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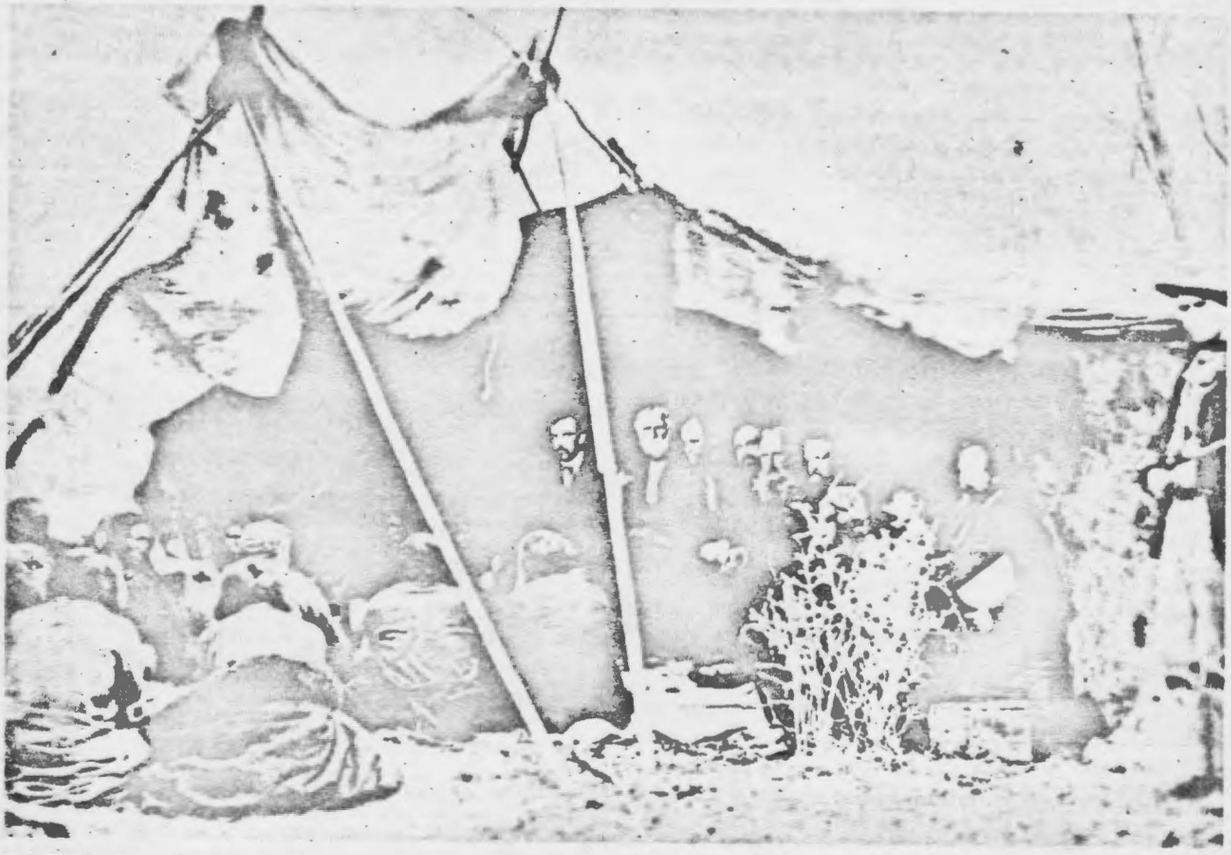
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Federal Indian Policies

...from the Colonial period through the early 1970's



Touching of the pen at Fort Laramie, Wyoming. (U.S. Signal Corps photo from National Archives and Records Service).

BUREAU OF INDIAN AFFAIRS
U.S. DEPARTMENT OF THE INTERIOR

Message from the Commissioner of Indian Affairs

Since I came to Washington in 1969 as the new Commissioner of Indian Affairs, Indian America has undergone a number of far reaching and dramatic changes. The will for self-determination has become a vital component of the thinking of Indian leadership and the grassroots Indian. It is an irreversible trend in the destiny of American Indians that will eventually compel all of America once and for all to recognize the dignity and human rights of Indian people.

In accepting the challenge of being the Commissioner of Indian Affairs, I fully realized the monumental task which I have undertaken. The problems facing Indian people have developed over 150 years and cannot be solved overnight. But I believe that the Federal Government has a legal and moral obligation to be a strong and effective advocate in word and in deed for all Native Americans.

In his July 8, 1970 Message to the Congress on American Indians, President Nixon presented a Federal-Indian policy which laid the groundwork for all future Administration Indian programs and policies. The Nixon Administration has pledged itself to a policy of self-determination with Indian involvement and direction at all levels of the decision-making processes. We in the Bureau of Indian Affairs have dedicated ourselves to restructuring the Bureau so that it is totally responsive, supportive, and flexible to the efforts of Indian people. The BIA is gradually being converted from a management organization to an agency of service, counsel and technical assistance.

We have committed ourselves to assisting Indians in the full development of their natural and human resources without the threat of termination. This is our assigned task, our solemn responsibility. As Commissioner of Indian Affairs, I will continue to do everything possible to make self-determination a reality for all American Indians and Alaskan Natives.

Louis R. Bruce

Louis R. Bruce

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A New Era for the American Indians

The first Americans – the Indians – are the most deprived and most isolated minority group in our Nation. On virtually every scale of measurement – employment, income, education, health – the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demanding.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country – to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

President Richard M. Nixon's Message to the Congress of the United States on the American Indians, July 8, 1970.

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FEDERAL INDIAN POLICIES

...from the Colonial period through the early 1970's

Our country's first administrator of Federal Indian policies, Henry Knox, said at the time of his appointment as a Cabinet officer in George Washington's Administration:

> "That the civilization of the Indians would be an operation of complicated difficulty; that it would require the highest knowledge of the human character and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that, under a course of favorable circumstances, it could be accomplished, is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change."

In the early colonial period the Indians represented a strong balance of power between the forces of Spain, France, and England and were therefore treated as sovereign nations until the issue of North American domination was settled.

Until 1755, the individual English colonies had no coordinated policies on Indian affairs. During that year the British developed an Indian policy designed to: (1) protect the Indians from opportunistic traders and speculators; (2) negotiate boundary lines by treaties; (3) enlist the Indians on the side of the British in the French and Indian War; and (4) exercise as much control as possible over the fur trade.

King George III in 1763 proclaimed: "The several nations or tribes of nations, with whom we are connected, should not be molested or disturbed in the possession of such parts of our dominions and territories, as, not having been ceded to, or purchased by us, are reserved to them, or any of them, as hunting grounds."

The proclamation by King George III defined the "Indian country" to be administered by two superintendents, one north and one south, and set aside "reserved lands" for the Indians. The two superintendents took on the role of diplomatic agents negotiating with the various tribes by means of a series of treaties.

The leadership of Benjamin Franklin is of historical importance to the development of this and subsequent periods of Indian affairs. He proposed, at the Albany Congress of 1754, that all colonial Indian affairs be centrally administered. The Franklin plan was a forerunner of later centrally administered British Indian policy under the two superintendents and of centralized Indian policy under the new American Government.

The outbreak of hostilities between the Americans and the British in April, 1775, pitted tribe against tribe and produced strenuous efforts for Indian alliances by both colonial and imperial governments. The young American revolutionary government attempted to win the friendship of the Indians through treaties. But most of the tribes supported George III, and even tribal neutrality was counted a success by the colonists.

The Continental Congress, in one of its first actions, named a Committee on Indian Affairs in 1775. This committee produced a report a month later which prompted the Congress to set up "three departments of Indians" – the Northern, Middle, and Southern. The Congress continued many of the policies of Colonial times as well as creating new ones. Included among the outstanding Americans serving as commissioners of the Indian Departments were Benjamin Franklin and Patrick Henry in the Middle Department, and General Philip Schuyler in the Northern Department.

The Indian Commissioners were given authority "to treat with the Indians. . . . in order to preserve peace and friendship with them and to prevent their taking part in the present commotions." The first negotiation was with the Six Nations (Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora) in July, 1775, and called for employment of two blacksmiths among the Indians and the opening of trade.

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The first of 370 Indian treaties to be concluded during the next century was with the Delawares on September 17, 1778. This treaty held out the possibility that an Indian state might later be established as one of the states in the new country. This idea reappeared many times as an ultimate goal for Indian policy, without substantial result.

During the Revolutionary War, the Indian commissioners acted primarily as diplomatic agents, negotiating with various Indian tribes to gain their allegiance. Their work was kept under the authority of the Congress until a year after the war ended.

The Beginning of Forced Removal

In 1784 the Congress of the Confederation placed the administration of Indian affairs within the War Department, with the Secretary of War directed to place armed militia at the disposal of the Indian commissioners "for negotiating treaties with the Indians."

The Northwest Ordinance of 1787 was important in establishing the framework for settlement beyond the Alleghenies and in shaping Indian policy. It provided that:

> "The utmost good faith shall always be observed toward the Indians; their land and property shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs done to them, and for preserving peace and friendship with them."

Over the next 50 years, the new Nation and its government grew stronger. Laws regulating the trade between whites and Indians were added to the books, and a network of Indian agents and sub-agents was established following a report relating to military administration of trade practices with Indians. The report called for legislation "to ensure faithful disbursement of public money" and to enforce "prompt settlement of accounts."

In 1824, Secretary of War John C. Calhoun had begun to tie together all Federal Indian activities under an Indian Affairs Agency. He saw the Federal role as providing for: (1) appropriations for tribal annuities to be made to tribes for lands they had lost; (2) examination of Indian claims relating to trade laws; (3) bookkeeping; (4) correspondence with Indian superintendents and agents; and (5) administration of a fund for the civilization of Indians.

Meanwhile the systematic forced removal of Indian groups from the choice eastern lands to the western wilderness across the Mississippi had begun. Nearly all the Cherokees in the lower Appalachian area were driven across the mountains to settle in the Indian Territory. This territory, carved from the Louisiana Purchase, was created by President Thomas Jefferson, who expressed the hope that the removal of Indian groups from heavily settled eastern regions would contribute to their advancement.

The "removal" policy had been precipitated by activity in the late 1820's within the State of Georgia. The Cherokee Tribe in that State, a highly advanced civilization, had adopted an Indian constitution, modeled after the U.S. Constitution. The Georgia Legislature then nullified the Cherokee Constitution: appeals made by the Cherokees eventually resulted in a U.S. Supreme Court decision nullifying Georgia's action.

Chief Justice John Marshall's decision recognized that earlier Congresses had passed laws "which treat (Indians) as nations" and "as distinct political communities, having territorial boundaries."

The Indian Removal Act of 1830 established procedures for voluntary exchange of eastern Indian lands for new western acreage that was to be held by the tribes under perpetual guaranty from the Federal Government.

In 1834 Congress gave regular and permanent status to the Indian Affairs office and it began carrying out President Andrew Jackson's directive to remove all Indians living east of the Mississippi River to new western lands. These removal policies relied more on military force than diplomatic treaty.

The Five Civilized Tribes—Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles—were pressured by negotiations and threat of force to move westward to the new Indian Territory. Although some members of these Tribes resisted, most became established in the new lands and were among the first citizens of Oklahoma when statehood was proclaimed.

Other Indian tribes from the northeast and Great Lakes regions also were subjected to the removal policies. Removal was justified by the Federal Government as a means of protecting the Indians from repeated encroachments of eastern white settlers. The Government policy bitterly divided the country—in the Congress, among the religious groups, in the press, and among Indians themselves.

"In the consummation of this grand and sacred object rests the sole chance of averting Indian annihilation," argued Commissioner of Indian Affairs Elbert Herring, in 1832.

Another Indian Commissioner, George Manypenny, 1854, urged the abandonment of the removal policy.

"By alternate persuasion and force," Manypenny said, "some of these tribes have been removed, step by

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step, from mountains to valley, and from river to plain, until they have been pushed half-way across the continent. They can go no further. On the ground they now occupy, the crisis must be met, and their future determined.

Many of those people who sympathized with the plight of the survivors of Eastern tribes who were now settled west of the Mississippi, thought they were doing these people a good turn by removing them from civilization's path until they could acquire the skills and knowledge necessary for assimilation.

The Start of Indian Education Programs

A number of separate treaties with Indian tribes had set the precedent for placing responsibility for Indian education in the hands of the Government. One of the first of these treaties was with the Oneidas, Stockbridges, and Tuscaroras in 1794. Two years earlier the famed Seneca Chief, Cornplanter, visited President Washington, asking the Government to "teach our children to read and write and our women to spin and weave." A Federal directive to provide the "blessings of civilization" to Indians through treaties was issued in that year.

A "civilization fund" was contained in a law passed by Congress in 1819 which appropriated $10,000 annually to provide elementary educational services to Indians. All funds provided by this act were channeled through religious and mission groups for the education of Indians. The Federal Government and the private mission groups combined later in the 1840's to launch the first Indian boarding school system. Not until 1860 was the first non-mission Federal Indian school started. (Congressional Acts of 1896, 1897, and 1917 eventually established that no further Federal funds for education could go to sectarian schools.)

Civil Administration Begins in Mid-Century

Repeated efforts were made in the Jacksonian period to regularize Federal Indian administration through legislation. The War Department's head of Indian Affairs reported in 1828, that there were "fruitful sources of complaint" due to the lack of an organized system. In 1834 Congress passed a Trade and Intercourse Act setting up an Office of Indian Affairs, and modernizing trade practices as the result of a report in 1829 by two experienced Indian affairs specialists, Lewis Cass and William Clark.

Both Clark (of Lewis and Clark Expedition fame) and Cass had been territorial governors in Indian country for many years and Clark also had been superintendent of Indian affairs at St. Louis. Cass was to become Secretary of War in 1831. Their report called for new legislation "to ensure a faithful disbursement of the public money" and "to enforce a strict accountability and a prompt settlement of accounts."

Noting the increased lands to be supervised by a still-growing United States, and the need for establishing peaceable relations with the Indians, Treasury Secretary Robert J. Walker voiced the sentiment of many who advocated transfer of the Bureau of Indian Affairs from the War Department to a new Department, soon to take shape as the Department of the Interior.

Walker said: "The duties now performed by the Commissioner of Indian Affairs are most numerous and important, and must be vastly increased with the great number of tribes scattered over Texas, Oregon, New Mexico and California, and with the interesting progress of so many of the tribes in Christianity, knowledge, and civilization. These duties do not necessarily appertain to war, but to peace, and to our domestic relations with those tribes placed by the Constitution under the charge of this Government."

By 1849, with creation of the Department of the Interior, the Bureau of Indian Affairs passed from military to civil control. Its work consisted of attempts at "civilizing" the Indian people by training them for farming or trades. In 1862, Secretary of the Interior Caleb Smith recommended a "radical change in the mode of treatment of Indians" to regard them as "wards" of the Government. Consequently, the Bureau's efforts were often in conflict with military policy and it some times became the uneasy and unhappy buffer between the Indians and the U.S. Army.

The Call for Peace

The removal policy had succeeded in large measure with the Five Civilized Tribes because they envisioned an Indian nation, fully sovereign and federated. But many of the Plains Indians resisted all military moves to relocate them. They possessed the white man's horse and gun and fought bitterly against further encroachments on their lands and their way of life.

Tensions grew between Indians and whites in the western territories in the late 1850's and throughout the 1860's, as the railroads began moving west, culminating in a series of Indian "uprisings" and a Congressional demand that peace prevail in Indian country. After the Civil War, Congress authorized establishment of an Indian Peace Commission, comprising four civilians and three military leaders including Indian Commissioner Nathanel G. Taylor and General William Tecumseh Sherman.

Peace Commission field trips had disclosed considerable corruption among Indian agents. Its report of 1867 stated: "The records are abundant to show that agents

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have pocketed the funds appropriated by the Government and driven the Indians to starvation." It blamed Indian agent corruption or incompetence for creating Indian incidents, notably the 1862 Sioux uprising in Minnesota.

Two separate actions were taken by the Federal Government to produce reforms in Indian policy. In 1869 a Board of Indian Commissioners was named and charged by Congress with the responsibility for advising the Secretary of the Interior on matters relating to Indian affairs. President Grant at the same time requested religious organizations to nominate Indian agency superintendents. The Board of Indian Commissioners, lacking any policy-making authority, was continued until 1933, when it was abandoned by President Franklin D. Roosevelt's executive order; nominating of Indian Bureau agents by religious groups was discontinued a few years after it was begun.

In 1867 and 1868 the Indian Peace Commission negotiated the last of 370 Indian treaties. These required tribes of the Upper Great Plains, the Southwest, and the Northwest to settle on various reservations in the West. The last treaty, signed with the Nez Perce of Oregon on August 12, 1868, removed the tribe to a new reservation in Idaho.

The U.S. Congress, on March 3, 1871, finished the Indian treaty period with a clause tacked to a Congressional appropriation for the Yankton Indians: ".....hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States shall contract by treaty."

Ironically, it was a mixed-blood Seneca Indian, Eli S. Parker, said to be the grandson of the warrior Red Jacket, who presided over the Indian Bureau when the last chapter in the history of treaty-making was written. Parker was a professional engineer, recognized authority on the Iroquois League and personal secretary to General Ulysses S. Grant in the Civil War.

The Reservation System

Twenty years of intermittent warfare followed the signing of the last Indian treaty before the last of the Western Indians were moved to reservations. Geronimo's surrender in the southwest in 1886 and the battle of Wounded Knee in South Dakota in 1890 followed numerous Federal military victories in the southwest, Dakotas and Oregon, and marked the end of serious resistance to relocation policies.

The reservation system brought a new set of woes to the Indians, as the Government pressured them into relinquishing customs and culture.

Chieftainship, which had been encouraged since Colonial days as a means of tribal control, was not attacked directly. Instead, chiefs were bypassed while law and order was delegated to tribal police forces and Courts of Indian Offenses. The result was a gradual breakdown of tradition upon which the Indian had always leaned heavily, with nothing to replace it.

Native religions were discouraged, some ceremonies forbidden, and Christian missionaries encouraged. Particularly vicious were the attacks upon Indian "prophets" which culminated in the battle of Wounded Knee in 1890.

Commissioner Francis Walker (1871-73) set the tone of the "forced reservation" period, which lasted until 1887, stating that, when the reservation system began, "it was expressly declared that the Indians should be made as comfortable on, and uncomfortable off, their reservations as it was within the power of the Government to make them; that such of them as went right should be protected and fed, and such as went wrong should be harassed and scourged without intermission."

Those Indians who "went wrong"—such as the Apaches under Cochise in the early 1870's, the Sioux led by Crazy Horse and Sitting Bull in the mid-1870's, and the Nez Perce with Chief Joseph a short while later—were "harassed and scourged without intermission," conquered eventually and returned to reservations.

Those Indians who "went right," were, as Walker promised, "protected and fed" through a new practice of furnishing daily food rations and clothing to Indians, instituted as a by-product of the Indian peace treaties of the late 1860's and continued by the Indian Bureau until well into the 1920's.

The rations practice was the forerunner of special aids for Indians which continue to this day. The giving of rations was defended by Commissioner Walker:

"Can any principle of national morality be dearer than that when the expansion and development of a civilized race involve the rapid destruction of the only means of subsistence possessed by members of a less fortunate race, the higher is bound as a simple right to provide for the lower some substitute for the means of subsistence which it has destroyed? That substitute is, of course, best realized, not by systematic gratuities of food and clothing continued beyond a present emergency, but by directing these people to new pursuits which shall be consistent with the progress of civilization upon the continent."

There were contrary views, too. Indian Agent, V. T. McGillicuddy, on the Pine Ridge Reservation in South Dakota, later commented.

"What reason or inducement can be advanced why an Indian should go to work and earn his own living by the sweat of his brow, when an indulgent Government furnishes him more than he wants to eat and clothes him for nothing?"

The "wardship" approach prevailed, with the pace set by Secretary of the Interior Caleb Smith.

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Education for farming and trades became a goal.

A start in providing health services to Indians had come in 1832 through funds authorized by Congress for smallpox vaccination of certain tribes. By the 1870's health services had expanded to include medical doctors on various reservations in an effort to combat the ravages of disease that were taking a heavy toll of the Indian population.

As the 19th Century came to a close, steps had been taken to launch programs of education and land resource development. Two vocational schools—Haskell Institute in Kansas and Chilocco Indian School in Oklahoma—opened in 1884; and five years later a broader education program was instituted at the Carlisle Indian School in Pennsylvania.

On the land development side, some tribal groups were encouraged to enter into livestock grazing, although these enterprises were not highly successful among the nomadic groups, and overgrazing and loss of stock were common. Some irrigation of Indian lands was attempted—as early as 1876 on the Colorado River Reservation in Arizona—but this project was later abandoned. Even into the 20th Century, irrigation and conservation measure on Indian lands lagged behind the national efforts as a whole.

The Land Allotment Period – 1887-1934

All of these Indian programs, the initial phases of the broad "civilizing" process, came at the height of a long Indian Bureau and Congressional push for helping Indians to become "self-supporting" by allowing the Indian lands to be subdivided to individual Indians through what is known as allotment in severalty—or individual ownership of small pieces of land.

Dating back to 1633, when the General Court of Massachusetts Colony provided for Indians to receive "allotments amongst the English," there had been slowly growing advocacy of an allotment policy for Indians.

It was in the 1850's that the Federal Government reached its peak in Indian land title extinguishment and began to spell out more clearly in the next 30 years a growing preference for the allotment policy which at last was approved by Congress in 1887.

"In no former equal period of our history have so many treaties been made, or such vast accession of land obtained," Commissioner George Manypenny said in 1857. Through 52 separate treaties from 1853 to 1857 a total of 174 million acres of Indian land was acquired by the United States Government. Many allotments of land were provided through treaty to individual Indians, and for the next 30 years each succeeding Commissioner of Indian Affairs (except Francis A. Walker in the 1870's) favored the policy of subdividing the large tribal-held lands into small pieces owned individually.

The Indian Allotment Act, introduced in Congress by Senator Henry L. Dawes of Massachusetts, was passed in 1887. Its intent was to assimilate the Indian by giving him individual ownership of land, as opposed to the collective land use and possession practiced by most Indian groups. Under the plan, small pieces of tribal land—from 40 to 160 acres—would be allotted to Indian families or individuals. Within 25 years, in a manner similar to that of the Homestead Act, the Indian, if adjudged "competent," would be given the land to use as he saw fit and would also acquire full citizenship status. However, before the 25 years had elapsed, the Burke Act (1906) permitted those Indians adjudged "competent" to acquire ownership at once.

The result of nearly 50 years of the allotment policy was to reduce the Indian land holdings from over 140 million acres in 1886 to under 50 million acres in 1934. Thousands of Indians receiving these allotments sold them to non-Indians who had the financial means and business abilities to develop the lands.

This sale or rental of land tended to increase the Indian's dependence upon Government support. In many cases rental income was too small or sale funds soon exhausted and the Indian was forced to turn back to the Government for assistance. In addition, the demands of this newly imposed civilization were often contrary to Indian culture and created psychological conflicts that still persist.

In the first decade of the 20th Century the Bureau of Indian Affairs embarked on further land development programs—in establishing services of conservation, reclamation and forestry—all designed to complement execution of the allotment policy.

The Road to Citizenship

The determination of Indian "competency" was carried out as part of Federal Indian policy well into the 1920's, and was highlighted by a 1917 "Declaration of Policy" by Commissioner Cato Sells and Interior Secretary Franklin Lane, which stated: "The time has come for discontinuing guardianship over all competent Indians and giving even closer attention to the incompetents that they more speedily achieve competency."

To determine whether an Indian is "as competent to transact his own business as the average white man," a practice of issuing "certification of competency" was established, and a network of "competency commissions was created.

This approach was hailed by Commissioner Sells as indicating that "the competent Indian will no longer be treated as half ward and half citizen." Because of the

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growing number of Indians who obtained citizenship through allotment and because of a national appreciation for the record of Indian volunteers in World War I, the Indian Bureau began a push for full Indian citizenship. In 1924 Congress passed the Indian Citizenship Act, granting citizenship to all Indians who had not previously acquired it.

The Attack on the Allotment System

Increasing public agitation for reforms in the administration of Indian affairs led Interior Secretary Hubert Work in 1926 to request the Institute of Government Research (the Brookings Institution) to study the Federal Indian policies. He asked for recommendations that would "embrace the education, industrial, social and medical activities maintained among the Indians, their property rights, and their general economic conditions." An institute staff headed by Lewis Meriam produced the lengthy document in 1928 to be known as the Meriam Report which called for these basic Indian policy reforms:

1. "Establishment of a professional and scientific Division of Planning and Development to hasten agricultural advances, vocational guidance, job placement, and other aspects of economic development on the reservations.
2. "A material strengthening of the school and reservation forces that are in direct contact with the Indians and are responsible for developing and improving their economic and social condition through education in the broadest sense of the word" by deemphasizing the broading school practice of taking children out of their tribal environment and accelerating development of a day school system on the reservations.
3. "Maximum practical decentralization of authority" from the central office to the local agency offices, plus better salaries for Indian Bureau personnel and enlisting more Indians into career Indian administration.

Of the allotment law, the Meriam Report charged:

> "When the Government adopted the policy of individual ownership of land on the reservations, the expectation was that the Indians would become farmers. Part of the plan was to instruct and aid them in agriculture, but this vital part was not pressed with vigor and intelligence. It almost seems as if the Government assumed that some magic in individual ownership of property would in itself prove an educational civilizing factor, but unfortunately this policy has for the most part operated in the opposite direction. "Individual ownership in many instances permitted Indians to sell their allotments and to live for a time on the unearned income resulting from the sale. Individual ownership brought promptly all the details of inheritance, and frequently the sale of the property of the deceased Indians to whites so that the estate could be divided among the heirs. To the heirs the sale brought further unearned income, thereby lessening the necessity of self support."

The report also proposed that Indians be permitted leasing rights in order to add enough land to their own allotments to make an efficient farm or ranch. This policy would counteract the easier tendency to lease these same lands to whites, a policy which deterred active land management by Indians. Furthermore, leasing to whites "gave the Indians unearned income to permit the continuance of a life of idleness," the study concluded.

Indian Reorganization Period – 1934 to 1961

The Congress responded to the Meriam Report with passage of reform legislation in 1934–the Indian Reorganization Act (Wheeler-Howard Act).

