

A DECLARATION OF INDIAN RIGHTS

THE B.C. INDIAN POSITION PAPER

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TABLE OF CONTENTS

Page N

Part I	SUMMARY OF THE B. C. POSITION PAPER	
	PREAMBLE	1
	SELF-DETERMINATION	2
	ADMINISTERING OUR AFFAIRS	4
	OUR FUTURE ADVANCEMENT	8
Part II	LEGISLATION AND PROGRAMS AFFECTING B.C. INDIANS	
	INDIAN RIGHTS AND IDENTITY	10
	NATURAL RESOURCES	13
	LEGISLATION AFFECTING INDIANS	14
	GOVERNMENT ADMINISTRATION	18
	PROGRAMS AND SERVICES	24

PART 1 - SUMMARY OF THE B.C. POSITION PAPER

A DECLARATION OF B. C. INDIAN RIGHTS

PREAMBLE

That Indians have survived the first one hundred years of Canada's history is miraculous indeed. This struggle has been handicapped by an apathetic, intolerant and now intolerable Federal government and by totally incapable and ruthless Provincial governments. Governments generally have been disinterested in our problems and now the Federal government proposes to absolve themselves of any responsibility for our people by one stroke of the pen: the final stroke to cover all sins of omission and commission.

We Indians in British Columbia reject the Federal government white paper policy on Indians released in June, 1969. We disagree with any unilateral attempt by government to extricate itself from its obligations for our people. The special relationships that have developed between Indians and the Federal government carries immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other Canadian. This historic relationship cannot be abridged without our consent. Instead, we propose a renewed constitutional commitment in light of modern conditions and we expect these and prior commitments to be honoured as any honourable sovereign nation should do for its citizens.

The principles and policies outlined herein are a record upon which our people believe overall legislation affecting Indians should be based without prejudice to our claims generally. These principles are suggested in good faith to avoid the kind of mistakes frequently made in the past by the Federal government for decisions and policies made without our direct involvement. These principles will benefit our people and are intended to improve Canadian unity, to bring the Indian and non-Indian peoples closer together.

In this paper we propose new and expanded programs and services for our people, and more delegation of authority to the local level to enable us to achieve optimum development of our human and our land resources at a pace consistent with our own plans. We need major increases in social and economic programs to help us in our adjustment to a rapidly changing society and increasing provincial services without prejudice to continued federal commitments. It is necessary for the Federal government to provide certain services for Indians but it is not necessary for the government to administer these services. There is no need for us to be deprived of self-determination merely because we receive federal monetary support, nor should we lose federal support because we reject federal control. We now want to make decisions, in the administration of our affairs, to select and control programs in a voluntary manner with the right of retrocession. We need a new and continued Federal government commitment for our people and for our lands.

SELF - DETERMINATION

Cultural pluralism is a source of national strength. Canada has a cosmopolitan population and we are proud of our part in it. We are proud of our cultural heritage, of our unique status and confident of the significant cultural contribution our people can contribute to the growth of this nation. Our record is one of enormous contribution to this country, to its art and culture, to its strength and spirit, to its history and to its sense of purpose. Would this Federal government deny us the opportunity to participate in Canadian cultural pluralism, to determine by our acts and our decisions what part we want to play in Canada's future? The Federal government seems intent on raping our culture and unique status, on wanting to destroy our identity as Indians. We reject this philosophy and demand our rightful place in society as INDIANS. We demand the right to determine our own destiny without jeopardizing our aboriginal rights and our special relationship with the Federal government.

Various policies are required to safeguard our unique Indian status and to preserve our valuable contribution to the multi-cultural ethnic structure of our nation. We demand that the two senior governments assume their rightful obligations and take appropriate urgent measures in their respective areas of jurisdiction to improve our economic and social conditions to permit us to survive and to grow with pride and a full stomach. We urge a greater allocation of resources to us to enable us to develop our lands and our people, to enable us to better participate in the "Good Life" of British Columbia and in the "Just Society" of Canada.

It is evident that legislation for Indians is necessary and that the present Indian Act is unsuitable. New legislation and/or constitutional changes must provide us with educational and economical opportunity, and must provide more power and authority at the local level. The real issue is not revision of the Indian Act but recognition of the rights that have been denied us since Confederation and to enact constitutional legislation to guarantee these rights. We wish to pursue these rights in honourable negotiations and to have them provided to us without the need for harried confrontations.

We need legislation that will reverse the present paternalistic attitude of the Federal government, but the new arrangements entered into with the Federal government must not jeopardize in any way settlement of the aboriginal rights issue, and all rights due us as original citizens.

New legislation must reflect the real intent of past government obligations. It must guarantee Government commitments to its treaties, to its legislative commitments, and to verbal promises. It must provide the basis for equality and opportunity and reflect mutual trust and understanding. It must provide consideration for all people of Indian ancestry regardless of bureaucratic classification, and we must play a major role in defining these new commitments.

Areas of concern to which governments must now address themselves are:

1. Settlement of claims for the province of British Columbia
2. Recognition of the various Indian nations.

3. Recognition of all rights due Indians such as: land title, foreshore, water and riparian rights, forest and timber, hunting and fishing on a year-round basis, mineral and petroleum, and all other rights basic to Indian life that are acquired hereditary, historical; usufructuary, moral, human or of legal obligation.
4. Establishment of an unbiased claims commission which will recognize these native rights and prepare just compensation awards for settlement of all land and other native claims.
5. Reconciliation of injustices done by the imposition of restrictions by all forms of Federal/Provincial legislation.
6. Complete and continued consultation with us during revision of pertinent legislation, and in setting policy on all matters affecting Indians by both senior governments including revision and alteration of existing programs.
7. Assumption of government administration at the local level.
8. A continued Federal government commitment to our people.
9. Equal rights and opportunities in all spheres of public activity; economic, educational, health, social, cultural, civic and political.
10. Improved services and programs.

Above all, we as responsible individual citizens, as responsible band councils, as responsible representatives on the Chief's Council want to contribute to our own personal and co-operative group improvements, and want to co-operate with governments in determining how best to solve our many problems.

ADMINISTERING OUR AFFAIRS

We propose that the two senior governments not be directly involved in the administration of our lands and of our peoples, but rather that these functions be performed by our own method of self government. The two senior governments should concern

themselves with providing us with an opportunity to upgrade our economic status and to the extension of provincial services based upon tri-party negotiations.

