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A NEW BEGINNING OR THE LAST HURRAH: AMERICAN INDIAN RESPONSE TO REFORM LEGISLATION OF THE 1970s*

EDMUND J. DANZIGER, JR.

Commenting on the federal government's self-determination legislation of the 1970s, Cecil D. Williams, Chairman of Arizona's Papago Tribe, admitted that the "BIA [Bureau of Indian Affairs] still has a lot to say, but the direction now comes from the tribe. . . . There are still a lot of problems. But self-determination is the best thing that has come along yet, and it should mean a brighter future for Indians."¹ For Williams and numerous other Native leaders, the Seventies was a time of significant reform in Washington's Indian policy and a consequent improvement in the status of their people.

Indian judgments were not unanimous. For some the Seventies was an era of frustration and dashed hopes. Testifying before

*This paper does encapsulize the major federal legislation affecting American Indian political rights during the 1970s. However, the positive anticipations for American Indian life emerging from the late 1960s and the 1970s have been subverted in the 1980s by the election of Ronald Reagan to the Presidency. "Reaganomics" has resulted in widespread reductions in employment, health services, childcare, housing, etc. for American Indians at reservations and in cities across the U.S.—Editor

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the United States Senate, Joseph De La Cruz, Chairman of the Quinalt Tribe of the State of Washington and head of the National Tribal Chairmen's Association, lamented:

I, along with other tribal chairmen, greeted the passage of that [Self-Determination] Act in 1975 with hope that Indian tribes finally would be able to administer their new programs without confusion and conflict. I cannot report to you today that we still have such hope.

.....
[T]he BIA maintains the same functions, operations, programs and personnel with little perceptible change. The only real change is the increasing frustration of tribes as they attempt self-determination and find themselves once again jammed into the total BIA system.²

This mixed response, tinged with despair, contrasted sharply with the general optimism of Native communities upon the enactment of reform legislation earlier in the decade. What events of the 1960s had prompted Washington to make such a sweeping modification of United States Indian policy and its administration? How did the White House and Capitol Hill specifically try to assist Native peoples? By the late 1970s, how was the Indian leadership divided about the fruits of this legislation—and why? Finally, now that we are several years beyond this decade, how are its reforms likely to be judged in the grand sweep of American Indian history? This essay will present preliminary answers to each of these important questions.

Indian reform acts of the Seventies were triggered by three sets of historical factors. First, several national task forces, commissions, and congressional committees investigated reservation living conditions in the 1960s and uncovered many problems. Some involved government administration of Indian affairs; others stemmed from low levels of health, education, and family income.³ Perhaps the most shocking was the Senate Special Subcommittee on Indian Education's 1969 study, *Indian Education: A National Tragedy—A National Challenge*. The Kennedy Report, as it came to be called (Senator Edward Kennedy chaired the group during the final months of research and writing) was the culmination of two years of extensive research. Once gathered, the data left no doubt in the minds of committee members that the federal government's policy of coercive assimilation had had

"disastrous effects on the education of Indian children."⁴ But what could Washington do to improve Indian education and reduce reservation poverty? Amidst a multitude of recommendations, one theme predominated. The "objective which should undergird all Indian policy," reported the Commission on the Rights, Liberties, and Responsibilities of the American Indian, was that "the Indian individual, the Indian family, and the Indian community be motivated to participate in solving their own problems."⁵

Native American ferment during the Sixties and early Seventies, coupled with presidential encouragement for reform, also galvanized Washington legislators. Because the press so often headlined vigorous Indian protests, the force they exerted for change should still be fresh in the minds of Americans: the fish-ins, the occupation of Alcatraz Island as well as several BIA offices, the Trail of Broken Treaties Caravan to Washington, and the dramatic confrontation at Wounded Knee.⁶ The role of the White House was less obvious. The Kennedy Administration began the subtle shift away from the termination policy and toward self-determination for Indian communities. But during the Johnson years Indian matters received major attention. Natives benefitted from Great Society programs provided by agencies other than the BIA. For the first time reservations assumed full administrative responsibility for selected federal programs.⁷ Another "first" occurred on March 6, 1968: Lyndon Johnson delivered a Special Message to Congress entirely devoted to problems of the American Indian. The lengthy program which he proposed sought:

to promote Indian development by improving health and education, encouraging long-term economic growth, and strengthening community institutions.