It brought a halt to the process of allotment, prohibited unrestricted sales of Indian land, and provided for acquisition of additional lands by tribes and individuals. It created a foundation for tribal economic self-sufficiency by the establishment of constitutional tribal governments, the extension of credit from Federal funds, the fostering of tribal enterprises, and the institution of modern conservation and resource development practices. The keynote became cooperation between Indian tribes and the Federal Government to achieve change without forcing it.

The new Commissioner of Indian Affairs, John Collier, said of the Act:

> "While the Wheeler-Howard Act marks a decisive shift of direction of American Indian policy, and endeavors to give the Indians not only a broad measure of economic assistance but also those 'national rights of man' mentioned by President Roosevelt in his letter of endorsement sent to Congress, it stops far short of the ultimate goal. It is merely a beginning in the process of liberating and rejuvenating a subjugated and exploited race living in the midst of an aggressive civilization far ahead, materially speaking, of its own."

From the perspective of two decades later, the Committee on Organization of the Executive Branch of

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Government (Hoover Commission) summarized the impact of the Meriam Report and the resulting 1934 Indian Reorganization Act as follows:

> "In the years immediately following the Meriam Report there was marked progress in professionalizing the Indian Service through better personel, improved methods, and higher professional standards. Indian education was modernized and a stronger and better coordinated economic program got underway. In the 1930's these activities were carried forward vigorously. The Indian Reorganization Act (IRA) has given further impetus to the economic program by authorizing enlargement of Indian lands, extending the lending function, and establishing a policy of scientific range and forest management."

The IRA also paved the way for revival of tribal organization, and establishment of tribal law.

Aside from the Wheeler-Howard Act, other significant Indian legislation of the 1930's included the Johnson-O'Malley Act of 1934 and the creation in 1935 of an Indian Arts and Crafts Board within the Department of the Interior.

The Johnson-O'Malley Act provided Federal educational funds to assist States and local districts, and brought about an expansion of the practice of educating Indian children in the public school system. The Arts and Crafts Board revived interest in native crafts as a means of livelihood for Indian people.

The Indian Extension Service program began providing modern technical assistance to Indians in the fields of conservation, irrigation, grazing and dry-farming. An Indian credit program was launched with a revolving loan fund.

But the big development of the whole period was the start of tribal self-government, with several hundred reservation tribal groups determining by popular vote to govern themselves in a democratic manner with modern constitutions. Today's tribal council form of Indian government largely stems from this Act, although a number of Indian tribes had maintained constitutional self-government prior to 1934, and still others rejected the self-governing feature contained in the Indian Reorganization Act.

Effects of World War II

World War II, to a great extent, changed both the Indian way of life and Federal Indian policy directions. Nearly 70,000 Indian men and women left reservations for the first time to go into military service and defense industries. The Indian record in both instances was widely praised.

The war produced both new skills and a greater degree of cultural sophistication than had ever before been achieved by large numbers of Indians. But it also brought post-war demands for assistance in Indian vocational training and relocation, for expanded education and for reservation economic development.

The post-war period brought on the "area office" system of decentralized Indian Bureau administration. Many development projects—roads, irrigation and building construction—were resumed in 1946, after being stalled during the war.

The fifteen-year post-war period also saw: (1) greatly increased programs to aid education of the Nation's largest tribe, the Navajos. (A study in 1947 showed that nearly 75 percent of all Navajo children were not in school); (2) a ten-year economic development and rehabilitation fund for the Navajos and Hopis to bring much needed capital investment to this poverty-stricken region of the southwest; (3) development of Federal Indian programs of employment assistance, including vocational training and on-the-job training to Indian workers; (4) a start on Indian adult education for those Indians who had missed the elementary education now being expanded for their children; and (5) the beginnings of an Indian industrial development program to encourage private business and industry to locate in Indian areas.

Establishment of Indian Claims Commission

The Indian Claims Commission was created in 1946 to permit Indians to file suits against the Government. The Commission received a total of 852 claims in 370 petitions entered during the five years allowed for filing. Any "identifiable" groups of Indians within the United States or Alaska—then still a territory—could take their claims to this Commission. It was empowered to hear and adjudicate suits arising from claims in law or equity; tort claims; claims based on fraud, duress, unconscionable consideration, mutual or lateral mistake; claims based upon fair and honorable dealings not recognized by existing rules or law or equity; or claims based on the taking of land without payment of the agreed compensation.

Commissioner Collier and others hoped the settlement of claims would enable the Indians to become socially and economically assimilated into the fabric of American life. By November 1969, about one-half of the claims had been adjudicated, and settlements exceeding $305 million made. Although in some instances the judgements resulted in a per capita distribution of funds, many tribal awards have remained largely intact with the

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money "programmed" for community and economic development.

Congress has directed the Commission to complete the task of hearing and determining the claims before it by April 10, 1972.

New Trends of the 1950's

Revival of pressures for Federal termination of trusteeship responsibilities occurred with the Hoover Commission's recommendation that programs be developed to terminate "the trust status of Indian lands."

Among members of the Hoover Commission's committee on Indian affairs was John Nichols, who became Indian Affairs Commissioner in 1949.

House Concurrent Resolution 108 of the 83rd Congress in 1953 led to passage in the next few years of a number of termination bills. Introduced by Representative William H. Harrison of Wyoming and by Senator Arthur V. Watkins of Utah (who later became Chairman of the Indian Claims Commission), the termination resolution read in part:

> "It is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, and to end their status as wards of the United States, and to grant them all the rights and prerogatives pertaining to American citizenship . . . . . ."

On June 17, 1954 the Menominees of Wisconsin became the first tribe slated for termination of Federal trusteeship. The tribe had a large investment in forest lands and tribal sawmill. The Menominee Reservation was to be fully removed from Federal trust status on December 31, 1958, although later Congressional Acts delayed final termination until April 30, 1961.

Other tribes "terminated" by law in this period were the Klamaths and Western Oregon Indians; four small bands in Utah; the Alabama-Coushattas of Texas; the Ponca Tribe of Nebraska the Uintah and Ouray Ute Mixed Bloods of Utah; the Wyandottes, Ottawas, and Peorias of Oklahoma. Termination proceedings have been moving on a piecemeal basis under legislation passed in 1958 for the Indian rancherias throughout the State of California.

Strong opposition to termination from among some Indian tribes and others led to a statement by Interior Secretary Fred Seaton, who declared in 1958: "It would be incredible, even criminal, to send any Indian tribe out into the mainstream of American life until and unless the educational level of that tribe was one which was equal to the responsibilities which it was shouldering."

The 1950's produced several other important new legislative directions affecting Indian policy:

1. Indian lands in three States and part of two others were brought under State civil and criminal jurisdiction by an Act of August 1953,

2. The prohibition was lifted against the sale of alcoholic beverages to Indians outside Indian country and a local option system was established within reservations, also in 1953;

3. The Division of Indian Health was transferred effective July 1, 1955, from the Bureau of Indian Affairs to the U.S. Public Health Service. Notable progress has subsequently been made in reducing the Indian infant mortality rate, lengthening the Indian life span, and curtailing the severity of many illnesses.

The record in Federal-Indian relations over two decades was summarized in the late 1950's by the noted anthropologist and Pulitzer Prize winning author, the late Oliver LaFarge, as follows:

"The progress has been great, and it has been spotty. You cannot make over a race in 25 years, despite what the allotment theorists believed. It takes more than one generation to make the jump from a home in which no English is spoken, where the very sight of a white man is a rarity, where the thinking is the same as it was 300 years ago, to full competence in our alien and complex way of life. If, while the Indians are struggling desperately to make the great adjustment, the last remnants of their land base are lost to them; if, as they fear, the Indian Reorganization Act will be junked some day, their struggle will be hopeless. It is the Government's responsibility to enable [Indians] to keep and use what they already have, to allow them an ordinary choice, and not the flat alternatives of migrate or starve."

New Direction in the 1960's

A "New Trail" for Indians leading to equal citizenship rights and benefits, maximum self-sufficiency, and full participation in American life, became the keynote for administration of the programs for the Bureau of Indian Affairs after the close of fiscal year 1961.

This keynote was provided in a report to the Secretary of the Interior Stewart L. Udall, by a special task force on Indian affairs, which he appointed in February 1961.

To move toward the accomplishments of these goals, the task force recommended less emphasis on the purely custodial functions of the Bureau, greater concentration of time, energy, and funds on fostering fuller development of both the human and natural resources on Indian reservations.

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Probably the most important single recommendation was a shift in program emphasis away from termination of Federal trust relationship.

This was coupled, however, with a recommendation that eligibility for special services be withdrawn from Indians with substantial incomes and superior educational experience who are as competent as most non-Indians to look after their own affairs.

An administrative reorganization was accomplished—not only in Washington but in area offices and agencies—combining in one new Division of Economic Development all operating units directly concerned with economic development. The resources functions of the Bureau were brought into closer relationship with the industrial development work and the revolving credit program. In the Washington office, the new division also included a program planning staff and a specialist in housing. In later years, the housing activity was transferred to the Division of Community Services.

A program to improve Indian housing, a product of the 1960's, opened up Indian reservations to the financial assistance already available through Federal housing agencies to non-reservation areas. Indian tribes established local housing authorities as a first step in qualifying for Federal housing assistance under the programs of the Department of Housing and Urban Development (HUD). The Indian housing program is slowly and steadily gaining a foothold on the reservations.

To alleviate Indian unemployment, the Bureau also increased attention to job opportunities, through expanded programs in adult vocational training, voluntary relocation of Indians for employment in urban centers, industrial development on or near the reservations, and increased use of Indian labor by the Bureau on needed work in road maintenance and construction, repair and maintenance of buildings, and construction of buildings and utilities, all of which provided the Indians valuable construction training. Projects launched under the 1963 Accelerated Public Works Program on nearly 100 reservations provided useful work for thousands of tribal members and contributed importantly to the protection and development of Indian timber stands and other physical resources.

The declaration of war on poverty, first enunciated by President Johnson in his State of the Union message to the Congress in January 1964, was followed by his assurances to tribal leaders that Indian poverty was to be a major target. The Bureau of Indian Affairs was fully committed in the battle to drive poverty from American Indian reservation communities. Education and economic development were the major fronts in the war on poverty.

This period saw substantial progress in involvement of other agencies of the Federal Government in providing meaningful programs among the Indian people. They included the Departments of Labor; Commerce; Health, Education, and Welfare; Housing and Urban Development; and Office of Economic Opportunity.

The programs for the disadvantaged under the Economic Opportunity Act of 1964 have provided the Indians an opportunity to participate in and control their own programs. The heaviest activities have been in programs for community action and youth training.

The Bureau, together with other Federal agencies launched selected Indian reservation programs to step-up the pace on the economic development process on 39 Indian reservations and waged a concentrated effort to stimulate economic and social change for Indians.

In 1966, the Indian people were in the forefront of public attention. That year, Robert L. Bennett, an Oneida Indian, was appointed Commissioner for the Bureau of Indian Affairs. The people-oriented approach was apparent in the stated policy of Commissioner Bennett. He espoused greater Indian involvement in decision-making and program execution. A new era of Federal-Indian relations was emerging with the Bureau taking the form of a coordinating and advisory agency, rather than the sole primary agency concerned with development of the human and economic resources of Indian communities.

Early in 1967, a 16-member National Indian Education Advisory Committee was appointed to assist in school programming and to improve communications between the schools and the Indian people they service. The Committee has devised a set of guidelines for the orderly transfer for Bureau schools to local Indian boards of education. Major financial support will continue to come from the Bureau under contracts with the Indian tribes. Indians are now participating in planning for the education of their own children, both on many public school boards and for Bureau schools.

For the first time, in the fall of 1967, 34 kindergartens were opened for Indian children under the auspices of the Bureau. These were the first to be funded by the Bureau and complements the Head Start program of OEO. To reach those adult Indians who for various reasons had little or no education and training, the Bureau began a breakthrough effort in employment assistance with the establishment of "whole family" residential training centers, which attempts to fit the entire family to urban life.

A historic special message on goals and programs of the American Indians was sent to the Congress by President Johnson in March of 1968, which proposed "a new goal—a goal that ends the old debate about termination of Indian programs and stresses self-determination, a goal that erases old attitudes of paternalism and promotes partnership and self-help." The message continued: "Our goal must be: A standard of living for Indians equal to that of the country as a whole, freedom of choice—an opportunity to remain in

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their homeland, if they choose, without surrendering their dignity, and an opportunity to move to the towns and cities of America if they choose, equipped with skills to live in equality and dignity; full participation in the life of modern America, with a full share of economic opportunity and social justice."

Indian involvement in decision-making was made an integral part of policy planning by the issuance of an Executive Order which established a National Council on Indian Opportunity to review Federal programs for the American Indians, make broad policy recommendations, and to ensure that programs reflect the needs and desires of the Indian people, including those who live in urban areas. The Vice President was appointed as Chairman and council members include a cross-section of Indian leaders and high Government officials.

The President's message and the Senate pronouncement in Senate Concurrent Resolution 11 of the 90th Congress, clearly enunciated for the first time since 1953, a declaration of purpose toward the American Indians and the Alaska Natives. These pronouncements also took affirmative action to reverse the the unilateral termination policies since House Concurrent Resolution 108 of 1953.

President Nixon Reaffirms Special Relationship

During the 1968 Presidential campaign, President-elect Richard M. Nixon presented to the American public some of the guidelines for the Federal Indian policy his administration would pursue. He reaffirmed the special relationship between the Federal Government and the Indian people and emphasized that termination would not be a policy objective. Mr. Nixon also stated that the right of self-determination of Indian people would be respected and their participation in planning their own destinies would be actively encouraged. "We must recognize that American society can allow many different cultures to flourish in harmony and we must provide an opportunity for those Indians wishing to do so to lead a useful and prosperous life in an Indian environment." The right of Indian people to direct the affairs of their communities has become the keynote for policy decision-making in the Nixon administration.

In August 1969 President Nixon appointed Louis R. Bruce, an Indian of Sioux-Mohawk descent, the new Commissioner of Indian Affairs. Mr. Bruce is the third Indian to be appointed Commissioner since the Bureau of Indian Affairs was established in 1824. With the approval of the President, Commissioner Bruce subsequently announced a realignment of the top management positions at the BIA central office and appointed a new executive staff, composed of 14 Indians, one Alaska Native, and four non-Indians. More Indians than ever before in Bureau history now hold management positions.

President Nixon's special Message to the Congress on July 8, 1970 regarding Indian affairs established future Federal Indian policy. Along with more specific proposals for legislation, the message affirmed the historic relationship between the Federal Government and Indian communities, guaranteed that it would not be abridged without Indian consent, and proposed that Indian communities be allowed to take over control and operation of Federally-funded Indian programs when they chose to do so. The President added, "It is long past the time that the Indian policies of the Federal Government began to recognize and build upon the capacities and insights of the Indian people .... the time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions."

In his message, President Nixon called for self-determination for Indian people without the threat of termination of the trust relationship over Indian lands and the services guaranteed to Indian people along with this relationship. While President Nixon's message is the second delivered by the President of the United States, it is the first to be implemented by legislation. Among his recommendations, the President asked for:

– A new Concurrent Resolution that would "renounce, repudiate and repeal" the termination policy outlined in HCR 108 of the 83rd Congress;
– Support for voluntary Indian control of Indian programs with the necessary technical assistance from the Government to facilitate transfers of responsibilities;
– restoration of the sacred lands near Blue Lake to the Indians of Taos Pueblo;
– support for Indian communities to take over Indian schools, to establish Indian school boards, to receive funds and to contract for the operation of schools;
– economic development legislation through the "Indian Financing Act of 1970" to enable Indian leaders to arrange for the development and use of natural resources;
– improved government efforts to deliver services needed to assist Indians living in urban centers;
– the establishment of an Indian Trust Counsel Authority "to assure independent legal representation for the Indians natural resource rights" and to avoid conflicts of interest within government agencies;
– the creation of a new office within the Department of the Interior - Assistant Secretary for Indian and Territorial Affairs.

The first of the President's recommendation to become law was the act restoring Blue Lake and the 48,000 acres of surrounding land to the Taos Pueblo

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Indians of New Mexico. This act is significant because it returns lands to an Indian tribe that had been taken and used for other purposes. Former practice had been to make cash settlements alone in compensation for land taken.

In keeping with the President's recommendations and proposals for legislation, Commissioner Bruce and his Indian executive team began working to restructure the BIA at all levels so that its policies and programs would reflect the thinking and feelings of the majority of Indian people. Five policy goals were announced in November 1970 to guide the Bureau in its new administration of Indian affairs;

– transformation of the BIA from a management to a service organization;
– reaffirmation of the trust status of Indian land;
– making the BIA Area Offices fully responsive to the Indian people they serve;
– providing tribes with the option of taking over any or all BIA program functions with the understanding that Bureau will provide assistance or reassume control if requested to do so;
– working with Indian organizations to become a strong advocate of urban Indian interests.

The idea of self-determination–the right of Indians to make their own choices and decisions–is becoming a reality as Indian people begin to assume the authority to manage their own affairs. Since the announcement of the new BIA goals, tribes have chosen to undertake increasing responsibility for service programs previously administered by Federal agencies.

BIA Service and Support Agency

In its new role as a service and support rather than a management organization, the BIA is encouraging and assisting tribes in their assumption of program operations. The Zuni Tribe of New Mexico assumed the responsibility for directing BIA activities at the pueblo in May 1970. Almost a year later, the BIA signed a contract with the Miccousukee Tribe of Florida Empowing them to administer BIA programs on the reservation, including all education and social operations. BIA field technicians and administrators are working directly with these two Indian groups to assist with the development and implementation of programs to meet the expressed and particular needs of the two Native American communities.

The recent emergence of a strong and positive attitude on the part of Indian people that they can and will have better lives has become historically important. Indians of all ages, representing all tribes are undertaking unprecedented efforts to overcome the problems confronting them. Evidence of this new attitude is apparent in the establishment of the National Tribal Chairmen's Association (NTCA), a new organization of elected tribal chairmen. Created in April 1971, NTCA set up a 15-member commission to advise the BIA on national Indian policy. Through this group, reservation Indians can present a single, united voice in shaping the future of Indian affairs.

NTCA is not the only voice being heard at the decision-making levels in Indian affairs. As the urban Indian population has gained in numbers, other Indian organizations such as the National Congress of American Indians and the American Indian Movement have been instrumental in bringing recognition to the Indians in off-reservation communities.

Since World War II, when thousands of Indians left the reservations for military service or for war time jobs, a steady off reservation movement has been taking place. This was given an additional boost in the early 1950's with the initiation of the BIA Employment Assistance Program which assisted Indians in locating permanent employment in non-reservation areas. The urban Indian movement of the 1950's and 1960's has resulted in an estimated 350,000 Indians living off the reservations today.

In his message to the Congress on national Indian policy, President Nixon pointed out that although the "BIA's responsibility does not extend to Indians who have left the reservation", this fact is "not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups." President Nixon directed the Office of Economic Opportunity (OEO) to lead efforts to help urban Indian leaders work toward solutions to their problems.

OEO announced in May 1971 that it had joined with the Departments of Health, Education, and Welfare (HEW), Housing and Urban Development (HUD), and Labor to create a Model Urban Indian Center Program to provide special assistance to the growing urban Indian population. Federal grants totaling some $880,000 will be used to upgrade Indian centers in Los Angeles, Minneapolis, Gallup, and Fairbanks, and to establish a central research technical assistance and coordinating office in New York City.

As a result of experience gained in various tribal, State and Federal programs there is presently a trained and educated Indian leadership available to staff management positions at levels where decisions are made regarding Indian affairs. Indian leaders are working in government agencies having programs that serve Indians both on and off the reservations. The Indian desk concept, after experimentation and successful operation in OEO, has been extended to the Departments of Commerce, Labor, Agriculture, Justice, HUD, and HEW.

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In February 1971 an Indian was appointed Consultant on Indian Affairs to the Senate Committee on Interior and Insular Affairs. In March an Indian women was appointed Special Assistant for Indian Affairs to the Secretary of the Interior. Over 50 percent of the BIA employees are Indian although a much smaller though steadily increasing percentage are employed in management level positions. Eight of the 16 members of the National Council on Indian Opportunity are Indians. Other Indians are taking leadership in the establishment of such projects as Deganawidah-Quetzalcoatl University for Indians and Mexican Americans near Davis, California.

An Indian future determined by Indian acts and Indian decisions, President Nixon states as a goal in his historic July message. In the last few years the Federal Government has come to recognize that Indians can and should supply the leadership for their people. Maximum Indian involvement and commitment will help to achieve the goals of present Indian policy.

Commissioner Bruce welcomed 1972 by announcing plans for a massive re-direction of the BIA's programs for the future. In a press conference on January 12, 1972, Commissioner Bruce and Assistant Secretary of the Interior Harrison Loesch unveiled a five-point program entitled "A Way to Go in 72". The new program designed to assist Indians toward self-determination plans for reservation by reservation development, re-direction of the BIA employment assistance program, resources protection, reservation roads improvements, and increasing tribal control over Indian education.

The five-point program includes a reversal of a 15 year-old policy of training Indians to work in urban areas off the reservations. Instead, the new plan proposes that the $40 million employment assistance program be centered on the reservation for the development of a local labor force. The primary objective of the new strategy is to start the development of a total viable Indian economy on the reservations. "Developing Indian economies does not mean really locating non-Indian industry close to or on the reservations so that these corporations can enjoy a cheap labor supply. It means the development of truly Indian economic systems so that a dollar once earned by an Indian citizen can be spent and kept moving throughout an Indian economy, thus developing that economy and making a maximum impact upon that community . . . . . I want to see Indian economies where dollars move from Indian hand to Indian hand and are not drained out by those non-Indian cities that develop and grow and feed upon Indian reservations," states Commissioner Bruce.

Each of the five policy points is directly related to the goal of self-determination. In the reservation by reservation development program, each tribe formulates its own comprehensive economic development plans. A new Indian Water Rights Office is designed to protect Indian water and land rights from encroachments by Federal and private interests. Increased number and quality of roads on the reservations is essential to optimum economic, social and educational development. The present $30 million allocated for road construction will be doubled in the next fiscal year, according to Secretary Loesch. The final point is aimed at making Indian education truly responsive to the needs of Indian children and parents.

A new tool for increasing skilled manpower and managerial know-how was established on Reservations in FY 1971. The Indian Action Team Program includes classroom work, shop application, and on-the-job experience that enables blue-collar workers to progress toward a journeyman level.

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Administrators of U.S. Federal Indian Policy -- 1789 to the Present

Secretaries of War (1789 to 1832)	Year of Appointment	President
Henry Knox*	1789	George Washington
Thomas Pickering	1795	George Washington
James McHenry	1796	George Washington and John Adams
Samuel Dexter	1800	John Adams
Henry Dearborn	1801	Thomas Jefferson
William Eustis	1809	James Madison
John Armstrong	1813	James Madison
James Monroe	1814	James Madison
William H. Crawford	1815	James Madison and James Monroe
John C. Calhoun**	1817	James Monroe
James Barbour**	1825	John Quincy Adams
Peter B. Porter**	1828	John Quincy Adams
John H. Eaton**	1829	Andrew Jackson
Lewis Cass**	1831	Andrew Jackson

*Knox had served as "Secretary in the War Office" since 1784. Prior to that, from 1775 on, Indian affairs had been carried on by Indian Commissioners from three departments, responsible to the Continental Congress.

**On March 11, 1824, Calhoun named Thomas L. McKenney, who had served from 1816-22 as Superintendent of Indian Trade under the War Department, to be the "head" of the Bureau of Indian Affairs within the War Department. McKenney served in this capacity under Secretaries Calhoun, Barbour, Porter, and Eaton, until replaced by Samuel S. Hamilton on September 30, 1830. Hamilton, in turn, was succeeded by Elbert Herring in 1831, who a year later became the first Commissioner of Indian Affairs by an Act of Congress.

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Commissioners of Indian Affairs (1832 to Present)	Year of Appointment	President
Elbert Herring	1832	Andrew Jackson
Carey A. Harris	1836	Andrew Jackson and Martin Van Buren
T. Hartley Crawford	1838	Martin Van Buren, William H. Harrison, and John Tyler
William Medill	1845	James K. Polk and Zachary Taylor
Orlando Brown	1849	Zachary Taylor and Millard Fillmore
Luke Lea	1850	Millard Fillmore
George Manypenny	1853	Franklin Pierce
James W. Denver	1857	James Buchanan
Charles E. Mix	1858	James Buchanan
James W. Denver	1858	James Buchanan
Alfred B. Greenwood	1859	James Buchanan
William P. Dole	1861	Abraham Lincoln and Andrew Johnson
Dennis Cooley	1865	Andrew Johnson
Lewis V. Bogy	1866	Andrew Johnson
Nathaniel G. Taylor	1867	Andrew Johnson
Eli S. Parker	1869	Ulysses S. Grant
Francis A. Walker	1871	Ulysses S. Grant
Edward P. Smith	1873	Ulysses S. Grant
John O. Smith	1875	Ulysses S. Grant and R. B. Hayes
Ezra A. Hayt	1877	Rutherford B. Hayes
R. E. Trowbridge	1880	Rutherford B. Hayes
Hiram Price	1881	James Garfield and Chester A. Arthur
John D. C. Atkins	1885	Grover Cleveland
John H. Oberly	1888	Grover Cleveland
Thomas J. Morgan	1889	Benjamin Harrison
Daniel M. Browning	1893	Grover Cleveland
William A. Jones	1897	William McKinley and Theodore Roosevelt
Francis E. Leupp	1904	Theodore Roosevelt
Robert G. Valentine	1909	William Howard Taft
Cato Sells	1913	Woodrow Wilson
Charles H. Burke	1921	Warren G. Harding and Calvin Coolidge
Charles J. Rhoads	1929	Herbert Hoover
John Collier	1933	Franklin D. Roosevelt
William A. Brophy	1945	Franklin D. Roosevelt and Harry S. Truman
John R. Nichols	1949	Harry S. Truman
Dillon S. Myer	1950	Harry S. Truman
Glenn L. Emmons	1953	Dwight D. Eisenhower
Philleo Nash	1961	John F. Kennedy and Lyndon B. Johnson
Robert L. Bennett	1966	Lyndon B. Johnson
Louis R. Bruce	1969	Richard M. Nixon

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Important Dates in Federal Indian Relationships

1633 First land allotment policy established (by General Court of Massachusetts Colony, acting to provide land allotments among Indians).