The primary responsibility for Indians and for lands reserved for Indians rests with the Federal government and there it must remain. We expect this obligation to continue. We propose a council on Indian opportunity to function as a Parliamentary Committee for the main purpose of preparing an annual social-economic progress report to provide comparative statistics on:

1. Educational achievement in public schools, universities and technical schools.
2. Employment, job opportunities, wage levels, business ventures, and other related data.
3. Indian status, treaties, changes to legislation, and agreements with the provinces and other legal matters.
4. Housing, living conditions, public services, various social problems, medical and health conditions.

Other legislation affecting Indians both federal and provincial must be subordinate to Constitutional guarantees.

1. The Indian Act

Specific legislation for Indians in British Columbia is required. We need an Indian Act with considerable built-in flexibility to accommodate the special problems of Indians living in British Columbia, to provide major benefits in terms of today's needs and to provide individual bands with options to handle more of their own affairs. We wish to eliminate the need to refer decisions to the Minister.

2. Taxation

The Province should recognize that Indians are tax paying residents either directly or indirectly for which they get very little provincial services in return and, the Federal government should ensure that Provincial services for these taxes be provided to Indians without discrimination.

The Province of British Columbia has collected considerable

taxes from Indian lands where the status of said lands as to alienation and surrender is questioned by Indian peoples. The Claims Commission must investigate these claims and clarify the constitutional title and ownership of these lands.

Education

Indian rights to pursue education in any educational institution in Canada have not been fully recognized and must be set out in appropriate legislation. The educational system should provide continued education for drop-outs, teenagers and young adults and provide extensive counselling services to encourage post high school education. Vocational training must provide for reserve based on-the-job training programs.

Further, Indian children must have an unquestionable right to be enrolled in kindergartens on or off reserves. Education is of paramount importance to our social and economic development and it is mandatory that pre-school training be provided to our children. Also, our children must have the opportunity to be taught their native languages and culture.

Financial

Revised legislation must recognize the need and indeed our desire to administer our own affairs. We propose that an annual budget be appropriated by Parliament for Indians similar to appropriations made to other Federal government departments, that these budgets be prepared by Indians and not be subject to approval or administration by any Federal government department. We are to answer directly to Parliament for the administration of these funds through our own organization.

Royalties from natural resources taken from Crown lands are to be used to subsidize the costs for us to administer our own affairs. Land taxes collected from Indian reservations, whether now considered alienated or not, must be returned to us and all such taxes be collected in the future by Indian bands for the provision of local services.

Health and Welfare

Federal legislation must specify in clear terms a responsibility for substantial upgrading of Indian health and medical services and provide on-reserve job opportunities and industry incentives designed to improve our employment potential and thereby reduce our dependence upon welfare.

6. Reservations

Reserve lands should provide a base for our cultural identity. Our policies on Indian lands are:

- a. Reserves to provide the basis for social and economic independence of our people.
- b. Industry on reserve lands to be encouraged, preferably owned and operated by Indian bands and by individual Indians.
- c. Indians have first preference for all jobs created on reserve lands, and in fact for all social and economic activities and programs involving Indians or Indian land. All leases should include conditions giving preference to Indians to require that appropriate job training be provided with cancellation clauses for non-performance.
- d. In cases where reserves are over-populated and the band consents, the band members to be trained for re-location, and other Crown lands created as reserves to provide for the surplus population.
- e. Indian people to be relocated as a last resource only if the people involved consent to do so. For those who choose to remain both training programs and equipment are to be provided to enable them to cope better with their actual environment.
- f. All taxes on Indian lands to be imposed by and collected by Indian bands.
- g. Alienated property to be recovered and to revert to the appropriate bands.

OUR FUTURE ADVANCEMENT

Indian reserves are pockets of social and economic poverty that have become increasingly dependent on welfare-oriented government programs. The future advancement of our people depends upon a suitable social and economic environment. An environment must be created in which we will become involved in our own affairs and our aspirations can be encouraged to grow. A concerted effort is needed in the areas of community improvement, economic opportunity and social development. A massive social program is required to improve the educational achievements, health and housing standards, training and job opportunities, business opportunities and recreational activities of our people.

Federal government obligations for Indians have changed over the years with changing ideals and the changing standard of living but the government has fallen far behind in carrying out its obligations to and in keeping current with the changing needs of the Indian population. We now plan to assume increasing responsibility for our affairs by administering our own programs and services but we hold the Federal government responsible for funding this work.

Our programs are based upon self-determination and involvement of Indians at the local level. They are self-help programs that will require the use of all available government programs and involvement of the private sector of the economy. Our problems will be solved within the communities rather than to relocate our people in urban areas. We will become independent of federal control without sacrificing federal support. Our programs are designed to strengthen our autonomy and our community life. Programs managed and operated by us in meeting the needs of our people are likely to be more effective than government administered programs.

Changing attitudes of the Canadian people will accept and support our desire to create a viable economic life for our people on our terms, at our speed, and based upon our cultural identity and heritage. A rebirth of our initiative and vigor, our self-determination, will result in the growth of viable and healthy communities but we must not be under any pressures to culturally assimilate with the dominant society; this we will do in our own way and in our own time.

Our programs envisage the need for a vastly improved Indian-based educational system catering to the needs of our people and monitored by Indians, economic development plans to maximize employment of our people on the reserves, and social improvement plans to improve the capability of our people to initiate and pursue their self-development. It is important also that Indian communities be made aware of the increasing and numerous programs and services available to them from private and government agencies.

We plan to assist Indian communities to study rights due them, and the benefits and scope of available services under various pieces of legislation. Huge communications and research programs are required, considerable public relations work is envisaged both within Indian and non-Indian communities.

Our hopes for progress lie in the emergence of Indian leadership and initiative, in an Indian voice in making plans and decisions in programs affecting our lives, in the involvement of our people in all aspects of programs and services available to them and in identifying our needs from an Indian viewpoint - as it should be.

Finally, it is evident that the Federal government should not consider Indian people as a homogeneous group but as individuals and groups with different characteristics and problems. The Government, therefore, should approach us not with the thought of offering a common solution to a problem but rather to listen to our proposals and needs and then assist us in finding a way to meet these requirements.

The cost of assisting our people to improve their standard of living and to participate fully in Canadian society will be very heavy for many years but is a charge on the public treasury that we believe will be accepted by the Canadian people if the facts of history and the reasons for the cost are made known to them. At all costs, both parties to this emerging partnership, the Indian Canadian people and the non-Indian Canadian people, must avoid the serious errors and breakdowns in communications that have previously been experienced. We must all work together for a better future, for better Canadian unity.