Underlying this program is the assumption that the Federal government can best be a responsible partner in Indian progress by treating the Indian himself as a full citizen, responsible for the pace and direction of his development.⁸

Richard Nixon maintained the pressure on Congress, and in his own Special Message of July 8, 1970 underscored that the time had 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."⁹ Hence, by 1970, the psychological environment favored change in Indian affairs.

New federal legislation touched every facet of Indian life—on and off the reservations. The Alaska Native Claims Settlement of 1971 and the Menominee Restoration Act two years later, for example, increased the material resources available to aboriginal people,¹⁰ whereas the 1979 Archeological Resources Protection Act secured endangered sites on Indian lands which were deemed an irreplaceable part of the Nation's legacy.¹¹ With the Indian Financing Act, Congress pledged loans to help develop and utilize Indian resources.¹² Section 302 of the Comprehensive Employment and Training Act of 1973 (CETA) cited the pressing need for these programs among Indian and Alaskan Native communities. Congress directed the Secretary of Labor to contract with Indian governing bodies whenever possible in order to provide the new manpower services created by this legislation. (CETA quickly became the prime source of funding for the day-to-day operations of tribal governments and urban Indian organizations. In fiscal year 1978 the Department of Labor made 160 employment and training grants to Indian and Native sponsors in 43 states. The cost was \$200 million and over 100,000 persons participated.)¹³ The Indian Child Welfare Act of 1978 committed Washington to oversee any removal of these youngsters from their families and to encourage their placement in foster or adoptive homes which taught unique Indian cultural values. In the same vein that year, a Senate and House joint resolution declared that it was United States policy to protect and preserve American Indian religious freedom, including "worship through ceremonies and traditional rites."¹⁴

The keystone of federal reform, which also evoked the most intense Native response, was the 1975 Indian Self-Determination and Education Assistance Act. It openly confessed that

prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self-government, and has denied to the Indian people an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities; . . . ¹⁵

To assure maximum Indian participation in the future, the secretaries of the Interior Department and of Health, Education, and Welfare (HEW) were directed, upon the request of any Indian tribe, to enter into contracts to design, carry out, and evaluate programs and services previously provided by the federal government.

Despite the optimism which attended passage of the Self-Determination Act, Indian complaints about its grass roots implementation soon resounded through the halls of Washington. De La Cruz complained at United States Senate hearings that the BIA had tied the new Indian contracts to its own narrow and pre-existing priorities. The tribes must operate programs which this agency had failed to run satisfactorily, thereby frustrating Native efforts to take new directions as anticipated by the act.¹⁶ Disappointment was also voiced on Capitol Hill by Charles Johnson, Executive Vice President of Kawerak, Incorporated (the Bering Straits Native Association):

The B.I.A. determines what services are to be delivered regardless of the needs identified by the Native people of our region. Last year a survey of 465 village parents identified bilingual education as a high priority for village schools yet this was dismissed by the agency superintendent since it was not identified as a priority by the B.I.A.¹⁷

Just as infuriating to Indian leaders was the bureaucracy of the contracting process. Voluminous paperwork, delays associated with the reimbursement voucher system of payment, little incentive for long-range planning, uncompromising federal bureaucrats: each was debilitating and ultimately undercut tribal control. Ted Risingsun, a Northern Cheyenne, reported to Senator James G. Abourezk that in 1978 his Tribal Council had about forty contracts and grants with the BIA and Indian Health Service (IHS). During these negotiations the Council had encountered "every known obstacle" as the BIA "attempted to thwart, interpret, or ignore the congressional intent."¹⁸ "One can only marvel at the ingenuity of the BIA when it does not want to do something," added the Tlingit and Haida of Alaska:

The BIA has interpreted the language of the Act in such a way as to give them *more*, rather than less authority over all programs within the purview of the Indian

Self-Determination Act. It has effectively put the BIA into the driver's seat. Congress unequivocally did not intend this result.