1754 English colonies met at Albany Congress to discuss unified colonial Indian policy.

1763 King George III proclamation setting aside "reserved lands" for Indians.

1764 Plan for Imperial Department of Indian Affairs.

1775 Continental Congress named Indian commissioners in north, middle, and southern departments.

1775 First negotiation between Indian commissioners and Indian groups (Six Nations).

1778 First Indian treaty signed (with Delaware, September 17).

1784 Congress assigns War Office to provide militia in assisting Indian commissioners negotiating Indian treaties.

1789 Congress gives Indian authority to War Department; later it passes first appropriations for Indian affairs and designates territorial governors as ex-officio Indian superintendents under War Department.

1794 First Indian treaty providing education for Indians (Oneidas, Tuscaroras and Stockbridges).

1796 Establishment by law of Indian trading houses, operated by government.

1803 Louisiana Purchase from France, vast lands inhabited by Indians.

1806 Creation in War Department of an Office of Superintendent of Indian Trade, to administer Federal Indian trading houses.

1815-25 Post-war treaties with tribes north of Ohio River resolving trading areas and beginning removal to new western lands.

1817-18 First Seminole War in Florida.

1819 Congress enacts "civilization fund" – first Federal Indian education program.

1819 Final Florida boundaries resolved with England; Indian lands involved.

1822 Act abolishing Indian trading houses and Office of Indian Trade, also naming new Office of Superintendent of Indian Affairs at St. Louis for western lands.

1827 Adoption of Cherokee Constitution; Georgia legislature nullifies it.

1829 Cass-Clark Report in regularizing Federal Indian administration.

1830 Passage by Congress of Indian Removal Act.

1832-42 Federal Government conducts removal of "Five Civilized Tribes" from southeast States to new western territories.

1834 Acts creating an Office of Indian Affairs, coordinating Federal Indian administration, and modernizing Indian trade administration.

1845 Entry into Union of Republic of Texas.

1845-48 Mexican War.

1849 Act transferring Bureau of Indian Affairs from War Department to new Department of the Interior.

1853 Gadsden Purchase, acquiring new Indian lands from Mexico

1867-68 Indian Peace Commission negotiates final treaties with Indians (last of 370 Indian treaties on August 13, 1868 with Nez Perce).

1869 Act creating Board of Indian Commissioners (lasting until 1933).

1870-86 Federal Indian policy, backed by military support, places final Indians on reservations; practice of giving Indians food and clothing rations started.

1871 Act abolishing all Indian treaty-making.

1887 Dawes Severalty Act, establishing official land allotment policy.

1902-10 Start of Federal Indian reclamation, forestry, conservation programs.

1906 Burke Act, amending Dawes Act on allotment, describing Indian "competency."

1924 Act giving Indians citizenship and right to vote.

1924 Indian Health Division established within Indian Bureau.

1928 Meriam Report published (after 2-year study), emphasizing new Indian reforms.

1934 New Indian legislation, including Indian Reorganization Act (IRA), ending allotment policy, providing for tribal self-government, launching Indian credit program; and Johnson-O'Malley Act, spreading out Federal Indian administration to many agencies.

1935 Act setting up Indian Arts and Crafts Board (established in 1936).

1948 Hoover Commission recommends transfer of Indian Bureau to Federal Security Agency.

1953 House Concurrent Resolution 108 calling for termination of Federal trusteeship over the affairs and property of Indian tribes and groups

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1954 First of several acts calling for termination of Federal trust status over Indian lands (Menominees of Wisconsin).

1954 Act transferring Indian Health Division from Indian Bureau of Public Health Service (transfer made in 1955).

1961 Interior Secretary Udall names Task Force on Indian Affairs, reporting later in year with long-range recommendations.

1961 Federal housing assistance programs opened up to Indian reservations.

1962 Interior Secretary Udall names Task Force on Alaskan Indian Affairs, reporting later in year.

1964 Economic Opportunity Act programs provide Indians opportunity to participate in and control their own programs.

1966 Appointment of Robert L. Bennett, an Oneida Indian, as Commissioner of Indian Affairs.

1968 President Johnson's special message dealing exclusively with American Indians and Alaskan Natives, a historic first.

1968 By an Executive Order, National Council on Indian Opportunity, under Chairmanship of the Vice President, established. Indian involvement in decision-making made an integral part of policy planning.

1969 Appointment of Louis R. Bruce, a Sioux-Mohawk Indian of New York, as Commissioner of Indian Affairs.

1970 President Nixon's special message dealing exclusively with American Indians and Alaskan Natives sets forth a legislative program and expresses the idea of self-determination without the threat of termination.

1970 Forty-eight thousand acres of land including Blue Lake returned to the Taos Pueblo, the first time a sizeable piece of land has been restored to an Indian group.

1972 The Employment Assistance or relocation program redirected to enable Indians to be trained for work on reservations. "

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President Nixon Sets New Indian Policies and Goals



The President's Message to the Congress of the United States on the American Indians.

July 8, 1970

Paul Bernall (left) and Juan De Jesus Romero of the Taos Pueblo watch as President Richard M. Nixon signs into law H. R. 471 on December 15, 1970, returning to the pueblo about 48,000 acres of land and Blue Lake as proposed in this Message. (Photo: Bureau of Indian Affairs, U.S. Department of the Interior).

A New Era for the American Indians

The first Americans – the Indians – are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement – employment, income, education, health – the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demanding.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country – to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

Self-Determination Without Termination

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has—at various times during previous Administrations—been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he can assume control of his own life without being separated involuntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

Repeal Termination Law

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

Indians Direct Programs

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education and Welfare whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community; those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guarantees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over $400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some $57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control—at a rate and to the degree that the Indians themselves establish.

Restore Blue Lake to Taos Pueblo

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal government and the Indian people. Such a relationship cannot be completed overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at and near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner without compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to Indians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this government's responsiveness to the just grievances of the American Indians.

Local School Control

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition

is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In Fiscal Year 1971, the Johnson-O'Malley program will be funded at a level of some $20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

Economic Development Legislation

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only $1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately $25 million to $75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage *private* lenders to loan more money for Indian economic projects. An aggregate amount of $200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 50 million acres of land that is held in trust by the Federal government. In order to compete in attracting investment capital for commercial, industrial and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by

both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of $55 million from the Departments of Interior, Housing and Urban Development, and Health, Education and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

More Money for Indian Health

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50% higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentary that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional $10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease – a particularly acute disease among Indians – can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet – almost unbelievably – we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

Helping Urban Indians

Our new census will probably show that a larger proportion of America's Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This Administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead those efforts.

Indian Trust Counsel Authority

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance *both* the *national* interest in the use of land and water rights *and* the *private* interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

Assistant Secretary for Indian and Territorial Affairs

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior – Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management – an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern – the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickel and I both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

Continuing Programs

Many of the new programs which are outlined in this message have grown of this Administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's Fiscal Year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone – to mention just two examples – OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up. Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last two years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A member of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Development Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately $80 million in projects on Indian reservations, including nearly $60 million in public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last three years have helped to lower

the unemployment rate from 56 to 18 percent, increase the median family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal government to help coordinate and accelerate Indian programs. We have supported an increase in funding of $4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded – including an increase of $848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America planned, developed and operated by and for Indians. Altogether, obligational authority for Indian programs run by the Federal Government has increased from a little over $598 million in Fiscal Year 1970 to almost $626 million in Fiscal Year 1971.

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings throughout the nation in order to establish continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

* * *

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of *whether* the Federal government has a responsibility to Indians to the question of *how* that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance – this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

RICHARD NIXON

THE WHITE HOUSE,

July 8, 1970.

THE STATE OF THE UNION

The President's Message to the Congress. *January 30, 1974*

To the Congress of the United States:

JUSTICE FOR AMERICAN INDIANS

For too many years the American Indians–the first Americans–have been the last Americans to receive the rights and opportunities to which they are entitled. This Administration has taken the initiative to change this picture.

For its part, the Federal Government must put behind it the role of autocratic manager of Indian reservations. We shall continue to encourage Indians and their tribal governments to play an increasing role in determining their own future. We are also particularly determined to defend the natural resources rights of Indian people.

The last five years have been historic steps in Federal Indian policy. In 1971, we worked closely with Indian leaders to achieve a settlement of Alaska Native claims, a settlement consistent with America's sense of fairness and also indispensable to the growth and development of all of Alaska.

We also returned lands taken away long ago from the Taos Pueblo at Blue Lake. We returned lands wrongfully taken from the Yakima people. Because the Menominee people have seen their tribal states involuntarily terminated but had nevertheless kept their land and their tribal structure together, the Congress enacted and I signed the bill which restored the Menominee tribe to trust status. In the courts, we are forcefully asserting Indian natural resources rights, as we have done in protecting Indian rights in Pyramid Lake.

One measure of our attempt to foster a better, more humane policy is the level of Federal funding benefitting American Indians–over twice what it was five years ago or about $1.6 billion.

I am especially encouraged by the fact that the rate of infant deaths, pneumonia, influenza, and tuberculosis is significantly lower among Indians than ever before. Although we have not yet achieved our full goals of health and educational services for the Indian people that are fully compatible with those of the general population, this progress demonstrates our continuing commitment.

The Congress has shared in these accomplishments in a spirit of bipartisan cooperation. I hope that I will soon have on my desk two more enactments on which Congressional action is progressing: measures to speed Indian economic development and to upgrade the position of the Commissioner of Indian Affairs to the Assistant Secretary level. Also still awaiting Congressional action are four other proposals I have submitted previously: to permit turning over to Indian tribal governments the management and control of Indian programs; to create an Indian Trust Counsel with authority to safeguard Indian natural resources rights; to help ensure that funds for Indian education actually reach Indian children; and to provide greater local control over federally assisted reservation programs through a program of tribal grants.

Looking forward, I shall ask that the Bureau of Indian Affairs make specific plans to accelerate the transfer of significant portions of its programs to Indian tribal management, although I repeat my assurances that, while accelerated, these transfers will not be forced on Indian tribes not willing to accept them.

RICHARD NIXON

The White House,
January 30, 1974.

Books that Give Background In Indian Affairs

(Copies may be obtained from most large libraries
or borrowed through inter-library loan.)

A History of the Indians of the United States by Angie Debo. A book which confines itself to the history of Indians in what is now the United States, beginning with the Indians in their homeland and progressing through the twists and turns of Federal Indian policy to the present. Factual and informative, with a comprehensive bibliography. Well indexed. Norman: University of Oklahoma Press, 1970.

The Indian Heritage of America by Alvin M. Josephy, Jr. A factual history of the Indians of North, South, and Central America through the previous Administration. Josephy is also the author of a report to the White House in which he advocates putting the Bureau of Indian Affairs directly under the President. New York: Bantam Books and Alfred A. Knopf, 1968.

Red Man's America: A History of Indians in the United States by Ruth Underhill. This book describes the cultures of the large Indian groupings including the five civilized tribes, woodlands Indians, Southwest corn growers, buffalo hunters, potlatch givers. One chapter is on the measures taken by the Government on the Indians' behalf. Miss Underhill is a former Bureau employee. Chicago: University of Chicago Press, 1953.

The Indian: America's Unfinished Business: Report of the Commission on the Rights, Liberties, and Responsibilities of the American Indian by William A. Brophy and Sophie D. Aberle. This book brings the dilemma of the modern Indian into sharp focus, and is the first comprehensive investigation of the condition of the American Indian since the publication of the Meriam Survey Report in 1928. Norman: University of Oklahoma Press, 1969.

The Problems of Indian Administration by Lewis Meriam. Although this book is now out-of-print, it is the definitive investigation of Indian matters made by a special staff of the Institute for Government Research. It includes an examination of all facets of Indian life of the 1920's and is a study that modern work in the field can build upon. Baltimore: Johns Hopkins Press, 1928.

The American Heritage Book of Indians by American Heritage Publishing Co. Describes the pre-history and the cultural history of the American Indian people. It emphasizes Indian past and touches only lightly upon the modern Indian. New York: Simon & Schuster, 1961.

The States and Their Indian Citizens by Theodore W. Taylor. The relationship between the Indians and the Federal Government is the oldest political issue in the United States, and it is examined here in terms of current issues. Discussed are: Removal, forced assimilation or support of Indian culture; Federal activity to terminate the special relationship with Indians; Federal obligations to Indians; and relationship of Indians to the State governments. Washington: Government Printing Office, 1972.

Indians of the Americas by John Collier. This Commissioner of Indian Affairs who served longer than any other describes the evolution of today's Indian tribes from pre-history to the New Deal period, when he was in the forefront of Indian politics. He sees the controlling factor of Indian life at the time the book was published as the triumph of group activity. New York: W. W. Norton, 1947.

From the Indian Point of View

Custer Died for Your Sins; An Indian Manifesto by Vine Deloria, Jr. The author, with wit and insight, presents in a provocative manner the grievances of today's Indians. He also gives a picture of reservation life as he relates how the white man has molded and shaped it. Toronto, Ontario: McMillan, 1969.

House Made of Dawn by N. Scott Momaday. A Pulitzer Prize winning novel that describes the trauma an Indian faces when he leaves reservation life. New York: Harper & Row, 1968.

The New Indians by Sam Steiner. The first full-scale report of the gathering "Red Power" movement...a revolt against the white man's culture and its debasement of the tribal way. New York: Harper & Row, 1968.

Red Power: The American Indians' Fight for Freedom by Alvin M. Josephy. "The aim of red, or Indian power—the right of Indians to be free of colonist rule and to run their own affairs, with security for their lands and rights—is the major theme of contemporary Indian affairs and of this book" says the author in the first paragraph. The book contains excerpts from speeches, articles, and the like. New York: American Heritage Press, 1971.

American Indians and Federal Aid by Alan L. Sorkin. The author evaluates the effectiveness of various programs provided by the Federal Government to aid Indians living on reservations. Washington, D.C.: Brookings, 1971.

For the Serious Student

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Swanton, John R. — THE INDIAN TRIBES OF NORTH AMERICA. Smithsonian Institution, Bureau of American Ethnology, Bulletin 145, Government Printing Office, Washington, D.C., 1952.

Taylor, Theodore W. — INDIAN AFFAIRS: A STUDY OF THE CHANGE IN POLICY OF THE U.S. TOWARD INDIANS. Brigham Young University, Provo, Utah. Vol. 1, 1964.

Tyler, Prof. S. Lyman — INDIAN AFFAIRS: A WORK-PAPER ON TERMINATION WITH AN ATTEMPT TO SHOW ITS ANTECEDENTS. Brigham Young University, Provo, Utah. Vol. II, 1964.

FEDERAL INDIAN LAW. Government Printing Office, Washington, D.C., 1958.

U.S. Department of the Interior, Office of the Solicitor — INDIANS OF THE UNITED STATES: FOUR CENTURIES OF THEIR HISTORY AND CULTURE. Doubleday, Doran & Co., Garden City, New York, 1946.

Wissler, Clark

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 30 cents

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Want More Information?

The following publications, published by the Bureau of Indian Affairs, can be purchased from the Superintendent of Documents, U.S. Government Printing Office.

INDIANS, ESKIMOS AND ALEUTS OF ALASKA; INDIANS OF ARIZONA; INDIANS OF CALIFORNIA; INDIANS OF THE DAKOTAS; INDIANS OF THE GULF COAST; INDIANS OF MONTANA AND WYOMING; INDIANS OF NEW MEXICO; INDIANS OF NORTH CAROLINA; INDIANS OF THE NORTHWEST; INDIANS OF OKLAHOMA; INDIANS OF THE CENTRAL PLAINS; INDIANS OF THE GREAT LAKES; INDIANS OF THE LOWER PLATEAU; and **INDIANS OF THE EASTERN SEABOARD** – This is a series of booklets describing the culture and history of tribes whose past is linked with various States and regions of the country. These include facts about Indian life today and Federal programs that serve reservation dwellers.

ANSWERS TO YOUR QUESTIONS ABOUT AMERICAN INDIANS – Answers to questions most frequently asked by the general public regarding economic status, education, health, land, citizenship and other subjects concerning American Indians; selected reading lists; arts and crafts sources.

INDIAN LAND AREAS, General – A multi-color map that indicates the location and size of Federal Indian Reservations and the location of State Reservations, Indian groups without trust land, and federally terminated tribes and groups. In addition it has on it tourist complexes both existing and planned on Indian Reservations, Inter-state Highways, National Forests, National Parks or Monuments, and National Wildlife Refuges.

INDIAN LAND AREAS, Industrial – A 3-color map that indicates the location and size of Federal Indian Reservations and industrial parks and airstrips or airports upon them. In addition, Inter-state Highways are on the map.

AMERICAN INDIANS AND THEIR FEDERAL RELATIONSHIP – A listing of all Indian tribes, bands or groups for which the Bureau of Indian Affairs has definite responsibility. Also listed are those tribes that have been terminated from Bureau services in recent years, those recognized only for the disposition of money awarded by the Indian Claims Commission or because they have claims pending, and certain other categories. This listing is keyed to **INDIAN LAND AREAS - General.**

INDIAN AND ESKIMO CHILDREN – A collection of captioned photographs designed to explain today's Indian and Eskimo children to non-Indian youngsters; preschool and lower elementary school level.

FAMOUS INDIANS: A COLLECTION OF SHORT BIOGRAPHIES – Illustrated vignettes for a representative sampling of 20 well-known Indian leaders. Definitive bibliographies are included for more advanced students.

AMERICAN INDIAN CALENDAR – Lists outstanding events that regularly take place on Indian reservations through the year. Listed are ceremonials, celebrations, and exhibitions of Indian arts and crafts, where visitors may observe artists at work and purchase their products.

The Bureau of Indian Affairs does not handle the sale of these publications. Inquiries should be sent to:

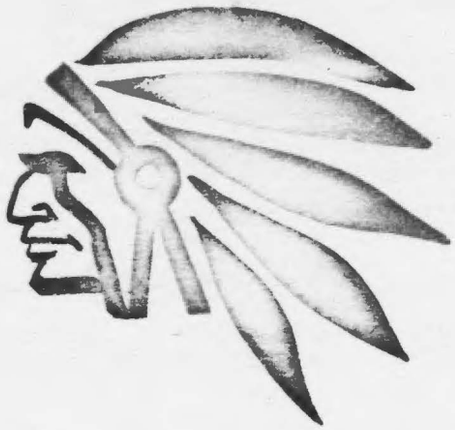
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UNITED STATES DEPARTMENT OF THE INTERIOR
Rogers C. B. Morton, Secretary
BUREAU OF INDIAN AFFAIRS
Morris Thompson, Commissioner

GPO 874-853

Information About...



URBAN INDIANS

"Urban Indians" is a term used to describe those American Indians who have exercised their right to leave their reservations and have moved to cities, towns and metropolitan areas.

The Bureau of Indian Affairs was established in 1824 as the Federal Government's agency to deal with Indian Affairs. It is a long-standing policy of the Bureau of Indian Affairs and the Congress that the Bureau's special Federal services are to be provided only to reservation Indians eligible for such services. The basis of eligibility rests in treaties with tribes and upon the tax-exempt land held in trust by the Federal Government on which these Indians reside.

The role of the BIA has remained relatively clear cut for most of its long history since the majority of people within its service population continued to reside on their reservations. Since World War II, when thousands of Indians left the reservations for military service or for war time jobs, a steady off reservation movement has been taking place. This was given an additional boost in the early 1950's with the initiation of the Employment Assistance Program under which the BIA provides Indian people help in locating permanent employment in off reservation areas. Today, the BIA maintains nine Field Employment Assistance Offices for those Indian people who wish to leave the reservation. Their services include assistance in obtaining suitable employment, housing, vocational training and orientation to the urban industrial community. These offices are also involved in counseling these people to help them overcome the problems of adjusting to the new environment. Office locations are Anchorage, Chicago, Cleveland, Dallas, Denver, Los Angeles, Oakland-San Francisco, San Jose and Washington, D. C.

At present, the BIA estimates 477,500 Indian people living on reservations and 350,000 living off reservations. The general term "Indian"

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no longer is an adequately descriptive term for the group which more and more tends to be classified as either "Urban" or "Reservation" Indians. The term "Urban" encompasses not only those who have left their reseration, but numerous persons of Indian descent who have never lived on a Federal reservation but continue to identify as Indians, as well as representatives of such tribes as the Pamunkey, Lumbees and Penobscots who are ineligible for BIA services. These people are entitled to and should receive the same services from their local, state and Federal agencies that other citizens of the community receive.

A delimma facing Congress, the Secretary of the Interior and the Bureau of Indian Affairs is to decide what the future role of the Bureau should be in light of the significant locational shifts in the Bureau's service population and its interaction with increasing numbers of non-Federal Indians in the off reservation areas. The decision has been made to reconfirm BIA activities to the traditional reservation setting. If BIA services were expanded into the off reservation areas it would be inconsistent with national policy and would tend to compete with services from other sources.

The Bureau of Indian Affairs wishes to see that all American Indians residing on or off a reservation receive due services in housing, education, employment opportunities and medical facilities. Therefore, the BIA assumes the role of working with other Federal agencies such as the Office of Economic Opportunity, Departments of Housing and Urban Development, Department of Health Education and Welfare and the Departments of Labor and Commerce as well as state and local agencies and private organizations to assure that their services are made available in a meaningful way to meet the many pressing needs of off reservation Indian people.

In his Message to Congress on National Indian Policy delivered July 8, 1970, President Nixon clearly spelled out the role of the Bureau of Indian Affairs with regard to the urban Indian.

> "The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

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But misunderstandings are not the most important problem confronting the urban Indians. The biggest barrier faced by those Federal, state and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservation and urban areas. Language and cultural differences compound these problems. As a result, Federal, state and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This Administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, state and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

June 1971

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You Asked About...



HELPING INDIANS

There are several private Indian-interest organizations which devote some or all of their efforts to the betterment of American Indians. Among the best known are:

Adoption Resource Exchange of North America
Sponsored by the Child Welfare League of America
44 East 23rd Street
New York, N.Y. 10010 **

American Friends Service Committee, Inc.
160 North 15th Street
Philadelphia, Pa. 19107

American Indian College Foundation
1419½ Elizabeth Avenue
Charlotte, N.C. 28204

American Indian Historical Society
1451 Masonic Avenue
San Francisco, Calif. 94117

Arrow, Inc.
1000 Connecticut Ave. N.W.
Suite 501
Washington, D.C. 20036

Associated Executive Committee of Friends on Indian Affairs
404-A Avenue
Central City, Nebr. 68826

Association on American Indian Affairs, Inc.
432 Park Avenue South
New York, N.Y. 10016

Bureau of Catholic Indian Missions
2021 H Street N. W.
Washington, D. C. 20006

Cherokee Boys Club, Inc.
P. O. Box 507
Cherokee, N. C. 28719

Friends Committee on National Legislation
245 Second Street N. E.
Washington, D. C. 20002

Futures for Children
5612 Parkston Road
Washington, D. C. 20016 **

General Conference of Seventh Day Adventists
North American Missions Committee
6840 Eastern Avenue N. W.
Washington, D. C. 20012

Indian Rights Association
1505 Race Street, Room 519
Philadelphia, Pa. 19102

LDS Indian Student Placement Program
10 South Main, Suite 331
Salt Lake City, Utah 84101

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(over)

The Lutheran Church Missouri Synod
Department of Social Welfare
210 North Broadway
St. Louis, Mo. 63102

Lutheran Council in the USA
Department of Church & Community
Planning
130 North Wells Street
Chicago, Ill. 60606

Luthern Social Services of
South Dakota
600 W. 12th Street
Sioux Falls, S. D. 57104

Michigan State Commission on
Indian Affairs
946 College Drive
Sault Ste. Marie, Mich. 49783

National Congress of American Indians
1346 Connecticut Ave. N. W., Rm. 1010
Washington, D.C. 20036

National Council
Executive Council of the Episcopal
Church
815 Second Avenue
New York, N.Y. 10017

National Council of the Churches
of Christ in the U.S.A.
Division of Christian Life and
Mission
475 Riverside Drive
New York, N.Y. 10027

National Indian Youth Council
3202 Central S. E.
Albuquerque, N.M. 87106

Office of National Indian
Ministry Consultant
The Lutheran Church Missouri Synod
2116 South Minnesota Avenue
Sioux Falls, S. D. 57105

Save the Children Federation
Boston Post Road
Norwalk, Conn. 06852

Southwestern Association on
Indian Affairs, Inc.
P. O. Box 1964
Santa Fe, N.M. 87501

St. Michael's Association
for the Handicapped
P. O. Box 34
St. Michael's, Ariz. 86511

United Church of Christ
Division of Human Relations &
Economic Affairs
The United Methodist Building
100 Maryland Avenue N. E.
Washington, D. C. 20002

United Presbyterian Church
Board of National Missions
475 Riverside Drive
New York, N.Y. 10017

United Scholarship Service
P. O. Box 18285
Capitol Hill Station
Denver, Colo. 80218

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November 1971

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TO THE FIRST AMERICANS



THE FIFTH REPORT
on the Indian Health Program
of the U.S. Public Health Service



In April the Federal Government and the California Rural Indian Health Board (CRIHB) signed a contract to permit California Indians to administer their own health program. At the signing at IHS headquarters are left to right, seated: Mrs. Gail Hendley, Contracting Officer. Health Services and Mental Health Administration (HSMHA), DHEW; Dr. Emery A. Johnson, Director, IHS; Mr. H. D. Timm Williams, Chairman, CRIHB; and Mr. Julius J. Kessler, Director, Office of Procurement and Materiel Management, HSMHA. Standing: Mr. Joe Exendine, Deputy Director, Division of Resource Coordination, IHS; Mr. Irvin E. Rautenberg, Assistant Chief, Administrative Branch, Bureau of Maternal and Child Health, California Department of Public Health; Mr. Joe Carrillo, State Coordinator of Indian Health; and Mr. Don Donaldson, Executive Director, CRIHB.

A message to the American Indian and Alaska Native people

1971 has been a year of great growth and progress. The support given the Indian health program by the Administration and the Congress was the greatest ever. In addition, there was the unprecedented supplemental funding resulting from the President's message on Indian affairs of July 1970. These funds enabled us to take special action on some of the most critical health problems, to introduce new community development projects, and to increase training and manpower development. Other cooperative ventures in matters affecting health were expanded with Federal and State agencies.

