

Senator Ashurst introduced an amendment to rescind the Wilbur withdrawal order—no mention of Papago rights. He met with determined resistance from Senator Wheeler. The following quotation reveals Senator Ashurst's attitude:

SENATOR WHEELER: "Also I should like to ask the Senator from Arizona this question: Suppose a mining company or individuals go in there to engage in mining, are they willing to pay the Indians a rental for the surface rights?"

SENATOR ASHURST: "I cannot speak for them. *So far as I am concerned, I would reject such a proposal.* I decline to live by any man's leave underneath the law."

A modified form of the Ashurst amendment was eventually accepted, with the tacit understanding that it would be further amended in the House in protection of the Papagos. In the House, after further battle, Mrs. Greenway finally agreed to the Papago settlement that appears in the Wheeler-Howard Act.

So far as Indian interests are concerned, that settlement is a distortion of the Margold bill. It makes no mention of the all-important element: water. It in no sense prevents a slow whittling of the reservation.

The Margold bill was drafted on a just appraisal of the rights of both whites and Indians. The bill or a bill of equally unprejudiced intent must be wrested from the Arizonans in the next session of Congress.

## OKLAHOMA AND THE WHEELER-HOWARD ACT

At the special instance of the Oklahoma delegation, Congress perpetuated the fiction that Oklahoma Indians are different to all others. The most important sections of the Wheeler-Howard Act were by a special section made *non-applicable to the Indians of Oklahoma*: i. e., continuation of the trust period; limitation on the inheritance, sale and transfer of Indian lands; the establishment of new reservations on newly purchased lands; the right to form tribal organizations and tribal corporations; and the holding of referenda to permit them to elect whether or not they want the act to apply to them. (Sections 2, 4, 7, 16, 17 and 18.)

This leaves applicable to Oklahoma only those sections dealing with Indian Civil Service, educational loans, the revolving