.....
In sum, we contend that the BIA administration has taken one of the most thoughtful and progressive congressional policies in the last thirty (30) years and turned it on its head. It has, in fact, worked against true Indian Self-Determination.¹⁹

Indeed, considering the Interior Department's implementation of the act through its rules and regulations, Johnson suggested that its name be changed to the "B.I.A. Self-Perpetuation Act."²⁰

Not all Indian judgments were negative. Even De La Cruz admitted that a miraculous amount of power had been transferred from the federal government to the tribes. On Cecil Williams' Connecticut-size reservation, tribesmen were enthusiastic about the accomplishments of 1970s-style Indian assertiveness when coupled with government receptivity to local input: improved roads, a new Papago headquarters building, a children's center, and the upgraded school system. The unemployment rate had also been reduced from 70 to 38 percent between 1973 and 1978.²¹ Another Native leader, equally enthusiastic about the potential of self-determination, was Forrest J. Gerard, a member of the Blackfeet Tribe of Montana and since September 1977 Assistant Secretary of the Interior for Indian Affairs. He admitted to Congress that there had been "a lot of growing pains" for both the BIA and the tribes and that recent government studies had found the Bureau "wanting in the management planning, executive control, and staff communication areas essential for the timely provision of human resource and welfare services." Gerard proposed administrative reforms which would alleviate these roadblocks to Indian self-rule. Meanwhile, by January 1978 his office had 537 contracts with Native groups at a dollar value of approximately \$137 million. This proved to him the tribes' willingness to exercise their new rights in spite of attendant difficulties.²²

A more coherent Native American response was elicited by federal legislation which applied the self-determination doctrine to specific problem areas in Indian life. For example, Congress passed the Indian Health Care Improvement Act in September

1976 because it found that, despite previous federal efforts, "the unmet health needs of the American Indian people are severe and the health status of the Indians is far below that of the general population of the United States." Furthermore, "All other Federal services and programs in fulfillment of the Federal responsibility to Indians are jeopardized by the low health status of American Indian people." The act explicitly set forth the national goal of "providing the highest possible health status to Indians"; then it authorized government funds to eliminate specific backlogs in Indian health care services. These included inadequate and understaffed facilities, Indian difficulty in gaining access to them, and a general insufficiency of services. Title V launched a new program to make health resources more available to urban Indians. The Indian Health Care Improvement law, like the Self-Determination Act of the year before, encouraged maximum Indian participation in the planning and management of these reservation and off-reservation services.²³

Indian response to the act's provisions was dramatic. By 1982 Native organizations operated 4 hospitals and 272 health clinics through contractual arrangements with IHS.²⁴ Without question Indian health services improved because of the increase in federal dollars. Title V authorizations alone helped to establish 10 new urban Indian health programs and to expand 31 previously funded centers. In fiscal year 1979 they provided the following services to patients and clients:

108,645	medical
33,893	dental
154,987	outreach and referral
77,188	other, which included mental health, nutrition, health education, and family planning ²⁵

Particularly impressive was the progress made by the Seattle Indian Health Board, which brought together the resources of federal, state, local, and private agencies in order to create a comprehensive network of services for the health needs of its Indian population. The Board's emphasis "on primary care and sensitivity to cultural values," reported Assistant Director Don Aragon, "has encouraged patient acceptance and utilization."²⁶ Nationally, too, it was an exhilarating time. According to John

Powless, Deputy Director of the National Indian Health Board, the tribes were

beginning to exercise their self-determination and sovereignty in the area of health. Tribal projects . . . are blossoming both in the number and range of areas into which tribes are entering. . . . We believe that when people talk about Indian health it no longer means just IHS, it means the total Indian health system—IHS plus those programs being administered by tribes.²⁷

As the major conduit for funneling federal health dollars to needy Native peoples, the IHS was predictably controversial. Doctor Everett Rhoades, a Kiowa Indian and Professor of Medicine and Microbiology at the University of Oklahoma, cast an understanding eye on IHS. Had not Congress altered IHS' primary role as a health provider and in the 1970s expected it also to be an environmental engineer, community developer, advocate of Indian people, and contract officer? Add to this (1) inadequate funding for IHS and (2) its "diverse and vocal constituency," which often did not understand the special constraints placed upon the agency, and the dilemma became clear.²⁸ John Powless likewise weighed the evidence. He concluded that agency shortcomings were "truly overshadowed by the areas in which IHS has admirably and successfully achieved its mission."²⁹ Nevertheless, tribal leaders flew off to Washington to lambaste IHS' implementation of the Indian Health Care Improvement Act. Charges resembled those directed against the BIA: IHS treated Indian contractors in a condescending manner rather than as equals; federal contracting officers dictated their own program priorities to Native groups; bureaucratic restrictions and buck-passing strangled self-determination with procurement and reimbursement delays as well as a lack of administrative accountability. To some critics, IHS was not even an effective advocate for Indians with Congress or HEW.

