Indian Affairs - Office of Public Affairs

Media Contact: Nedra Darling, OPA-IA Phone: 202-219-4152
For Immediate Release: June 17, 1972
Print PDF

Good afternoon ladies and gentlemen. It is a privilege to be here. Surely the presence of so much talent at the National Archives Conference on Research in the history of Indian-white relations underlines the importance of this event.

I want to thank Mr. James Rhoads, Archivist of the United States s Miss Jane Smith and Mr. Robert Kvasnicka s Directors of the Conference, for hosting this impressive agenda and this even more impressive assemblage. I think that Indian people need to have the complete record -- and I strongly emphasize complete record - set straight once and for all. It is thrilling that we have here today American spokesmen who will achieve this for Indian people.

When president Nixon "appointed me Commissioner of Indian Affairs in August 1969, I immediately set about the monumental task of acquainting myself with as much as possible of the written material about American Indians as is available in the Libraries and Archives of Washington, D.C. and New York. I confess I didn't even finish all of the Annual Reports of my predecessors in the Office of Commissioner of Indian Affairs. Nor was I able to get through even a small percentage of the massive collection of historical and social documents that make up the extant body of American Indian history.

I did, however, take note of the fact that most of what I read and reviewed had not been written by Indians. I realized that the very complex circumstances that would have made it possible for any estimable part of this history to have been written by Indians themselves did not exist when the largest part of it was written. From this experience I said to myself: The day will come soon when American Indians will write and judge their own history as it relates to the overall history of this continent. I think I can now say that it is no longer an impossibility for Indian scholars and writers to take charge of this academic territory.

Since I came to Washington in 1969, the face of Indian America has undergone some dramatic and far reaching changes. Not in this century has there been such a volume of creative turbulence in Indian country. The will for self-determination has become a vital component of the thinking of Indian leadership and the grassroots Indian on every reservation and in every city. It is an irreversible trend, a tide 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.

For the past three years I have been at the vortex of this surge toward true and lasting self-determination. The Bureau of Indian Affairs has been undergoing an unprecedented metamorphosis, which I'm sure many of you know about.

Soon after I assumed the position of Commissioner, I announced, with President Nixon's approval realignment of the top positions in the BIA Central Office and: appointed a new executive staff composed of 15 Indians and Alaskan Natives. This marked a milestone in BIA history. Today more Indians than ever before are holding key BIA management positions and working to implement the self-determination policy of this Administration. Indian direction of Indian affairs has become the cornerstone for policy-making in the Nixon Administration.

In his July 1970 special message to the Congress on Indian affairs, President Nixon set forth future Federal Indian policy directions. He called for a "New era in which the Indian future is determined by Indian acts and Indian decisions." The President urged the Congress "To renounce, repudiate and repeal" the policy of terminating Federal aid to Indian reservations expressed in 1953 in House Concurrent Resolution 108. Last December, the Senate acted on this recommendation to repeal the termination policy toward Indians and replace it with a new policy that would have self- determination a major goal. The switch was embodied in a "Sense of Congress" Resolution that was adopted by voice vote without dissent. The Resolution is now awaiting action in the House of Representatives.

In his Indian message, President Nixon announced proposals for Indian control of Indian education, Indian direction of federally funded programs, an Indian Trust Counsel Authority, an Indian credit program, an Assistant Secretary for Indian and Territorial Affairs in the Interior Department, and restoration of Blue Lake to the Taos Indians of New Mexico. The first of the President's proposals to be enacted was legislation returning Blue Lake and the surrounding land to the Indians of Taos Pueblo.

In keeping with the President's legislative proposals just mentioned, my staff and I began working to restructure the Bureau at all levels so that its policies and programs would reflect more closely the thinking and feelings of Indian people. Five policy goals were announced in November 1970 to guide the Bureau in its new administration of Indian affairs: 1. Transformation of the BIA from a Management to a Service Organization; 2. Reaffirmation of the trust status of Indian land; 3. Making the BIA area offices fully responsive to the Indian people they serve; 4. Providing tribes with the option of taking over any or all BIA program functions, with the understanding that the Bureau will provide assistance or assume control if requested to do so; and 5. Working with Indian organizations to become a strong advocate of off-reservation Indian interests.

