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Max Greenberg, Howard Miller & Rep Sam Steiger (R-Ariz)

Second Narrator: Vene Deloria, Jr. (Sioux) Lehman Brightman (Sioux)
Mr. Dodd (Menominee) Robert Bennett (Omeida)

Interviewer: Michael B. Husband

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Panel Discussion
Issue: "Termination"
TV show - The Advocates
January 24, 1970
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A war is going on between the Federal Government and the American Indians. At issue: the principal of "Termination", which calls for an end to the reservation and assimilation of the Indian into the American way of life. But the government is up against Indian power; the determination of Indians to maintain their reservations and a segregated life-style. In Phoenix, Arizona lawyers Max Greenberg and Howard Miller debate the problem. Guest: Rep. Sam Steiger (R-Ariz) a member of the Indian Affairs Committee. Audiences in Phoenix and Vermillion, S. D., participate. (60 min)

The advocates bring on the pros and cons of both sides, of the popular question - now is a chance for you to decide what happens? University of Arizona at Tempe. Only a few hours from one of Arizona's largest reservation. Well there are 28,000 students that have been going to the university and some 200 are Indians. There is a distinct feature of this campus is (?????????????) our feature tonight will consider the future of the American Indian. The question is this, should we continue the system of Indian Reservations indefinitely.

Mr. Max Greenberg

We certainly should. We believe that Indian Reservations must be continued, we need to make supervisions to preserve the lands on the reservation. And the Federal agency is required to help the Indian and mold them into the occupations and the Indian laws have to be preserved to protect Indian culture. With us here tonight to talk to you are two Indian witnesses: Mr. Robert L. Bennett, Commissioner of Indian Affairs from 1966-69 an Oneida Indian and Vine Deloria Jr. of Standing Rock, a Sioux and all the spokesmen from the Bureau of Indian Affairs.

We propose to transfer land to the Indian tribes, to be subject to the restrictions they place upon them to abolish the Bureau of Indian Affairs, and to restrict each tribe yearly, we propose that this happen after a safe period of then years. We propose that cause reservations have totally failed, because the Bureau of Indian Affairs has failed, and because the Indian deserve legal equality. One man that supports that position is Mr. Richard Vals a Menominee Indian from Menominee county, Wisconsin, and mr Lehman Brightman, a Sioux Indian and Director of Indian Affairs Department at the University of California, at Berkeley.

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We propose to transfer land to the Indian tribes, to be subject to the restrictions they place upon them to abolish the Bureau of Indian Affairs, and to restrict each tribe yearly () we propose that this happen after a safe period of ten years. WE propose that cause reservations have totally failed, because the Bureau of Indian Affairs has failed, and because the Indian deserve legal equality. One man that supports that position is Mr. Richard Vals, a Menonimee Indian from Menominee County, Wisconsin, and Mr Lehman Brightman, A Sioux Indian and Director of Indian Affairs Department at the University of California, at Berkeley.

There are some [6,000 Indians] in the United States, [100,000] of these are in the Third Congressional District in Arizona, and sitting next to me is the man that represents that District - Republican Congressman, Sam Steiger, who also serves on the Indian Subcommittee for the House of Representatives. The Indians that occupy Alcatraz Island are protesting the conditions of the American Indian throughout the whole country. What are those conditions as you see them?

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CONGRESSMAN SAM STEIGER

Well I don't think that the statistics really speak for themselves. The Indians are unemployable age are 75% underemployed or unemployed. The Indians can expect to live some 20 years less than the Non-Indians in this country. The Indian infant mortality is doubled that of the non-Indians. This is just some general statistics of what the general conditions are of the Indians in this country today. It is comfortable for everyone else who is living off of Indian land, the Indian has been victim of broken treaties, and an overabundance of unfulfilled promises, and really almost a virtual campaign to exclude them from society in general and in which he resides immediately. And I think that this fair to characterize the assistance that the Indian does get, as not sufficient as far as the needs of that Indian are concerned.

Well what can they do about that?

Well of course there are lots of things that can be done, and in my view, in general the best hope for this is to reach the children cause they have done such a bad job with the adults that they are more difficult to reach and more difficult ot succeed with.....

Well what is the situation with the Indian School?

The INDIAN School are also difficult to characterize cause the Indian school which are run by the BIA, and the Indian schools which are run by the tribe, and the Indian Schools which are run by the state, there are Indian Schools which are run by each adult. All Indian schools suffer from the same problems that all schools do, over population, understaffed, Indian children suffere from indifferent to worst medical care, to the job opportunities are limited.....

Well who controls this?

Well the Bureau of Indian Affairs has the responsibility, through Congress, the BIA, the BUreau of Indian Affairs controls about 15 million acres which is just about the reservation.....in this country. And the Bureau really controls the lives of those 600,000 that live on these reservations.