Wrath also fell upon Congress. Angry leaders of several national Indian organizations testified during the late Seventies that their people felt betrayed and disappointed because Washington's legislative commitment to improve Native health status had not been matched with adequate funding. Even the major deficiencies within IHS, Rhoades insisted, could be corrected with

sufficient operating monies.³⁰ Most outraged were urban tribesmen. Title V of the Indian Health Care Improvement Act had authorized a total of \$30 million to meet their needs for fiscal years 1978, 1979, and 1980. Instead, the actual appropriations were only \$11,200,000.³¹

Indian self-determination legislation of the Seventies was Washington's response to growing public anxiety over the human problems afflicting Native communities: poor health, low incomes, substandard housing, illiteracy. Focusing on education as the best remedy, the 1969 Kennedy Report first revealed the extent of our "National Tragedy." Then it presented a "National Challenge."

Washington responded aptly. In his July 1970 message to Congress, Richard Nixon noted that "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."³² Two years later he signed into law the Indian Education Act. Henceforth the United States would "provide financial assistance to local educational agencies [LEAs] to develop and carry out elementary and secondary school programs specially designed to meet these special educational needs." The commissioner of Education was directed to fund LEA demonstration projects in order to test the effectiveness of different types of educational programs for Indians of all ages. The law also authorized support for various school enrichment services: remedial and compensatory instruction, school health, physical education, psychological, and other services designed to assist and encourage Indian children to enter, remain in, or reenter elementary or secondary school; comprehensive academic and vocational instruction; instructional materials; guidance and counseling; as well as preschool programs. Two additional concepts were central to the act. Funding levels for LEAs would be based on the number of Indian children enrolled in their schools; furthermore, local policies and procedures would be determined by Indian parents in consultation with (1) teachers, (2) representatives of the LEAs, and (3) the Native community. Only by deliberating in this way and by utilizing "the best available talents and resources (including persons from the Indian community)," could the Indian Education Act expand the educational opportunities of Indian children and simultaneously help to preserve the heritage and cultural integrity of Native communities.³³

Noteworthy successors—the Indian Education Assistance Act (1975) and the Education Amendments Act (1978)—supplemented the funding for Indian students and schools. Increased too was the responsibility of Native parent committees for planning local educational programs.³⁴ Thus by the end of the decade Washington's innovative overall plan was in place.

The most conspicuous feature of Indian response to these educational programs was the high level of community participation. During fiscal year 1973, the start of operations under the Indian Education Act, Washington granted 507 Native organizations and school districts on and outside the reservations \$17 million. Their number and the aggregate funding level more than doubled the next year.³⁵ Although the 1972 act covered the entire spectrum of Indian education—from early childhood to college and beyond—the bulk of federal monies were awarded under Part A of the law which focused on elementary and secondary students. HEW's new Office of Indian Education (OIE) allotted funds to LEAs on a formula basis. This was \$129 per Indian pupil in fiscal year 1979. Nationally that year \$43.6 million went to 1,148 school districts in 42 states to benefit approximately 332,000 Indian and Alaskan Native students—80 percent of those eligible. Between 1973 and 1980, Congress appropriated under Part A \$220 million to school districts, most of which had high poverty rates and low incomes.³⁶

Federal agencies which awarded school grants were accused by some Native leaders of actually blocking their efforts to self-determine the education of Indian youngsters. The favorite target was OIE. It had primary responsibility for administering the 1972 act as well as the provisions of earlier legislation dealing with Native education. A typical censure came from the Oregon Indian Education Association in 1980. OIE flatly opposed local control. It circumvented and overrode parent committees; it instituted so many regulations that at times it was impossible to meet Indian students' needs. These inflexible, standardized rules frustrated parent groups and, Oregon insisted, were not intended by the Indian Education Act.³⁷ Other charges levied against OIE during the decade included (1) failure to provide adequate technical assistance for resolving local administrative problems, (2) disruptive interference with parent committees, (3) refusal to consult with Indian tribes and Indian people when making critical decisions in closed door secret meetings, and (4) permitting off-

reservation persons claiming little Indian blood to siphon off OIE money and other services meant for severely deprived reservation children.