PART 11 - A DECLARATION OF B. C. INDIAN RIGHTS

LEGISLATION AND PROGRAMS AFFECTING B. C. INDIANS

INDIAN RIGHTS AND IDENTITY

The Federal government is morally and legally committed to continued responsibility for Indians and lands reserved for Indians. It is time that the Federal government began to recognize and build upon the capacities of its Indian peoples both as a matter of justice and as a matter of enlightened social policy. It is time to create conditions in which our future is determined by our acts and by our decisions. We expect the Federal government to take a more positive stand on matters relating to our ethnic group, our lands, and in creating opportunities for our advancement. We expect a new, modern commitment.

1. LEGAL STATUS

The legal status of Indians as defined by the Indian Act is too restrictive and creates self-destruction of our ethnic identity. We do not recognize the process of enfranchisement. We feel that a person who once was an Indian may continue to be an Indian for the enjoyment of rights generally available to Indians and that Indian bands should determine entitlement to reserve properties. Persons who have previously been enfranchised should be able to regain Indian status at their discretion and to share in their due rights. We will subsequently present the government with appropriately worded legislation on this matter.

Recognition of Indian status is essential for justice. We intend to enjoy the same rights, privileges and immunities as our non-Indian fellow citizens but also to enjoy certain additional rights due us because of our special status as Indians. Recognition of our Indian status together with our aboriginal rights is mandatory.

11. CIVIL RIGHTS

We must have the same civil rights and the same opportunities as other Canadians and not be discriminated against in any respect, particularly by government legislation.

Legislation affecting Indians which violates the Canadian Bill of Rights and the Universal Declaration of Human Rights must be revised.

Civil liberties law must be applied similarly and equally for all regardless of ethnic origin.

However, creating opportune conditions means more than merely destroying restrictive barriers. Opportunity and equality for us in all aspects of contemporary Canadian life requires the immediate availability of capital resources, accelerated special training and education, improved social and community services programs and improved political representation.

111. CULTURAL HERITAGE

We believe there should be a positive recognition by everyone of the unique contribution of our culture to Canadian life and that programs should evolve to foster our cultural development. Culturally oriented programs will recreate the aesthetic values and unique spiritual strengths so necessary to support us in our total development. To preserve and to develop our culture it is necessary for us to remain as Indians and to preserve our status, rights, lands and traditions.

The Federal government seems intent on the one hand of wanting to remove our protective legislative and constitutional guarantees but on the other is actively pressing legislations to provide special privileges for the French language and culture. Federal legislation does provide other special privileges to minority groups particularly in regard to restrictive immigration. We expect due respect, special privileges and protection of Indian languages, land, identity and culture. Regardless of what terminology this may be called, we expect this protection by special legislation and by constitutional guarantees. These guarantees are of historical importance and will contribute more to Canadian unity than any other privileges extended to minority groups.

We do not want sympathy from the non-Indian Canadian society. We want recognition of our national identity and want to practice with pride and dignity our cultural heritage as aborigines. Within the framework of society we expect non-Indians to appreciate our rights as first citizens of Canada. These rights and identity must be recognized through education, museums and parks, reserves, encouragement of cultural traditions, and in appropriate legislation.

IV. RESEARCH ON INDIAN RIGHTS

Considerable socio-economic and historical data is needed to plan our programs and services; to plan the development of a handicraft industry and cultural museums; and to build an organization of our political, economic and social activities. We are initiating a research project on Indian Rights and Treaties in collaboration with the research committee of the National Indian Brotherhood, and plan to initiate other basic research programs as the need arises to provide us with this necessary data.

NATURAL RESOURCES

We are concerned about our environment, our general ecology including: pollution, flood and erosion control, protection of fish and wildlife, destruction of spawning channels, protection of our forests, in development of our mineral resources and in the limitation of our rights in using natural resources to sustain our living. Spawning grounds are becoming covered with brush from logging operations and with mill effluent. There are too few Department of Fisheries inspectors to adequately patrol the multitude of streams and the Minister, located in Ottawa, is too far removed to be familiar with the problems and to be effective in their control. We need a Fisheries Department with head office located in British Columbia to protect our natural resources to achieve more effective control over this developing problem.

New or revised legislation should permit Indians to obtain fish for food without the necessity of a permit, at any time from any lake, river, stream, or inlet and from beyond the surf line, to include shellfish, herring spawn and oulchan, with no restrictions as to age or sex. Also, unrestricted hunting for game and animals and trapping of fur bearing animals on Crown lands should be permitted. Methods of fish and wildlife conservation should be left to our own discretion.

We demand preference in employment in the development and management of renewable resources and to provide protection to our forests and wildlife, spawning channels, and the control of floods and erosion and other natural phenomenon, and preferences in businesses related to the operation of tourist camps, guiding and outfitting, and in the use of public parks. Considerable employment can be provided which is natural to our hereditary means of living.

Much of our ecology and natural resources are being destroyed and depleted by indiscriminate exploitation by primary extractive industries. We demand immediate involvement of our people starting with the planning stages in all mining and forest industry activity on Crown land in the province of British Columbia, with employment preferences provided to our people as a condition for industry permits to develop these natural resources. A portion of supervisory staff should in all cases be Indians.

It is essential that we regain benefits from use of our resources and be compensated for previous loss of their use.

LEGISLATION AFFECTING INDIANS

Existing legislation is restrictive and prejudicial to our human, civil and native rights. We demand that the Government of Canada return to recognized international principles in treatment of the Indian population. This should be done as a matter of equity and justice. Various aspects to be considered in revising legislation are outlined herein.

1. THE CONSTITUTION

We demand more encompassing legislation to protect our unique aboriginal status under protection of the Canadian Constitution. Constitutional guarantees must be provided in terms of identity, land, education, economic development, political representation, hunting, fishing, trapping, health and welfare services. We are not prepared at this time to propose concrete legislation affecting Indians but rather to present these principles of Indian policies as our position for a base upon which to revise appropriate legislation.

We propose that a national constitutional conference be convened comprising Indians and the two senior governments to discuss the important position that Indians should occupy in our method of government, and that all future Federal/Provincial Constitutional conferences include Indian participation. It is inexcusable that Indians are not participating as a third party in these discussions and this shortcoming must be corrected. We now call upon the Federal government to convene within the next year such a conference to commence discussions on revision of existing legislation.