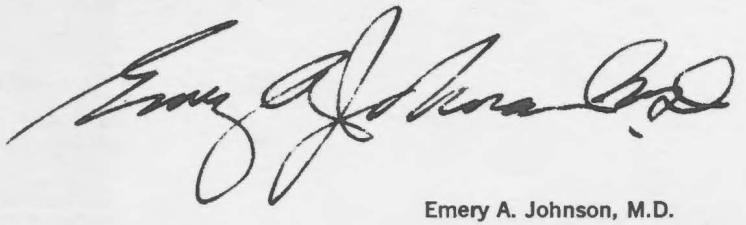
Your assumption of leadership, however, is a most significant step forward. Throughout the Indian Health Service we are depending more and more on your input in policy decisions and program operation. Your 11-member National Intertribal Health Board has asked for and is taking special seminars in budget, health planning and other vital management functions. Many area and service unit health boards are obtaining training in their local settings or at the Indian Health Service Training Center in Tucson, Arizona.

For the first time, actual program administration was put in your hands in two areas. In California, through a contract with the Indian Health Service, the California Rural Indian Health Board is administering health services to Indians in 16 rural communities. In the south, the United Southeastern Tribes Intertribal Council is directing the health program for the Mississippi Choctaws, the Eastern Band of Cherokees in North Carolina and the Seminole and Miccosukee Tribes in Florida.

This past year saw also, the opening of many new career opportunities for Indians in training, employment and promotion. The upward mobility and human resources development programs began to take hold throughout the Service.

Added progress was made in health levels and improvements in getting health services out to where they are needed.

It is never possible to cite all the things that are happening in a program. This report will show you some of them. We hope they will make you feel as we in the Indian Health Service do—that working together, we are on the track to a better future.



Emery A. Johnson, M.D.
Assistant Surgeon General
Director, Indian Health Service

January 1972

The Year Just Passed

As you know, the Indian Health Service goal is to raise the health of Indians and Alaska Natives to the highest possible level. We have three objectives toward reaching that goal:

1. To help you develop the capability to staff and manage your health programs and assume administrative authority.
2. To act as your advocate in the health field, generating other interests and resources which can be applied to your needs.
3. To provide you with the best possible health program, including hospital and outpatient care, preventive and rehabilitative services and environmental improvements.

These are the guidelines of the present and the directions of the future.

In carrying out these objectives, major Indian Health Service program emphasis this past year was on increasing the numbers and kinds of health career opportunities for Indians, advancing Indians in the management of health programs, generating training possibilities and other resources, improving the health services delivery system, and helping Indian community development.

We concentrated heavily on building professional competencies. In addition to Indian Health Service resources, we had the assistance of other agencies within the Health Services and Mental Health Administration—Center for Disease Control; Community Health Service; Maternal and Child Health Service; National Center for Family Planning; National Institute on Alcohol Abuse and Alcoholism and National Institute of Mental Health—the Bureau of Health Manpower Education of the National Institutes of Health, which established a special health career program for Indians, and of other Federal Departments, especially the Department of Labor and the Office of Economic Opportunity.

We are supporting 34 Indians for long-term professional training in medicine, nursing, pharmacy, environmental health and health care administration.

Twelve Indian IHS employees for example, are being supported to earn their Master's in Public Health degrees, six at the University of California and six at the University of Oklahoma.

We added new specialties such as pediatric nursing, with two Indian registered nurses now qualified as pediatric nurse associates.

A special program was introduced for licensed practical nurses wanting to become registered nurses. Nine graduates of the Indian Health Service School for

The first three graduates of the Aberdeen Area Indian Health Service management training program, Hank Bowker, Jerry Rousseau, and Wesley Halsey, are now serving in key positions in the Indian Health Service. They completed their two years of training and experience in 1970 and have already moved up from their original assignments.

Two others are presently in the program: Gordon Valandra, a Standing Rock Sioux from Ft. Yates; and Elmer (Tiny) La Pointe, Rosebud Sioux from Rosebud. Both are in their second year, gaining general managerial experience within the Aberdeen Area.

Mr. Valandra is an employee of the Standing Rock Sioux Tribe and will take a management position with them upon graduation next summer.



Hank Bowker, Sioux-Cherokee, from Cheyenne River Reservation, now IHS Service Unit Director, Ft. Yates, N. Dak. and former administrative officer, Ft. Yates Indian Hospital.



Gordon C. Valandra, Jr.



Elmer La Pointe



Wesley Halsey, Standing Rock Sioux, now program analyst at Indian Health Service headquarters in Washington and former Service Unit Director, Eagle Butte, S. Dak.



Jerry Rousseau, Cheyenne River Sioux, now equal employment opportunity officer, IHS Aberdeen Area Office, and former budget analyst, Aberdeen Area.



Mr. Don J. Davis, Creek, and Mrs. Juana Gover, Papago, are trainees assigned to the Phoenix Area Office. Mr. Davis is a management intern who has developed a task analysis system for use in Indian Health Service hospitals and has reorganized and implemented the supply and warehouse system at the Phoenix Indian Medical Center.

Mrs. Gover is a former Health Records Technician now in a management development program in the training office. She has developed a plan for utilization of funds from the Department of Labor within the Phoenix Area.



Mrs. Valentine Johns, R.N., Hopi from 2nd Mesa, pictured at Good Samaritan Hospital, Phoenix, Ariz. In a new program sponsored by the hospital and Maricopa Technical College, two Indian Health Service nurses were given education and experience as Pediatric Nurse Associates. Mrs. Johns is now working in the Keams Canyon, Ariz. Service Unit; and Mrs. Lulu Kirk, Pueblo, in the Whiteriver, Ariz. Service Unit, helping to improve the health of babies and children.

Practical Nursing are working part-time at the Phoenix Indian Medical Center while attending classes at Maricopa Technical College.

Two Indians are being supported in Medex training (for ex-medical corpsmen) by the Aberdeen Area Indian Health Service in cooperation with the University of North Dakota. They have been assigned and will continue to work as assistants to Indian Health Service physicians on the Rosebud and Pine Ridge, South Dakota reservations after their graduation in 1972.

Ten Indians were awarded Indian Health Service mental health technician training certificates, and are working in Indian communities under a study arrangement with Central Arizona College. This will lead to an Arizona Career Development certificate equal to one year of college training, with opportunities for advancement to Associate of Arts degree and beyond.

We continued to develop arrangements with a number of other colleges whereby Indians can study for health professions while working with the Indian Health Service.

Main purpose of these programs is to give Indians the opportunity to work



Staff of Equal Employment Opportunity Office, Phoenix Area Indian Health Service, left to right: Wilma Nelson, Navajo, Secretary; Helen James, Navajo, Human Resources Development Specialist; Samuel De Corse, Quechon, Equal Employment Opportunity Officer; Louis Cimino, Chippewa, HRDS; Timothy Keevama, Hopi-San Juan Pueblo, HRDS.



Pictured at a conference at Oklahoma City in December are five of the 27 IHS human resource development specialists, left to right: Royal DeAsis, Tlingit, Alaska Area; Pat Farris, Cherokee, and Paul Attocknie, Comanche, both Oklahoma City Area; Betty Sue Beaver, Creek, Aberdeen Area; and Florine C. Jones, Gros Ventre, Billings Area.

toward degrees without leaving the community in which they live.

Added activities on higher education levels included positioning of counselors at Northern Arizona University and Navajo Community College to help identify Indians interested in health professions and place them into programs; establishment of a national focal point at Denver for financial assistance to Indians wanting to enter health professions; and summer employment of Indian undergraduate students.

An overall human resource development program was strengthened throughout the Indian Health Service by Equal Employment Opportunity efforts. Twenty seven Indian human resource development specialists representing all Indian Health Service administrative offices, were selected by teams of evaluators from the respective area offices and the National Indian Training and Research Center, Tempe, Arizona, to provide career counseling, guidance and training to stimulate employees in developing and using their maximum human potential. Their goals are to assure employees every opportunity for upward mobility and to increase Indian involvement in all fields leading to better health and socio-economic improvements.



The first class of Mental Health Technicians received their Indian Health Service certificates November 5 at the IHS Training Center, Tucson, Ariz.
Seated, left to right: Priscilla Wachsmuth, Paiute, Reno, Nev.; Charlene Hill, White Mountain Apache, Whiteriver, Ariz.; Irene Sharkey, Cocopah, Yuma, Ariz.; Eleanor Racehorse, Paiute, Owyhee, Nev.; Linda Lujero, Papago, Sells, Ariz.; Cecelia Hunter, Hualapai, Peach Springs, Ariz.; and Shirley Pinal, White Mountain Apache, Whiteriver, Ariz.
Standing, left to right: Austin Titla, San Carlos Apache, San Carlos, Ariz.; Percy Pavatea, Hopi, Keams Canyon, Ariz.; and Buddy Gloshai, White Mountain Apache, Whiteriver, Ariz.



INSIGNIA OF THE MENTAL HEALTH TECHNICIAN

The circle means eternity-infinity; the sun symbol is life happiness; and the triskellion indicates progress, and continuity of forward movement.

Meeting Your Health Needs

Meeting your health needs involves many aspects of life. Most important is to get services to those who need them. This is one of the most difficult problems in the Indian health program. It is not possible to station a physician or build a hospital in every community, yet health care must be gotten to you somehow.

This past year we started a new program which we believe will be an excellent answer, at least in 30 communities. We pre-tested the IHS Community Health Medic (physician assistant) program by training a former military corpsman and assigning him to Supai Village in the Grand Canyon. As a result of that success we carefully selected 30-well-qualified health practitioners–all Indians–who were former corpsmen, registered nurses, technicians, etc. In spring of 1971 they began an intensive two-year training program affiliated with the University of Arizona Medical School.

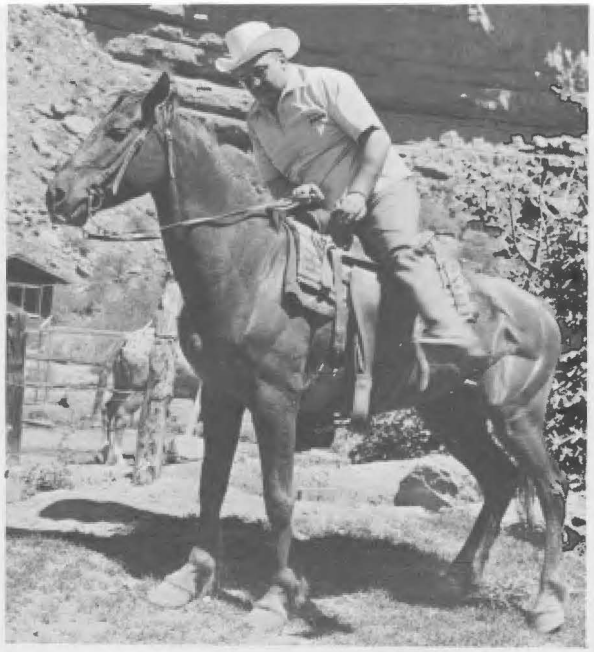
Ten are studying and obtaining clinical experience at the Phoenix Indian Medical Center and 20 at the Gallup Indian Medical Center. They are learning and practicing under the direct supervision of medical doctors and professors and will be bona fide physician assistants when they complete their training. They will be assigned where they are most needed throughout the Service.

There are now over 400 community health representatives and 185 Alaska Native community health aides trained and working to help those with health problems, and to find health and health-related needs that aren't being met. They are also discovering many new ways to handle problems and developing new resources within their communities. Many aides and representatives received upgraded training last year and this process will be continued. Pilot courses in community communications and in problem solving and decision making for community health representatives will be held in 1972. These two programs represent contracts between Indian Health Service and over 100 tribes and 155 Alaska villages.

This past year we were able to place special attention on some of your most serious health problems. To improve the health of mothers and babies, we assigned nurse midwives to Service Units in South Dakota, Alaska, New Mexico and Arizona.

We also added a pediatrician-led health team to the staff on the White Mountain Apache Reservation in hopes of reducing the high infant death rate.

To improve nutrition services to Indian communities, eight Indians began a 12-month program to qualify as certified nutrition technicians. They are now working on their home reservations under the supervision of Indian Health Service public health nutritionists, following a four-month education period at the IHS hospital, Santa Fe, N. Mex.



John Gobert, Blackfeet Tribe, was the first Indian Health Service Community Health Medic. He worked on the Havasupai Reservation on the floor of the Grand Canyon for 15 months in 1970-71. Mr. Gobert was seriously wounded when he stepped on a land mine during his second tour of duty in Vietnam. He was honorably discharged from the Marine Corps with a total disability rating in 1966 and spent the next few years being rehabilitated and learning to live with an artificial leg. He was named the Oustanding Disabled American Veteran of 1971 at the DAV National Convention in Detroit and was also chosen the Outstanding Handicapped Employee of the Year of the Department of Health, Education, and Welfare. Mr. Gobert is now helping to train the class of community health medics at Phoenix.



Four of the 10 Community Health Medics in training at the Phoenix Indian Medical Center, left to right: John Williams, Osage, Robert Bacon, Choctaw, Arlie Beeson, Mohave/Hopi. Partially seen in background is Elsie Zatt, Navajo/Laguna.



Community Health Medic Trainees, Navajo Area Indian Health Service. First row (left to right): Glenn Walters, Tom Bowie, Roosevelt J. Gray, Alice D. Tso, Priscilla C. Schrock, Millie B. Brockie. Second row (left to right): Edward M. Ashley, Irene C. Arviso, Katie F. Tsosie, Andrea Tsabetsaye, Joyce Mihecoby, Third row (left to right); Florence M. Tenequer, Lorraine Lesley, Lawrence J. Valdo, Francis R. Mansfield, Delores M. Lujan. Back row (left to right): Orpha A. Scott, Gerald H. Ross, Carl A. Hillis, Vicki L. Pack. All are Navajos except Delores Lujan, Taos; Gerald H. Ross, Chippewa-Sioux; Priscilla Schrock, Santo Domingo; Orpha Scott, Laguna; Lawrence Valdo, Acóma, and Andrea Tsabetsaye, Zuni.



Totem poles decorate the front entrance and parking lot of the new Health Center at Neah Bay, Wash. The Makah Tribe now has the most up-to-date clinic facility in the Northwest, with greatly expanded services, including laboratory and X-ray.



Indian Health Service Environmental Health Aides and Technicians and one Tribal Environmental health employee completed an 11-week course at the Public Health Sanitation School, East Tennessee State University, Johnson City, in August. They earned 18 quarter hours of college credit and were awarded certificates by the President of the University, Dr. D. P. Culp.



Mr. Gordon R. Baldeschwiler, pharmacy officer, Neah Bay Indian Health Center, uses anatomical models to illustrate advice he is giving Mrs. Blanche Cox, Makah Tribe. Where possible, pharmacy consultation rooms are being included in Indian Health Service facilities, so proper use of medications in relation to illness can be explained in privacy.

Efforts were greatly expanded to find and treat acute and chronic otitis media patients throughout the Service. Special intensive programs were started in all Indian health areas, most including teams of Indians trained in casefinding and followups.

Mental health services also were greatly expanded throughout the program. Major objectives were to train as many Indian mental health workers as possible, since they would have more understanding of Indian problems, and to find ways to offer care in reservation or home community settings. A 25-bed model inpatient program was set up at the Gallup Indian Medical Center and a model dormitory project continued at Toyei Boarding School, Ariz.

A number of new alcoholism control programs were started, including opera-



Pictured left to right are Dr. Culp; Wilson Howard, Shiprock, N. Mex.; Larry Crawford, Ft. Yuma, Calif.; Don Sage, Winslow, Ariz.; David Easchief, Salt River Reservation, Ariz.; John Lozeau, St. Ignatius, Mont.; August Alexie, Bethel, Alaska; Joseph Prue, Rosebud, S. Dak.; and William Schunk, Eagle Butte, S. Dak.

tion of halfway houses, and rehabilitation and treatment centers.

To report on another aspect of our effort to make health care more accessible to you, in 1970 and 1971 we opened a new Indian Medical Center in Phoenix; four health centers at Neah Bay, Wash.; Teec Nos Pos, Ariz.; Wanblee, S. Dak., and Four Bears, N. Dak.; three school health centers at Sanostee, Dilkon and Beshbitoh (Toyei), Ariz. and two health stations at Rockpoint, Ariz. and San Felipe, N. Mex. Almost completed are two more school health centers at Many Farms, Ariz. and Albuquerque, N. Mex. and a health station at Red Water, Miss.

In addition to these Indian Health Service-constructed health care centers, a number of other clinic facilities were built by Indian Tribes and Indian communities and leased to Indian Health Service.



Dental Assistant Training is part of the advanced instruction received in the Alaska Native Community Health Aide Program. Annie Merritt, Community Health Aide from Goodnews Bay demonstrates giving a fluoride treatment on David Beaver from Kwigillingok.



School of Radiologic Technology, Gallup Indian Medical Center, New Mexico, class of September 1970-September 1972. Left to right, front row: Hurley Benally, Virginia Murphy, Diane Joe, June Nuttle and Richard Milane; top row: Levi Baker, Leroy Morgan, George Lee. All are Navajo except Levi Baker, Ute, and Richard Milane, Zuni.

Of the seven previously graduated, three are working in Indian Health Service hospitals, two in community hospitals, and two are employed as instructors in the Indian Health Service School.



This is the 54th class of the Indian School of Practical Nurses. Pictured at graduation ceremonies in the garden of the school, in September, left to right, front row: Antoinette M. Bellson, Zuni, Zuni, N. Mex.; Rachel Ruth Bendle, Apache, San Carlos, Ariz.; Pauline Bohanon, Choctaw, Moyers, Okla.; Anna L. Foley, Creek, Holdenville, Okla.; Sherley R. Livingston, Navajo, Springstead, N. Mex. Left to right, back row: Sylvia Darlene Morgan, Navajo, Church Rock, N. Mex.; Amelia M. Narcomey, Creek, Holdenville, Okla.; Dianna J. Polacca, Tewa, Polacca, Ariz.; Madeline Reede, San Carlos Apache, Peridot, Ariz.; and Irene M. Thundercloud, Wisconsin Winnebago, Tomah, Wis.

A total of 1,133 Indian women have been graduated from the school and employed in Indian Health Service or other Public Health Service hospitals.



San Felipe, New Mexico Health Station, opened October 1970.



Students in the IHS School of Certified Laboratory Assistants, Gallup Indian Medical Center. This is the third class which began September 1971 and will finish August 1972. Left to right: Richard Hardy, Navajo; Eleanore Arviso, Navajo; Eugene Mitchell, Navajo; Bernadette Bordeaux, Sioux, and Warren Dixon, Laguna/Navajo.

Of the 11 graduated in the first two classes, six are working in Indian Health Service facilities, two in community hospitals, two are in college working for their Bachelor of Science degrees in medical technology, and one has left the field to be married.



Flag raising at the dedication of the new Phoenix Indian Medical Center December 12, 1970. Raising was done by the Marine Corps Junior Reserve Unit (the only one in the country) from the Phoenix Indian School.

Community Development

Health improvements are part of a total picture of better life in Indian communities and many health projects are intertwined with broad community development.

The construction of sanitation facilities for example, is a program that has far-reaching effects to improve the quality of life both for individuals and for entire communities. Families enjoy the conveniences of safe water supplies and waste disposal facilities. They should also have better health, as a result of better sanitation.

The construction or provision of community utility systems makes it possible for tribes and villages to expand their recreation and business activities. This way they can benefit their own people and also branch out into tourism or other economic development projects.

Through projects authorized or planned by Indian Health Service from 1960 through 1971, approximately 52,000 Indian homes have running water and an adequate means of waste disposal.

Approximately 500 additional projects, were undertaken by the Indian Health Service to provide facilities for new or improved housing being built in cooperation with the Department of Housing and Urban Development, Bureau of Indian Affairs, Office of Economic Opportunity and various Indian housing authorities.



TB field workers, Navajo Reservation. Front row, left to right: Mary Sage; Ruth Benally; Sista Paddock; Violet Seweingyawma; Sarah Benally; LaVerne Yazza. Back row: Ed Pesanti, M.D.; Robert Natonabait; Herbert White; Joseph Long; Elmer Begay; Herbert Clark; and Roger Cohoe.



Mrs. Lavine Tenorio, a member of the Phoenix Indian Medical Center Auxiliary takes a patient's records and X-rays to Mrs. Wilma Amiotte, Health Records Clerk. Both Mrs. Tenorio, who volunteers her services at the hospital, and Mrs. Amiotte are Lagunas. Mrs. Amiotte was trained by Indian Health Service at Phoenix College and Tucson.



Under the sponsorship of the Anchorage Area Alaska Native Health Board, 27 community leaders and community health aides attended a five-day course in accident prevention in Anchorage in May 1971. The purpose was to help reduce the toll of accidents, which are the leading cause of death in the 49th State. Participants are, left to right, front row: Martha Kanuk, Kipnuk; Martha Nicholai, Kwethluk; Annie Wilson, Levelock; Augusta Moonin, Port Graham; Gertrude Wolfe, Hoonah; Evelyn Conners, Pilot Point. Second row: Mae Alexie, Mountain Village; Massa Gumlickpuk, New Stuyahok; Anuska Bavilla, Togiak; Mary Imagalrae, Chevak; Martha Pavil, Kwigillingok; Theresa Afcan, St. Mary's. Third row: Florence Esmailka, Ruby; Platonida Gromoff, Unalaska; Marjorie Adams, Yakutat; Patsy Ermaloff, Nikolski; Majorie Jensen, Pedro Bay, Bosco Olson, Hooper Bay; Florence Willoya,Golovin; Lillian Johnson, Ambler; Dorothy Isabel, Teller; Martina Redfox, Emmonak; Marion Saccheus, Elim; Amy Lake, Tanacross. Fourth row: Vince Schuerch, Kiana; Patrick Paul, Sitka; Glen Shoudla, Wainwright; George Pederson, Sanitarian, A-EHS, Area Office of Environmental Health, Anchorage; Kent Oldenburg, Assistant Chief, A-EHS, A-OEH, Anchorage; Laurine McFarland, Engineer Draftsman, A-SFC, A-OEH, Anchorage and Richard Blackwell, Bethel.

In this current fiscal year (1972) Indian Health Service plans services to 5,000 units of existing housing, and, in tandem with other Federal and Tribal Housing Authorities, plans to provide sanitation facilities or technical services to 8,600 new and improved housing units.

Other highlights in community development this past year include:

- Numbers of leadership training-decision making workshops greatly expanded both at Indian Health Service Training Center and various Area Offices.
- Nationally conducted community development workshop held in Belcourt, N. Dak. for Indian communities in the north central United States and repeated for tribal officials and health workers in the Pawnee, Okla. service unit.
- Training workshops held for the National Intertribal Health Board.
- An alcohol treatment center run by and for Indians opened at VA Hospital, Sheridan, Wyo. as cooperative effort of the Crow, Northern Cheyenne, Shoshone and Arapaho Tribes, the Indian Health Service, National Institute of Alcohol Abuse and Alcoholism, and the Veterans Administration.
- Reservation-wide tuberculosis project undertaken by Navajo Tribe through contract with Indian Health Service to reduce high rates of tuberculosis.
- Administration of health services to Indians in 16 rural communities undertaken by California Rural Indian Health Board under contract with Indian Health Service.



Miss Charlene Tapahe, Navajo, is conducting a special program to help children with ear diseases on the Navajo Reservation. Miss Tapahe perform examinations and trains Indian Health Service staff in techniques of audiological screening. She received her degree in speech pathology and audiology from Arizona State University. The program was started by a donation from Variety Clubs International to the Indian Health Service.



Mr. William Snell, Chief of Fort Belknap Tribal Police, Harlem, Mont., with the combination ambulance-police car used on the reservation. The car is equipped with a folding stretcher and first aid supplies. The Fort Belknap community contracts with IHS to provide ambulance service and Indian Health Service provides first aid training for tribal police.

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Health Improvements

Progress continues toward our mutual goal—to elevate Indian and Alaska Native health to the highest possible level. Some of the most important improvements since 1955 are:

- Infant death rates down 51 percent.
- Death rates from certain diseases of early infancy down 48 percent.
- Influenza and pneumonia death rates down 45 percent.
- Gastritis-etc. death rates down 56 percent.
- Tuberculosis death rates down 79 percent.

Disparities between your health and that of other populations have been greatly reduced.

For example, in 1955, the Indian and Alaska Native infant death rate (per 1,000 live births) was 2.4 times as high as U.S. All Races and 1.5 times as high as U.S. Nonwhite. Now it is 1.4 times as high as U.S. All Races and 9 percent **below** the U.S. Nonwhite rate.

Tuberculosis death rates for Indians and Alaska Natives in 1955 were 6.1 times as high as U.S. All Races rates and 2.6 times as high as U.S. Nonwhite. Your rates now have dropped to 3.8 times as high as U.S. All Races and 1.5 times as high as U.S. Nonwhite rates.

Many reductions have been made in other disease and death rates.



Calvin Beames, Choctaw, Indian Health Service Area Director, Oklahoma City, welcomes representatives of 36 tribal groups to their quarterly Area Indian Advisory Board meeting in August. To the far left, up front, Harry J. W. Belvin, Principal Chief of the Choctaw Nation; at the blackboard, Mrs. Hilda Harris, Otoe-Missouri, Secretary for the group; and top right, Mrs. Juanita Learned, Arapaho, Chairman and presiding officer.



Some of the leaders of the United Southeastern Tribes (USET) Program are, left to right: Wayne Zunigha, Executive Director, USET; Betty Mae Jumper, former Chairman, Seminole Tribe of Florida; Johnson Catolster, former Chairman, Cherokee Tribe of North Carolina; Buffalo Tiger, Chairman, Miccosukee Tribe of Florida; Emmett York (deceased), Chairman, Choctaw Tribe of Mississippi, President, USET; and Key Wolf, Program Director, USET, IHS.



Mr. Nathan Little Soldier, member of the Three Affiliated Tribes, Fort Berthold Agency, New Town, N. Dak., was elected Chairman of the National Intertribal Health Board in October.
Also elected were Frank Williams, Jr., Southeastern Alaska Native Tribe, Mt. Edgecumbe, Alaska, vice president; and Mr. Joe Long, Cherokee, United Southeastern Tribes project, Sarasota, Fla., secretary-treasurer.



Members of the Alaska Area Native Board of Health are shown when they met with the ANHS Area Program Appraisal Committee, left to right, front row: Mrs. Dorothy Watson, Anchorage; Mrs. Georgiana Lincoln, Tanana and Irving Igtanaloc, Barrow; back row, John Nelson, Levelock, representing Kanakanak; Frank O. Williams, vice chairman from Mt. Edgecumbe; Robert Newlin, Kotzebue and Robert Nick, Bethel. The board chairman, Lloyd J. Sutton is not pictured.

The Future

The entire Federal atmosphere for Indian programs has been recast in recent years. Opportunities for self-determination and control of the future have been opened.