Despite some predictably sharp criticism, most analysts judged that the 1970s reforms had improved Indian education. Stuart A. Tonemah, Executive Director of the National Advisory Council on Indian Education, noted that: "The opportunities provided by the Indian Education Act have been reflected in change, positive change in Indian and Alaska Native attitudes toward education." Executive Director of the Coalition of Indian-Controlled School Boards, Joe Dupris, declared the 1972 act "a landmark of achievement in Indian Education and . . . of utmost value to the Indian communities."³⁸ Even Jim Thornton, Vice President of the Oregon Indian Education Association, had to admit that, notwithstanding some difficulties in implementation,³⁹ "The Indian Education Act of 1972, and its subsequent reauthorization, have given Indian parents the opportunity to reaffirm a traditional involvement in the education of Indian children."

In conclusion, Native leaders clearly grasped the significance of the Indian education acts and other new opportunities in the 1970s. We must act decisively now to develop Native communities "in a manner beneficial to our people," urged Navajo Tribal Chairman Peter MacDonald, because self-determination opportunities could mean "a new beginning or our last hurrah."⁴⁰ Act they did: sponsoring millions of dollars in CETA programs across the United States; operating hospitals and health clinics through contractual arrangements with IHS; working through parent committees to reaffirm a traditional role in Indian education and to better meet the needs of their children.

The results were mixed, as this essay documents. Some Indians defended their implementation record on the grounds that they simply contended with normal self-determination start-up difficulties. Staunch critics, on the other hand, would have none of this. They villified Congress for reneging on its financial commitments and Executive Branch agencies—the BIA, IHS, OIE—for throwing up every conceivable roadblock in order to protect themselves and thwart grass roots Indian program control. Rose Silvey, CETA coordinator at the Detroit American Indian Center, concluded rather sadly that the 1970s reforms nationwide had provided Native communities with "only a Band-Aid over a gaping wound." Why had Washington promised so much and

delivered so little? Many Indians she knew concluded that the new initiatives had been designed to fail; that Congress' special appropriations were merely "conscience money."⁴¹

Disagreements were of course predictable. Community leaders faced deep-rooted cultural and social and economic problems not amenable to easy remedies, even in their own hands. Also constituents were impatient. Likewise understandable was Indian mistrust of any new federal program designed to "save" them, even one run by their own leaders. (Two centuries of wavering Washington policies and unkept promises had taken their toll.) Moreover, Native program designers, administrators, and evaluators often lacked experience, adequate financial resources, and technical assistance to do the job properly. Nor was there always community consensus about how to deal with economic development, health needs, and educational shortcomings. Little wonder that the preliminary response to 1970s self-determination legislation was mired in controversy.

Hampered by quarrelsomeness and by 1980 only beginning its assault on intractable Native community problems, the self-determination initiative was nevertheless a milestone on the twisting road of American Indian history. Certainly its comprehensiveness was remarkable. Legislation addressed even the special social and economic needs of urban Indians, who by the 1970s composed nearly half the Native population in the United States. Equally noteworthy was the shift in Indian policy goals and administration. Previous social experimentation programs emanating from Washington had resulted in "decades of confusion, hopelessness, and poverty" according to the American Indian Policy Review Commission. Then came a resolute break with the past, and the Commission could report in 1977:

It is the fortune of this generation to be the first in our long history to listen attentively to the Indians . . . and to heed their voices for the righting of wrongs, the ending of frustrations and despair, and the attainment of their needs and aspirations as Indians and as free and proud Americans.⁴²

If the Seventies were a time for new directions in federal Indian policy, were the results of reform measurable beyond the Potomac? Writing in 1976, historian Donald L. Parman judged

that the previous fifteen years constituted a revolution in Indian affairs that was "perhaps the most significant since the start of the reservation system in the nineteenth century." The University of Chicago's Robert J. Havighurst saw greater change and growth in the educational experiences of American Indians than in any other period.⁴³ Early in the 1980s when funding levels were threatened, the Senate Select Committee on Indian Affairs asserted that Indian education legislation was

one of the most efficient means of targeting funds for compensatory education to Indians. . . . With the program in place, Indian students show increases in test scores, increases in school attendance rates, and decreases in dropout rates.