11. INDIAN CLAIMS

We expect this Liberal Government to live up to the 1963 election promise made under the leadership of Mr. L. B. Pearson to establish a claim commission. One of the official election campaign pieces contained the following promises:

"Liberal policy now is to appoint as soon as possible an Indian Claims Commission, an independent, unbiased, unprejudiced body with broad terms of reference, to review all matters pertaining to this issue.

With the objective of achieving a fair and just settlement of all outstanding claims, it is Liberal

policy that the Commission will include qualified authorities on British Constitutional laws as it affects aboriginal, hereditary and usufructory rights.

To assure the objectivity which Indians of Canada have the right to expect after years of procrastination, Commissioners may be appointed from other parts of the Commonwealth such as New Zealand, where achievements in this field are regarded as outstanding. It is Liberal policy that the Commission will be unbiased and independent.

Appointment of the Indian Claims Commission, as described, is based on the fundamental Liberal policy that Canada's Native Indians must now achieve full equality without loss of aboriginal, hereditary and usufructory rights."

It is the time for the Federal government to honour and fulfill their commitment, to settle our long overdue rights and claims. This Liberal government should now prove its honour.

We propose that a Claims Commission be established with broad terms of reference to review, examine and make recommendations concerning:

1. Indian treaties.
2. Compensation to aboriginal peoples regardless of status defined in the Indian Act.
3. The boundaries of reservations to include as part of reserves all waterways that border the reserves.
4. Riparian and foreshore rights and the right to control air space over reserve lands.
5. Cut-off lands and other lands lost due to encroachment of governments and industry.
6. Claims due to mismanagement of lands and inadequate leasing arrangements, and the loss of water rights.
7. The collection of back taxes imposed by governments on Indian lands.
8. Treaty commitments and hereditary rights overruled by the Migratory Birds Convention Act and other improper restriction on Indian aboriginal hunting and fishing rights.

9. Other claims that Indian persons and bands want to have heard.

111. RESERVE LANDS

We intend to develop our lands to enable us to achieve the highest possible standard of living for our people. Our plans concerning reserve lands are:

1. Bands should through their Band Councils and business corporations develop their own lands. Band business corporations, with the approval of Band Councils, are to raise money on the security of Reserve lands allocated to these corporations by the Band and also on the security of income from leased lands. Legislation must provide the flexibility for Bands to develop at their own rate with each Band to choose the best fashion for its own development.
2. An atmosphere is needed to stimulate and assist in initiating the development of Band lands and resources by Indians. In brief; Indians will in future propose and initiate rather than merely respond to outside proposals.
3. Reserve lands are not to be sold or alienated. All development and use of Band land should be by lease subject to Band by laws. Leases should provide for periodic revision to update the returns based upon current economic value of the lands. The lease rate should be adjusted not more than every five years.
4. Indian reserve lands should not be subject to expropriation laws, but rather provide for public use by way of lease. This would apply to Reserve land required by various levels of government. Governments and Crown corporations including municipalities, railways, public utility companies and others requiring the use of Reserve lands subject to an absolute maximum of five percent of total reserve acreage.
5. Indians are the beneficial or actual owners of their lands. The legal title has only been held by the Crown to prevent the sale or breaking up of these lands. It is not necessary that legal titles be continued to be held by the Crown. We propose that deeds of ownership be now turned over to Indian bands for administration with Constitutional guarantees to protect these lands against alienation as to expropriation, sale and taxation. The word "surrender" in referring to Indian lands would therefore become redundant.

IV. LAND REGISTRY SYSTEM

A register of Indian lands recording the rights and interests of bands and of individuals should be established along lines similar to the Torrens System now used in the Provincial land registry offices. Certificates should be issued for individual pieces of property and a fund should be established similar to the Insurance Fund now established by the B. C. Government for the provincial registry. Thus, it will be possible for the Bands, for Band corporations and for individuals to use their registered asset to raise money for development. The use of this registry parallels the policy that Reserve land be held by the Band, and that the Band through the Band Council sublease portions for business development and then submit the document to the Central Registry for registration.

We are opposed, however, to any suggestion that at some time in the future the registry of Indian lands might be transferred to provincial land registry offices other than on a service contract basis for administration purposes only. We are aware of the attitude of certain provincial registrars to the effect of alienating road allowances from the Reserve permanently and we wish to prevent these undesirable situations developing. We require specific legislation to prevent alienation of our lands in this manner.

GOVERNMENT ADMINISTRATION

1. INDIAN AFFAIRS BRANCH

We propose changing the roles of the Indian Affairs Branch, of the Union of B. C. Indian Chiefs (U.B.C.I.C.), and of local Indian bands. As we see it the main role of the Branch will be to protect our rights and Indian identity. The role of the U.B.C.I.C. will be primarily planning, co-ordination and administrative. The role of Indian bands will be to administer their own affairs and to assume control over their own financial affairs and their own development.

We recognize the continuing need for an Indian Affairs Branch, but one that is smaller in structure and more closely attuned to the needs of Indian peoples; a Branch that will serve the interests of Indian people, rather than be authoritarian in nature. The role of the Indian Affairs Branch should be to serve mainly as the keeper of the Queen's promises concerning our rights, treaties and lands. The Branch, as explained in Volume 1 (1966) of the H. D. Hawthorn report "A Survey of Contemporary Indians" can play a valuable role in the Canadian community:

"The Indian Affairs Branch should act as a national conscience to see that social and economic equality is achieved between Indians and whites. This role includes the persistent advocacy of Indian needs, the persistent exposure of shortcomings in the governmental treatment that Indians receive, and the persistent removal of ethnic tensions between Indians and whites.

Indians should be regarded as 'citizens plus'. In addition to the normal rights and duties of citizenship, Indians possess certain additional rights as charter members of the Canadian community.

The Indian Affairs Branch has a special responsibility to see that the 'plus' aspects of Canadian citizenship are respected, and that governments and the Canadian people are educated in the acceptance of their existence."

The Branch should be defined as the sole responsibility of one Minister of the Crown and its name changed to reflect more accurately its true function. We propose it to be renamed as the Department of Indian Rights and its chief executive to be called the Advisor or Administrator of Indian Rights.

We emphasize the responsibility of the Federal government for Indians and lands reserved for Indians but reject the need for all decisions affecting Indians to be subject to "final approval by the Minister". We, through our own administration processes, wish to provide that "final approval" ourselves. It must be clearly understood that we will determine policy that affects Indians in British Columbia.

