neigh-

The Power to Impeach: Must It Be Exercised?

To the Editor:
With all due respect to the views of the lawyers and law professors who have stated their views as to what constitutes impeachable offenses, there is a point which has not been properly considered: What is the ambit of consideration in this matter for each member of the Judiciary Committee and of each member of the entire Congress?

The Constitution merely states that Congress shall have the sole power of impeachment. Given the power, does it necessarily follow that Congress is under an obligation to impeach—assuming sufficient grounds for doing so may be present? Or does the Constitution-granted power permit Congress to exercise its discretion to refuse to impeach even though impeachable grounds exist?

In all powers granted to Congress there is no direction that these powers must be exercised in any particular manner except for what each member of Congress concludes is the performance of his duties. We must assume that when a member of Congress votes for impeachment, either in committee or in the whole Congress, he must do so only on the grounds of the evidence that has been presented. But it would also appear that each Congressman has the discretion, indeed duty, to consider other matters of which he is cognizant as a knowledgeable member of Government and from which he may decide to vote against impeachment.

We can cite many areas in which this judgmental process exists. On pure logic it cannot be that in respect of this awesome power given to Congress by the Constitution Congress must make its judgment in the narrowest framework of right and wrong.

JACOB KRISL
New York, July 3, 1974

neighborhood improvement is high; those streets tend to turn into upper-middle-class enclaves displacing the less-privileged residents whom they have so humbly served." Residents of Fort Greene, Boerum Hill, Bleecker Park, Mott Haven and most of the 26 brownstone-revival Committee's "Home Owner's Guide," who are worrying about where their next bag of patching plaster will come from, may well fall off their scaffolds at hearing of their new elevated social status.

The truth is that the brownstone movement has benefited poor and middle-class alike in reintroducing a vigorous and young population in deteriorated areas, stabilizing them, preserving some of New York's finest residential architecture and paying taxes for the privilege.

And last, The Times refers to the "loss of the brownstone . . . its disappearance." Let me reassure The Times. The brownstone is not lost or disappearing. The developers, the absentee landlords, the social engineers and the city's own Demolition Department have indeed kept the wrecking ball swinging. But the extraordinary renaissance that has grown up around the brownstones and brownstone neighborhoods in the last dozen or so years has tended to secure them, by law, by sentiment and by economics, as they have never been. Indeed, the Brownstone Revival Committee, in celebration, will join hands this September with similar revival organizations in cities all over the country in a national conference.

The title of the conference grew out of the great optimism generated by the New York brownstone experience. It is: "Back to the City."

EVERETT H. ORTNER
President, Brownstone Revival
Committee of New York City
New York, July 3, 1974

Sound Conservation, Elemental Justice

Los Angeles Times (1886-Current File); Aug 8, 1974; ProQuest Historical Newspapers Los Angeles Times (1881 - 1986)
pg. D4

Sound Conservation, Elemental Justice

New legislation affecting the future of Grand Canyon National Park, already approved by the Senate, deserves prompt approval by the House. There are two good reasons for approval: First, it would double the present size of Grand Canyon National Park; second, it would make life easier for a small band of Indians living at the bottom of the canyon.

There is no major opposition to sections of the legislation doubling the size of the park and bringing it under a single administration. The nation's most active environmental protection groups, including the Sierra Club, favor enlarging the park.

The Sierra Club, however, is opposed to a proposed amendment that would return nearly 200,000 acres of plateau land below the south rim of the canyon to the Havasupai Indians. Often we are sympathetic with the club's conservation campaigns, but we can't go along with its opposition to the righting of an ancient wrong committed against the poverty-stricken Havasupai tribe.

For more than 1,000 years the Havasupais have eked out a precarious living in the canyon. Once they controlled nearly 3 million acres. But since 1882 they have been confined by treaty to a few

hundred acres on the canyon floor. The Bureau of Indian Affairs has granted them the right to graze their cattle on some plateau land. Their federal permit to that land has been as precarious as their existence. The Havasupais, for obvious reasons, want title to their ancient grazing lands.

A House committee has voted to return title to most of the plateau, with the stipulation that the federal government will hold the title in trust to prevent unwise exploitation.

The title shift seems simple justice to us. Not so to the Sierra Club. Club officials fear it would establish a precedent for the entire national park system. They view with dismay the possibility of the grazing lands being transformed into a recreation facility for tourists.

We're as opposed as the Sierra Club to tramways and other improper commercial developments within the Grand Canyon. That possibility, however, appears remote with the federal government retaining veto power over future uses of the Havasupai range.

The park-expansion bill, including the provisions to correct the old injustice done the Havasupais, is legislation worthy of congressional approval. It balances sound conservation and elemental justice.

Letter to the Editor 8 -- No Title

KENNETH JONES

Los Angeles Times (1886-Current File); Aug 18, 1974; ProQuest Historical Newspapers Los Angeles Times (1881 - 1986)
pg. G2

Your editorial regarding the Grand Canyon does not present the objection of conservationists as clearly as it should. The objection that it (the title shift) might establish a precedent for the entire National Park System is glossed over with a single sentence.

In fact, the Havasupai claim is only a minor one. I know of five other claims for federal land by various Indian tribes and new ones would certainly be placed if the unfortunate precedent of giving federal lands from our national parks, forests, and wildernesses is set by this title shift.

At present, the Havasupai tribe has 402 members, 278 of whom are living on the tribe's 3,059-acre reservation in Havasu Canyon. The tribe's principal income is derived from guiding tourists to see the falls.

Granting a portion of the Grand Canyon National Park to this tribe would quite probably have the effect of opening all our public lands to similar claims. This is the reason that many conservationists oppose the plan.

KENNETH JONES
Eagle Rock

Not So Grand Canyon

Under the guise of protecting the rights of a tiny Indian tribe, a bill is on its way through Congress that would drastically reduce the acreage of public lands in the Grand Canyon and virtually declare open season on the area's Desert Bighorn sheep.

Approved unanimously by Senate-House conferees, the Grand Canyon National Park Enlargement Act is in reality designed to do precisely the opposite. Specifically, the measure would allow the transfer of 185,000 acres of the Grand Canyon to the Havasupai Indians, a tribe of fewer than 300 persons living on a reservation in a side canyon. Although the bill designates some new areas as National Park land, the transaction would result in a net loss of 55,000 acres to the public.

The clue to the motives of some of the bill's sponsors, who are not necessarily known for their solicitude on behalf of Indian rights, may well be sought in the prolonged efforts by the hunting lobby to get its gunsights trained on the area's wild sheep. By odd coincidence, the new arrangement would allow the Havasupai to sell hunting permits.

An inexcusable departure from a policy which, except in extraordinary circumstances, bars hunting on public lands, the bill is also a shabby exercise in hypocrisy. Its pretense of dispensing justice for Indians is easily exposed. Lack of water and a predominance of poor soil make virtually none of the area to be transferred useful for any purpose other than grazing land; yet the Havasupai already enjoy grazing rights, subject only to control against soil damage through over-use, under permits issued by the Park and Forest services.

The potential loss of public parks and forests and the surrender to hunters of huge areas of wildlife preserve are in essence a land grab in which the Havasupai Indians are being used as a front. Congress could and should address itself to the Indians' just claims for economic help in many ways, but this bill is not one of them.

As the measure moves to the floor of the House and the Senate this week, a vote for what ought to be called the Grand Canyon National Park Diminution Act is quite clearly less of a vote for Indian rights than for hunters' license—and the carving up of a natural treasure owned by all Americans.