Let's take these reservations, as I understand it, a reservation is an area of land set aside for particular Indian tribe. Now how does this happen?

Well the reservations really were the result of a bad deal on the part of the Indians in that they lost a military battle and this way of and disposing of the least desirable land in a specific area and they gave it to the Indians and this eliminated the problem. THIS is the specific effect of the reservation.

Who runs the reservations?

The Reservations are literally run and completely dominated by the Secretary of the Interior through the Commissioner of Indian Affairs and the Bureau.

Do they own the land or do the Indians?

The Indians are supposed to own the land, but they can't lease it or sell it or dispose of it, or put it to use without the consent of the Secretary of the Interior, and he of course must consult with the commissioner of Indian Affairs and the Bureau of Indian Affairs.

How do you think this is going?

Well in my view, it has been a very bad job and it is situation in which the BIA has been asked by Congress to perform a transfer of bureau- cracy, it has been asked to phase itself out of existence, and without bureaucracy it is impossible to do this. And one of the things that we are going to discuss here this evening, I think of which the significance of which most of us which haven't worked with this problem is the emo- tional impact of the word "termination." That is to guarantee that there isn't a single -Indian within hearing distance of this program that is going to be aconvined of this, that termination is a good thing

as a result of this discussion.

Well tonight we are discussing continuing the reservation system and that involved three key features, first federal control of the land. Second a special Federal agency to administer assistance programs. Third immunity of the reservations from most state laws, including property taxes, general laws and many criminal laws. Well for example, some tribes up to now some tribes do not allow women to vote. Most have their own courts and their own system of justice. These are the issues and controversy tonight. We are not asking you to make up your mind tonight, we want you to feel free to ask questions to the Advocates. We ask the panel now to present their personal opinions, as to what they consider important and responsible act. Mr. Greenberg tell us why we should continue indefinitely the Indian Reservational System?

MAX GREENBERG

Because it is time for us to stop doing thing to the Indians, and for us to stop deciding what we can do for the Indian. Congressman Sam Steiger, if the Indians listening to this program are against Termination it's not cause Termination is a bad thing, it is because Termination is another thing that we propose to do to them. WE have to begin by keeping our treaty committments and our moral committments. The Indian tribes actively assures the right to continue to existance and to determine their own destiny. We talked about the status of Indians with Senator George McGovern of South Dakota, he is chairman of the Senate SubCommittee on Indian Affairs. The Senator has a large Indian population in his state, and he made his view most clear. It would be a major disaster of proportions to terminate the Indian Reservation System. These first Americans do not wish Termination, and I think that the Federal Government has the moral responsibility to respect their wish. The ill conceived termination of all federal responsibility for the Menominee Indians of Wisconsin in the 1950's gives us some indication of the tragic consequences of the termination policy. I think most American Indians want to preserve their own individual identity as Indian citizens and they wish to do that within the reservations structure that has existed throughout our national history. As the Senator says the best reason for continuing to live on reservations is that most Indians want them for at least three reasons. First, survival of Indian culture which is cnetered on the reservation. Two, many Indians tribes the land is sacred and forms of part of their religious beliefs. To the Taos Pueblo Indians, their Blue Lake is sacred and they revere it. The Navajo Tribal Ceremony is rooted in the land and the four sacred mountains that surround their reservaitons. Secondly any Indian who wished to leave the reservation and live under the anglo law and freely leave the reservation. So those that remain, particularly traditional Indians that live according to their folk ways should be allowed to live under their tribal laws inforced by tribal courts. Third, exemption from state land taxes which is an example of the equality which Mr. Miller wants to bring to the Indians. I call it inequality. This exemption from state land taxes is another example of tribal sovereignty, and it is essential to protect the land from sale. Now we realize that reservation should not mean abandonment of the Indians by the Federal Government. Almost all Indians recognize a need for the federal economic-

assistance and approval many tribes have begun to show progress within the reservations system. Caneta, is a resort in Oregon that developed and operated by the Indians of the Warm Springs Reservations, by retaining their Indian heritage and using the natural hot springs they created a profit making tribal enterprise. At Shiprock, New Mexico on the Navajo Reservation, Fairchild Camera and Instrument Corporation has leased facilities from the tribal council and has been employing 1,2000 Navajos on electronic assembly work. It is true too, that the educated influence has been negative and culturally castrated for too long. both in BIA schools and in Public Schools. But Reservations Indians have made strides in finding ways to educate their children to put the best from both Anglo and Indian culture. Giving the children a pride in their distinctive heritage, but equipping them to compete with the dominate society if they wished to.....