.....
[E]ducation for Indian young people is of such importance, if the Indian population is ever going to move towards self-sufficiency, that these programs should not be reduced.⁴⁴

Sioux writer Vine DeLoria, Jr. was equally sanguine. Notwithstanding the lack of strong leadership from Washington and the lack of unity within the Indian community about future goals, Native people still "made substantial progress in a tangible sense with the plethora of new social programs. . . . One thing was certain: Indians had broken the back of the termination mentality and had emerged from the shadows of social neglect into a better day."⁴⁵

What about the future; were the Seventies a new beginning or the Indians' last hurrah? Certainly they were the former. Hence, novel opportunities await Native people during the closing decades of this century. Freedom has its limits of course. While attaining much self-determination in the fashioning, administration, and evaluation of government programs, poverty-stricken Native communities still depend on—and are extremely sensitive about—Uncle Sam's subsidies. No sooner had the Administration of Ronald Reagan, the Great Communicator, curtailed social programs and cut the BIA budget, for example, than the National Tribal Chairmen's Association lashed out and dubbed him "the great fork-tongued liar and the great deceiver who sits in the White House."⁴⁶

Besides continued funding, the Indians' new beginning demands help in another way—which involves students of American Indian culture. "One of the greatest obstacles faced by the Indian today in his drive for self-determination and a place in this Nation," observed the American Indian Policy Review Commission, "is the American public's ignorance of the historical relationship of the United States with Indian tribes and the lack of general awareness of the status of the American Indian in our society today."⁴⁷ The publishers of Indian-oriented research should feel gratified. Their efforts have dispelled at least some public ignorance and thereby assisted in creating a better future for the First Americans.

NOTES

1. "Indians on March Toward Self-Rule," *U.S. News and World Report*, March 27, 1978, 72-74.

2. Testimony of De La Cruz, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 1st Sess., 1977, on Indian Self-Determination and Education Assistance Act Implementation, 260, 262.

3. Brief summaries of these studies are found in Arrell Morgan Gibson, *The American Indian: Prehistory to the Present* (Lexington, Massachusetts: D.C. Heath Co., 1980), 556-59, and in Edgar S. Cahn, ed., *Our Brother's Keeper: The Indian in White America* (Washington, D.C.: New Community Press, 1969), 188-89.

4. "Indian Education: A National Tragedy—A National Challenge, 1969 Report of the Committee on Labor and Public Welfare, United States Senate, Made by Its Special Subcommittee on Indian Education . . .," U.S. Congress, *Senate Report No. 501*, 91st Cong., 1st Sess. (Serial 12836-1), 21.

5. William A. Brophy and Sophie D. Aberle, comps., *The Indian: America's Unfinished Business. Report of the Commission on the Rights, Liberties, and Responsibilities of the American Indian* (Norman: University of Oklahoma Press, 1966), 23.

6. For discussions of Native American activism, see Gibson, *American Indian*, 559-60, 568-70, and Robert C. Day, "The Emergence of Activism As A Social Movement," in Howard M. Bahr, Bruce A. Chadwick, and Robert C. Day, eds., *Native Americans Today: Sociological Perspectives* (New York: Harper and Row, 1972), 507-32.

7. Alvin M. Josephy, Jr., *The Indian Heritage of America* (New York: Alfred A. Knopf, Inc., 1968), 355-56, Gibson, *American Indian*, 561-62; Donald L. Parman, "American Indians and the Bicentennial," in Roger L. Nichols, ed., *The American Indian Past and Present*, 2d ed. (New York: John Wiley and Sons, Inc., 1980), 263; William T. Hagan, "Tribalism Rejuvenated: The Native American Since the Era of Termination," *Western Historical Quarterly*, 12 (January, 1981): 9-10.

8. "Special Message to Congress on the Problems of the American Indian:

'The Forgotten American,' " *Public Papers of the Presidents of the United States. Lyndon B. Johnson. Containing the Public Messages, Speeches, and Statements of the President, 1968-69* (Washington, 1970), 343.

9. "Special Message to the Congress on Indian Affairs," *Public Papers of the Presidents of the United States. Richard Nixon. Containing the Public Messages, Speeches, and Statements of the President, 1970* (Washington, 1971), 565.

10. U.S., *Statutes at Large*, 85:688-716 and 87:770-73.

11. *Ibid.*, 93:721-28.

12. *Ibid.*, 88:77-83.