The Indian Health Service has pledged every assistance to help you in your eflorts to staff and manage your own health programs. We have reorganized the Service so we can be more responsive to your health needs and your changing role in the American scence. You are playing an active part in all Indian Health Service deliberations.

By continuing to work together, searching out new and better ways to accomplish what we must, we can achieve successes that might once have seemed impossible.



Pictured at a program review and planning meeting at Indian Health Service headquarters in June (left to right): Bobby Brayboy, Lumbee, in IHS-supported long-term training, University of North Carolina; Edgar Monetathchi, Comanche, Deputy Equal Employment Opportunity Officer, Indian Health Service; Lloyd Sutton, Thlingit, Chairman, Alaska Area Native Health Board, Anchorage; Joe Long, Cherokee, United Southeastern Tribes, Sarasota, Fla., Secretary, National Indian Health Board; and Mrs. Frances Satterthwaite, Delaware, Helena, Mont., member, Indian Health Advisory Committee.

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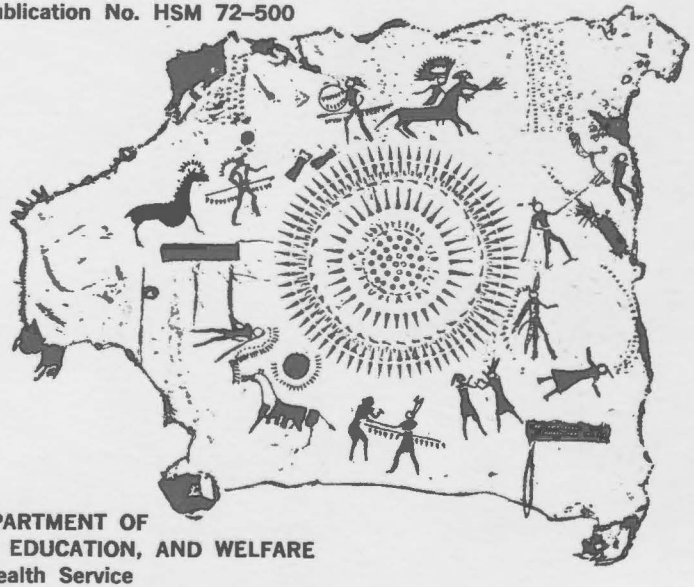


Miss Indian America XVIII, Nora Mae Begay, Navajo, visited Indian Health Service headquarters in September to receive a briefing on the health program and discuss health careers for young Indian people. On the left is Dr. Robert Lindsay, Director, Division of Resource Coordination, IHS. Mr. John Davis, Assistant to the IHS director, is next to Miss Begay. Mrs. Dorothy Enzie, Director, National Miss Indian America Pageant, and Miss Begay's escort, from Sheridan, Wyo., is at the end of table.

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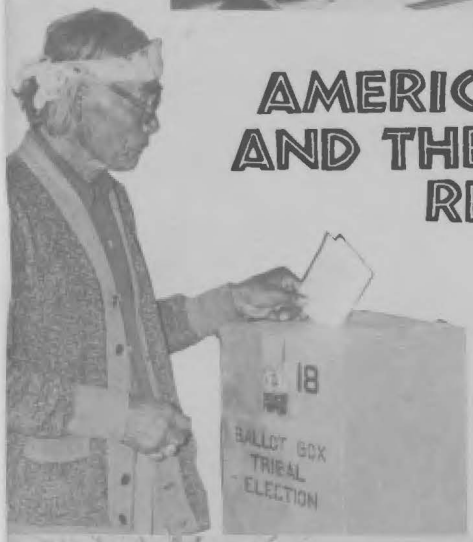


U.S. DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
Public Health Service
Health Services and Mental Health Administration
Washington, D.C. 20201





AMERICAN INDIANS AND THEIR FEDERAL RELATIONSHIP









About the Cover: Clockwise, beginning at the top, a delegation that represents the Osage Indian Tribe indicates its wishes to Commissioner of Indian Affairs Louis R. Bruce, far left; right, Yakima tribal land committeeman looks over a project on the reservation; center, far right, new tribal chairman being sworn in at the Colorado River Indian Reservation; lower right, Fort Yates, North Dakota, home of the Standing Rock Sioux Indian Tribe; left, White Mountain Apache tribal officials make an official visit to the Tomb of the Unknowns upon a visit to the Nation's capital; center, far left, Navajo Indian casts a ballot in a Navajo Tribal election.

AMERICAN INDIANS AND THEIR FEDERAL RELATIONSHIP

PLUS A PARTIAL LISTING OF OTHER UNITED STATES INDIAN GROUPS

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS / MARCH 1972

GERALD D. FORD LIBRARY

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Preface

In his message on Indian Affairs to the Congress July 8, 1970, President Nixon said:

"The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal Government and Indian communities."

This booklet helps achieve the objective emphasized by President Nixon.

Indian groups in this listing include American Indians, Aleuts, and Eskimos. Some receive Bureau of Indian Affairs services because of treaties, Congressional acts, Executive Orders, and Executive Agreements. Some have had Bureau of Indian Affairs services terminated by specific statute. Bureau of Indian Affairs benefits have never been extended to others.

Nevertheless, the Bureau of Indian Affairs has found itself with varying degrees of activities in all three areas. In the latter two, these activities may be completing the final stages of termination of Federal trust relationship over a tribe's land, disposing of money awarded by the Indian Claims Commission to satisfy a claim against the Government won by the tribe involving lands taken from the group in the past, or simply answering inquiries from certain interested individuals about Indians.

While this booklet does not include the names of all Indian tribes, bands, or groups, it does list all of those for which the Bureau of Indian Affairs has definite responsibility. In addition, those that have been terminated from Bureau of Indian Affairs services in recent years, and those recognized only for claims purposes, have been listed. Certain other categories are also shown.

Louis R. Bruce

LOUIS R. BRUCE
Commissioner of Indian Affairs

AMERICAN INDIANS AND THEIR FEDERAL RELATIONSHIP

Plus a Partial Listing of Other United States Indian Groups

This booklet lists all American Indian tribes, Eskimo, and Aleut groups, for which the Bureau of Indian Affairs has definite responsibility. It also includes those tribes, bands, and groups that have been terminated from Bureau of Indian Affairs services in recent years, and those recognized only for purposes of settling claims against the U.S. Government, such as those involving inadequate compensation for land taken in the past. In addition, Indian groups in certain other categories are also listed.

The basic listing is by State. Following the name of the State, which is given in alphabetical order, is the Bureau of Indian Affairs office that has immediate jurisdiction over Indian, Eskimo, or Aleut groups with its address. The tribes under it follow.

Next are tribes that do not receive Bureau of Indian Affairs services.

The Bureau of Indian Affairs Area Office is the highest ranking field office in the Bureau structure. Next in order is generally the Bureau of Indian Affairs Agency that reports to it. It is usually located on the reservation it serves.

In the case of Agencies and other Bureau offices of somewhat similar rank, the Area Office to which they report is indicated, to the right, in parentheses. The addresses of all of the Area Offices in the Bureau are listed at the back of the booklet.

Throughout the booklet a code number follows the name of each Indian group. It indicates the status of each as of June 1972. However, changes may occur at any time. Here is what each number means:

1. Indian or Alaska Native organizations whose constitutions are approved by the Secretary of the Interior under Federal statutory authority of the Indian Reorganization Act; Oklahoma Indian Welfare Act; or Alaska Native Act.

2. Indian or Alaska Native organizations whose constitutions are approved by the Secretary of the Interior or his designated representative under authority other than the Indian Reorganization Act; Oklahoma Indian Welfare Act; or Alaska Native Act.

3. Indian organizations without written governing documents that are served by the Bureau of Indian Affairs.

4. Public Domain allotments. Indian individuals who reside on these lands receive Bureau of Indian Affairs services on the basis of the Secretary of the Interior's responsibility over their land.

5. Indian groups that receive assistance from the Bureau only in matters relating to the settlement of claims against the U.S. Government, such as those involving inadequate compensation for land taken in the past.

6. Indian groups no longer entitled to Bureau of Indian Affairs services because of specific statutes. (Terminated groups.)

7. Others. Groups that have never received Bureau of Indian Affairs services.

8. Indian groups that do not fit into any of the above classifications.

Map code numbers **preceding** the names of some of the groups listed in this booklet may be used in conjunction with a map which shows the location of the Indian groups. Such map entitled "Indian Lands and Related Facilities, 1971, General," is available from the Superintendent of Documents, Washington, D.C. 20242, price 35 cents.

Map code numbers are assigned to State reservations (Number 1–26), Indian groups without trust land (Number 30–67) and terminated tribes and groups (Number 80–90).

No code location numbers have been assigned to groups on Federal trust lands since these are generally recognizable by inspection of the map itself.

ALABAMA

(30) Creek Indian Community—near Atmore (7) no corporate land base

Creeks East of the Mississippi (5)

ALASKA

Asterisk indicates that the Indian group is also incorporated under State law.

Area Director
Juneau Area Office
Bureau of Indian Affairs
Box 3–8000
Juneau, Alaska 99801

(The following groups, formerly served by the Southeast Agency, are now directly under Area Office jurisdiction).

Angoon (1)*
Craig (1)*
Douglas (1)
Haines (Port Chilkoot) (1)*
Hoonah (1)*
Hydaburg (1)*
Kake (1)*
Kasaan (1)
Ketchikan (1)
Klawock (1)*
Kluckwan (Chilkat) (1)
Metlakatla (1)
Petersburg (1)*
Saxman (1)*
Sitka (1)*
Wrangell (1)*
Pelican City (3)*
Skagway (3)*
Tenakee Springs (3)
Yakutat (3)*

Superintendent
Anchorage Agency
Bureau of Indian Affairs
16th and C Sts., Box 120
Anchorage, Alaska 99501

(Juneau Area Office)

Atka (1)
Chanega (1) (destroyed by earthquake)
Kanatak (1)
Karluk (1)*
Kenaitze (1)
Nikolski (1)
Perryville (1)
St. Paul (1)*
Tatitlek (1)
Tyonek (1)

Akhiok (Alitak) (3)
Akutan (3)
Aleknagik (3)
Belkofsky (3)
Bristol Bay (3)*
Chignik (3)
Chignik Lagoon (3)
Chignik Lake (3)
Chistochina (3)
Clark's Point (3)
Copper Center (3)
Cordova (3)*
Dillingham (3)*
Egegik (3)
Eklutna (3)
Ekuk (3)
Ekwok (3)
English Bay (3)
False Pass (3)
Gulkana (3)
Iliamna (3)
Ivanof Bay (3)
King Cove (3)*
Koliganek (3)
Kokhanok (3)
Larsen Bay (3)
Levelock (3)
Matanuska (3)*
Manokotak (3)*
Mentasta Lake (3)
Naknek (3)*
Nelson Lagoon (3)
Newhalen (3)
New Stuyahok (3)
Ninilchik (3)
Nondalton (3)
Old Harbor (3)*
Ouzinkie (3)
Palmer (3)
Paulof Harbor (3)
Pedro Bay (3)
Pilot Point (3)
Portage Creek (3)
Port Graham (3)
Port Heiden (3)
Port Lions (3)*
St. George Island (3)
Sand Point (3)*
South Naknek (3)*
Sterling (3)
Togiak (3)*
Twin Hills (3)
Ugashik (3)
Unalaska (3)*
Valdez (3)*

Superintendent
Bethel Agency
Bureau of Indian Affairs
P.O. Box 347
Bethel, Alaska 99559

(Juneau Area Office)

Akiachak (1)
Akiak (1)
Grayling (Holikachuk) (1)
Kwethluk (1)
Kwigillingok (1)
Mekoryuk (1)
Napakiak (1)*
Nunapitchuk (1)
Quinhagak (Kwinhagak) (1)
Shageluk (1)
Tuluksak (1)*
Tununak (1)

Alakanuk (3)
Aniak (3)
Anvik (3)
Atmautluak (3)
Bethel (3)
Chaloonawick (3)
Chaneliak (3)
Chefornak (3)

Chevak (3)*
Churarbalik—see Russian Mission (Kuskokwim)
Crooked Creek (3)
Eek (3)
Emmonak (Kwiguk) (3)*
Farewell (3)
Flat (3)
Georgetown (3)
Goodnews Bay (Mumtrak) (3)
Hamilton (3)
Holy Cross (3)
Hooper Bay (3)*
Kalskag (3)
Kasigluk (3)
Kipnuk (3)
Kongigonak (3)
Kotlik (3)*
Kwinhagak—See Quinhagak
Lelida (3)
Lime Village (3)
Lower Kalskag (3)
Marshall (3)
Medfra (3)
McGrath (3)
Mountain Village (3)
Nepaimute (Napamute) (3)
Napaskiak (3)
Newtok (3)
Nightmute (3)
Nikolai (3)
Oscarville (3)
Pilot Station (3)
Pitkas Point (3)
Platinum (3)
Quinhagak (3) (also spelled Kwinhagak)
Red Devil (3)
Russian Mission (Kuskokwim) (3) (Native name is Churarbalik)
Russian Mission (Yukon) (3)
St. Mary's (3)*
Scammon Bay (3)*
Sheldon's Point (3)
Sleetmute (3)
Stony River (3)
Takotna (3)
Toksook Bay (3)
Tuntutuliak (3)

Superintendent
Fairbanks Agency
Bureau of Indian Affairs
P.O. Box 350
Fairbanks, Alaska 99701

(Juneau Area Office)

Fort Yukon (1)*
Inupiat (1)
Minto (1)
Point Lay (1)
Stevens Village (1)
Tanacross (1)
Tanana (1)*
Tetlin (1)
Venetie (1)

Allakaket (3)
Anaktuvuk Pass (3)*
Arctic Village (3)
Barrow (3)*
Barter Island (3)
Beaver (3)
Bettles (3)
Birch Creek (3)
Cantwell (3)
Canyon Village (3)
Chalkyitsik (3)
Circle (3)
Delta Junction (3)*
Dot Lake (3)
Eagle (3)*
Galena (3)
Hughes (3)
Huslia (3)
Kaltag (3)
Koyukuk (3)
Manley Hot Springs (3)
Nenana (3)*
Northway (3)
Nulato (3)*
Rampart (3)
Ruby (3)
Tok (3)
Wainwright (3)*

Superintendent
Nome Agency
P.O. Box 190
Bureau of Indian Affairs
Nome, Alaska 99762

(Juneau Area Office)

Buckland (1)*
Deering (1)*
Elim (1)*
Gambell (1)*
King Island (1)*
Kivalina (1)*
Kotzebue (1)*
Koyuk (1)*
Little Diomede (1)*
Noatak (1)*
Nome (1)*
Noorvik (1)*
Point Hope (1)*
St. Michael (1)*
Savoonga (1)*
Selawik (1)*
Shaktoolik (1)*
Shishmaref (1)*
Shungnak (1)*
Stebbins (1)*
Unalakleet (1)*
Wales (1)*
White Mountain (1)*

Ambler (3)*
Brevig Mission (3)*
Candle (3)
Golovin (3)*
Kiana (3)*
Kobuk (3)*
Northeast Cape (3)*
Teller (3)*

Director
Southeast Agency
Bureau of Indian Affairs
P.O. Box 1587
Juneau, Alaska 99801

Tlingit and Haida (2)

Under a contract with the Bureau of Indian Affairs, the functions of the Southeast Agency as they relate to Tlingit and Haida are now performed by the Tlingit and Haida Central Council.

ARIZONA

Superintendent
Chinle Agency (Navajo Area Office)
Bureau of Indian Affairs
Chinle, Arizona 86503

Navajo Nation (2) (in Arizona, New Mexico and Utah)

(Districts and Chapters)

Dist. 4
Blue Gap
Forest Lake
Hard Rock
Pinon

Dist 10.
Chinle
Many Farms
Nazlini
Rough Rock
Tselani

Dist. 11
Lukachukai
Round Rock
Tsailee-Wheatfields (Arizona and New Mexico)

Superintendent
Colorado River Agency (Phoenix Area Office)
Bureau of Indian Affairs
Parker, Arizona 85344

Chemehuevi Indian Tribe (1) (in California)
Colorado River Indian Tribes (1) (in Arizona and California)
Fort Mojave Tribe (1) (in Arizona, California, and Nevada)

Subagency Superintendent (Colorado River Agency,
Fort Yuma Subagency Phoenix Area Office)
Bureau of Indian Affairs
Yuma, Arizona 85364

Cocopah Tribe (1)
Quechan Indian Tribe of the Fort Yuma Reservation (1) (in California and Arizona)

Superintendent
Fort Apache Agency (Phoenix Area Office)
Bureau of Indian Affairs
Whiteriver, Arizona 85941

White Mountain Apache Tribe (1)

Superintendent
Fort Defiance Agency (Navajo Area Office)
Bureau of Indian Affairs
Fort Defiance, Arizona 86504

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 7
Dilkon
Indian Wells
Jeddito
Low Mountain
Teesto
White Cone

Dist. 14
Coyote Canyon
Mexican Springs
Naschitti
Tohatchi
Twin Lakes

Dist. 17
Cornfields
Ganado
Greasewood
Kinlichee
Klagetoh
Steamboat
Wide Ruins

Dist. 18
Crystal (Arizona and New Mexico)
Fort Defiance (Arizona and New Mexico)
Houck
Lupton
Oak Springs
Red Lake (Arizona and New Mexico)
St. Michaels
Sawmill

Superintendent
Hopi Agency (Phoenix Area Office)
Bureau of Indian Affairs
Keams Canyon, Arizona 86034

Hopi Tribe (1)

Kaibab Band of Paiute Indians (1)

Superintendent
Papago Agency (Phoenix Area Office)
Bureau of Indian Affairs
Sells, Arizona 85634

Papago Tribe (Sells, Gila Bend, and San Xavier Reservations) (1)

Superintendent
Pima Agency (Phoenix Area Office)
Bureau of Indian Affairs
Sacaton, Arizona 85247

Ak-Chin Indian Community (1)

Gila River Indian Community (1)

Coordinator
Salt River Agency (Phoenix Area Office)
Bureau of Indian Affairs
Route 1, Box 907
Scottsdale, Arizona 85251

Fort McDowell Mohave–Apache Commmunity (1)

Salt River Pima–Maricopa Indian Community (1)

Superintendent
San Carlos Agency (Phoenix Area Office)
Bureau of Indian Affairs
San Carlos, Arizona 85550

San Carlos Apache Tribe (1)

Superintendent
Shiprock Agency (Navajo Area Office)
Bureau of Indian Affairs
Shiprock, New Mexico 87420

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 9
Mexican Water (in Utah and Arizona)
Red Mesa (in Utah and Arizona)
Teecnospos (in Arizona, New Mexico, and Utah)

Dist. 12
Beclabito (in Arizona and New Mexico)
Red Rock (in Arizona and New Mexico)
Sanostee (in Arizona and New Mexico)

Superintendent
Truxton Canyon Agency (Phoenix Area Office)
Bureau of Indian Affairs
Valentine, Arizona 86437

Havasupai Tribe (1)
Hualapai Tribe (1)
Yavapai-Apache Indian Community (Camp Verde) (1)
Yavapai-Prescott Community Association (2)

Superintendent
Tuba City Agency (Navajo Area Office)
Bureau of Indian Affairs
Tuba City, Arizona 86045

Navajo Nation (2) (in Arizona, New Mexico and Utah)

(Districts and Chapters)

Dist. 1
Copper Mine
Kaibeto
Lechee
Red Lake

Dist. 2
Inscription House
Navajo Mountain (in Utah and Arizona)
Shonto (in Utah and Arizona)

Dist. 3
Broadway
Cameron
Coalmine
Tuba City

Dist. 5
Bird Springs
Leupp
Tolani Lake

Dist. 8
Chilchinbeto (in Utah and Arizona)
Dennehotso (in Utah and Arizona)
Kayenta (in Utah and Arizona)
Oljatoh (in Utah and Arizona)

Other Groups in Arizona

(31) Yaqui Indians of Arizona (8)
P.L. 88–350 (Act of Oct. 8, 1964)
Pascua Village (Tuscon)
Special Federal involvement in terms of establishing a new village
Barrio Libre (South Tucson)

(32) Guadalupe (Phoenix) (7)
(32A) Tonto Apache, Payson (7)

CALIFORNIA

Superintendent
Central California Agency
Bureau of Indian Affairs
Federal Building
2800 Cottage Way
Sacramento, California 95825

(Sacramento Area Office)

Cachil Dehe Band of Wintun Indians of the Colusa Indian Community (1)
Covelo Indian Community (Round Valley Reservation) (1)
Fort Bidwell Indian Community (1)
Grindstone Indian Rancheria (1)
Kashia Band of Pomo Indians of the Stewarts Point Rancheria (1)
Manchester Band of Pomo Indians (1)
Santa Rosa Indian Community (Kings County) (1)
Susanville Indian Rancheria (1)
Tule River Indian Tribe (1)
Tuolumne Band of Me-Wuk Indians (1)
Alturas Rancheria (2)
Cahto Indian Tribe of Laytonville Rancheria (2)
Fort Independence Indian Community (2)
Pit River Home and Agricultural Cooperative Assn. (X-L Ranch) (2)
Berry Creek Rancheria (3)
Big Pine Band of Owens Valley Paiute-Shoshone Indians (Owens Valley) (3)
Cedarville Rancheria (3)
Cortina Rancheria (3)
Dry Creek Rancheria (3)
El-Em Indian Colony (Sulphur Bank) (3)
Enterprise Rancheria (3)
Paiute-Shoshone Indians of the Bishop Community (Owens Valley) (3)
Paiute-Shoshone Indians of the Lone Pine Community (Owens Valley) (3)
Lookout Rancheria (3)
Sheep Ranch Rancheria (3)
Shingle Springs Rancheria (Verona Tract) (3) (unoccupied)
Yokayo (8) near Ukiah

Termination Pending

Upper Lake Band of Pomo Indians (3)
Big Sandy Association (3)
Hopland Nokomis Association (3)
Jackson Rancheria (3)
Likely Rancheria (no membership) (1.32 acres of cemetery remaining)
Middletown Rancheria (3) (Named in original Rancheria Act PL 85–671 but has made no progress toward termination.)
Rumsey Rancheria (3)
Sherwood Valley Rancheria (3)

Sycamore Valley Association (Cold Springs) (3)
Table Mountain Rancheria (3)

Terminated Since 1958 (Category 6)
(72 Stat. 619 and 78 Stat. 390)
Alexander Valley. Termination effective 8–1–61
Auburn. Termination effective 8–18–67
Big Valley. Termination effective 11–11–65
Buena Vista. Termination effective 4–11–61
Cache Creek. Termination effective 4–11–61
Chicken Ranch. Termination effective 8–1–61
Chico. Termination effective 6–2–67
Cloverdale. Termination effective 12–30–65
Graton. Termination effective 2–18–66
Greenville. Termination effective 12–8–66
Guidiville. Termination effective 9–3–65
Indian Ranch. Termination effective 9–22–64
Lytton. Termination effective 8–1–61
Mark West. Termination effective 4–11–61
Mooretown. Termination effective 8–1–61
Nevada City. Termination effective 9–22–64
North Fork. Termination effective 2–18–66
Paskenta. Termination effective 4–11–61
Picayune. Termination effective 2–18–66
Pinoleville. Termination effective 2–18–66
Potter Valley. Termination effective 8–1–61
Quartz Valley. Termination effective 1–20–67
Redwood Valley. Termination effective 8–1–61
Robinson. Termination effective 9–3–65
Ruffey's. Termination effective 4–11–61
Scotts Valley. Termination effective 9–3–65
Shingle Springs. (El Dorado tract) Termination effective 7–16–66
Strathmore. Land Sold, deed approved 9–29–67
Strawberry Valley. Termination effective 4–11–61
Taylorsville. Land Sold, deed approved 11–4–66
Wilton. Termination effective 9–22–64

Superintendent
Hoopa Agency
Bureau of Indian Affairs
Hoopa, California 95546

(Sacramento Area Office)

Hoopa Valley Tribe (2)
Big Bend Rancheria (3)
Hoopa Extension (3)
Montgomery Creek Rancheria (3)
Roaring Creek Rancheria (3)

Termination Pending
Cher-ae Heights Indian Community of the Trinidad Rancheria (2) (Constitution revoked)
Big Lagoon Rancheria (3)
Resighini Rancheria (3) (no residents)

Terminated Since 1958 (Category 6)
(72 Stat. 619 and 78 Stat. 390)
Blue Lake. Termination effective 9–15–66
Crescent City (Elk Valley). Termination effective 7–16–66

Redding. Termination effective 6–20–62
Rohnerville. Termination effective 7–16–66
Smith River. Termination effective 7–29–67
Table Bluff. Termination effective 4–11–61

Director
Palm Springs Office
Bureau of Indian Affairs
587 South Palm Canyon Drive
Palm Springs, California 92262

(Sacramento Area Office)

Agua Caliente Band of Mission Indians (Palm Springs) (2)

Superintendent
Southern California Agency
Bureau of Indian Affairs
6848 Magnolia Avenue, Suite 8
Riverside, California 92506

(Sacramento Area Office)

Santa Ynez Band of Mission Indians (1)
San Pasqual Band of Mission Indians (1)
Cabazon Band of Mission Indians (2)
La Jolla Band of Missian Indians (2)
Mesa Grande Band of Mission Indians (2)
Pala Band of Mission Indians (2)
Pauma Band of Mission Indians (2)
Rincon, San Luiseno Band of Mission Indians (2)
San Manuel Band of Mission Indians (2)
Twentynine Palms Band of Mission Indians (2)
Augustine Band of Mission Indians (3) (no resident members)
Barona Group of Capitan Grande Band of Mission Indians (3)
Cahuilla Band of Mission Indians (3)
Capitan Grande Band of Mission Indians (3)
Cuyapaipe Band of Mission Indians (3) (no resident members)
Inaja–Cosmit Reservation (3)
LaPosta Band of Mission Indians (3)
Los Coyotes Band of Mission Indians (3)
Manzanita Band of Mission Indians (3)
Mission Band of Indians of Campo Community (3)
Morongo Band of Mission Indians (3)
Pechanga Band of Mission Indians (3)
Ramona Reservation (3) (no members)
Santa Rosa Band of Mission Indians (3)
Santa Ysabel Band of Mission Indians (3)
Soboba Band of Mission Indians (3)
Sycuan Band of Mission Indians (3)

Torres-Martinez Band of Mission Indians (3)
Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians (3)

Terminated Since 1958
(72 Stat. 619 and 78 Stat. 390)
Mission Creek Band of Mission Indians (6) Termination effective 7–14–70

Superintendent
Colorado River Agency
Bureau of Indian Affairs
Parker, Arizona 85344

(Phoenix Area Office)

Chemehuevi Indian Tribe (1)
Colorado River Indian Tribes (1) (in Arizona and California)
Fort Mojave Tribe (1) (in Arizona, California, and Nevada)

Superintendent
Fort Yuma Subagency
Bureau of Indian Affairs
Yuma, Arizona 85364

(Colorado River Agency, Phoenix Area Office)

Quechan Indian Tribe of the Fort Yuma Reservation (1) (in California and Arizona)

Superintendent
Nevada Agency
Bureau of Indian Affairs
Stewart, Nevada 89437

(Phoenix Area Office)

Washoe Tribe of Nevada and California (1) (Woodfords Community)

Other Groups in California

(33) Pit River Indians, Alturas (7) (no trust land)
(34) Jamul Diegueno (7) (near San Diego) (no trust land)

COLORADO

Superintendent
Southern Ute Agency (Albuquerque Area Office)
Bureau of Indian Affairs
P.O. Box 315
Ignacio, Colorado 81137

Southern Ute Tribe (1)

Superintendent
Ute Mountain Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Towaoc, Colorado 81334

Ute Mountain Ute Tribe (1) (in Colorado, New Mexico, and Utah)

CONNECTICUT

(5) Paugusett (Golden Hill Reservation) (7)
(6) Pequot (Eastern Pequot Reservation) (7)
(7) Pequot (Western Pequot Reservation) (Lantern Hill) (7)
(8) Scaticook (Schagticoke Reservation) (Kent) (7)
(35) Mohegan Community (7) New London County (no land base)

DELAWARE

(36) Moor Community (7) Kent County (no land base)
(37) Nanticoke Community (7) Sussex County (no land base)

FLORIDA

Chairman
Miccosukee Business Committee (Washington Office, Director of Southeastern Agencies)
P.O. Box 440–21
Tamiami Station
Miami, Florida 33100

(23) Miccosukee Tribe of Indians of Florida (1)

(Tribe is performing service formerly provided by Miccosukee Agency, pursuant to a contract effective May 14, 1971.)