No one man, or one tribe speaks for all Indians, but one young man, a Standing Rock Sioux has become a spokesman for those Indians who believe that their cultural heritage has a much of value for mainstream America and for Indians. Former Executive Director of the National Congress of American Indians and author of Custer Died for Your Sins, Vine Deloria, Jr.

Mr. Deloria, if there is a failure in the American Indian life, as is suggested by Mr. Miller, is it in the reservation system or something else?

VINE DELORIA, JR.-

I think that is a failure to keep the conditions stated in the treaties. The early treaties and the later agreements were that the United States were to protect the Indian tribes from foreign nations and from it's own citizens who infringed upon Indians rights and property. And I think any failure in the system has been the failure of the federal government to adequately protect Indian rights, but the reservations themselves as Indian lands.

Do Indians want reservations continued?

I think that most every Indian in the country wants reservations continued.

Do those Indians who live off of the reservations, want reservations continued?

The substantial number of those Indians would like the reservations continued cause many of them go back to reservations after they have gone away from the cities.

Why would the continuation of the reservation be a good thing for urban Indians, for reservation Indians and for mainstream Americans?

I think that the Indian people are the only people in the United States who have roots here. Urban Indians in a great many cases look at reservation as their homeland in the same way that the Germans and the other ethnic minorities look back to Germany as their homeland. In terms of reservation Indians this is where many of the traditional people live, this is our land, there is no question about that in federal statutes. There should be no discussion by anyone else except Indians as to what happens to Indian land.

HOWARD MILLER:

In 1897 there were 135 million acres in the reservation system and administered by the Bureau of Indian Affairs. Since that period and under the protection of the Bureau of Indian Affairs the total amount of Indian acreage has shrunk to 55 million, slightly over 30% Why? Because of the pressure against the allotment system has put Indians to get rid of Indian lands as fast. Bureau of Indian affairs has encountered. The Bureau of Indian Affairs is pressured by a great deal of pressure groups in the American society, those tribes which held their land in common and refused to allot are now much better off than the other tribes.....

The BIA is constantly pressured isn't it? Of the 55 million acres, now held by Indians over 11 million or over 20% are held individually by tribes, approved by the BIA. Is that consistent with maintaining Indian culture?

In most of the tribes they have allotments to try and pass land consolidation programs and the tribe is trying to buy up the land to put back in their tribal status as quickly as possible.

I think that so long as the trusteeship system continues as it has from 1887 that today that has shrunk the acreage. Now Congress and the BIA may act to work or transferring over that land, because they hold it as trustees. If the land were transferred to the Indians and if each tribe held it collectively, then the Indians would have the same right, more right, for the protection of the land than what they now have right, wouldn't they?

No, they wouldn't cause the average income off Indian land is less than the state taxes paid on it. Let me site an example of this, in the country of the Paiute in western Oregon have 730 acres of land and their annual income off of that land is \$1700 and the state taxes are \$1900.

That is exactly what is proposed off the BIA budget, instead of spending it on the Bureau of Indian Affairs, distribute to the tribe in proportion to the amount of land that they own. Now lets look at the BIA. The BIA is responsible for Indian education, yet 60%of the Indians in schools in this country, are educated in state schools. Is that consistent with traditional Indian culture?

Well you should put all of these people going into state schools.and many of the factors, one of which is that the states want to get control of that money that is supposed to go into Indian education, to build gymnasiums for white kids off the reservations.

Well now let's look at those schools? Lets look at the schools that the states run. Let me pick one, let me pick the North Cheyenne School in the Cheyenne Reservation in Montana where in an 18 month period, 12 out of 200 students, teenagers, attempted to commit suicide. Is that a BIA success?

Well I think that there are a great many factors involved in that. And one of the factors is that there is a constant termination threat on the reservations. So there is a great demoralizing factor.....

The BIA with that reservation system is the agent of that policy. isn't it the BIA that began the Relocation program taking the Indians off the reservation into the city?

The BIA couldn't think up anything by itself and these policies were made by a national administration.....

Mr. Miller the case seems to be that without the Bureau of Indian Affairs, without a special relationship the Indian culture will die. What is your answer?

Indian culture does not have too great a life span with it. The mortality rate of the reservation gives a 20 year life span to Indians that the other Americans. The infant mortality rate is twice the national averal. The suicide rate among some of the BIA schools is up 100 times the national average, for teenagers. The Diabetes rate and Alcoholism rate falls substantially high for the national average. The net effect, the BIA administration of the reservations is a failure to protect life. Mr. Deloria wants the reservations as a preservation of Indian culture and so do we, but you can't have culture without life. And it is the basic protection of life that the current system has failed. The Indians are not versed in the things that count. Ist only in mortality rates and unemployment. What has happened is that the BIA has assumed and taught dependency and only weak protection. And by assuming and giving dependency, it has created weakness. But there is a new Indian spirit in the land, it is the spirit that talks in other tongues. That spirit is exemplified by Indians who went to Alcatraz, and we went to Alcatraz to talk to those Indians about the new spirit in the land. About the new spirited Indians in the land and about the reservation system.

