

THE WHITE HOUSE

WASHINGTON

January 4, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 4496 - Texas  
Band of Kickapoo Reservation Act

Richard Darman has requested comments by Wednesday, January 5, on Enrolled Bill H.R. 4496, which would heap Federal benefits on the Texas Band of Kickapoo Indians. The Kickapoos, originally from the Great Lakes area, did not stop running from their encounter with Europeans until they reached Mexico, where they now hold 17,000 acres of land. The Kickapoos provide migrant labor in the United States, and a group of them made Newsweek by choosing to live in squalid conditions beneath the International Bridge in Eagle Pass, Texas, rather than their Mexican homeland. The bill would: (1) require the Secretary of Interior to develop a list of Kickapoos, and grant U.S. citizenship to anyone on that list; (2) entitle Kickapoos to cross the Mexican/U.S. border free of any restrictions; (3) direct the Secretary to accept up to 100 acres of donated land for a Kickapoo reservation in Texas; (4) give the Kickapoos the benefits of the Indian Reorganization Act; and (5) permit Federal services to be provided the Kickapoos without regard to restrictions that limit such services to Indians on a reservation.

OMB, Interior, and State recommend approval; Justice defers to Interior. While the approach of the bill -- ad hoc exceptions to restrictions in general laws -- strikes me as unfortunate, and while its provisions seem overly generous -- particularly in light of the fact that these are, generally speaking, Mexican Indians and not American Indians -- the bill is consistent with the Administration's recommendations. I see no legal objections, and have prepared a memorandum to that effect for your signature.

Attachment

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January 4, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING Orig. signed by FFF  
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 4496 - Texas  
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Counsel's Office finds no objection from a legal perspective  
to the above-referenced enrolled bill.

FFF:JGR:aw 1/4/83

cc: FFFielding  
✓JGRoberts  
Subj.  
Chron