Superintendent (Washington Office, Director of
Seminole Agency Southeastern Agencies)
Bureau of Indian Affairs
6075 Stirling Road
Hollywood, Florida 33024

(24) Seminole Tribe of Florida (1)
(37-A) Nonenrolled Seminoles in Tamiami Trail Area (7) (eligible for membership with either of the Florida tribes—have no corporate land base).

IDAHO

Superintendent
Fort Hall Agency (Portland Area Office)
Bureau of Indian Affairs
Fort Hall, Idaho 83203

Shoshone-Bannock Tribes of the Fort Hall Reservation (1)
Northwestern Band of Shoshone Indians (Washakie) (in Utah) (4)

Superintendent
Northern Idaho Agency (Portland Area Office)
Bureau of Indian Affairs
Lapwai, Idaho 83540

Kalispel Indian Community (in Washington state) (1)
Coeur d'Alene Tribe (2)
Kootenai Tribe of Idaho (2)
Nez Perce Tribe of Idaho (2)

Officer in Charge (Nevada Agency,
Western Shoshone Subagency Phoenix Area Office)
Bureau of Indian Affairs
Owyhee, Nevada 89832

Shoshone-Paiute Tribes of the Duck Valley Reservation (1) (in Idaho and Nevada)

INDIANA

(38) Miami (7) at Peru, forming a community (no corporate land base) (not to be confused with the several hundred persons in the area who are merely "descendants" for claims purposes.)
Potawatomi Indians of Indiana and Michigan, Inc. (7)

GERALD R. FORD LIBRARY

IOWA

Officer in Charge
Sac and Fox Area Field Office (Minneapolis Area Office)
Bureau of Indian Affairs
Tama, Iowa 52339

Sac and Fox Tribe of the Mississippi in Iowa (1)

Superintendent
Winnebago Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Winnebago, Nebraska 68071

Omaha Tribe of Nebraska (1) (in Nebraska and Iowa)

Winnebago Tribe of Nebraska (1) (in Nebraska and Iowa) (off-reservation lands in Iowa)

KANSAS

Superintendent
Horton Agency (Anadarko Area Office)
Bureau of Indian Affairs
Horton, Kansas 66439

Iowa Tribe (1) (in Kansas and Nebraska)
Kickapoo Tribe in Kansas (1)

Sac and Fox Tribe of the Missouri (1) (in Kansas and Nebraska)
Prairie Band of Potowatomi Indians (2)

Other Groups in Kansas

(39) Chippewa and Munsee Delaware Community (7) Franklin County

(39-A) Wyandot Community (7) Wyandot County

LOUISIANA

Superintendent (Washington Office, Director of
Choctaw Agency Southeastern Agencies)
Bureau of Indian Affairs
Philadelphia, Mississippi 39350

Chitimacha Tribe of Louisiana (1)

Other Groups in Louisiana

(40) Choctaw Community, La Salle Parish (7)
(41) Choctaw Community, Rapides Parish (7)
(42) Choctaw Community, St. Tammany Parish (7)

(43) Coushatta Community, Allen and Jefferson Davis Parishes (5)
(44) Houma Communities, Terrebonne and Lafourche Parishes (7) (no corporate land base)
(45) Tunica Community, Aroyelles Parish (7) (land evidently not taxed by State)

MAINE

Association of Aroostook Indians (7)
(46) Malecite (Maliseet) scattered families and groups
(46–A) Micmac. Scattered families and groups.

(1 and 2) Passamaquoddy Tribe (8)
(1) Indian Township Reservation
(2) Pleasant Point Reservation
(3) Penobscot Tribe (8) (Served by State)

MASSACHUSETTS

(4) Nipmuc Tribe (Hassanimisco Band (7)
Grafton Reservation (colonially derived)
Freetown Forest (no residents)
(47) Nipmuc Community, near Worcester (7)

(48) Wampanoag Community, Mashpee (7)
(49) Wampanoag Tribal Group (Gay Head Village) (7) (not taxed by State)

MICHIGAN

Superintendent
Great Lakes Agency (Minneapolis Area Office)
Bureau of Indian Affairs
Ashland, Wisconsin 54806

Bay Mills Indian Community (1)
Hannahville Indian Community (1)
Keweenaw Bay Indian Community (L'Anse Reservation) (1)

Saginaw Chippewa Indian Tribe (Isabella Reservation) (1)

Other Groups in Michigan

(50) Ottawa and Chippewa Indians of Michigan (8)
- Northern Michigan Ottawa Assn. (7)
- Original Sault Ste. Marie Band of Chippewa Indians, Inc. (7)
- Sugar Island group of Chippewas and their descendants who are using a portion of the tribal lands held in trust for the Bay Mills Indian Community.

(51) Pogagon Potawatomi (7) (no corporate land base)

(8A) Potawatomi of the Huron (7) (Calhoun County)

Potawatomi Indians of Indiana and Michgan, Inc. (7)

MINNESOTA

Superintendent
Great Lakes Agency (Minneapolis Area Office)
Bureau of Indian Affairs
Ashland, Wisconsin 54806

Wisconsin Winnebago Tribe (1) (in the State of Wisconsin *and* Houston County, Minnesota)

Superintendent
Minnesota Agency (Minneapolis Area Office)
Bureau of Indian Affairs
P.O. Box 489
Bemidji, Minnesota 56601

Minnesota Chippewa Tribe (1) (six component reservations)
- Boise Forte Band (Nett Lake)
- Fond du Lac Band
- Grand Portage Band
- Leech Lake Band
- Mille Lac Band
- White Earth Band

Lower Sioux Indian Community (Morton) (1)

Prairie Island Indian Community (1)

Shakopee Mdewakanton Sioux Community (Prior Lake) (1)

Upper Sioux Indian Community (Granite Falls) (3)

Superintendent
Red Lake Agency (Minneapolis Area Office)
Bureau of Indian Affairs
Red Lake, Minnesota 56671

Red Lake Band of Chippewa Indians (2)

MISSISSIPPI

Superintendent (Washington Office, Director of
Choctaw Agency Southeastern Agencies)
Bureau of Indian Affairs
Philadelphia, Mississippi 39350

Mississippi Band of Choctaw Indians (1)

Chitimacha Tribe of Louisiana (in Louisiana) (1)

MONTANA

Superintendent
Blackfeet Agency (Billings Area Office)
Bureau of Indian Affairs
Browning, Montana 59417

Blackfeet Tribe (1)

Superintendent
Crow Agency (Billings Area Office)
Bureau of Indian Affairs
Crow Agency, Montana 59022

Crow Tribe of Indians (2)

Superintendent
Flathead Agency (Billings Area Office)
Bureau of Indian Affairs
Ronan, Montana 59864

Confederated Salish and Kootenai Tribes of the Flathead Reservation (1)

Superintendent
Fort Belknap Agency (Billings Area Office)
Bureau of Indian Affairs
Harlem, Montana 59526

Fort Belknap Indian Community (1)

Turtle Mountain Public Domain Allotments (4)

Superintendent
Fort Peck Agency (Billings Area Office)
Bureau of Indian Affairs
P.O. Box 637
Poplar, Montana 59255

Assiniboine and Sioux Tribes of the Fort Peck Reservation (2)

Turtle Mountain Public Domain Allotments (4)

Superintendent
Northern Cheyenne Agency (Billings Area Office)
Bureau of Indian Affairs
Lame Deer, Montana 59043

Northern Cheyenne Tribe (1)

Superintendent
Rocky Boy's Agency (Billings Area Office)
Bureau of Indian Affairs
Box Elder, Montana 59521

Chippewa Cree Tribe of the Rocky Boy's Reservation (1)

Other Groups in Montana

(52-A) Landless and non-enrolled Chippewas, Crees and Metis (7)
Great Falls (Hill 57)

Hays
Wolf Point (and other towns and cities in Montana)

NEBRASKA

Superintendent
Winnebago Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Winnebago, Nebraska 68071

Omaha Tribe of Nebraska (1) (in Nebraska and Iowa)
Santee Sioux Tribe of Nebraska (1)

Winnebago Tribe of Nebraska (1) (in Nebraska and Iowa) (off-reservation lands in Iowa)

Superintendent
Pine Ridge Agency (Aberdeen Area Office)
Bureau of Indain Affairs
Pine Ridge, South Dakota 57770

Oglala Sioux Tribe of the Pine Ridge Reservation (1) (only a minor part of reservation in Nebraska)

Superintendent
Horton Agency (Anadarko Area Office)
Bureau of Indian Affairs
Horton, Kansas 66439

Iowa Tribe (1) (in Kansas and Nebraska)

Sac and Fox Tribe of Missouri (1) (in Kansas and Nebraska)

Other Groups in Nebraska

(80) Ponca Tribe of Nebraska (6)
(76 Stat. 937) Termination effective 10–27–66

NEVADA

Superintendent
Nevada Agency (Phoenix Area Office)
Bureau of Indian Affairs
Stewart, Nevada 89437

Confederated Tribes of the Goshute Reservation (1) (in Nevada and Utah)
Duckwater Shoshone Tribe (1)
Ely Indian Colony (1)
Fort McDermitt Paiute and Shoshone Tribe (1) (in Nevada and Oregon)
Las Vegas Tribe of Paiute Indians (1)
Lovelock Paiute Tribe (1)
Moapa Band of Paiute Indians (1)
Pyramid Lake Paiute Tribe of Nevada (1)
Reno-Sparks Indian Colony of Nevada (1)
Summit Lake Paiute Tribe, Nevada (1)
Te-Moak Bands of Western Shoshone Indians (1) (Battle Mountain, Elko and South Fork)
Walker River Paiute Tribe of Nevada (1)
Washoe Tribe of Nevada and California (1) (Carson Colony, Dresslerville Colony and Woodfords Community)
Yerington Paiute Tribe (Campbell Ranch) (1)
Yomba Shoshone Tribe (1)

Paiute-Shoshone Tribe of the Fallon Reservation and Colony (2)

Ruby Valley (3)
Winnemucca Colony (1)

Officer in Charge (Nevada Agency,
Western Shoshone Subagency Phoenix Area Office)
Bureau of Indian Affairs
Owyhee, Nevada 89832

Shoshone-Paiute Tribes of the Duck Valley Reservation (1) (in Nevada and Idaho)

Superintendent
Colorado River Agency (Phoenix Area Office)
Bureau of Indian Affairs
Parker, Arizona 85344

Fort Mojave Tribe (1) (in Arizona, California, and Nevada)

NEW MEXICO

Superintendent
Chinle Agency (Navajo Area Office)
Bureau of Indian Affairs
Chinle, Arizona 86503

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

District 11
Tsailee-Wheatfields (in Arizona and New Mexico)

Superintendent
Eastern Navajo Agency (Navajo Area Office)
Bureau of Indian Affairs
Crownpoint, New Mexico 87313

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Alamo
Canoncito
(Ramah—under Albuquerue Area Office)

Dist. 15
Becenti
Crownpoint
Dalton Pass
Lake Valley
Little Water
Pueblo Paintado
Standing Rock
Torreon and Star Lake
Whitehorse Lake
White Rock

Dist. 16
Baca
Bread Springs
Casamero Lake
Cheechilgeetho
Church Rock
Iyanbit
Manuelito
Mariano Lake
Pinedale
Red Rock
Rock Springs
Smith Lake
Thoreau
Tsayatoh

Dist. 19
Huerfano
Nageezi
Ojo Encino

Superintendent
Fort Defiance Agency (Navajo Area Office)
Bureau of Indian Affairs
Fort Defiance, Arizona 86504

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 18
Crystal (Arizona and New Mexico)

Fort Defiance (Arizona and New Mexico)
Red Lake (Arizona and New Mexico)

Superintendent
Jicarilla Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Dulce, New Mexico 87528

Jicarilla Apache Tribe (1)

Superintendent
Mescalero Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Mescalero, New Mexico 88340

Apache Tribe of the Mescalero Reservation (1)

Superintendent
Northern Pueblos Agency (Albuquerque Area Office)
Bureau of Indian Affairs
P.O. Box 580
Santa Fe, New Mexico 87501

Santa Clara Pueblo (1)
Nambe Pueblo (3)
Picuris Pueblo (3)
Pojoaque Pueblo (3)
San Ildefonso Pueblo (3)
San Juan Pueblo (3)
Taos Pueblo (3)
Tesuque Pueblo (3)

Superintendent
Ramah-Navajo Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Ramah, New Mexico 87321

Navajo Nation (2) (in Arizona, New Mexico, and Utah)
Ramah Chapter

Superintendent
Shiprock Agency (Navajo Area Office)
Bureau of Indian Affairs
Shiprock, New Mexico 87420

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 9
Mexican Water (in Utah and Arizona)
Red Mesa (in Utah and Arizona)
Rock Point
Sweetwater
Teecnospos (in New Mexico, Arizona and Utah)

Dist. 12
Aneth
Beclabito (in Arizona and New Mexico)
Red Rock (in Arizona and New Mexico)
Sanostee (in Arizona and New Mexico)
Sheep Springs
Shiprock
Two Grey Hills

Dist. 13
Burnham
Nenahnezad
Upper Fruitland

Superintendent
Southern Pueblos Agency (Albuquerque Area Office)
Bureau of Indian Affairs
P.O. Box 1667
Albuquerque, New Mexico 87103

Isleta Pueblo (1)
Laguna Pueblo (1)
Acoma Pueblo (3)
Cochiti Pueblo (3)
Jemez Pueblo (3)
San Felipe Pueblo (3)
Sandia Pueblo (3)
Santa Ana Pueblo (3)
Santo Domingo Pueblo (3
Zia Pueblo (3)

Governor, Zuni Tribal Council
Zuni Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Zuni, New Mexico 87327

Zuni Tribe (1)

Superintendent
Ute Mountain Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Towaoc, Colorado 81334

Ute Mountain Ute Tribe (1) (in Colorado, New Mexico, and Utah)

NEW YORK

Special Liaison Representative (Washington Office,
For "Tribes" of the Iroquois Confederacy New York Coordinator)
Bureau of Indian Affairs
P.O. Box 268–A
Irving, New York 14081

(13) Cayuga Nation (3) (No reservation of its own—members live on Cattaraugus Reservation owned by the Seneca Nation).
(9) Oneida Nation of New York (3)
(10) Onondaga Nation (3)
(11) St. Regis Band of Mohawks (Akwesasne) (3)
(15) Tonawanda Band of Seneca Indians (3)
(16) Tuscarora Nation (3)

Special Liaison Representative (Washington Office,
For the Seneca Nation New York Coordinator)
Bureau of Indian Affairs
P.O. Box 500
Salamanca, New York 14779

Seneca Nation (3)
(12) Allegany Reservation
(13) Cattaraugus Reservation
(14) Oil Springs Reservation

Other Groups in New York

(54) Montauk Community (7) (Long Island) (no corporate land base)

(17) Poosepatuck (7) (State reservation) (Long Island)

(18) Shinnecock (7) (State reservation) (Long Island)

NORTH CAROLINA

Superintendent
Cherokee Agency
Bureau of Indian Affairs
Cherokee, North Carolina 28719

(Washington Office, Director of Southeastern Agencies)

Eastern Band of Cherokee Indians (3)

Other Groups in North Carolina

(55) Coharie Indians (7) Sampson and adjoining counties

(56) Indians of Person County (7)

(57) Haliwa Indians (7) (Halifax and Warren Counties)

(58) Lumbee Indians of North Carolina (7) (Robeson and adjoining counties) (70 Stat. 254)

(59) Waccamaw Communities (7) Columbus and Brunswick Counties

NORTH DAKOTA

Superintendent
Fort Berthold Agency
Bureau of Indian Affairs
New Town, North Dakota 58763

(Aberdeen Area Office)

Three Affiliated Tribes of the Fort Berthold Reservation (1)

Superintendent
Fort Totten Agency
Bureau of Indian Affairs
Fort Totten, North Dakota 58335

(Aberdeen Area Office)

Devils Lake Sioux Tribe (2)

Superintendent
Sisseton Agency
Bureau of Indian Affairs
Sisseton, South Dakota 57252

(Aberdeen Area Office)

Sisseton-Wahpeton Sioux Tribe (2) (in North and South Dakota)

(only a minor portion in North Dakota)

Superintendent
Standing Rock Agency
Bureau of Indian Affairs
Fort Yates, North Dakota 58538

(Aberdeen Area Office)

Standing Rock Sioux Tribe (2) (in North and South Dakota)

Superintendent
Turtle Mountain Agency
Bureau of Indian Affairs
Belcourt, North Dakota 58316

(Aberdeen Area Office)

Turtle Mountain Band of Chippewa Indians (2) (some allotments in Montana)

OKLAHOMA

Superintendent
Anadarko Agency
Bureau of Indian Affairs
Anadarko, Oklahoma 73005

(Anadarko Area Office)

Apache (Kiowa-Apache) (2)

Caddo Indian Tribe of Oklahoma (1)

Comanche Indian Tribe (2)

Delaware Tribe of Indians of Western Oklahoma (2)

Fort Sill Apache Tribe (3)

Kiowa (2)

Wichita Indian Tribe of Oklahoma (2)

Superintendent
Ardmore Agency
Bureau of Indian Affairs
P.O. Box 997
Ardmore, Oklahoma 73401

(Muskogee Area Office)

Chickasaw Nation of Oklahoma (3)

Superintendent
Concho Agency (Anadarko Area Office)
Bureau of Indian Affairs
Concho, Oklahoma 73022

Cheyenne-Arapaho Tribes of Oklahoma (1)

Superintendent
Okmulgee Agency (Muskogee Area Office)
Bureau of Indian Affairs
P.O. Box 671
Okmulgee, Oklahoma 74447

Alabama-Quassarte Tribal Town (1)
Kialegee Tribal Town (1)
Thlopthlocco Tribal Town (1)
Creek Nation of Oklahoma (3)

Superintendent
Osage Agency (Muskogee Area Office)
Bureau of Indian Affairs
Pawhuska, Oklahoma 74056

Osage Tribe of Indians (2)

Superintendent
Pawnee Agency (Anadarko Area Office)
Bureau of Indian Affairs
Pawnee, Oklahoma 74058

Kaw Indian Tribe of Oklahoma (2)
Pawnee Indian Tribe of Oklahoma (1)
Ponca Tribe of Indians of Oklahoma (1)
Tonkawa Tribe of Indians of Oklahoma (1)
Otoe-Missouria Tribe (3)

Superintendent
Miami Agency (Muskogee Area Office)
Bureau of Indian Affairs
P.O. Box 391
Miami, Oklahoma 74354

Eastern Shawnee Tribe of Oklahoma (1)
Miami Tribe of Oklahoma (1)
Seneca-Cayuga Tribe of Oklahoma (1)
Peoria Tribe of Indians of Oklahoma (1) (Termination Pending) (70 Stat. 937)
Wyandotte Tribe of Oklahoma (1) (Termination Pending) (70 Stat. 893)
Quapaw Tribe of Indians (2)
Ottawa Tribe of Oklahoma (6) (70 Stat. 963) Termination effective 1959

Superintendent
Shawnee Agency (Anadarko Area Office)
Bureau of Indian Affairs
Shawnee, Oklahoma 74801

Absentee-Shawnee Tribe of Indians of Oklahoma (1)
Citizen Band of Potawatomi Indians of Oklahoma (1)
Iowa Tribe of Oklahoma (1)
Kickapoo Tribe of Oklahoma (1)
Sac and Fox Tribe of Indians of Oklahoma (1)

Superintendent
Tahlequah Agency (Muskogee Area Office)
Bureau of Indian Affairs
P.O. Box 459
Tahlequah, Oklahoma 74464

United Keetoowah Band of Cherokee Indians in Oklahoma (1)
Cherokee Nation of Oklahoma (3)

Superintendent
Talihina Agency (Muskogee Area Office)
Bureau of Indian Affairs
P.O. Box 187
Talihina, Oklahoma 74571

Choctaw Nation of Oklahoma (3)

Superintendent
Wewoka Agency (Muskogee Area Office)
Bureau of Indian Affairs
P.O. Box 1060
Wewoka, Oklahoma 74884

Seminole Nation of Oklahoma (2)

OREGON

Superintendent
Nevada Agency (Phoenix Area Office)
Bureau of Indian Affairs
Stewart, Nevada 89437

Fort McDermit Paiute and Shoshone Tribe (in Nevada and Oregon) (1)

Superintendent
Umatilla Agency (Portland Area Office)
Bureau of Indian Affairs
Pendleton, Oregon 97801

Confederated Tribes of the Umatilla Indian Reservation (2)

Superintendent
Warm Springs Agency (Portland Area Office)
Bureau of Indian Affairs
Warm Springs, Oregon 97761

Confederated Tribes of the Warm Springs Reservation of Oregon (1)

Burns Paiute Indian Colony (2)

Other Groups in Oregon

(84) Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (6) (68 stat. 718) Termination effective 8–13–61

(85) Western Oregon Indians (6) (68 Stat. 724) Termination effective 8–18–56

Confederated Tribes of the Grand Rhonde Community
Confederated Tribes of Siletz Indians
Alsea
Applegate Creek
Calapooya
Chafton
Chempho
Chetco
Chetlessington
Chinook
Clackamas
Clatskanie
Clatsop
Clowwewalla
Coos
Cow Creek
Euchees
Galie Creek
Grave
Joshua
Karok
Kathlamet
Kusotony
Kwatami or Sixes
Lakmiut
Long Tom Creek
Lower Coquille
Lower Umpqua
Maddy
Mackanotin
Mary's River
Multnomah
Munsel Creek
Naltunnetunne
Nehalem
Nestucca
Northern Molalla
Port Orford
Pudding River
Rogue River
Salmon River
Santiam
Scoton
Shashta
Shasta Costa
Siletz
Siuslaw
Skiloot
Southern Molalla
Takelma
Tillamook
Tolowa
Tualatin
Tumwater
Tututui

Upper Coquille
Upper Umpqua
Willamette
Yamhill
Yaquina
Yoncalla

PENNSYLVANIA

(19) Senecas of Cornplanter Reservation (8) (no population) (state established) (Some acreage exists which has not been condemned by the Kinzua Dam. The Cornplanter Senecas now live with the Seneca Nation of New York, or elsewhere. Voted not to reject the Indian Reorganization Act of 1934.)

RHODE ISLAND

(61) Narraganset Community (7) Narraganset Church—Washington County. (Colonially derived; formerly state supervised. Some acreage left (non-taxable) around church.)

SOUTH CAROLINA

(22) Catawba Tribe (6) (State reservation remains) (73 Stat. 592) Termination effective 7–1–62

(61A) Summerville Indians (7), Dorchester and Colleton Counties

SOUTH DAKOTA

Superintendent
Cheyenne River Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Eagle Butte, South Dakota 57625

Cheyenne River Sioux Tribe (1)

Superintendent
Crow Creek Agency (Aberdeen Area Office)
Bureau of Indian Affiars
P.O. Box 616
Fort Thompson, South Dakota 57339

Crow Creek Sioux Tribe of Fort Thompson (2)

Superintendent
Lower Brule Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Lower Brule, South Dakota 57548

Lower Brule Tribe of the Lower Brule Reservation (1)

Superintendent
Pine Ridge Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Pine Ridge, South Dakota 57770

Oglala Sioux Tribe of the Pine Ridge Reservation (1) (in South Dakota and Nebraska)

Superintendent
Rosebud Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Rosebud, South Dakota 57570

Rosebud Sioux Tribe (1)

Superintendent
Sisseton Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Sisseton, South Dakota 57262

Sisseton-Wahpeton Sioux Tribe (2) (in North and South Dakota) (only a minor portion in North Dakota)

Superintendent
Standing Rock Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Fort Yates, North Dakota 58538

Standing Rock Sioux Tribe (2) (in South Dakota and North Dakota)

Superintendent
Yankton Agency (Aberdeen Area Office)
Bureau of Indian Affairs
Wagner, South Dakota 57380

Yankton Sioux Tribe of Indians (2)

Superintendent
Flandreau School (Aberdeen Area Office)
Bureau of Indian Affairs
Flandreau, South Dakota 57028

Flandreau Santee Sioux Tribe (1)

TEXAS

(25) Alabama and Coushatta Tribes of Texas (6)
(68 stat. 768) Termination effective 7–1–55
State reservation in Polk County (Most Coushattas live near but off the reservation)

(26) Tiwa Indians of Ysleta, Texas (7) (82 Stat. 93) (El Paso County)

UTAH

Superintendent
Fort Hall Agency (Portland Area Office)
Bureau of Indian Affairs
Fort Hall, Idaho 83203

Northwestern Band of Shoshone Indians (Washakie) (4)

Superintendent
Nevada Agency (Phoenix Area Office)
Bureau of Indian Affairs
Stewart, Nevada 89437

Confederated Tribes of the Goshute Reservation (1) (in Nevada and Utah)

Superintendent
Shiprock Agency (Navajo Area Office)
Bureau of Indian Affairs
Shiprock, New Mexico 87420

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 9
Mexican Water (in Utah and Arizona)
Red Mesa (in Utah and Arizona)
Teecnospos (in New Mexico, Arizona, and Utah)

Superintendent
Tuba City Agency (Navajo Area Office)
Bureau of Indian Affairs
Tuba City, Arizona 86045

Navajo Nation (2) (in Arizona, New Mexico, and Utah)

(Districts and Chapters)

Dist. 2
Navajo Mountain (in Utah and Arizona)
Shonto (in Utah and Arizona)

Dist. 8
Chilchinbeto (in Utah and Arizona)
Dennehotso (in Utah and Arizona)
Kayenta (in Utah and Arizona)
Oljatoh (in Utah and Arizona)

Superintendent
Uintah and Ouray Agency (Phoenix Area Office)
Bureau of Indian Affairs
Fort Duchesne, Utah 84026

Ute Indian Tribe of Uintah and Ouray (1)
Skull Valley (3)

Superintendent
Ute Mountain Agency (Albuquerque Area Office)
Bureau of Indian Affairs
Towaoc, Colorado 81334

Ute Mountain Ute Tribe (1) (in Colorado, New Mexico, and Utah—(Utah portion—scattered tracts occupied by the Allen Canyon Utes near Blanding, Utah.)