"While I'm out here, I feel like a dog with a tail curled up over its; back, and the minute I get back into the reservation the tail curls the other way, it goes between my legs. It is the way your are treated, it is the way you are made to feel. When I left the reservation, I came into the cities and learned what the government has been doing to the Indians on reservations in the threat that they do leave the reservations. (???) got \$300,000 for assistance on the reservation like (???) actually what he is does is work for the BIA employees that they get the new chairs, new beds, new automobiles, new gasoline. That money never gets to us.....Too many times before that government has said, and now right now even, well we will take care of your affairs, cause we don't think you are competent enough to take care of them yourself. And what we are doing here is showing these people that we are competent enought to take care of our affairs. I mean here in California I have been on the reservation where well you would be in the dog house this way, and they treat the dogs better than the Indian people".

So why don't you speak up?

Obviously they are so used to living this way, that we don't know how to speak up, we are afraid, they would feel their way through something, before they speak out against it. They are proud--and they want to stay this way, well a man can stand up and say, "I am an Indian, and be proud of it." That would be the happiest day in my life. "It seems to be that since it used to be Indian country here, or Indian land, whatever you call it, I have got a good feeling that I felt like.....

On the other side we propose that the Indian land, that are today's rightfully the Indians and their's be transferred to them, owned by them. Owned by the tribes together so that they only have the restrictions they place on them, we propose that the Bureau of Indian Affairs be abolished. That it's annual budget now 250 million dollars be distributed in cash to each tribe in proportion to the amount of land that it owns. And that both of these things take place after a ten year period. We propose that to give the Indians the real option, instead of giving them the option of living on the reservation, and controlled by the BIA where they could leave the reservation and compete in the larger society. Our option, is ownership of their own land, control of their own land--their assets, their own planning and their own destiny. And if given that option the Indian tribes can't make it and we think they can, we ask to join us tonight, Mr. Dodds, a Menominee Indian, who lives in Menominee County, was a member of the Menominee tribe and since that tribe has been ended; Mr. Dodd was Chairman of the Menominee County Board of Supervisors. Mr. Dodd, wouldn't you say that your administration of Menominee territory since the termination is more or less successful than when it would have occurred with the BIA had it still be administering the territory during that period.

I think that we have probably gone further in 9 year's than what we have over 100 years with the BIA.

What sort of things have happened with education?

Let me interrupt a second, I would like to tell Mr. Orefield and anybody else listening that the Menominee are not dead. We are not dead, we are the liveliest bunch of Indians that you have ever seen.

Than this is to say that they are not only alive and well, but they are alive and well and with confidence.

We are above saying that the Menominee termination was the best answer, Mr Dobbs, what sort of things have happened in education?

Well in education, I think that back in my days, which wasn't many years ago, if we had one person in high school, that was a big thing. From 1955 to 1965 we had 10 young people seek a high school education at the high school level. And last year we had 26 people in college.

Well we look at it down in the grade school level, it is to create a new self-image of the Indian. No longer are they thinking in terms of the substandard that the finger has been pointed, you are an Indian. No longer are they thinking in terms of the substandard that the finger has been pointed, you are an Indian, you are below the white man. The whole educational system hasn't been, and we aren't forcing this issue at the local level, we exert pressure on school districts of which we are part to renew their.....

 MR. DOBB

I, myself and many of the other leaders felt that we couldn't make it, we have been told so long that we couldn't make it that this has been driven into us, this dependency that you have had to have a white man run your business. That you weren't capable and then they just said that last week they felt that for the first time in our history, one of our own Menominee members, a tribal member, heading up our own corporation, we have thrown up the oath of dependency.....

 MAX GREENBERG:

Mr. Dodd, are you in favor of termination for all Indians at the present time, or just the Menominee worked out well.....

 MR. DODD

I am here to state the case of the Menominee. Number 1, we are not dead. Number 2, that we are despite the way termination was handled for the Menominees which I think was atrocious, we are going to survive.

 Are you in favor of termination for all other Indians?

 MR. DODD:

I am not in favor of anything else other than our sole effort to make the Menominee Indians to survive.

 Mr. Dodd, I am very interested in your approach that the, and I think that it is very valid that the Indians are taught, that you are taught, that without the support of the BIA or without the support of the federal government, you would have been unable to prosper to succeed. Who did most of the preaching, was it your parents or was it the BIA people yourselves, or was it the local newspaper, who would

you say was most responsible?