THE PROVINCIAL GOVERNMENT

We challenge the Government of the Province of British Columbia to bring forward progressive programs for developing the human and physical resources of the province, the most integrated plan possible with special emphasis given to the development of Indian human resources. We challenge this Province to examine with us our due rights and privileges as provincial residents and to activate their latent unfulfilled responsibility for services to our people.

Services now provided by the Province and by municipalities to other provincial residents should be extended to our people without prejudice to the continuing responsibility of the Federal government for Indians. Services not now available to Indians should be contracted with costs borne on a Federal/Provincial cost sharing basis. Among others the programs and services should include education, welfare, public health, sanitary regulations, housing, police and fire protection.

The Federal government must retain the prerogative of reassuming provincial services should the Province fail to live up to its expectations in providing these basic services.

LOCAL GOVERNMENT

If Indian people are to progress, we and our institutions must be given more decision-making power on all matters pertaining to the affairs of Indians together with the responsibilities that flow from the exercise of power. As a result, a delegation of authorities should be made to Band Councils and to Band economic corporations who will assume the appropriate responsibilities.

1. Municipal Services

The authority for bands to carry out local government functions must be increased to include many functions now carried out by municipalities and other local government bodies. For the foreseeable future, the funds for these

municipal services will not be available from our lands which are in general poorly developed, and will not be available from provincial sources. Consequently, the Federal government must provide massive funds for years to come, until such time as the standards of our people and our lands have reached a stage of development roughly equivalent to neighboring non-Indian lands. Then, it is hoped, our economic, social and political development will have reached a stage that will permit us to gradually assume not only the responsibility for planning and carrying out development but also to pay for it through our own effort.

2. Municipalities

Extreme flexibility must be provided in legislation for development of local government according to the option and plans of the various bands. Bands should be able to incorporate as municipalities with all the power of municipalities but incorporated under federal legislation. A system of grants, both outright and conditional, should be introduced roughly equivalent to the grants available to local governments and municipalities.

Bands through their councils need specific power to negotiate and enter into agreements with local government bodies, Crown corporations and public utilities for the purchase of services as necessary. Legislation should specifically set out the powers of local bands through their councils to have exclusive power to tax and zone on reserves whether or not the land is leased out to Indian or non-Indian lessees and to licence businesses on the reserves. We need a new framework for Indian local government to operate under federal laws adjusted by a new department of the Federal government.

3. Business Development

Bands should have the power to establish business corporations with wide powers similar to those of private companies and in some cases semi-public and public companies that now operate under provincial and federal legislation. However, Band business corporations should for the present operate under the jurisdiction of Federal legislation.

Each band must choose its own arrangements for local government. To achieve this local government effectively however, there must be a training program provided for chiefs, councillors, employees, and other interested band members. Courses must

include the essentials of self-government, the principles of business management, and business opportunities available for their reserves. Career opportunities for Indian civil servants must evolve.

It is evident that extension of local government to Indian reservations and the responsibility for development of Indian lands will create many job opportunities in public service, in band administration, and in private industry. There will be an increasingly strong demand for technically and professionally trained Indian people and it is necessary that training and educational programs be developed and implemented immediately to meet these future needs. We intend to develop and administer the special educational needs of Indian people in this respect, and we emphasize the importance of quickly expanding educational programs of this type.

4. Dual Role

Indian Band Councils have two primary responsibilities:

- a. To administer reserve lands in a political sense, similar to municipal government administration.
- b. To develop reserve lands in a business sense for the economic and social benefit of the bands.

To perform this dual role effectively, we favour the incorporation of band development companies with powers separate from the band councils for economic and social development but subject to the by-laws imposed by the band council. Both the band council and the business corporations would in turn be responsible to Indians at the local level. Additionally, a system of band jurisprudence must evolve to enforce band by-laws.

INDIAN GOVERNMENT

We propose that Indians through their band councils have direct access to Ottawa in two ways:

- 1. Through a minister of the Crown who has no other responsibility than the well-being and protection of rights of the Canadian Indian people, with no other department responsibility to dilute his time and interests, and
- 2. through political representation in the Parliament of Canada.

We must continue to be recognized as unique spheres of federal

authority, therefore it would be quite consistent with democratic principles to group reserves into political constituencies for the purpose of electing Members of Parliament. This political representation will help provide the unique status and recognition that is due us, and make a significant contribution to the multi-cultural nature of our country.

The administration of Indian affairs within British Columbia in reporting to Parliament should be through the Union of British Columbia Indian Chiefs. It is imperative that the U. B. C. I. C. be recognized as having full authority to act on behalf of all Indians of British Columbia, and that the chairman of this organization have access to Parliament in the capacity of a Member of Parliament but independent of any political party. In effect the U. B. C. I. C. would become another legislative body independent of provincial jurisdiction.

V. IMPLEMENTATION PROGRAM

We favour a gradual change in the role of the Indian Affairs Branch and we propose that there be a carefully drawn up implementation plan to effect the required changes. Initially, the U. B. C. I. C. working together with the Branch will develop an integrated planning approach to our gradual absorption of the administrative functions. The Branch will need to provide the necessary resources to help in developing these plans, programs and budgets.

The key to our gradual assumption of administrative responsibilities is increasing involvement of our people in planning and administration. The people-involvement and planning activities are inseparable from all the efforts that set a community in motion. Ideally, they must be integrated with a transformation of governmental and administrative structures which allow for the mobilizing of energies in the community.

The exercise of preparing integrated estimates should have a two-fold effect. We will gain a better understanding of community needs and priorities. Branch staff will find themselves participating in an educational process, helping us to develop plans and programs through evolution rather than imposition. Branch staff will become more advisory than administrative and thus make the implementation programs much easier. Programs evolved in this manner will strengthen the local decision-making process; achievement of community goals will strengthen our self-confidence. The result should be higher levels of aspiration.

The implementation program to be effective will require considerable

training in local government administration and budgeting procedures, and in administration of Indian affairs. Bands will learn that a budget represents the total funds available to them from many sources, including band revenues, Federal government, Provincial government, the private sector and band business enterprises. The main concern however is not the source of funds, but in the application of the funds and in the planning process that evolves, to teach us how to plan and administer these funds. Overall, the implementation process will take time to plan and to evolve and we expect that the Federal government will be patient in sitting down with us to devise methods for accomplishing this task.

PROGRAMS AND SERVICES

We intend to develop a viable economic life for our people on our terms, at our rate of speed, and based upon our culture and unique identity. We intend to develop as Indians without sacrificing our traditions. Our programs and services for achieving this development are outlined in this section.