Other Groups in Utah

(62) Southern Paiutes at Cedar City, Utah (7) (A group of informally organized Southern Paiute Indians with no trust land base. They reside on property owned by the Mormon Church.)
Paiute Indians of Utah (6)
(68 Stat. 1099) Termination effective 3-1-57
(88) Indian Peaks
(89) Kanosh
(90) Koosharem
(91) Shivwitz
(92) Affiliated Ute Citizens of Uintah and Ouray (6) (68 Stat. 868) Termination effective 8-27-61.

VIRGINIA

(63) Chickahominy Communities (7) (Providence Forge and Charles City)
(20) Mattaponi (7) State reservation
(21) Pamunkey (7) State reservation
(64) Potomac Community (7) (Fredericksburg)
(65) Rappahanock Community (7) (Caroline, King and Queen Counties)
(66) Upper Mattaponi (7) (The town of Central Garage in King William County)

WASHINGTON

Superintendent
Colville Agency (Portland Area Office)
Bureau of Indian Affairs
Coulee Dam, Washington 99116

Confederated Tribes of the Colville Reservation (2)

Superintendent
Northern Idaho Agency (Portland Area Office)
Bureau of Indian Affairs
Lapwai, Idaho 83540

Kalispel Indian Community (1) (in Washington)

Superintendent
Spokane Agency (Portland Area Office)
Bureau of Indian Affairs
Wellpinit, Washington 99040

Spokane Tribe (2)

Superintendent
Western Washington Agency (Portland Area Office)
Bureau of Indian Affairs
3006 Colby Ave.
Everett, Washington 98201

Hoh Indian Tribe (1)
Lower Elwha Tribal Community (1)
Makah Indian Tribe (1)
Muckleshoot Indian Tribe (1)
Nisqually Indian Community (1)
Port Gamble Indian Community (1)
Puyallup Tribe (1)
Quileute Tribe of Indians (1)
Skokomish Indian Tribe (1)
Squaxin Island Tribe (1)
Suquamish Indian Tribe (1)
Swinomish Indian Tribal Community (1)
Tulalip Tribes (1)

Confederated Tribes of the Chehalis Reservation (2)
Lummi Tribe of Indians (2)
Quinault Tribe of Indians (2)
Shoalwater Bay Indian Tribal Organization (2)
Nooksack Indian Tribe (3)
Sauk-Suiattle Indian Community (3)

Upper Skagit Indians (3)
Chinook Indians (5)
Cowlitz Indians (5)
Duwamish Indians (5)
Jamestown Band of Clallam Indians (5)
Kikiallus Indians (5)
Lower Skagit (5)
Samish Tribe of Indians (5)
San Juan Tribe (5)
Snohomish Indian Tribe (5)
Snoqualmie Indian Tribe (5)
Steilacoom Indian Tribe (5)
Stillaguamish Indian Tribe (5)

Superintendent
Yakima Agency (Portland Area Office)
Bureau of Indian Affairs
Toppenish, Washington 98948

Yakima Indian Nation (2)

WISCONSIN

Superintendent
Great Lakes Agency (Minneapolis Area Office)
Bureau of Indian Affairs
Ashland, Wisconsin 54806

Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin (1)
Bay Mills Indian Community (1) in Michigan)
Forest County Potawatomi Community (1)
Hannahville Indian Community (1) (in Michigan)
Keweenaw Bay Indian Community (L'Anse Reservation) (1) (in Michigan)
Lac Courte Oreilles Band of Lake Superior Chippewa Indians (1)
Lac du Flambeau Band of Lake Superior Chippewa Indians (1)
Oneida Tribe of Indians of Wisconsin (1)

Red Cliff Band of Lake Superior Chippewa Indians (1)
Saginaw Chippewa Indian Tribe (Isabella Reservation) (1) (in Michigan)
Sokaogon Chippewa Community (Mole Lake) (1)
St. Croix Chippewa Indians of Wisconsin (1)
Stockbridge Munsee Community (1)
Wisconsin Winnebago Tribe (1) (in Minnesota and Wisconsin)

Other Groups in Wisconsin

(67) Brotherton Community (7) Winnebago and Calamut Counties
(93) Menominee Tribe (6) (68 Stat. 250) Termination effective 4–30–61

WYOMING

Superintendent
Wind River Agency (Billings Area Office)
Bureau of Indian Affairs
Fort Washakie, Wyoming 82514

Northern Arapaho (3)
Shoshone (3)

AREA OFFICES

Aberdeen Area Office
Bureau of Indian Affairs
820 South Main St.
Aberdeen, S. Dak. 57401
(Nebr., N. Dak. and S. Dak.

Albuquerque Area Office
Bureau of Indian Affairs
5301 Central Ave. NE.
P.O. Box 8327
Albuquerque, N. Mex. 87108
(Colo., N. Mex.)

Anadarko Area Office
Bureau of Indian Affairs
Federal Bldg.
P.O. Box 368
Anadarko, Okla. 73005
(Kans. and Western Okla.)

Billings Area Office
Bureau of Indian Affairs
316 North 26th St.
Billings, Mont. 59101
(Mont. and Wyo.)

Juneau Area Office
Bureau of Indian Affairs
P.O. Box 3-8000
Juneau, Alaska 99801
(Alaska)

Minneapolis Area Office
Bureau of Indian Affairs
831 Second Ave. South
Minneapolis, Minn. 55402
(Minn., Iowa, Mich, and Wisc.)

Muskogee Area Office
Bureau of Indian Affairs
Federal Bldg.
Muskogee, Okla. 74401
(Eastern Okla.)

Navajo Area Office
Bureau of Indian Affairs
P.O. Box 1060
Window Rock, Ariz. 86515
(Ariz., Utah, and New Mex.)

Phoenix Area Office
Bureau of Indian Affairs
124 West Thomas Rd.
P.O. Box 7007
Phoenix, Ariz. 85011

Portland Area Office
Bureau of Indian Affairs
1425 Irving St. NE.
P.O. Box 3735
Portland, Oreg. 97208
(Oreg. Wash., and Idaho)

Sacramento Area Office
Bureau of Indian Affairs
Federal Office Bldg.
2800 Cottage Way
Sacramento, Calif. 95825

Director, Southeastern Agencies
Bureau of Indian Affairs
1951 Constitution Ave., NW.
Washington, D.C. 20242

New York Coordinator
Bureau of Indian Affairs
1951 Constitution Ave., NW
Washington, D.C. 20242

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"The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal Government and Indian communities."

Richard Nixon



UNITED STATES
DEPARTMENT OF THE INTERIOR

DEPARTMENTAL MANUAL

TRANSMITTAL SHEET

Release Number: 1470

Date: JUL 28 1972

Part: 470 DM 1-4; 471 DM 1-3; 472 DM 1; 476 DM 1-5; 478 DM 1

Subject: INFORMATION

EXPLANATION OF MATERIAL TRANSMITTED:

This release revises Parts 470, 471, 476, and 478; and adds a new Part 472 entitled "Publications-Policy and Responsibilities." The new Part is a revision of 470 DM 2. The major changes are:

Part 470 DM, Public Expression, has been completely revised. The coordinating and review role of the Office of Communications in relation to bureau and office-level public information activities in Washington and the field has been further clarified. Specific reference to the Departmental policy on the Freedom of Information Act is made in 470 DM 1.

470 DM 2 is a new chapter on the role of bureaus and offices. It includes a reference to prior review authority of the Office of Communications over motion picture scripts and/or concepts that are to be produced outside the Government in cases wherein the assistance/or cooperation of any segment of the Department of the Interior is provided.

Chapters 3 and 4 have been added to Part 470. Chapter 3 prescribes policy and procedures pertaining to requests for official expression. This information was formerly contained in 478 DM 2. Chapter 4 provides policy guidance regarding public information released through technical journals.

471 DM has been revised throughout to change the name of the Office of Information to Office of Communications.

476 DM, Utilizing Non-Government Publications to Disseminate Information, has also been extensively revised. The title of 476 DM 1 has been changed from "Payment of Page Charges" to "Policy." The information formerly contained in 476 DM 1.4 has been withdrawn and established in a separate chapter 3 entitled "Payments and Records." 476 DM 2 contains policy guidance on obtaining approval for publication of a government produced paper in a non-government publication. This information was formerly contained in 476 DM 1.2. The former Chapter 2 of this part has been renumbered Chapter 5 and the former Chapter 3 entitled "Reprints" has been renumbered Chapter 4. Only minor changes were made to this chapter to update the text.

478 DM 1 has been retitled "Non-Official Expression" and 478 DM 2 has been revised and redesignated as Chapter 3 of Part 470.

Deputy Assistant Secretary of the Interior

FILING INSTRUCTIONS:

Remove:	Insert:
470 DM 1-2 (3 sheets) Appendix 1 (1 sheet)	470 DM 1-4 (5 sheets)
471 DM 1-3 (3 sheets) Appendix 1 (1 sheet)	471 DM 1-3 (3 sheets)
476 DM 1-3 (3 sheets); 478 DM 1-2(3 sheets)	472 DM 1 (1 sheet)
	476 DM 1-5 (5 sheets)
	478 DM 1 (1 sheet)

Replaces: 9/21/66 (Release No. 877); 1/13/67 (Release No. 911)
6/29/64 (Release No. 676); 10/13/61 (Release No. 455)

DI-416
1/17/67

Department of the Interior
DEPARTMENTAL MANUAL

.1 Department Information Policy

A. As a vital and integral part of its over-all mission, the Department of the Interior has a continuing responsibility to keep the public informed of its many programs and activities. The Department welcomes public examination of these programs and activities, not only as an inherent public right under our system of government, but also because public understanding and discussion are essential to the effective planning, conduct, and accomplishment of Department activities.

B. The overall responsibility for assuring adherence to this information posture rests with the Office of Communications, Office of the Secretary, which coordinates the general information activities of all bureaus and offices of the Department.

C. It is the policy of the Department and the Office of Communications to provide the public prompt access to information about its activities, in accord with long-standing Department policy as well as the provisions and spirit of the Freedom of Information Act (Public Information Section of the Administrative Procedure Act). Disclosure will be the general rule, not the exception, the burden will be on the Government to justify withholding of a document.

To assure the effective observance of this policy, all bureaus and offices and the Secretariat are responsible for consulting with the appropriate public information offices and with the Office of Communications at the Secretarial level when denial of documents is being considered. If, after such consultation, the initial decision is made to withhold the document, the reasons shall be stated to the person requesting the document. He shall be advised of the right to appeal to the Solicitor, and notification of the action taken shall be made immediately to the Office of Communications and the Office of the Solicitor. The Solicitor's office is responsible for notifying the Office of Communications promptly in writing of any appeal filed under the Freedom of Information Act.

D. It is the policy of the Department to encourage the sale of Departmental publications in order to increase the return of user fees to the Federal Government.

E. It is also the policy of the Department to increase dissemination of information by stressing reliance on suitable nongovernment media.

.2 Procedures. To implement the foregoing policies, the following procedures will apply throughout the Department:

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A. All Washington headquarters press releases will be cleared by the Office of Communications prior to release. Moreover, press releases planned for release at field level by any Interior bureau or office shall be subject to prior approval by the Office of Communications if a policy announcement is involved.

B. Department publications, except those of a strictly scientific and engineering character, or those granted a waiver by the Office of Communications by virtue of being an established and continuing series, shall be cleared on Form DI 550 by the Office of Communications prior to printing. (See 471 DM and 314 DM).

C. Approval by the Office of Communications of motion picture proposals on Form DI 551 is required as soon as the preliminary planning has been completed and before any funds are committed for scripts or production. Scripts and answer prints of motion pictures will be sent to the Office of Communications for review and approval. (See 471 DM for policy & procedural details).

Moreover, prior approval by the Office of Communications is required of motion picture scripts and/or concepts before the Department extends cooperation or assistance for private production of films.

D. All speeches to be made by members of the Office of the Secretary, and by headquarters officials of bureaus and offices, will be given prior review by the Office of Communications. Speeches by bureaus and office officials also will be reviewed by the office of the appropriate Assistant Secretary prior to submittal to the Office of Communications. Speeches must be in the hands of the Office of Communications, complete with all prior clearances, at least 48 hours before departure for the speaking engagement.

This provision will be strictly observed for major speeches which enunciate or explain important Department policy and, wherever possible, for significant testimony before Congressional Committees. In cases in which time factors do not permit prior review by the Office of Communications of testimony prepared for delivery before Congressional committees, the Office of Legislative Counsel shall be responsible for providing the Office of Communications with at least 5 copies of such testimony on the day it is delivered.

E. All articles for publication written by employees of the Department of the Interior in their official capacities and that deal with policies or programs of the Department, its bureaus or offices, are subject to prior review by the Office of Communications.

7/28/72 (Release No. 1470)
Replaces 9/21/66 (Release No. 877)

F. Prior approval is required to be given by the Office of Communications for creation of new positions, appointments, promotions, transfers or termination of existing positions or termination of employment of professional-level employees engaged in information and information-related activities. This applies to all information officers, information specialists, and others in the information series. It also includes publications and visual media personnel engaged in activities related to public information. The Office may review performance ratings of such personnel.

G. The Office of Communications may obtain assistance directly from bureau information officers on any information project and, when occasion requires, may detail bureau information personnel to the Office of Communications for work on special projects. In the same manner, Office of Communications personnel may be detailed to a particular bureau or to the staff of the Secretariat for specific projects.

H. The Office of Communications has full responsibility for preparing and distributing the annual report (Conservation Yearbook) of the Secretary.

I. The Director of Communications may issue instructions to bureau information officers to carry out the assigned responsibilities of the Office of Communications.

7/28/72 (Release No. 1470)
Replaces 9/21/66 (Release No. 877)

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.1 Role of Bureaus and Offices. Effective conduct of the Department's information program requires full cooperation between the Office of Communications and bureau and office officials including information personnel and field personnel. Bureaus and offices will carry on adequate information programs consisting of factual information about activities and accomplishments within their respective spheres of competence and announcements and explanations of final actions or newly adopted policies. Bureau and office officials should avoid speculation on unsettled questions or future policy and, when in doubt, should refer questions by news agencies on controversial subjects--particularly those involving more than one bureau or office--to the Office of Communications.

As a part of its responsibility for determining the information policy and procedures of the Department, the Office of Communications will, when necessary, direct bureau information officers and staff personnel as to the need for developing news, feature stories, or articles and make final determinations as to the manner in which information problems are to be handled.

Bureau information personnel must be kept constantly informed by staff and operating officials on all significant actions by their bureaus, and, in turn, the bureau information personnel are responsible for keeping the Office of Communications currently informed on these actions.

Determination of newsworthiness of policy actions, and the manner in which the news is to be disseminated, will be made by the bureau information offices with the concurrence of the Office of Communications.

.2 Field Information. Field officials are responsible for disseminating accurate and adequate information about their work. However, they should confine statements made in their official capacity to factual material related to their area of responsibility. Field-written releases that deal in any degree with policy matters, or which cut across Department or bureau lines and thus may result in Washington involvement, will require prior review and approval by the Office of Communications, Office of the Secretary.

.1 Policy and Procedures. It is the policy of the Department that requests from private organizations or firms for official expression in the form of written or graphic material, or speeches which require special preparation shall be complied with under the following conditions:

A. The expression is directly concerned with and is such as to promote better and wider understanding of Interior objectives, policies and programs, and activities.

B. The preparation or presentation of such expression does not impose an unreasonable burden on the staff of the bureau or office concerned.

C. If the organization or firm customarily pays compensation or expenses for such services, it will pay the Government for the services thus rendered at rates ordinarily paid. Such payments shall be accepted and deposited in the Treasury as Miscellaneous Receipts.

D. Prior review by the Director of Communications is required of any material designed for official expression by officials within the Department or its various bureaus and offices for presentations before non-governmental organizations, firms or groups.

Note: For policies and procedures governing non-official expression, see 478 DM.

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Chapter 4 Public Information Released in Technical Journals 470.4.1

.1 Bureaus and offices may publish scientific and technical material produced as a result of their activities only after such materials and the projects or programs to which they relate have been approved by the Secretariat. The bureau or office, through its own information unit, will provide the Office of Communications, Office of the Secretary, with a copy of the material prior to publication in each case where the material to be published has public interest, involves important new scientific or other technical information, has direct bearing on policy questions, or relates to programs of other bureaus of the Department or other Departments. Publication of such materials may be authorized by the Office of Communications through professional or other journals or media in lieu of government publication.

Note: For procedures governing utilization of non-government publications, see 476 DM.

7/28/72 (Release No. 1470)
NEW

GERALD R. FORD LIBRARY

.1 Scope. The provisions of this Chapter are applicable to motion pictures and slide programs produced by any bureau or office of the Department or attributing authorship or sponsorship to any bureau or office, regardless of how financed, and including those motion pictures and slide programs produced cooperatively by a bureau or office and a private organization except those produced for internal use only and those produced as an integral part of program operations such as a mine safety training film or a park visitor center film strip.

.2 Responsibility of Office of Communications. The Office of Communications Office of the Secretary, has general responsibility as to policy and adequacy for matter involving visual media of information coming within the scope of this Chapter.

.3 Authorization. Prior to beginning work on any new motion picture or any slide program except those exempted in 471 DM 1.1 the bureau or office concerned will submit Form DI 551 Motion Picture or Slide Program Authorization request to the Director, Office of Communications, Office of the Secretary.

.1 Official Photographs. Official photographs are those paid for by the Government or those taken by any employee on Government time, using Government equipment. They are the property of the Government and should be preserved accordingly. All contracts and agreements with non-Government photographers which involve reimbursement by the Government for taking official photographs shall specify that resulting selected and purchased negatives and color transparencies are to become the Government's property.

.2 Coverage. Representative still photographic coverage of pertinent activities is to be maintained consistently by all bureaus and offices having programs lending themselves to pictorial representation. Each shall establish an accepted, workmanlike system of numbering and identifying all official negatives and color transparancies.

.3 Central Collections of News-worthy Photographs. Each bureau and office will maintain and keep current at its Washington Office a central collection of timely, news-worthy photographs and photographic slides representative of its programs and activities and develop, in cooperation with the Office of Communications, a program for their effective use.

.4 Credit Line. Official photographs distributed for reproduction shall carry a credit line "United States Department of Interior" followed by designation of the bureau or office. Names of employee photographers will not be used on the credit line except with the prior approval of the Director of Communications, Office of the Secretary.

.5 Advertising. Still photographic materials of the Department may not be used in advertising illustrations which connote Department approval of the product, service, or the firm named in the advertisement except in the case of materials illustrating equipment and supplies tested by the Bureau of Mines for use in hazardous areas.

.1 Responsibility. The Director, Office of Communications, Office of the Secretary, has general responsibility for exhibits and displays to be used at conventions, fairs, and meetings, but not including permanent exhibits or displays which are integral parts of bureau or office facilities such as National Park visitor centers, the Departmental Museum, or Library.

.2 Production of Exhibits. Prior to beginning production of exhibits or displays to be used in conventions, fairs, or meetings, the bureau or office concerned will submit in duplicate to the Director of Communications a statement concerning the display. The statement will contain an explanation of the need for the display, its potential uses, and its cost, such explanation being accompanied by a rough sketch indicating the texts and illustrations intended to be incorporated in the display.

.3 Photographs of Displays. Each bureau and office currently having major exhibits or displays used for conventions, fairs, and meetings which are being used, or may be used in the future, will supply the Director of Communications with an 8 x 10 inch glossy photograph of such exhibit or display, and with respect to each major exhibit or display authorized in accordance with 471 DM 3.2, above, the bureau or office will supply the Director with a photograph of the authorized exhibit or display.

7/28/72 (Release No. 1470)
Replaces 1/13/67 (Release No. 911)

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1. Types of Publications. For the purposes of this Chapter, publications of the Department are divided as follows:

A. External Publications of General Interest. Those publications prepared for distribution to the public which are of broad general interest and make a significant new presentation of a major Department program or policy.

B. External Publications of Engineering-Scientific or Technical Interest. Those publications prepared initially for distribution primarily to the engineering-scientific or technical community.

C. External Publications of Statistical Interest. Those publications prepared for distribution to the public or the business community which are limited to purely statistical material.

D. Internal Publications. Those materials developed for use only by employees of the Department.

2. Publications Policy. The policy expressed in 470 DM is applicable to publications as well as to all other media of information. Further, preparation and issuance of publications is governed by the regulations of the Joint Committee on Printing; Circular No. A-3 as revised, issued by the Office of Management and Budget; the Government Printing Office Manual; and regulations contained in 314 DM (Printing and Binding).

3. Responsibility

A. Assistant Secretaries are responsible for the general adequacy of publications programs of bureaus and offices under their jurisdiction.

B. The Office of Communications. The Office of Communications, Office of the Secretary, is responsible for final Office of the Secretary policy review and for final approval of proposed content, style, format, and distribution of general interest publications that would be issued by any bureau or office, regardless of the source of funds for their publication or distribution.

Although scientific, technical, statistical and internal publications do not require prior review by the Office of Communications, originating bureaus will conduct prior coordination of the text when it has a substantive relationship to the programs of other bureaus and offices in the Department or other Federal or non-Federal agencies (See 314 DM 5.3 regarding special handling of scientific periodicals).

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NEW

The Director of Communications will issue instructions to a bureau waiving the provisions for individual review of established publication series when this is appropriate.

When there is a clear and present need for a new publication covered by 472 DM or for the revision of such an existing publication, the Director may advise the bureau or office concerned accordingly.

The Office of Communications will review periodically all publications of the Department, as defined in 472 DM, to assure conformance with Departmental policies regarding the free distribution of sales and other publications are being followed and to reduce further the number and volume of free publications.

.4 Publications Liaison Officers. Each bureau or office having a publications program shall designate a publications liaison officer to coordinate publication matters with the Office of Communications (See 314 DM regarding liaison officers to deal with the Government Printing Office).

.5 Procedure for Clearance Review. Review of publications defined in 472 DM shall be effected through submission of Form DI 550/1971, Request for Publication Approval to the Office of Communications.

.6 Bureau Publication Review Boards. The head of each bureau of the Deaprtment having a publications program shall establish a Bureau Publication Review Board, consisting of program, information, and administrative personnel, to review periodically the direction, basic concepts, content, methods, and practices of the bureau publications program and shall advise the head of the bureau and the Director of Communications concerning the results of such reviews. The Director of Communications may waive the provisions of this paragraph for any bureau if in his opinion it already has acceptable procedures for accomplishing the objectives of this paragraph.

.1 Policy. It is recognized that proper dissemination of the information contained in papers (especially those reporting the results of research and development performed by or for the Department) prepared by bureaus and offices of the Department, directly by their own personnel or by contractors, grantees, or graduate students receiving Departmental support, may include publication in non-Government publications including those that assess page charges. Payment of such page charges is permitted (32 Comp. Gen. 487, 488). They will be budgeted, incurred, and paid in the same manner as other liabilities for services received.

.2 Coordination. The official approving the submission of a paper to a non-Government publication shall give timely advice of this action to the information officer of the bureau or office so that he may issue, through normal channels, an announcement of its publication if he determines that it contains information of interest to the general public.

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Replaces 6/29/64 (Release No. 676)

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.1 Approval of Publication. The heads of bureaus and offices, or those to whom they have delegated this authority, will determine, prior to submitting a Government-produced paper for non-Government publication:

A. That the paper is descriptive of a policy position fully adopted by the Department; and that it is not merely the expression of an individual's or group's projected or desired program that does not reflect the official Departmental stance.

B. That the paper is constructed well enough to warrant publication as official expression.

C. That the agency has, by legislation, been given, expressly or by implication, the responsibility of, or authority for, disseminating information of such nature as that presented in the paper.

D. That funds are available for paying page charges if incurred to disseminate the information in the paper.

E. That the responsibility of the agency for disseminating the information can be better discharged by submitting it to the publication under consideration and paying the publication's customary page charges than by other means.



.1 Payment of Page Charges. Invoices for page charges will be approved for payment when evidence is received that --

A. The determinations required in 476 DM 2.1 have been made by competent authority.

B. Satisfactory publication of the submitted paper has actually been accomplished.

C. The page charges were properly computed in accordance with the rates and formulae the publication customarily and consistently applies to papers it publishes.

D. All reprints of the paper have been received that it is the custom of the publication to deliver without a charge in addition to its customary page charges.

.2 Reporting. Bureaus and offices shall maintain records to serve as a basis for reports, with respect to instances in which page charges have been paid.

7/28/72 (Release No. 1470)
Replaces 6/29/64 (Release No. 676)

.1 Policy. Reprints of published papers, including papers that have appeared in non-Government publications, may be obtained when useful as a source of information or for the dissemination of information.