Mr. Dodd:

I think it was part of the educational system, it is part of the environmental situation where the superintendent from Washington and the BIA has a nice big white house and had a lot of nice white children and you just never associate with them. You just sort of nodded when they went by, this is the type of thing that this whole idea that the tribal council makign some decisions and having to send some forms to Washington to be approved. And then having them sent back saying that you signed the wrong form. You know.....this whole menagerie.

Mr. Greenburg, I still think that you question, standing for the witness. Mr. Miller is presenting you with an argment, that there should be a basic change in the system, the change that like the Menominee says, and Mr Greenberg asked you if you want that for all Indians?

MR. DODD:

I asked or said here, that I was here to state the case of the Menominee, and that is all. I was asked to participate in the show cause the Menominee are 'terminated' and supposedly are dead and when I was called and asked to appear here, I said I would.....

Okay, the Menominees were the best bet for Termination at the time of this proposal in 1954 among all the Indians, isn't that true?

I suppose so, I don't know what the situation was in 1954.

Well in 1954, the Menominees had for many years financed through their own tribal assets the various activites that took place on the reservation, isn't that true? That isn't true on many reservations, elsewhere is it?

I have no idea.

Now the members of the Menominee tribe received a \$3,000 bond from the tribe at the time of Termination representing their share of tribal assets, for the Menominee Enterprises, yes, from the Menominee Enterprises corporate bonds and the stocks, 100 shares of stock.

Right.

Now if you had to return that bond today, because you had a personal emergency, you would get \$1,200 for it, wouldn't you?

No, I think that at present that is worth about \$2,700.

Well I talked with Mr. James PURSHETT WHO IS THE ONE that is on the board of directors, and he told me that in an emergency you would get \$1200. Wasn't there a hospital that was operated by the Menominee tribe before Termination, which was built at a cost of more than \$750,000? Isn't it true that the Menominee tribe has to close their only hospital cause it didn't conform to state laws after termination. Is there a doctor there in Menominee County, what is now Menominee County what used to be the Menominee REservation?

If you want to call a doctor, we have a doctor.

There is no medical doctor?

No, there is someone around there.....

Is there an incorporated town in Menominee County?

No.

Is there a high school in Menominee?

No.

Well now is your opinion of most of the tribal members. All we know is that when we have stockholders meetings annually, and the Menominee Enterprises Board of Director's and the President of Menominee Enterprises requests an approval of some sort, whatever it might be, they generally get their approval.

Representative Steiger, I don't know anything more difficult than ending a government agency, and attempting to reform it. I propose the redistribution of the Bureau of Indian Affairs budget would in fact make a policy that would end the reservation system, and would you honestly be using your pull and your thoughts.....because it would provide in one stroke the income that would be provided by the taxes and their own development, something that the Menominees did not have. Now the Bureau of Indian Affairs has pushed a program of relocation and has participated in the coming down of the Indian lands, and particularly and now we are told that that agency tied with the reservation system are the ones that are preserving their culture. It is not! You must look at the specific plans to propose, whether it will work. Do not be scared by the thought of Termination, I am told that for many Indian languages there is no literal translation of the word "Termination." And that is has been translated by those who oppose and who want to kill off and wipe off, (???) it is understood that, Indians emotionally reacted. But in terms of the public system of the BIA reservation system which is what this is considered, are Mr. Lehman Brightman, Director of the Indian Studies Department at the University of California, at Berkeley, a Sioux Indian to join us tonight.

MR. Brightman, we are told that changes in the BIA are a result of the Industrial Program at the Rough Rock. Are you oppressed by that, in terms of improvement on the reservation?

LEHMAN BRIGHTMAN:

No, the Bureau of Indian Affairs has been with the American Indians now for about 136 years, and that's the only damn improvement I've seen, one Demonstration School, what does that prove? Approximately 300 Reservations, what else do they have to show, this Demonstration school it was not put up by the Bureau of Indian Affairs, it was put up by OEO, OEO started that school. Yes, they did have the approval of the Bureau, the Bureau can not take credit for that..... the Bureau is happy to approve other people's initiative.....

Mr. Brightman is that Demonstration schools at all representative of Indian education?

LEHMAN BRIGHTMAN:

No, that Demonstration School is strictly a demonstration school and I think that if your'e going to take a real example of what an Indian boarding school islike we should take the one at Stewart, Nevada. I went up there.....

 Who was that school named after?