1. CULTURAL DEVELOPMENT

Insufficient attention has been given to the contribution of Indian culture in the historical development of Canada. It is necessary now to concentrate public attention to the importance of our arts and crafts, handicraft, cultural activities and historical sites.

1. Objectives

The objectives of our cultural development program are to:

- a. Preserve our history and cultural heritage.
- b. Encourage a renewed pride in our people of their heritage,
- c. Create a general public awareness of and interest in our culture, traditions and identity.
- d. Develop a viable industry based upon our culture.
- e. Co-ordinate historical and archeological research and involve our people in this work.
- f. Promote the establishment of studies in Indian arts.

2. Organization

We propose to operate this cultural development program within the organizational structure of the U. B. C. I. C. We will have a staff to develop this program, to work with colleges and universities on matters of historical importance, and to encourage the development of businesses based upon our culture.

3. Cultural Program

The elements of our cultural program are:

a. Arts and Crafts

We intend to develop an industry based upon authentic,

quality arts and crafts for the social trade and another industry to produce cheap imitation items for the tourist trade.

We are concerned about the substantial importation of cheap imitation novelty items from Japan that serve to undermine the authenticity of native products and ridicule our culture. These imports must be completely curtailed. Also, Indian enterprise must be subsidized to produce novelty items to reach this particular tourist trade in addition to development of a business for the authentic genuine articles. To stimulate this industry we need considerable funds for training of craftsmen and for developing appropriate business enterprise. Further, tariffs and import embargoes are needed to provide protection during the development stage of this native industry.

b. Cultural Museum

A large cultural centre is needed in a metropolitan area to house the widely dispersed historic artifacts of our ancestors. These artifacts must be returned to us to be housed in an Indian operated and administered museum. It is necessary that we develop this centre and operate it to perpetuate our culture. It will serve as a historical research centre, as an archives, and as a base for developing an education curriculum.

c. Archeological Field Work

We are concerned about the undue exploitation of our historical sites. We want to become personally involved in and direct all research that is organized to locate, measure and identify historical sites and Indian archeology in all promotion of these sites as tourist attractions and for educational research, and in protection of our sacred grounds.

COMMUNITY DEVELOPMENT

Community development offers us an opportunity for greater involvement and greater achievement in social and economic activities; the passport to equality so essential to a successful partnership in society. Our community development program is service oriented and is based on the best use and highest possible development of all community resources.

Indian communities cannot be considered fully developed until all human, as well as land resources, are fully utilized and developed to the highest extent possible. Our program is based on the philosophy that Indians are best qualified to generate and support community development at the local level.

1. Objectives

The objectives of our community development program are to:

- a. Motivate and support self development initiative at the reserve level.
- b. Provide direction in the development of projects which are realistic and are based upon adequate knowledge and resources.
- c. Encourage our people to become completely involved in the solution of their problems and in self-management.
- d. Encourage participation and self help programs which will, through the achievements and successes of our peoples, increase their feeling of adequacy and responsibility, and move them from their present state of frustration, dependence, and hopelessness.

2. Organization

We propose to operate our community development program at grass roots level with overall general guidance from our central office. Our organization is participatory in which every element of the Indian population has a voice in the decision making process, similar to our forefathers' methods of making decisions in council. The programs for the most part will operate at the reserve level, with overall technical guidance from a director of community development.

The central office of the U. B. C. I. C. will be the hub of the entire program. It will evaluate progress and give guidance where needed. It will act as a distribution point for information pertinent to the community development process. It will also report annually to the general meeting of the Union and be held accountable to that body for its progress and actions. The central office will make use of a resources committee as a direct link with agencies in the non-Indian sector with access to resources of benefit to the Indian

people. The committee will pave the way and open doors when our people are ready to utilize these resources.

3. Method of Operation

Community development will encourage Indian independence. It will encourage social and recreational activities around which community programs can evolve and develop such as: adult education centres, recreational facilities, community centres, parks and gymnasiums.

The program will require that standards of housing and sanitary facilities be up-graded and that the quality and quantity of other services be improved. Housing standards do not always meet the minimum housing requirements of the National Building Code. These conditions must be corrected as the impact of inadequate housing on the social environment and its effect on the family unit can be crucial to the development of progressive ideas. Also, the housing programs must be greatly expanded to meet the needs of an increasing Indian population. Community development programs will encourage: representation on regional district school boards and planning boards, housing and road developments, capital improvement programs, public works, research and communications programs, community services, public utilities, town planning, housing rehabilitation programs, intensive training programs for potential workers, and extensive counselling services.

It should be clear that the community development program will operate at the community level. Decisions will be made by band members representing the grass root Indians, the Indian political structure, and the community development workers. In this way, all segments of the program will have a responsibility in the overall process.

EDUCATION

Due to various social and cultural obstacles that have emerged, Indians generally have not benefited from the formal educational system as expected.

The present educational system has proven inadequate and must be revised. Reform in native education is necessary. The educational system must provide for development, and it must be based on Indian culture. History books must be revised to emphasize the major role played by our ancestors in the development of our country.

We expect to develop plans to up-grade adults, and to provide better facilities for children so they can proceed through the formal educational system and enter into gainful employment. We expect to develop educational facilities which will supplement the existing formal educational system catering primarily to the specific needs of our people. Our educational program is people and community oriented and is intended to initiate progressive and constructive action on the individual and community level. It will provide us with a basis upon which to accomplish economic and social development.

1. Objectives

The objectives for our educational program are to:

- a. Identify special training needs to provide a background for development.
- b. Involve Indians in all phases of the educational system: in revising curriculum, in developing training courses, in developing educational materials, in teaching, and in cross cultural exchange programs.
- c. Maximize the social/educational benefits of our Indian ancestry and culture.
- d. Improve Indian general educational level.
- e. Develop a practical approach to up-grading of students with fundamental recognition of cultural and ethnic background.
- f. Revise educational curriculum in accordance with the special needs of our people.
- g. Increase our representation on local school boards.

2. Organization

We recognize the need for educational functions to be developed and supervised by Indians. We plan to establish a Provincial Indian School Trustee Association, an educational council, consisting of Indian people to deal with matters involving education. Our Director of Education will organize an education committee to oversee the school trustee association with specific responsibilities to:

- a. Ensure that the educational system recognizes our

unique contribution to the development of our country.