The idea of self-determination -- the right of Indians to their own choice and decisions -- is, as I indicated earlier, coming a reality as Indian people begin to assume the authority manage their own affairs. In his message, President Nixon proposed legislation which would empower tribes, groups of tribes, or any other Indian community to assume the control or operation of federally-funded and administered programs. As the BIA is gradually being converted from a Management Organization to an Agency of Service, Counsel and Technical Assistance, we are encouraging and assisting tribes in their assumption of program operations. We cannot and do not intend to force this policy on the Indian people. We are allowing them to decide whether they want to take over programs and, if so, how much responsibility they are willing to assume.

The Zuni Tribe of New Mexico accepted the responsibility for directing BIA activities at the Pueblo in May 1970."' Almost a year later, the BIA signed a contract with the Miccosukee Tribe of Florida enabling them to administer BIA programs on the reservations.

The response to this take-over policy has been a somewhat cautious one. Many tribes have waited to see how others responded and how the few tribes that have assumed control fare under the Federal-tribal relationship. Indian people still remember the disastrous results of the termination policy of the 1950's.

A legal vehicle for tribal takeovers of BIA program activities been the Buy Indian Act of 1910. But Indian contracting within Bureau has evolved from procurement of needed supplies into a method for training and employment of Indians, and finally, into an instrument for greater Indian involvement in the conduct of their own affairs. In Fiscal Year 1972, dollar value of Buy Indian contracts between Indian tribes and the BIA will reach an estimated $42.5 million in 1969, only $3.8 million in contracts

were negotiated between Indian groups and the Bureau.

We in the Bureau have been keenly aware of the recent emergence of a strong and positive attitude on the part of Indian people that they want and will have better lives. 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 has advised the Bureau on numerous matters relating to policies, budgets, and programs affecting reservation Indians. As Chairmen, they are men who know first-hand what problems are facing their people and what solutions are needed to solve these problems. Through this group, the National Congress of American Indians, the National Council on Indian Opportunity, and other groups, reservation Indians have presented a single, united voice in shaping the future of Indian affairs.

During the past few years we have also witnessed Indian organizations such as the American Indian Movement working to bring recognition to the problems of 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 last two decades has resulted in more than 350,000 Indians living off the reservations today.

Under its current policy, the Bureau limits BIA services to reservation Indians with some exceptions. There are, however, many people both in the Bureau and outside who believe that the Federal trust responsibility extends to tribal Indians wherever they are. The Government's trust responsibility is to people, not land, and any attempts to deprive Indians of their treaty and constitutional rights is a subversion of sovereignty and the trust responsibility.

In January 1972, the Bureau of Indian affairs announced plans for a re-direction of the BIA's programs for the future. We presented a five-point program designed to assist Indians toward self-determination through economic, educational and social development on the reservations.

Today we believe that all people should have the right to determine their own destinies. Unlike past programs which have all been designed to lead to Indian assimilation, the new BIA program directions deal with developing natural and human resources on the reservations not off. All programs and policies are aimed at establishing viable economies for the growth of self-sustaining Indian communities.

The number one priority in 1972 is a reservation-by-reservation development program. There is a great need on reservations for an overall developmental plan which integrates all of the tribe's natural and human resources. In the past, program areas have often been in conflict with one another because of the lack of such a plan. The Bureau is now assisting 28 tribes who were selected to participate in the Bureau's Reservation Acceleration Program, better known as RAP. Other tribes from Oklahoma and California are being selected for the BIA's Tribal Acceleration Program, TAP. These tribes are negotiating changes in existing local BIA program budgets to insure that these programs support tribal priorities.

This year an intense collective tribal consultation on the BIA budget was considered and is being meshed with the Fiscal 1974BIA budget process. We now feel that we are on the brink of making self-determination and consultation an operational reality.

A new thrust is being provided to the Indian forestry program on those reservations which have significant areas of commercial forest lands. Until now, a large part of the Federal Government's costs for administering the reservation forestry programs has been reimbursed by deducting administrative fees from the stumpage prices paid by purchasers of Indian timber. Effective July 1, 1972, the tribal owners of such forest lands will be given the opportunity to invest those fees in the intensified development· of their tribally-owned forests, rather than to have it credited to Federal accounts in' the Treasury. The total amount of the fees that will thus be diverted into intensified forest management is expected to average approximately $3 million per year. This will not only contribute to a stronger economic base for the local Indian communities, but will substantially increase the contribution made by Indian forest lands to the Nation's requirements of lumber and other forest products.