LEHMAN BRIGHTMAN:

It was named after a famous white general who liked killing Indians that is how they name all our schools after famous white racists, bigots generals who like slaughtering Indians. Like Custer who was a psychopathic killer and sex-fiend. A typical school would be like the one in Stewart, Nevada and we went up and investigated this school and found out that tere, they allow Indian kids 30 minutes to eat and if they come back for seconds, they are given demirets. They allow the library to be open for one hour in the morning and one hour in the afternoon, not on weekends and none of the nights. They don't even allow our children our students rather to take showers in the morning, not even after an athletic event. You can't take showers after 7:30 in the evening, they turn TV off after 7:30 in the evening.....what young, well 6 young girls have run away in the past few months and they caught all six and brought them back and cut their hair off, like a boy. They made one young girl clean out the bathroom with a razor blade. This type of treatment they get there, also they don't allow the boys and girls to hold hands there, if they are caught holding hands they are given five demerits, it is one hour of work for each demerit. And if you are caught with your arm around a girl, it is 20 hours, 20 demerits, I imagine if you had intercourse, I imagine they would give you the electric chair.....

 If there any hope for a change?

LEHMAN BRIGHTMAN:

The only thing to do with the BIA is to abolish it. I want to make something right now certain, that I am not for Termination, I am for the abolishment of the Bureau of Indian Affairs. And I think it is like cancer if you don't just cut it out before it becomes permanent.

 Well I don't think that there are any doubts about Mr. Brightmans position.....No, I don't think there are any doubts about this posi-

tion, but I think there are some doubts about his position on Termination, which I would like to clarify here.....and secondly I want to know how representative his opposition is. I might add that I have a son that goes to a school where there is no TV Mr. Brightman and not where it is turned off at 7:30 at night.....

LEHMAN BRIGHTMAN

You don't have a school that they cut your hair off when you run away do you? They also set up teachers who beat you when you come to class late, and when they give you 30 minutes to eat.....They also found magots in the meat in that school and they found weevils in the noodles. I am about pissed in general with the Bureau of Indian Affairs.

I hold no brief for bad food for children, and I don't hink that is the case Mr. Brightman. Do you think that, let's get to the position on Termination, clear as Mr. Miller has suggested that there should be an immedicate turnover of tribal lands to corporations which would be under state laws? Are you in favor of that ending of tribal reservations?

LEHMAN BRIGHTMAN:

I am in favor of doing away with the Bureau of Indian Affairs which the Congress take the money that they are spending, instead of letting the money go to the middle man, let it go to the Indian Reservations themselves. (???) and adequately take care of themselves.....

By the way you know the Paiute tribe that Mr. Deloria mentioned in his testimony. Do you know how much money they get? For their acreage under this (???) plan? They would get 1/16th thousand of the budget of the Bureau of Indian Affairs.

LEHMAN BRIGHTMAN:

I am for self-termination, not for white people running the Indian lives as they are right now. The Bureau of Indian Affairs is made up of 22,000 people of which half are white, and about 90% of the executive positions within the Bureau of Indian Affairs are occupied by white people. Why don't we do away with these white people in the Bureau of Indian Affairs and put Indian people in there, that is what it is supposed to be, the Bureau of Indian Affairs, not white Affairs.

Let me make something clear, I thought you wanted to abolish the BIA, and now you want to staff it with Indian, which one do you want to do?

LEHMAN BRIGHTMAN:

I said I wanted to do away with the Bureau of Indian Affairs, and let this money which Congress go directly to the Indians themselves...

How would the staffing of the Bureau with Indian remain?

LEHMAN BRIGHTMAN:

The jobs that are available, are they available under the process of.....and they still have to have administrative people to run these chores.....

What would you say is that we are going to have the BIA and maintain the jobs and we are going to double the income of the BIA and give that to the tribes.....

LEHMAN BRIGHTMAN:

No, in other words, the present budget last year was \$231,000,000 for the Bureau of Indian Affairs. \$86,000,000 went for education and the average Indian only goes to the 5th grade, the dropout rate is the worst in the nation. And most of this money goes for salaries for non-Indians. So why not take this money and from the reservations, directly which would double, I mean it would probably triple the amount of money that they now get, receive.....

I think that your figures are wrong, I don't see how having the tribe spend that money directly on education is going to let them have the money to pay the state taxes land back.....Are you in favor of state land taxation of tribal land? And isn't that a necessary result of the plan that Mr. Miller proposes.....

LEHMAN BRIGHTMAN:

Assimilation of termination is the ultimate goal of the Bureau of

Indian Affairs, and Mr. Bennett knows this, he advocated this, termination..... Well what I am advocating is that they take this money and give it to the Indian people and let them run their own affairs. And when they do this, which will remove the trusteeship status from our land..... which would require Indian people to.....

Do you speak for your tribe?

No. I don't speak for my tribe.....

Have you ever been elected by Indians to any position in tribal government?

In tribal government?

Yes, Do you know Frank Ducheaneaux

Yes, I know Frank Ducheaneaux.

I am more in favor of self determination as you are and I wanted to find out who is more validly speaking the Indian point of view. Do you know Frank Ducheaneaux?

White people or Indians.....?

Just because you are an Indian doesn't mean that you are necessarily stating the Indian point of view?