13. *Ibid.*, 87:858-59; Statement of Department of Labor, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 2d Sess., 1978, on S.2712 Relating to the Evaluation and Assessment of Indian Programs and Needs, and for Other Purposes, 131-32.

14. U.S., *Statutes at Large*, 92:3069-78 and 92:469.

15. *Ibid.*, 88:2203-17.

16. De La Cruz testimony, 261-62.

17. Testimony of Johnson, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 1st Sess., 1977, on Indian Self-Determination and Education Assistance Act Implementation, 427.

18. Testimony of Risingsun, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 2d Sess., 1978, on S.2460 to Amend the Indian Self-Determination and Education Assistance Act, 22-23.

19. Testimony of Tlingit and Haida Indians of Alaska, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 1st Sess., 1977, on Indian Self-Determination and Education Assistance Act Implementation, 376.

20. Johnson testimony, 426.

21. "Indians on March Toward Self-Rule," 73.

22. Testimony of Gerard, in *Hearings before the Select Committee on Indian Affairs*, U.S. Senate, 95th Cong., 2d Sess., 1978, on S.2460 to Amend the Indian Self-Determination and Education Assistance Act, 106; also in *Hearings before the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor*, U.S. House of Representatives, 96th Cong., 1st Sess., 1979, on the Implementation of the Indian Education Amendments, 37.

23. U.S., *Statutes at Large*, 90:1400-14.

24. Select Committee on Indian Affairs, U.S. Senate, *Budget Views and Estimates for Fiscal Year 1983. A Report Submitted to the Budget Committee* (Washington, 1982), 36.

25. Testimony of George I. Lythcott, M.D., Administrator with Public Health Service, in *Hearing before the Select Committee on Indian Affairs*, U.S. Senate, 96th Cong., 2d Sess., 1980, on Reauthorization of the Indian Health Care Improvement Act (Public Law 94-437), 256.

26. Testimony of Aragon, in *Hearing before the Select Committee on Indian Affairs*, U.S. Senate, 96th Cong., 2d Sess., 1980, on Oversight of Indian Health Services, Pt. 2, 788, 792.

27. Testimony of Powless, in *Hearing before the Select Committee on Indian Affairs*, U.S. Senate, 96th Cong., 1st Sess., 1979, on Indian Health, 2.

28. Testimony of Rhoades, *ibid.*, 31-32, 35.

29. Powless testimony, 7.

30. Rhoades testimony, 31-32.

31. Testimony of John S. James, for American Indian Health Care Association, in *Hearing before the Select Committee on Indian Affairs*, U.S. Senate, 96th Cong., 2d Sess., 1980, on Oversight of Indian Health Services, 502; U.S. *Statutes at Large*, 90:1412.

32. "Special Message to Congress on Indian Affairs," 565.

33. U.S. *Statutes at Large*, 86:334-45.

34. *Ibid.*, 88:2213-17 and 92:2313-33.

35. Iris Carpenter, "Federal Funds, the Indian Education Act" *American Education*, 11 (April, 1975):40.

36. Story Moorefield, "Federal Funds, Two Programs under the Indian Education Act" *American Education*, 15 (August-September, 1979): 37; Statement of Commissioner of Education, in *Hearings before a Subcommittee of the Committee on Appropriations*, U.S. House of Representatives, 96th Cong., 1st Sess., 1979, on Department of the Interior and Related Agencies Appropriations for 1980, 1074; Select Committee on Indian Affairs, U.S. Senate, *Budget Views and Estimates for Fiscal Year 1983*, 48.

37. Testimony of Jim Thornton, Vice President, Oregon Indian Education Association, in *Hearings before the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor*, U.S. House of Representatives, 96th Cong., 2d Sess., 1980, Oversight Hearings on Indian Education, 17-23.

38. Testimony of Tonemah, *Hearings before a Subcommittee of the Committee on Appropriations*, U.S. House of Representatives, 95th Cong., 1st Sess., 1977, on Department of the Interior and Related Agencies Appropriations for 1978, 366; testimony of Dupris, in *Hearings before the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor*, U.S. House of Representatives, 95th Cong., 1st Sess., 1977, on Indian Education-Oversight. Part 1: Supplemental Programs, 358.

39. Thornton Testimony, 17.

40. Kate Winslow, "The Last Stand?" *American Indian Journal*, 6 (September, 1980):11.

41. Rose Silvey, Personal Interview, August 5, 1983, Detroit.

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