- b. Ensure that educational programs encourage Indians to participate in their own social, economic, political and educational advancement.
- c. Oversee the appointment of Indian school trustees to various local school boards throughout the province by working through local band educational committees.
- d. Supervise the distribution of per-capita education grants to band educational committees and/or to local school boards on behalf of bands.
- e. Work closely with band education committees.

3. Educational Program

Education funds should be provided to us for distribution on a per-capita basis. Band education committees would then be in a position to decide whether to develop and operate their own Indian schools, or to make contracts with nearby public schools for Indian students. Band education committees could also ensure adequate representation on local school boards and exert real pressure for changes to the academic program, for accommodation changes, for transportation arrangements and other related matters.

Our program includes:

- a. Indian colleges to train Indians to work with our people.
- b. Adult and vocational training courses to get our young adult drop-outs back to school and to focus on special needs such as management and leadership training.
- c. Co-operative pre-school training in which parents become involved in the adjustments of their children.
- d. Research to determine the needs of various education programs and necessary involvement of governments and other institutions.
- e. Improved curriculum, reading and teaching material, including the developing and using of materials on our history and culture.

- f. Guidance, counseling and mental health of school children.
- g. Changes in course content and in the general curriculum to recognize the contribution of Indians to history and to correct the existing historical distortions of facts.
- h. Changes in the system of residences and hostels to make them more representative of the family environment.
- i. Orientation programs for non-Indian teachers to make them more appreciative of Indian culture, tradition, arts and crafts.
- j. Curriculum changes to recognize Indian languages in place of French or other languages in high school and university.

We expect in developing our educational program to get complete support and co-operation from both senior governments; both in terms of technical assistance and in monetary assistance.

IV. SOCIAL AND FAMILY SERVICES

The Federal government is obligated generally to Indians by the British North America Act. The numerous Indian treaties established commitments to provide specific services such as health care. We interpret these commitments to include all Indians regardless of treaty areas. There is a modern day obligation to provide the quality of health and medical services that is now enjoyed by any other Canadian citizen, and not to withdraw any services now provided such as the B. C. Medical Plan.

1. Objectives

The objectives of this program are to:

- a. Improve sanitary and living conditions on the reserves, and the general health of our people.
- b. Assist the family units in acquiring sound and approved practices in home care and nutrition.
- c. Encourage perpetuation of and pride in the family unit.
- d. Encourage our people to pursue educational, employment and business opportunities.
- e. Reduce the dependence of our people on welfare assistance.

2. Organization

We intend to encourage active participation in this program at the reserve level by operating with a core staff from our Vancouver and district offices. Considerable improvement is required in the health, safe water and sanitary waste disposal facilities on reserves. To accomplish this it is necessary to hire and train many Indian health workers. The below average health condition of Indians is not natural but developed for well-known historical reasons. In our view the Federal government has a specific obligation to provide extensive assistance to improve the general health of our people and to provide individual medical assistance whenever required until such time as health standards are at least on a par with the non-Indian population. Community health services should cover medical, dental, optical, hearing, hospital, social services projects, living conditions and sanitation, nutrition, welfare, and correction of alcoholism, drug addiction and venereal diseases. We expect to provide the special training needs to cover these areas so the work of our program can proceed with due haste.

3. The Program

We are not satisfied with restricting industry opportunities on the West Coast such as closing down of fish processing plants that created many unemployed Indians while substantial Government funds are used to create employment on the East Coast. We want jobs, not welfare, and we don't want to have to move to the East Coast for these job opportunities.

Counselling and placement services operated by ourselves must be available to students, young adults and unemployed Indians throughout the province. Social services programs should consider crime, legal problems and rehabilitation, employment, human resources and legal aid. We will pursue these services for our people.

Welfare programs should include a commitment from the Federal government to provide education and training, industry and job opportunities to Indians throughout the province whether living on or off the reserve. We are not satisfied with a perpetuated welfare state. We need the opportunity to improve our potential for employment and for business opportunities, and further that these job opportunities be made available on the reserves. Our social programs must provide our people with the improved

physical health necessary to take advantage of these opportunities.

Provincial welfare programs must be made available without discrimination to any person of Indian ancestry regardless of their domicile within the Province to include family allowances, old age security, old age assistance, blind person's and disabled person's allowances, unemployment insurance and social assistance. We expect to closely monitor all of these services.

V. ECONOMIC DEVELOPMENT

An effective economic development program must reflect our desires and relate to our needs and to the situation of our people. It must be based on our culture, education and social development. The program must provide our people with the managerial, credit and corporate tools to enable them to participate more fully in the general social, economic, education and political life and to permit them to exercise greater initiative and self-determination. Our program is designed to accomplish this over-all objective.

1. Objectives

The specific objectives of our economic development program are to:

- a. Create industry and job opportunities on our reserves.
- b. Maximize education and training opportunities related to economic activities.
- c. Improve storage, warehousing, transportation, processing and marketing facilities and activities.
- d. Encourage on-reserve business enterprise especially in retail and service industries.
- e. Develop social programs to focus on changing environmental and economic conditions.
- f. Encourage facilities and activities with a wide range of job and business opportunities and to train our people to take advantage of these situations.

- g. Balance economic development with social and educational development.

2. Organization

We intend to provide the necessary technical and professional advisory resources through our central and district offices and to organize a development corporation to encourage participation of governments and industry in our economic development. Basically, the program will operate and generate at the local level.

3. Limitations to Development

Economic development must be creative and must be self generative. It must start with and be operated by Indians. Major impediments to the economic development of Indian reserves have been:

- a. Lack of conventional development capital. We need a bridge between this lack of equity capital to initiate projects and the finances and the facilities provided by the conventional institutions.
- b. Lack of education and training. We plan to have substantial training programs in both quality and quantity with funding provided by the Federal government. The resources of private industry will also be enlisted in this work.
- c. Lack of adequate technical and professional assistance. We seek increasing involvement with and assistance from the private business sector in this regard.
- d. Continued welfare oriented projects have denied Indians the opportunity for self economic development, largely due to the lack of creative programming and understanding by Government bureaucracy.

4. Development Program

We envisage a vast economic development program utilizing skilled resources people in many diverse professional and technical areas similar to those human resources provided to underdeveloped countries through the Canadian International Development Agency. We propose a development corporation to provide monetary, education, and technical services similar to those now provided to underdeveloped countries.