To assist with development on the reservation, we are redirecting our Employment Assistance Program to develop manpower on the reservations. As many of you already know, the BIA Employment Assistance Program was an outgrowth of the termination policy of the 1950’s designed to relocate Indians in urban areas where jobs were thought to be more plentiful. For some, the relocation strategy worked, but for many it’s meant removal to an urban ghetto. At the same time, it has meant a draining from the Indian communities of those who could best become leaders at home. Now, the relocation strategy has been revered and employment assistance resources are being directed into the reservation economies instead of dissipating in the non-Indian communities. Indian men and women are being trained for work, not in the cities, but in their own home areas.

One of the most exciting methods of implementing this program is the Indian Action Team." The Indian Action Team is a self-help program in which the tribes identify their needs and problems and train their tribal members through specific work projects on the reservations.

Legal issues with regard to water in the Western United States arise only when the resource becomes scarce. The competition for the water becomes intensive because in the arid West, water is money. At this date, there is an increasing demand for water to support the economic growth of the American West. However, there is a limited supply. As a result, Indian people reserved right to water is not very popular with other interests. Secretary of the Interior Rogers Morton established an Indian Water Rights Office to protect Indian water resources. This office is undertaking inventories of the water resources available and is carrying out studies for establishing and confirming the water rights of Indians. We will establish firmly tribal rights to water, thereby protecting them so that the tribes may be assured that they have the water they need in the development of their reservations. The Office of Indian Water Rights reports directly to me; and I in turn report directly to the Secretary of the Interior on water rights issues. This procedure was designed to avoid the conflicting interest of other Interior Department agencies. We are now considering further proposals which will assure us of eliminating any conflicts.

Roads are the basic physical infrastructure upon which all social and economic systems develop. The treaty relationships established the obligation of the Federal Government to build an Indian road system. One of the most shocking statistics of American history that not one linear foot of roads was constructed from 1900 to 1935, the period when mainstream America built its basic road system.

Today, of the Bureau's 21,665 miles of Indian roads, only 1,000 miles are paved. We will upgrade this to a 10,000 mile paved system by 1978. This has meant increasing our road budget from $20 million a year to $106 million a year and will ultimately require more than $800 million over a seven-year period.

The final; but very vital part of our five-point plan calls for more tribal control of education programs. In accordance with the policy enabling tribes to assume control of federally-funded programs, the BIA believes that any Indian community wishing to do so should be able to assume control of its own schools. We recognize that in order for Indian educational programs to become truly responsive to the needs of Indian children and parents, it is imperative that the control of those programs be in the hands of Indian communities. In 1972 we have It' Federal schools controlled by Indian corporations, 4 statewide Johnson-O'Malley programs operated by tribes, 75 other educational programs operated by tribal groups, and 3 reservation junior colleges controlled by Indians. We hope to have at least half of all BIA schools under Indian direction by 1976.

Local Indian communities not ready to undertake actual responsibilities toward the schooling of their children have, in increasing numbers,' formed advisory boards of education. Today, all of the BIA's 200 elementary and secondary schools have Indian Advisory School Boards which are assuming greater management of the schools' curricular, staffing, construction and educational objectives.

Our education staff is now working on establishing goals in education by which we can measure our own progress over the next four years. We are planning to establish a management information system which will monitor our program successes and failures. We are also making plans to establish a Student Bill of Rights that will be in effect by the opening of the Fall Term in September.

Since my appointment I have repeatedly emphasized that we are advocating self-determination and repudiating the paternalism and termination of past national Indian policies. We must and we will' continue to oppose any doctrine of termination under whatever name and in whatever form. The Menominee Restoration Act is presently before the Congress. I personally have been working closely with both the tribe and concerned Federal officials to improve the conditions of the tribe. A lengthy Bureau economic evaluation actually documents the catastrophic effects which termination has had on this group. We are working to have the full range of Bureau services OLC again made available to the Menominee’s. In addition, the trust status of Menominee County should be reinstated so that the dissipation of their land ceases.