I represent the largest Indian organization in the United States at this present time, United Native Americans.

How many members, 30?

No, it has about 12,000.

The National Congress of American Indians is smaller?

The National Congress of American Indians has a few of the tribal chairman and some of the other tribal leaders and they assumed this gives them the right to speak for the whole tribe, it is fallacy. They speak for 132 tribal groups and.....

When was the United Native Americans born?

Two years ago.....

Yes, and it is the largest Indian group in the country?

That's right.....

Well I wouldn't stretch the truth of that.....

You white people have been doing the stretching of that truth....

I asked you if you knew Frank Ducheaneuax

Yes, I know Frank Ducheneaux.

You know that he is the chairman of the United Tribes of South Dakota? He wanted me to tell you that 40,000 Sioux of the united tribe of South Dakota, oppose termination and oppose ending of the reservation system and that I should make it clear to our audience that you do not speak for the Sioux Tribe of South Dakota.

LEHMAN BRIGHTMAN:

I don't propose to speak for the Sioux tribe of South Dakota, I am enrolled with them, and I am not in favor of Termination, and I am in favor of doing away with the Bureau of Indian Affairs, and getting this money and giving to the reservations directly. And I am also in favor of doing away with the trusteeship status of our land, so that our Indian people can do what they want with their land. But I am also in favor of keeping the land off the tax rolls.

When was the last time you lived on the reservation?

LEHMAN BRIGHTMAN:

I was born on the reservation!!!

When was the last time you lived on the reservation?

LEHMAN BRIGHTMAN:

I was born there, and lived on the reservation since I was 7 year's old.

Mr. Brightman thank you very much for being here.....

I think that the cross examination of Mr. Brightman illustrates the problem with the word, "Termination". Mr. Brightman favors ending the trusteeship and ending the Bureau of Indian Affairs and you cease to have the reservation system which it now constitutes that the Indian will have control over their own lands and their own lives.....the problem is the word, "termination," the word itself, it has acquired such a loss that no one speaks that word.....But speak about the plan, speak of ending the Trusteeship, speak of ending the Bureau, speak of ending the system and then you will have to agree on that.....But, no Indian wants to be independent and he wants to speak for themself, we should let them do that, we should give them hislands to protect himself, we should give him the money to administer himself.....

MAX GREENBERG:

Let's now speak about ending the BIA....what is your position?

Well generally speaking I found the BIA and in my readings and Congressman Steiger that when a politician really talks about freeing Indian's trusteeship or demand freedom in the abolition of reservations and the BIA he is heading for Termination. Now an Indian community can get free anytime of reservations status, and of the BIA nearly by terminating it's community life, but most Indian communities would rather stay alive, it is not separation from the BIA that Indian communities want, but some control over the destiny under the umbrella of the BIA. The BIA can be reformed. And here to tell us how is Robert L. Bennett, born and raised on the Oneida Indian Reservation of Wisconsin.

Mr Bennett is the first Indian in 100 years to become Commissioner of Indian Affairs and he served in that post from 1966 to 1969 and he is now Director of the American Indian Law Center at the University of New Mexico Law School. Mr. Bennett how long have you worked with, lived among, talked with Indians?

ROBERT BENNETT:

Well I have lived among Indians all my life, and then went through the government boarding schools with many and served in the Marine Corp with Indians and also I worked professionally for 36 years, among the Indians.....what they call the 48 and the state of Alaska.

And were you born and raised on the Oneida Reservation?

ROBERT BENNETT:

Yes, I was.

How would you improve the Bureau of Indian Affairs?

ROBERT BENNETT:

First of all the Bureau of Indian Affairs should become an advocate for the Indian people in the Federal Government.....Secondly I would recommend consistently that there be an assistant secretary to the Bureau of Indian Affairs in trust territories which are the people programs in the Interior Department or the Bureau of Indian Affairs would be in support of the Indian people, which therefore

could be set up as an independent commission for the direct control of the Congress. And there are many other recommendations that I have made such as doing away with the agency compounds within the reservations, the contracting of Indian Tribes for what you call municipal services and are now being performed by Bureau people such as the operation of the dormitories feeding and for the care of children in boarding schools and operation of the school buses, the road maintenance programs and eventually as we have on some reservations have the Indian people themselves construct the public buildings which they will own and control which are leased back into the Bureau of Indian Affairs for carrying out the service responsibility. The addition of that is that there assistance through the tribes in economic development both on and off the reservation, broad general training program if necessary for disadvantaged people and particularly isolated people as Indians are and finally to support them and as they see to retain their culture.

 What about lands that the BIA holds in trust?

