Senator Arthur V. Watkins (R-Utah) Outlines Termination. Excerpt from Watkins, "Termination of Federal Supervision: The Removal of Restrictions over Indian Property and Person," *Annals of the American Academy of Political and Social Science*, May 1957.

Virtually since the first decade of our national life the Indian, as tribesman and individual, was accorded a status apart. Now, however, we think constructively and affirmatively of the Indian as a fellow American. We seek to assure that in health, education, and welfare, in social, political, economic, and cultural opportunity, he or she stands as one with us in the enjoyment and responsibilities of our national citizenship. It is particularly gratifying to know that recent years of united effort, mutual planning, and Indian self-appraisal truly have begun to bear increasing fruit.

One facet of this over-all development concerns the freeing of the Indians from special federal restrictions on the property and the person of the tribes and their members. This is not a novel development, but a natural outgrowth of our relationship with the Indians. Congress is fully agreed upon its accomplishment. By unanimous vote in both the Senate and the House of Representatives termination of such special federal supervision has been called for as soon as possible. Of course, as with any such major social concern, methods vary in proposed solutions and emotions sometimes rise as to how the final goal should best be reached. A clear understanding of principles and events is necessary. Here the author seeks more to be factual and informative rather than argumentative and dogmatic. . . . After all, the matter of freeing the Indian from wardship status is not rightfully a subject to debate in academic fashion, with facts marshalled here and there to be maneuvered and counter-maneuvered in a vast battle of words and ideas. Much more I see this as an ideal or universal truth, to which all men subscribe, and concerning which they differ only in their opinion as to how the ideal may be attained and in what degree and during what period of time.

A little more than two years ago—June 17, 1954—President Dwight D. Eisenhower signed a bill approved by the Eighty-third Congress that signified a landmark in Indian legislative history. By this measure's terms an Indian tribe and its members, the Menominee of Wisconsin, were assured that after a brief transition period they would at last have full control of their own affairs and would possess all of the attributes of complete American citizenship. This was a most worthy moment in our history. We should all dwell upon its deep meaning. Considering the lengthy span of our Indian relationship, the recency of this event is significant. Obviously, such affirmative action for the great majority of Indians has just begun. Moreover, it should be noted that the foundations laid are solid.

Philosophically speaking, the Indian wardship problem brings up basically the questionable merit of treating the Indian of today as an Indian, rather than as a fellow American citizen. Now, doing away with restrictive federal supervision over Indians, as such, does not affect the retention of those cultural and racial qualities which people of Indian descent would wish to retain; many of us are proud of our ancestral heritage, but that does not nor should it alter our status as American citizens. The distinction between abolishment of wardship and abandonment of the Indian heritage is vitally important. I wish to emphasize this point, because a few well-intentioned private organizations repeatedly seek to influence Congress to keep the Indian in a restricted status by urging legislation to retain him as an Indian ward

and as a member of a caste with social status apart from others, not basically as what he is—a fellow American citizen.

These organizations have presented some proposals to Congress impossible of accomplishment, but likely to produce argumentation and thus to protract debate beyond reasonable limits. In this manner they apparently seek to justify a continued role as presumable spokesmen for Indian tribes. Likewise, it should be noted that in legislative considerations various other private organizations and serious-minded periodicals have been used as devices propagandizing viewpoints based upon assertions known to Congress to be contrary to the facts upon Indian conditions. Special interests are of course involved in other ways; thus commercial companies having specific reservation leases may be reluctant to see terminal programs proceed, feeling that their own economic interests may be jeopardized. And again, state co-operation in the assumption of responsibilities for their Indian citizens has not always been consistent. Historically, however, the Congress, although perhaps more or less ineffectively until recent years, has sought in the nineteenth and early twentieth centuries to free the Indian. A full study of Congressional actions will bear this out. Freedom for the Indian was the goal then; it is the goal now.

Unfortunately, the major and continuing Congressional movement toward full freedom was delayed for a time by the Indian Reorganization Act of 1934, the Wheeler-Howard Act. Amid the deep social concern of the depression years, Congress deviated from its accustomed policy under the concept of promoting the general Indian welfare. In the postdepression years Congress—realizing this change of policy—sought to return to the historic principles of much earlier decades. Indeed, one of the original authors of the Act was desirous of its repeal. We should recall, however, that war years soon followed in which Congress found itself engrossed in problems first of national defense and then of mutual security. As with many other major projects, action was thus delayed.

We may admit the it-takes-time view, but we should not allow it to lull us into inaction. Freedom of action for the Indian as a full-fledged citizen—that is the continuing aim. Toward this end Congress and the Administration, state and local governments, Indian tribes and members, interested private agencies, and individual Americans as responsible citizens should all be united and work constantly. The legislatively set target dates for Indian freedom serve as significant spurs to accomplishment. Congress steadily continues to inform itself, to seek out, delimit, and assist those Indians most able to profit immediately by freedom from special supervision, and it acts primarily to speed the day for all Indian tribes and members to be relieved of their wardship status. A basic purpose of Congress in setting up the Indian Claims Commission was to clear the way toward complete freedom of the Indians by assuring a final settlement of all obligations—real or purported—of the federal government to the Indian tribes and other groups.

