



AMERICANS for INDIAN OPPORTUNITY

LaDonna Harris
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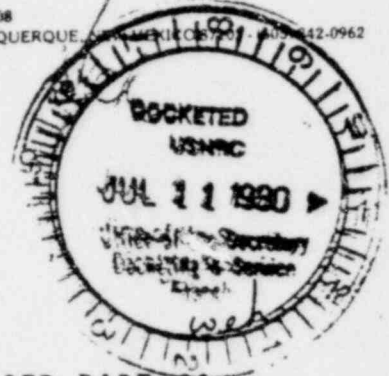
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PROPOSED RULE: 219, 20, 21, 30, 40, 51, 60, 70
(44 FR 70408)

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7/9/80
Make sure this is docketed

PLAZA DEL SOL BUILDING SUITE 808
600 SECOND STREET, N.W. ALBUQUERQUE, N.M. 87102-0962

June 27, 1980



Mr. Craig Roberts
Assistant Director for Siting Standards
Office of Standards Development
U.S. Nuclear Regulatory Commission
Washington, DC 20555

RE: COMMENTS ON PROPOSED REGULATION 10 CFR PART 60,
SUBPART C.

Americans for Indian Opportunity is a national, non-profit Indian advocacy organization which promotes the reality of tribal sovereignty in all areas affecting tribal welfare, including natural resource ownership, economic development, and environmental protection. Tribes are self-governing units and are not subdivisions of states, as are counties and municipalities.

Our concern is that Part 60, Subpart C, entitled "Participation by State Governments," does not mention Indian tribes. Tribes, as sovereign governments, have every right to be involved in the licensing procedures for DOE's high-level radioactive waste repositories. The threat of radioactive contamination to water supplies or rivers used for fishing is, in one respect, greater for Indians than for other citizens. Indians have been guaranteed their reservation lands through treaties and other acts of Congress in perpetuity. If their lands become contaminated, they have no other lands to go to. Evacuation is meaningless to Indian tribes.

Additionally, tribes who have off-reservation hunting and fishing rights must have the same rights regarding these off-reservation areas as they do on-reservation areas. These are, after all, property rights which may not be denied without due process of law.

Tribes are greatly concerned about siting of radioactive waste repositories on or near Indian land. Tribes should be included in all aspects of consultation and license review to the same extent as states. Sections 60.61, 60.62, and 60.63 should all be amended to give tribes the same level of participation and review as states.

Thank you,

LaDonna Harris
President

Acknowledged by card...

LDH:trt
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