We are committed to a policy of tribal involvement in Indian --' programs and in the operation of activities providing services to Indian people. The purpose of this policy is to cause Bureau, administration to be more responsive to the views of Indian people and to give Indians the opportunities to gain experience in the administration of activities affecting their own people. Two important parts of this policy are consultation in the selection of Bureau employees for certain positions and consultation on general personnel programs.

Section 12 of the Indian Reorganization Act contains a statute which relates to Indian preference in employment within the Bureau of Indian Affairs. The interpretation of this Act has been the source of considerable interest in recent years. The Indian Preference Law, if not understood in its economic and historical context, may very well be misunderstood. We feel that this is not a racial matter, but merely an attempt by the framers of an enlightened law to give the Indian people the fight to control the programs which relate to their own domestic dependent nations. Recognition of this fact is even contained in the Civil Rights Act of 1964. The authors of the Act avoided impairing the relationship between Indian tribes and the United States. As a matter of fact, it exempted enterprises and businesses on or near Indian reservations from the prohibitions of the Act. This has had the, effect of extending the preference Act by creating a private employment preference right to Indians. The Act enables tribes to hire Indians 100 percent in private businesses or enterprises on the reservations.

Indian Attorney Browning Pipestem most appropriately titled his position paper on the subject, "Indian Preference -- A Preference to Conduct Self-Government." Until now, preference has only been applied to initial appointment. Our proposal to the Secretary of the Interior contains a request to extend Indian preference to promotions. We expect momentarily an affirmative answer to that request.

A most essential part of the self-determination policy is financial independence. Because of a lack of understanding of Indian matters, the private banking industry of the United States has not been adequately serving Indian financial requirements. The placement of industries on the reservations and the development of Indian natural resources have brought to our attention the need of a financial service to Indian individuals and Indian tribes. The American Indian National Bank was established to help fulfill this need. This Bank is not competitive with the private banking industry, but is an adjunct and an educational procedure to teach banks that banking with Indian people is not an unachievable objective. The American Indian National Bank will have its headquarters in Washington, D.C., with services extended to reservations that can justify the establishment of such a facility. Stock in the bank will be owned by the Indians.

We have recognized for some time a very important area in our relationship with tribes, especially the small tribes and poor tribes that has been not only overlooked but avoided. Simply stated, many tribes do not have the money to carry on their most basic governmental functions -- this being the case in spite of the fact that over the years we have pushed on the tribes, elaborate governmental plans and structures supposedly to illustrate self-government. Couple this with the very real fact that the BIA has never had enough money or staff to supply services to many of the smaller Indian tribes. In order for the small tribe’s to get "a piece of the action," we hope to fund a new program of aid to tribal governments which, for the first time, should provide money for these fiscally poor tribes to use to conduct their own tribal government, efficiently and adequately. We are working now to inaugurate this program at the earliest possible date.

I think that all of this -- aid to tribal governments, an aggressive National Tribal Chairmen's Association, an Indian Bank, the Indian Action Teams, Tribal Control of Indian Education and a strong Bill of Rights for BIA boarding school students, roads on the reservations, establishment of viable Indian economies, Indian preference and consultation -- spells self-determination as we have been trying to identify it in our efforts during this Administration. This we are doing in a time when American Indians have more direct involvement with the Federal Government than ever before in determining the shape and direction of the policies and programs that vitally affect their lives.

I think that all of this, once finally achieved and implemented, and many other self-determination programs now in the planning stage, will be the subject matter of American Indian history for the 1970's that will reflect an era, the long-awaited era, when Indian people achieve full recovery from the unjust past, achieve equality and justice in this society and respond to the challenge of making an outstanding contribution to the advancement of all things human in this land.

To conclude this on a practical and realistic note, and lest I seem too euphoric, I have only to read my daily mail to know that, no matter how hard we try or how sincere our efforts are, it is never fast enough and there is never money enough. We are fortunate if we accomplish just a little and please a few. We will keep trying as best we can for more. That is our assigned task, our solemn responsibility. Indian self-determination is going to be a complete reality not too far ahead of today, and when it is, one of the incomplete chapters of American history will then have been completed.