This picture we must keep in mind when considering the steps that will be taken during the Eighty-fifth and succeeding Congresses and in understanding the setting in which the Eighty- third and Eighty-fourth Congresses acted to directly further the freedom program.

Let us now briefly consider the work of these two recent Congresses.

In 1953 during the Eighty-third Congress the members of the Senate and the House unanimously endorsed a statement on Indian policy that has continued to be in its general terms the guiding course of Congress. This action taken in the first Session, designated as House Concurrent Resolution 108, should be carefully noted in full:

Whereas 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, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now therefore, be it

Resolved by the House of Representatives (the Senate concurring),

That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following-named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from the disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potawatomi Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas, and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation, as in his judgment, may be necessary to accomplish the purposes of this resolution.

Thereafter there were bills introduced and hearings held in 1954 on twelve Indian groups totaling 1,715 printed pages. As a result Congress enacted legislation providing for release of federal supervision over the property and individual members of the Alabama and Coushatta Tribes of Texas, the Klamath of Oregon (Klamath and Modoc Tribes and the Yakooskin Band of Snakes), the Tribes of Western Oregon (Grand Ronde, Siletz), the Menominee Tribe of Wisconsin, and certain tribes in Utah (Shivwits, Kanosh, Koosharem and Indian Peaks Bands of Paiutes; the mixed-blood Uintah and Ouray [Utes]). All of the above except the Utah Indians were specified in House Concurrent Resolution 108.

Approximately ten thousand Indians were thus set on the road to complete citizenship rights and responsibilities. .

During the Eighty-fourth Congress legislation resulted in approval of releasing federal control over the property and individual members of three tribes in Oklahoma—the Peoria, Ottawa, and Wyandotte. Each of these tribes voluntarily adopted a resolution requesting the introduction and enactment of terminal legislation.

Secluded reservation life is a deterrent to the Indian, keeping him apart in ways far beyond the purely geographic. By way of preparation for future decontrol programs, the Eighty-fourth Congress. . . passed the Vocational Rehabilitation Act to assist Indians to adapt themselves more readily to off-reservation life. Self-reliance is basic to the whole Indian-freedom program. Through our national historic development the Indian was forced into a dependent position with the federal government more and more, as America advanced westward, tending to sublimate his natural qualities of self-reliance, courage, discipline, resourcefulness, confidence, and faith in the future. Congress has realized this, and has steadily acted more positively to restore to the Indian these qualities. But self-reliance demands opportunity to grow. The Indian must be given the conditions under which—and only under which—self-reliance can be wholeheartedly regenerated.

Experience developed in carrying out the legislation adopted by the Eighty-third Congress for freedom from special federal control over Indians will be a valuable guide in continuing to develop further freedom-program bills. Generally, this experience has shown that other factors being equal, the smaller and rather well assimilated tribes or other groups, having relatively minor and cohesive property or other value interests easily adjustable to individual shares, appear the more likely subjects for prompt release from federal controls. And conversely, rather unassimilated and/or large groups with quite major or intricate property or other value interests require more time, patience, and mutual understanding in moving toward eventual freedom from their federal wardship status.

The Commissioner of Indian Affairs, Glenn L. Emmons, has noted that one of the most helpful and promising courses toward termination is by voluntary request of the Indian groups themselves. In an informal statement on January 31, 1956, at a House subcommittee hearing on appropriations Emmons remarked:

In a number of areas, tribes have taken the initiative in exploring the means of programming their way toward eventual self-determination, that is, the Sisseton-Wahpeton Tribe in the Aberdeen (S.D.) area, the Makah and Colville Tribes in the State of Washington, several urban colonies in Nevada, the tribes in the Quapaw jurisdiction in eastern Oklahoma,...

. . in order for projects to be meaningful to the tribal groups, they must be developed at the local level in consultation with the tribal groups affected, and there must be a continuous follow-through in the development and implementation of the program proposals.

On April 12, 1956, in a major memorandum to all of the Bureau area directors and superintendents, Commissioner Emmons again referred particularly to the value of voluntary Indian group action. He said in part:

A good program is one which results from the desires of and fits the needs of a particular group of Indians. In whole or in part the program should, if possible, be the work of the Indians themselves.

As to the question of legislation Emmons specifically noted that:

in some cases, it may develop that special legislation will be necessary to forward a group's basic program. In other cases the Indian group may feel that the group's cultural assimilation and integration into the community life about them has progressed to the point where they desire early congressional consideration of termination legislation. In either case, the Area Director should advise the Commissioner with a view to arranging for special guidance and assistance.

The basic principle enunciated so clearly and approved unanimously by the Senate and House in House Concurrent Resolution 108 of the Eighty-third Congress continues to be the overall guiding policy of Congress in Indian affairs. In view of the historic policy of Congress favoring freedom for the Indians, we may well expect future Congresses to continue to indorse the principle that "as rapidly as possible" we should end the status of Indians as wards of the government and grant them all of the rights and prerogatives pertaining to American citizenship.

With the aim of "equality before the law" in mind our course should rightly be no other. Firm and constant consideration for those of Indian ancestry should lead us all to work diligently and carefully for the full realization of their national citizenship with all other Americans. Following in the footsteps of the Emancipation Proclamation of ninety-four years ago, I see the following words emblazoned in letters of fire above the heads of the Indians—THESE PEOPLE SHALL BE FREE!