.2 Specific Legal Authority. The Comptroller General has held (7 Comp. Gen. 221) that the reprinting of extracts from publications constitutes "printing" subject to the restrictions imposed in 44 U.S.C. 111 explained and implemented in 314 DM) in the absence of specific legal authority for the purchase of reprints. The Department of the Interior has such authority under Section 104 of its current (1972) appropriation act. Authority to purchase reprints in future years will be contingent on the retention of this authorization in later legislation.

.3 Copyright Infringement. No copyright may subsist in any paper written by an employee of the Department in the performance of his duties as such writings are in the public domain. This principle is equally applicable to papers prepared by contractors and grantees of the Department. Hence, when a publisher obtains a copyright in a publication that includes a paper submitted by the Government, the copyright will not be effective as to the text of the Government paper. In instances in which a paper the Department wishes to reprint is covered by copyright, 454 DM 1 will apply.

.4 Obtaining Reprints. It will usually be found that the publishers of Government papers are a convenient source of reprints. In some instances, publishers furnish authors and sponsors a reasonable number of reprints gratis as a courtesy. It is customary for publishers, upon request, to furnish to those who pay page charges a stipulated number of reprints without further charge. When reprints are required, arrangements will be made either to have them printed by the Government Printing Office or by other Government means (in accordance with 314 DM) or procured from the publisher (if specific legislative authority is currently in effect) depending on which method is determined to be more advantageous to the Government.

.1 Policy. Payments may be made to publish or assist in the publication of the proceedings of conferences or symposia devoted to a subject of direct interest to a Department program provided such payments are determined by applying the criteria set forth in 476 DM 1.3 and 2.1 to be proper and necessary.

.2 Payment Less than Total Publication Cost. If part of the cost of publication is covered by contributions of other sponsors or participants, the Department may pay its proportionate share and statutory requirements with respect to printing will not apply. If the Department bears the entire cost of publication, it will arrange for printing in accordance with 314 DM.

7/28/72 (Release No. 1470)
NEW

.1 Definition. The term "nonofficial expression" as used in this chapter means the preparation, composition and presentation, including travel to the place where such presentation is to be made, of: (a) books, articles, pamphlets and brochures; (b) speeches, lectures, illustrated talks; or (c) visual presentations or drawings; by an employee of the Department of the Interior in other than the performance of his official duties. Provisions of other existing instructions with respect to outside employment, other than nonofficial expression, are to be found in 43 CFR 20.735.

.2 Policy.

A. It is the policy of the Department to encourage informed nonofficial expression by employees on matters within their competence, through published writings, lectures, graphic presentation and other means, although some of the subject matter may be related to the employee's official duties. Such expression should achieve better public understanding of Interior's programs and increase the spread of knowledge concerning the results of its scientific, technical and administrative activities. It is not the policy of the Department to restrict such expression nor to deprive its employees of proper recognition, including financial payments, for legitimate nonofficial expression.

B. If the subject material involves any contribution by the Government, either in the preparation or presentation, Department employees may not accept and retain remuneration from outside sources. This restriction is not intended to apply to nonofficial expression the preparation or presentation of which involves no use of government time, facilities, materials, travel or expense funds, or services of other government employees.

C. This policy is intended to assist serious, constructive effort, and neither suggests nor implies Department sanction of trivial or controversial expression by employees.

D. Regulations of the Department (43 CFR 20.735-12(c)(3)) provides that the Secretary, Under Secretary, Assistant Secretaries, heads of bureaus and other Departmental offices, and key fulltime officials who report directly to the Secretary as his principal assistants, shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of this Department, or which draws substantially on official data or ideas which have not become part of the body of public information.

.3 Conditions. Any employee may engage in nonofficial expression on matters related to his official duties, or based primarily on knowledge acquired as a consequence thereof, provided that:

A. His work thereon in the preparation and the presentation is performed wholly outside duty hours.

B. The preparation or presentation thereof does not involve any contribution by the Government of time or services of other Government employees while in duty status, or of Government funds, facilities or materials.

C. The expression embraces only those ideas, concepts, data, statistics, intelligence, descriptions of scientific or technical processes or design, formulae, and similar information resulting from or in connection with those Departmental activities that are already published, or, if unpublished, are available to the public at the time of the employee's disclosure.

D. He files in advance with the head of his bureau or office, with an information copy to the Director of Communications, for clearance and consent in advance of publication or presentation, a notice of intention and certificate of compliance setting forth:

(1) an outline of the subject matter of the proposed expression;

(2) the medium of expression;

(3) the title under which the work is to be published or presented;

(4) his name and title to be used in the work, if such title is to appear;

(5) the name or title of the published, or of the sponsoring organization in the case of lectures, speeches, or visual presentations;

(6) a signed certification that the subject matter has been prepared or will be presented in full accord with the conditions set forth in all the foregoing segments or 478 DM.

Note: Further, attention is called to 18 U.S.C. 209, which provides, in pertinant part, that: "Whoever receives any salary, or any contribution to or supplementation of salary, as compensation for his services as an officer or employee of the executive branch of the United States Government, ... from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality ..... shall be fined not more than $5,000 or imprisoned not more than one year, or both."

7/28/72 (Release No. 1470)
Replaces 10/13/61 (Release No. 455)

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UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D. C. 20425

March 1973

STAFF MEMORANDUM

CONSTITUTIONAL STATUS OF AMERICAN INDIANS

INTRODUCTION

A thorough treatment of the constitutional status of American Indians would involve a complete analysis of the unique and complex field of Federal Indian law which cannot be adequately described merely by reference to the numerous treaties, statutory enactments of Congress, and court decisions or Federal administrative decisions.[1/] The legal and political status of Indian tribes, the relationship of Indians to their tribes and to their States, and the relationship of tribes to the States and to the United States Government have long been issues of controversy. Tribes have traditionally been viewed by Federal courts as dependent or "tributary" nations possessed of limited elements of sovereignty and requiring Federal protection.[2/]

1/ Felix Cohen's Handbook of Federal Indian Law, 1945, listed the existence of 4,264 separate statutes having application to American Indians.

2/ See Worcester v. Georgia, 31 U.S. 350 (1832).

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Congress has alternatively viewed tribes as sovereign political entities or as anachronisms which must eventually be extinguished. The result has been two conflicting Federal policies--separation and assimilation, one designed to protect Indians from the rest of society and to leave them with a degree of self-government within their own institutions, and the other calculated to bring Indians within the mainstream of American life by terminating special Federal trust relationships and Federal programs and services. Termination reached its aegis during the Eisenhower Administration of the 1950's. The current Administration has taken a strong stand against termination; in his message on Indian affairs, July 13, 1970, President Nixon said:

> Because termination is morally and legally unacceptable, because it produces bad practical results and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new concurrent resolution which would expressly renounce, repudiate and repeal the termination policy as expressed by the House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and rights to continued existence of all Indian tribes and Alaskan Native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. [It would] affirm for the Executive Branch..that the historic relationship between the Federal Government and the Indian communities cannot be abridged without the consent of the Indians.

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Sources of Federal Power:

The historic relationship to which the President refers has a somewhat confusing background. The Federal Government has exercised plenary power over Indians for almost 200 years. This power emanates from three sources.[3] First, the Constitution grants to the President and to Congress[4] what have been construed as broad powers of authority over Indian affairs. Second, the Federal courts have applied a theory of guardianship and wardship to the Federal Government's jurisdiction over Indian affairs.[5] And, finally, Federal authority is inherent in the Federal Government's ownership of the land which Indian tribes occupy.[6] In Worcester v. Georgia, Chief Justice John Marshall recognized that the afforementioned powers plus the power of war and peace "comprehend all that is required for the regulation of our intercourse with the Indians."[7]

The treaty power was the traditional means for dealing with Indian tribes from the colonial times until 1871, when recognition of Indian tribes as sovereign nations for this purpose was withdrawn

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3/ Art. II, Sec. 2, Cl. 2: "[The President] shall have power, by and with the advice and consent of the Senate, to make treaties ...."

4/ Art. I, Sec. 8, Cl. 3: "Congress shall have power ...to regulate commerce with foreign nations, and among the several States, and with the Indian tribes...."

5/ See Cherokee Nation v. Georgia, 30 U.S. 1 (1831); United States v. Kagama, 118 U.S. 375, 383-84 (1886).

6/ See comment, the Indian Battle for Self Determination, 58 Cal. L.R. 445 (1970).

7/ 31 U.S. 350 (1832).

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by the Indian Appropriation Act, which provided that "...hereafter, no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power with whom the United States may contract by treaty..."[8] Treaties made before 1871 were not nulified by that Act, but remain in force until superceded by Congress. It is a well established principle of constitutional law that treaties have no greater legal force or effect than legislative acts of Congress, and may be unilaterally abrogated or superceded by subsequent Congressional legislation.[9] Until so abrogated, however, treaties with Indian tribes are part of the law of the land and are binding on the Federal Government. In carrying out its treaty obligations the Federal Government occupies a trust relationship which, according to the Court in Seminole Nation v. United States, "should be judged by the most exacting fiduciary standards."[10] As part of the law of the land treaties cannot be annulled in their effect or operation by the acts of State governments.[11]

TRIBAL SOVEREIGNTY

In considering the constitutional status of American Indians a distinction must be made between tribal entities and individual citizens. As stated before, the legal status of Indian tribes has

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8/ 16 stat. 566, 25 U.S.C. 71.

9/ See cases cited in notes 3, 4, and 5, Federal Indian Law, supra, p. 25.

10/ 316 U.S. 286 (1942).

11/ 41 Am. Jur. 2d, § 11, p. 840.

vacillated throughout this Nation's history in the eyes of the Federal Government. The numerous treaties made with Indian tribes recognized them as governments capable of maintaining diplomatic relations of peace and war and of being responsible, in a political sense, for their violation. When engaged in war against whites, Indians were never treated as rebels, subject to the law of treason, but, "on the contrary, were always regarded and treated as separate and independent nations, entitled to the rights of ordinary belligerents and subject to no other penalties."[12/] Hostile Indians surrendering to armed forces were subject to the disabilities and entitled to the rights of prisoners of war.[13/]

Tribal sovereignty was originally formally recognized by Chief Justice Marshall in Worcester v. Georgia: "The Constitution, by declaring treaties already made, as well as those to be made, to be the supreme law of the land, has adopted and sanctioned the previous treaties with the Indian nations, and consequently, admits their rank among those powers who are capable of making treaties."[14/] That position, which determined the Federal Judiciary's basic policy toward Indian tribes throughout the 19th century may be contrasted with the attitude of later court decisions such as Montoya v. United States[15/], wherein the

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12/ Ke-Tuc-e-mun-guah v. McClure, 122 Ind. 541, 23 N.E. 1080 (1890).

13/ Federal Indian Law, supra, p. 469.

14/ Supra at page 379.

15/ 180 U.S. 261 (1901).

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court concluded that "the word 'nation' as applied to the uncivilized Indians was little more than a compliment."

Today, the concept of tribal sovereignty is widely misunderstood and can only be meaningfully discussed with regard to specific attributes or powers. Clearly, tribal governments are not on the same legal footing as independent nations; on the other hand, they are widely recognized as political units with governmental powers which exist, in some sense, on a higher level than that of the States. The contemporary meaning of tribal sovereignty is defined in Iron Crow v. Oglala Sioux Tribe of Pine Ridge Reservation[16/] as follows:

> It would seem clear that the Constitution, as construed by the Supreme Court, acknowledges the paramount authority of the United States with regard to Indian tribes but recognizes the existence of Indian tribes as quasi-sovereign entities possessing all the inherent rights of sovereignty except where restrictions have been placed thereon by the United States, itself.

In his 1940 edition of Federal Indian law, Felix Cohen summarized the meaning of tribal sovereignty in the following manner:

> The whole course of judicial decision on the nature of Indian tribal powers is marked by adherence to three fundamental principles:
>
> (1) The Indian tribe possesses, in the first instance, all the powers of any sovereign state.
>
> (2) Conquest renders the tribe subject to the legislative power of the United States, and, in substance, terminates the external powers of sovereignty of the tribe, e.g., its power to enter into treaties with foreign nations, but does not, by itself, affect the internal sovereignty of the tribe, i.e., its power of local self-government.

16/ 231 F. 2d 89, 92 (1956).

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(3) These powers are subject to qualification by treaties and by express legislation by Congress, but, save as thus expressly qualified, full powers of internal sovereignty are vested in the Indian tribes and in their duly constituted organs of government. 17/

POWERS OF TRIBAL SELF-GOVERNMENT

Indian tribes are recognized in Federal law as distinct political communities with basic domestic and municipal functions. This includes the power to adopt and operate under a form of government of the tribe's choosing, to define conditions of tribal membership, to regulate domestic relations of members, to prescribe rules of inheritence, to levy taxes, to regulate property within the jurisdiction of the tribe, to control the conduct of members by tribal legislation, to administer justice and provide for the punishment of offenses committed on the reservation. 18/ Although Indian tribes began their relationship with the Federal Government as sovereign governments recognized as such by treaties and in legislation, the powers of tribal sovereignty have been limited from to time by the Federal Government. It should be noted, however, that the powers which tribes currently exercise are not delegated powers granted by Congress but rather, are "inherent powers of a limited dependent sovereignty which had not been extinguished by Federal action. What is not expressly limited often remains within the domain of tribal sovereignty simply because State

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17/ Federal Indian Law (1940 ed.) p. 123.

18/ Federal Indian Law, supra, p. 395.

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jurisdiction is Federally excluded and governmental authority must be found somewhere. That is a principal to be applied generally in order that there shall be no general failure of governmental control."[19/]

The powers of self-government are normally exercised pursuant to tribal constitutions and law and order codes. Normally, these powers include the right of a tribe to define the authority and the duties of its officials, the manner of their appointment or election, the manner of their removal, and the rules they are to observe.[20/] This right, as with the exercise of all functions of tribal sovereignty, is subject to Congressional change. For example, Federal law has removed from some tribes the power to choose their own officials and has placed the power of appointment in the President and the Secretary of Interior.[21/]

Indian tribes, having the power to make laws and regulations essential to the administration of justice and the protection of persons and property also have the power to maintain law enforcement departments and courts to enforce them.[22/] Some smaller tribes have no

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19/ Federal Indian Law, supra, p. 396.

20/ Ibid, at 403.

21/ See Act of June 7, 1897, 30 stat. 62, 84.

22/ See Colliflower v. Garland, 342 F. 2d 369 (1965).

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courts at all or maintain very traditional customary courts which lack formal structure. Larger tribes, such as the Navajo, maintain quite advanced law and order systems with well-equipped police departments, modern tribal codes and a hierarchy of trial and appellate courts overseen by a tribal supreme court. Generally, the jurisdiction of Indian courts is exclusive as to matters involving tribal affairs,[23] civil suits brought by Indians or non-Indians against tribal members arising out of matters occurring on the reservation,[24] and the prosecution of violations of the tribal criminal code.[25] Tribal jurisdiction operates to the exclusion of Federal and State authority. Federal courts are without jurisdiction over matters involving violations of tribal ordinances,[26] as are State courts.[27] With regard to cases within their jurisdiction, tribal courts are courts of last resort. Their decisions are appealable to neither State or Federal courts.

Several important limitations have been placed by Congress on tribal jurisdiction. Under the 1968 Indian Civil Rights Act[28] tribes may not exercise jurisdiction over criminal offenses punishable by

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23/ Little v. Nakai, 344 F. 2d 486, cert. den. 382 U.S. 986 (1965).

24/ Williams v. Lee, 358 U.S. 217 (1958).

25/ Colliflower v. Garland, supra.

26/ Native American Church v. Navajo Tribal Council, 272 F. 2d 131 (1959).

27/ 41 Am. Jur. 2d, § 66, p. 869.

28/ 25 U.S.C. 1301, et. seq.

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more than a $500 fine or 6 months in jail. Federal courts have jurisdiction to try and punish certain major offenses such as murder, manslaughter, rape, etc., pursuant to the Major Crimes Act.[29] In certain instances, Congress has provided that the criminal laws and/or civil laws of a State shall extend to Indian reservations located in the State.[30] States which have assumed responsibility for the administration of justice on Indian land are commonly referred to as "Public Law 280 States."

Hunting and Fishing Rights

A current major issue arising from the limitations on State authority due to quasi-tribal sovereignty is the hunting and fishing rights controversy in the Northwest. It is well settled that a State cannot enforce its game and fish laws within the boundaries of an Indian reservation.[31] However, the issue of State control over on-reservation hunting and fishing should be distinguished from the question of the extent to which treaty rights prohibit States from interfering with hunting and fishing by Indians off reservations. In a confusing decision the Umited States Supreme Court recently held that treaty rights to "fish at all usual and accustomed places" may not be qualified by a State but that the exercise of such rights is subject to reasonable State conservation legislation.[32]

29/ 18 U.S.C. 1153.

30/ 28 U.S.C. 1360.

31/ Pioneer Packing Company v. Winslow, 159 Wash. 655, 294, p. 557.

32/ Puyallup Tribe v. Department of Game, 391 U.S. 392 (1970).

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Domestic Relations:

Indian tribes exercise a wide lattitude of power over the domestic relations of tribal members. Tribes normally conduct marriages and grant divorces[34/] to the exclusion of State law even though the Indians concerned are also citizens of the State. Indian customary marriage and divorce has generally been recognized by State and Federal courts.[35/] Tribes also have complete and exclusive authority to define and punish offenses against the marriage relationship, although, as with other civil matters, Congress may make State law applicable.

Taxation:

An important power essential to the maintenance of governmental functions is the power of taxation. In Buster v. Wright,[36/] it was held that the Creek Nation had the power to impose a license fee upon all persons, Indian and non-Indian, who traded within the borders of that Nation. Tribal authority to levy a property tax on all property within the reservation was upheld in Morris v. Hitchcock.[37/] Indian tribes are currently recognized by the United States as "units of local government" for the purpose of receiving Federal revenue funds pursuant to the Revenue Sharing Act of 1972.

34/ Marris v. Sockey, 170 F. 2d 599 (1948).

35/ See Note, 13 Yale L.J. 250 (1904).

36/ 135 F. 947 (1905).

37/ Morris v. Hitchcock, 21 app. D.C. 565 (1903).

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As a general matter, then, Indian tribes are recognized by Federal law as governmental units exercising a wide variety of governmental functions, limited only by the assertion of Congressional plenary power over Indian affairs. Outside of the scope of this memorandum is a discussion of the wide spectrum of Federal administrative powers currently exercised over Indian affairs.

LEGAL STATUS OF INDIAN INDIVIDUALS

By virtue of the Indian Citizenship Act of June 2, 1924, all Indians born in the United States are citizens of the United States. As such, they are also citizens of the State in which they live, even though they may reside on a reservation.[38/] Although many Indians acquired citizenship prior to 1924, pursuant to various Federal statutes, it was early held that the provision of the 14th Amendment of the United States Constitution conferring citizenship on "all persons born or naturalized in the United States, and subject to the jurisdiction thereof" did not confer citizenship on Indians.[39/] State and Federal citizenship and tribal membership are not incompatable;[40/] Indians are citizens of three separate political entities. As citizens of the Federal Government they are subject to the laws of the Federal Government no matter where they may be located. As citizens of the tribal government they are subject to the civil and criminal laws of the tribe

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38/ Acosta v. San Diego County, 126 Cal. app. 2d 455, 272 p. 2d 92; Deere v. New York (D.C. N.Y.) 22 F. 2d 851 (1927).

39/ Smith v. United States, 151 U.S. 50, 38 (1894)

40/ Halbert v. United States, 283 U.S. 753, 762-763 (1931).

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when they are on the reservation and within its jurisdiction (except, as stated above, in Public Law 280 States). They are subject to the laws of the States while off the reservation.

Protections in the Tribal Setting-Constitutional Immunity:

In their relationship with the tribe, Indians are normally protected by a wide variety of criminal due process, civil rights and civil liberties protections contained in the tribal constitution and the tribal law and order code. By their own weight the Bill of Rights and the 14th Amendment to the United States Constitution do not impose limitations on tribal action and thus, do not confer protections on tribal members. In the case of Talton v. Mayes[41/] for example, the Supreme Court refused to apply the Fifth Amendment to invalidate a tribal law that established a five-man grand jury. In Glover v. United States,[42/] the court stated that "the right to be represented by counsel is protected by the Sixth and 14th Amendments. These Amendments, however protect...this right only as against action by the United States in the case of the...Sixth Amendment...and as against action by the States in the case of the 14th Amendment, Indian tribes are not States within the meaning of the 14th Amendment." Again, in the case of Native American Church v. Navajo Tribal Council[43/] it was held by implication that

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41/ 163 U.S. 376 (1896).

42/ 219 F. Supp. 19, 21 (1963).

43/ 272 F. 2d 131, 10th Cir. (1959).

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a tribal Indian cannot claim protection against illegal search and seizure by tribal officials. In 1954, an attempt to redress tribal invasions of religious freedom arose in a suit against the Jemez Pueblo Tribal Council and governor by Pueblo members, charging that they had been subjected to indignities, threats and reprisals solely because of their Protestant faith and that the tribal council had refused to permit them to bury their dead in the community cemetary and to build a church on tribal land. 44/ The court acknowledged that the alleged acts represented a serious invasion of religious freedom but concluded that the acts were not taken "under color of any statute, ordinance, regulation, custom or usage of any State or Territory" and thus no cause of action arose either under the Federal Constitution or under Federal civil rights acts. In State v. Big Sheep, 45/ the Tenth Circuit refused to concede the application of First Amendment protections through the Fourteenth Amendment to Indian tribes:

> No provision in the Constitution makes the First Amendment applicable to Indian nations nor is there any law of Congress doing so. It follows that neither, under the Constitution or the laws of Congress, do the Federal courts have jurisdiction of tribal laws or regulations, even though they may have an impact to some extent on forms of religious workship. 46/

44/ Toledo v. Pueblo De Jemez, 119 F. Supp. 429 (D.M. Mex. (1954)).

45/ 272 F. 2d 131 (1962).

46/ 272 F. 131, p. 135.

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1968 Indian Bill of Rights:

These cases illustrate what the Constitutional Rights Subcommittee of the Senate Committee on the Judiciary saw as a "continued denial of Constitutional guarantees" to American Indians, on the ground that tribes are quasi-sovereign entities to which general provisions of the Constitution do not apply. In 1961 that Subcommittee instituted a lengthy investigation of the legal status of American Indians and the problems they encounter when asserting their Constitutional rights in their relations with the State, Federal and tribal governments. This effort, largely engineered by Senator Sam Ervin, Chairman of the Subcommittee, culminated in the passage of the Civil Rights Act of 1968,[47/] Title II of which constitutes a bill of rights for American Indians. It provides that Indian tribes exercising powers of self-government shall be subject to many of the same limitations and restraints which are imposed on Federal, State and local governments by the United States Constitution. Two major exceptions are that the Indian Bill of Rights provides the right to counsel before tribal courts only at the defendant's "own expense" and, although, religious freedom is protected, the Act does not contain a prohibition against the establishment of religion by a tribal government.

Rights and Privileges of State Citizenship:

While off their reservations, Indians are subject to the same laws, both Federal and State, as are other citizens. When brought before State or Federal courts they are entitled to the same Constitutional protections as other defendants. As a general matter, Indians

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47/ Public Law 90-284; 25 U.S.C. 1301, et. seq.

are also entitled to the same Federal and State benefits, programs and services as other State and Federal citizens. From time to time, however, States have attempted to deny Indians participation in State programs on the grounds that their entitlement to special Federal programs made them ineligible. A law of the State of California for example, declared that a local public school board could exclude Indian children from attending if the United States Government maintained a school for Indians within the school district. The California Supreme Court held that the law violated the State and Federal constitutions.[48/]

One justification commonly used by States for excluding Indians from participation in State programs and State services has been that Indians do not pay taxes. The restricted status of Indian land renders it immune from State and local taxation and, with certain statutory exceptions, income derived from the land is likewise nontaxable. Other local, State and Federal taxes commonly paid by citizens, including sales taxes, are paid by Indians. Indians pay State taxes on all nontrust property and are obligated for all fees and taxes for the enjoyment of State privileges, such as driving on State highways, and all other taxes which reach the entire population.[49/]

48/ Piper v. Big Pines School District, 193 Cal. 664, 226 pac. 926 (1924).

49/ See memorandum, Solicitor for the Department of Interior, April 22, 1936, holding that the Social Security Act was applicable to Indians.

All attempts to treat Indian citizens differently or to exclude them from State and local programs raise clear Constitutional questions. As the Chief Counsel of the Bureau of Indian Affairs stated in a memorandum dated July 8, 1953, concerning the refusal of the State of North Dakota to admit and care for feebleminded Indian children in State schools under the same rules and conditions applicable to the admission and care of non-Indians, "such refusal [by the State] to treat Indians in the same manner as non-Indians would appear to deprive the Indians of equal protection of the laws guaranteed by the Fourteenth Amendment to the Federal Constitution."

Wardship:

There has been some confusion regarding the status of American Indians because of the common notion that Indians are "wards" of the Federal Government. The Federal Government is a trustee of Indian property, not the guardian of individual Indians. In this sense, the term "ward" is inaccurate. Indians are subject to a wide variety of Federal limitations on the distribution of property and assets and income derived from property in Federal trust. Land held in trust for an Indian tribe or for an Indian individual may not be sold without prior approval of the Secretary of the Interior or his representative (the Bureau of Indian Affairs). Related restrictions limit the capacity of an Indian to contract with a private attorney and limit the heirship distribution of trust property. Many Americans erroneously believe that as wards of the Federal Government Indians must stay on

reservations[50] and that they receive gratutious payments from the Federal Government. Indians do not in fact receive payments merely because they are Indians. "Payments may be made to Indian tribes or individuals for loses which resulted from treaty violations...individuals may also receive government checks for income from their land and resources, but only because the assets are held in trust by the Secretary of the Interior and payment for the use of the Indian resources has been collected by the Federal Government."[51] Like other citizens, Indians may hold Federal, State and local office, are subject to the draft, may sue and be sued in State courts,[52] may enter into contracts, may own property and dispose of property (other than that held in trust) and, as stated before, pay taxes. The large number of Federal and State laws and provisions which in the past denied Indians political rights and public benefits have either been legislatively repealed, ruled invalid by the Judicial branch or remain unenforced.

50/ Although originally true, this has not been the case for decades.

51/ United States Department of the Interior, Bureau of Indian Affairs, May 1968.

52/ In Re Celestine, 114 Sed. 551 (1902).

53/ I.e., Federal laws and regulations prohibiting Indians from buying alcoholic beverages were repealed in 1953.

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