A comprehensive program with numerous innovative features is needed to create a significant number of new jobs and business opportunities on reservations. We plan a federally chartered Indian Development Corporation with broad responsibility to promote economic development on Indian reserves; the formation of band development corporations as the on-reserve instruments for promoting and initiating economic development; strong new incentives including tax credits based on the number of Indians employed and rapid depreciation allowances, to attract industry to reservations; the creation of a variety of forms of credit, including the authorization to issue bonds, guarantee loans to band corporations and individual Indians, and sell securities to individuals and bands as an inducement for them to invest funds; the planning of imaginative industrial communities on reserves to lure job-creating industries; the preparation of reserve profiles, economic surveys and project feasibility studies; and the creation of training programs for management and leadership positions.

To carry out our economic development program we need an overall blueprint for development based upon adequate socio-economic data about our people and our reservations, substantial funds for research and considerable use made of consultants.

5. Financing of Economic Development

Progressive economic development cannot continually rely on government appropriations which depend in turn on annual legislative action. Our policy for economic development is that the government should provide the initial funds necessary to give us the impetus for economic development on our reserves. Eventually the business opportunities, job opportunities, incomes and other factors will be self generated and will in turn sustain an improving standard of living among our people so that government financial obligations will gradually decline in future years. We emphasize though that considerable government funds will be required in the initial stages to encourage development on a massive scale.

We propose that an economic development fund be established to be administered by the Indian Development Corporation for the following purposes:

- a. Provide funds for business development projects.
- b. Improve economic conditions of predominantly Indian populated communities.
- c. Provide education and training in business, technical and professional activities.
- d. Help Indian owned companies upgrade their financial and managerial skills.
- e. Work with governments and private agencies in providing services to Indians and Indian communities.
- f. Provide technical and professional services to Indians and Indian communities.

6. Development Incentives

Development on Indian reserve lands can be encouraged. There are precedents for developing underprivileged areas in other parts of Canada that can be applied to Indian reserves. These include: area incentives programs, labour guarantees, tax incentives and credits, charitable contribution deductions, oil and mineral development incentives, accelerated depreciation, extra payroll deductions, low interest loans, and many other means used by government as incentives to develop special areas or to handle special situations. Development of Indian reserves is a very special case requiring very special industry incentives. All of these means must be employed.

RECREATIONAL PROGRAM

A recreational and sports program envisages the need for us to foster leadership and communication at the reserve level. Creation and expansion of these activities is of paramount importance to the well-being and to the general development of our people. Recreation facilities are very lacking on reserves at the present time. Many reserves have little or no recreation facilities. These conditions will be corrected through our recreational programs.

1. Objectives

The broad objectives of this program are to:

- a. Fulfill the recreational needs of native people.

- b. Develop competitive spirit and to encourage initiative and enterprise, i.e., professionalism.
- c. Infuse pride and dignity, confidence and self-discipline.
- d. Encourage individual development in order to benefit from athletic opportunities, amateur and professional.
- e. Focus attention initially on individual achievement to show the way and to establish a means of identity; and to eventually encourage group achievement and inter-cultural achievement.
- f. Encourage and assist in reserve facilities development where possible.
- g. Provide leadership training opportunities to encourage self sustaining reserve programs and facilities.
- h. Assist and encourage comprehensive recreational programs on and off reserves.
- i. Co-ordinate federal, provincial and municipal government participation.

2. Organization

The particular situation existing on Indian reserves requires that a special program be developed to encourage recreational and sports activities. We plan to establish a sports council within the organization of the Union of B. C. Indian Chiefs which will develop policy and administer a total recreational and sports program. The council will act also as an advisory and recommending body to the participating government bodies; to sports groups and foundations, and to other interested groups. The program will operate at the local level with overall guidance and encouragement provided by the U. B. C. I. C.

3. The Program

Our program will encourage development of a wide range of individual, competitive and team sports on the reserves. It will include trophies and awards, scholarships and assistance grants, fund raising activities, amateur sports

events, and will keep bands informed of general sports activities and sources of financing.

We anticipate also to provide bands with the necessary professional resources to help them to plan and build recreation facilities and sport centres on the reserves.

PUBLIC RELATIONS AND COMMUNICATIONS

Considerable communications work is required to bring together people of Indian ancestry who have common problems, ideals and objectives. We therefore propose an extensive public relations program to improve and to recognize the importance of unity among our brotherhood. We propose to establish procedures for advising Indians the availability of services and programs.

1. Objectives

The broad objectives of this program are to:

- a. Develop unity and common objectives among people of Indian ancestry.
- b. Make non-Indians aware of and interested in the work of our people, our aspirations and our identity.
- c. Promote a better understanding between Indians and non-Indians.
- d. Distribute information about programs and services and achievements of Indian individuals and bands.
- e. Complement the work of the various programs and services administered by our people.
- f. Advise and inform our people as to their historic and legal rights, privileges and responsibilities.
- g. Establish a communications system between Indian communities throughout the province.
- h. Establish contact with various public and private organizations leading to greater public awareness of the plight of our people and to create support for programs designed to assist us to achieve progress.

2. Organization

We will provide a core staff of specialists in our Vancouver office to augment and assist communication workers operating at the local level, also to operate specialized mass media facilities needed for communication with reserve based Indians by means of radio, television, news media and transportation.

We will through our district representative promote more active chiefs and councillors at the local level to encourage people to get involved in solving their own problems and to participate in unity building activities.

3. The Communications Program

We intend to develop a comprehensive communications program to include a wide variety of activities. We need to expand and improve methods of transportation access to outlying Indian communities. Our plans envisage:

- a. Establishment of land and sea aircraft landing and servicing facilities.
- b. Improved reserve roads and reserve access roads.
- c. Improved passenger and freight carrying services.
- d. Utilization of government surplus equipment for the building and maintenance of roads and utilities.

We plan to foster the rapid development of Indian friendship centres as focal points for social activities in non-Indian communities. We favour the concept of these centres as a place where Indians can find companionship, exchange ideas, and develop action programs to improve their own individual and group situations.

Also, considerable public relations programming is required to make the non-Indian public aware of and to interest them in Indian cultural heritage. In this regard we propose public liaison work to include cultural exchanges, school exchange programs, museums, and inter-change of sports and business association activities.

We intend to develop a provincial wide Indian administered communications program. This program will involve communicative workers, newsletters, radio/television time, and other modern methods of communication. The programs will be developed to

reach all levels of the Indian community. These programs will provide the resources to encourage Indians to speak up for their own rights, and thereby become personally involved in improving their own conditions.