

VIA EXPRESS MAIL

Mr. Darryl Francois
Office of Indian Energy and Economic Development
1849 C Street, NW, Mail Stop 2749-MIB
Washington, DC 20240

RE: Section 1813 ROW Study

This letter and video on Navajo History and Culture are submitted in regard to the Section 1813 ROW Study. The video was presented at the April 18-20, 2006, Public Scoping Meeting on the Section 1813 ROW Study (“Section 1813 Public Meeting”).

Summary

I hope that this DVD will help energy companies gain a better understanding of the sacredness of tribal lands. It is important that oil and gas companies consider partnering with Indian Tribes in all stages of the development of tribal natural resources. This DVD may provide insights that will be valuable in facilitating that partnership.

According to the Department of the Interior, only a quarter of the oil resources and less than a fifth of the natural gas resources on tribal lands have been developed. The Bureau of Indian Affairs estimates there are almost 90 Indian reservations with energy resource potential, including oil and gas, coal and coalbed methane, wind and geothermal. *See* Senate Energy & Natural Resources Committee News Releases, February 14, 2003.

See also Infrastructure on Native Lands, “Expanding Natural Gas Pipeline Infrastructure to Meet the Growing Demand for Cleaner Power,” Final Report of The Keystone Dialogue, dated March 2002:

As the infrastructure of natural gas production becomes a strategic factor in U.S. energy policy, so does the strategy of integrating the Indian tribal nations’ and Alaska natives’ resource base into America’s energy future. Tribal nations and Alaska natives own significant energy assets. For example, roughly 10 percent of natural gas reserves in the U.S. are located on Indian reservations. Much of this resource has not been fully developed. Tribal nations and Alaska natives will thus play an important role in meeting the forecasted demand for natural gas in the U.S.

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I hope that the Congressional Committees that deal with Indian issues will also take the time (if they have not seen them already) to view two videos. One is a PBS documentary titled *In the White Man's Image*, and the other is *Healing the Hurts*. *In The White Man's Image* is a video about the Native American residential boarding school experience; why it was established and how it affected the lives of Native Americans across the United States. It is about the first residential boarding school in Carlisle, Pennsylvania. Seven Navajos were among the early enrollees, including two sons of Manuelito, a famous war chief of the Navajo. Of the seven, six died at Carlisle, including Manuelito's sons. One of the young men shown in the video is Tom Torlino, a Navajo. *Healing the Hurts* is about Indians healing from having gone to abusive boarding schools.

As reported by the Solicitor General of Canada, which is equally true for tribes in the United States:

For hundreds of years (in some cases as many as three hundred years), Canadian Aboriginal communities experienced wave after wave of debilitating shocks and traumas that left whole nations of people reeling and broken. These shock waves came in many forms:

- Diseases (such as influenza, small pox, measles, polio, diphtheria, tuberculosis and later, diabetes, heart disease and cancer);
- ***The destruction of traditional economies through the expropriation of traditional lands and resources;***
- The undermining of traditional identity, spirituality, language and culture through missionization, residential schools and government day schools;
- The destruction of indigenous forms of governance; and
- The breakdown of healthy patterns of individual, family and community life...

The Solicitor General's report focuses on the importance of linking healing and economic development:

Healing is inseparable from social and economic development and nation building. While everyone knows this intellectually, in practice in most communities there has been a functional separation between healing activities and the work of political development, economic development, housing and even human resource development (training and education).

See Colonial Trauma (MAPPING THE HEALING JOURNEY, The final report of a First Nation Research Project on Healing in Canadian Aboriginal Communities, APC 21 CA (2002), Solicitor General Canada). Emphasis added.

The economic development vital to Indian communities should not be infringed upon by the condemnation of vital land resources. Tribes are ready, willing and able to participate in the energy industry. Congress should not impede that willingness by depriving them of the right to

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participate in bilateral negotiations with energy companies for the use of tribal resources.
Encouraging the energy industry to begin to include tribes with energy resources in the game will foster political, economic and social growth among tribes.

The moral imperative of leveling the playing field for tribes with natural resources comes from our documented government-to-government relationship and history:

Brigadier General Carleton reported to Washington that Fort Sumner which had been set up as an internment camp for Navajos during the Navajo-American War of 1860-1868 was "a fine reservation. There is no reason why they will not be the most happy and prosperous and well-provided for Indians in the United States... At all events..., we can feed them cheaper than we can fight them."

"These six thousand mouths must eat and these six thousand bodies must be clothed. When it is considered what a magnificent pastoral and mineral country they have surrendered to us, a country whose value can hardly be estimated, the mere pittance, in comparison, which must at once be given to support them sinks into insignificance as a price for their natural heritage."

"The exodus of this whole people from the land of their fathers in not only an interesting but a touching sight. They have fought us gallantly for years on years; they have defended their mountains and their stupendous canyons with a heroism which any people might be proud to emulate; but when, at length, ***they found it was their destiny, too, as it had been that of their brethren, tribe after tribe, away back toward the rising of the sun, to give way to the insatiable progress of our race***, they threw down their arms, and, are brave men entitled to our admiration and respect, have come to us with confidence in our magnanimity, and feeling that we are too powerful and too just a people to repay that confidence with meanness and neglect - feeling that having sacrificed to us their beautiful country, their homes, the associations of their lives, the scenes rendered classic in their traditions, we will not dole out to them a miser's pittance in return for what they know to be and what we know to be a princely realm." Through White Men's Eyes: A Contribution to Navajo History: A Chronological Record of the Navaho People from Earliest Times to the Treaty of June 1, 1868, (Volume I), J. Lee Correll, Navajo Heritage Center, Window Rock, Arizona, 1979 (Six Volumes). (Emphasis added.)

Very truly yours,

Carol Harvey

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