 ROBERT L. BENNETT:

The land should be held in trust by the secretary of the Interior but the nature of the trust should be changed so that the Secretary of the Interior could protect the title of the property but allow the Indian owners to live on the land and do what they want with their property except to get rid of it, or except to have the state authorities take it over.....and this of course, as you know in the legal profession would change the nature of the trust, from an active trustee to the secretary to a passive trustee in order to protect the title of the property.....

 MR. MILLER:

Mr. Bennett you come to us in a rare position in and not simply an academic expert recommending reforms, you were Commissioner. Why couldn't you institute them then.....?

 ROBERT L. BENNETT:

They have been instituted in part, we do have two tribes that constructed public buildings which we now use as agencies so that they in effect control the facilities, of course control the facilities in the area and puts them in a good position of control. And we have several contracts for services with the tribe, a form of which the money is received, it is appropriated by Congress and this includes General Assistance Programs which the tribal projects.....

Let me ask you this, let's talk about the budget aspect. The budget of the Bureau of Indian Affairs is \$250,000,000. On a per capita basis that comes out to something around \$500 an Indian or \$,3,000 per Indian Family. That money is being spent annually in the budget or distributed on a per capita basis to families, it would raise the families will above the poverty level, How is this, that the Bureau will continue year after year to spend budgetary amounts of that money having no impact on the Indians?

ROBERT L. BENNETT:

Well I think that if you take, the \$3,000 and gave it to each family, then each family would have to pay the cost of teachers, construction of buildings, and driving of school buses, they would probably have less than what they have now?

Well then do you think that they will have to pay the cost of all the 22,000 in the BIA administrators and school systems?

ROBERT L. BENNETT:

Well they would have to pay someone to teach their children, they will have to pay someone to drive the school buses.....

The Relocation Program, you talked about the Relocation Program. Which offers simply only a change the status of Indian lands but in fact having them go off into society. Do you support that program?

ROBERT L. BENNETT:

Yes, I support that program, I think that is is an option, and I think that they should have more programs to increase that options and also I have met with many of the young people as commissioner. I have met with more non reservation Indians than any previous commissioner. And I have found that many of their criticisms of the programs which are now being considered in terms of making the program better and more responsible.....

Mr. Bennett you spoke to us about trust, do you say that the trustee has lost 60% of his land over a period of 7 years, to have the educational record of the BIA would sponsor programs like the Relocation Program, that the BIA is sponsored has violated or fulfilled this trust?

ROBERT L BENNETT:

Well I would say that if the Bureau of Indian Affairs hadn't had trustees it would be in worst shape there wouldn't be any land left... I think that they should be fortunate that many of the people are in school. And I think that we have to put this thing as some kind of historical prospective, cause the Navajo tribe did not start going to school until about 23 year's ago.....I think that there progress has been phenomenal.....

There is one problem that has always intruiged me, and that is because of the limited opportunity to the Indian, there really is a very limited resevoir of talent at the top as I call it. Take a look around and see who can compete with the non-Indian society. And because of the proximity in parental approach of the Bureau so many of these good people, strong people are observed by the Bureau themselves and end up perpetuating the very things that, well the problems..... Well you will see this, in fact you are indeed one of these people. In fact, you are perhaps it is the most prominent member, now what do you think, if the Bureau adopted a policy of encouraging the talented Indians to go seek success elsewhere, would that be a responsible policy, or is he better off within the structure of the BIA.

ROBERT L BENNETT:

I think that the responsible policy that we feel that the Bureau of Indian Affairs in addition to providing opportunities, should provide them with the experience so that he can go into other agencies, federal and state, and we do have now that are with the State Department, that are training ground for the unsophisticated Indian that aren't educated in college, the scholarship assistance as a measure of those that are college, terminated or not, is that we stand, we couldn't spend \$500,000 about 6 year's ago, and now we need about \$4,000,000 for scholarship assistance.

One last question. Commissioner in a tranfer from the hearings of the Senate in June of 1957, responsible question from Senator Hatfield, who asked you whether the mail goal of (???) the Bureau of Indian Affairs, when you were Commissioner was for Termination? And your answer was yes, it is.

ROBERT L. BENNETT:

Yes, I said that anytime that the, the responsible officer in government, that the responsibilities of the government, had been fulfilled with Indian, and my responsibility was to report that to the Congress..

From there it was a political decision between Congress and the tribes as to whether they wanted to Terminate. But I knew that I wouldn't last long and.....

Does Federal Control preserve Indian Identity, or does it perpetuate Indian dependency? Before this broadcast, the Advocates conducted a national public opinion poll and over 1,000 persons across the country were asked whether they favored ending or continuing the Indian Reservations. And the results of the Advocates poll was as follows:

51% said they should be ended
31% said they should be continued
18% had no opinion.

This is a scientific example of national opinion, for the reaction of a particular group of Indian to this broadcast, we go to the great **Nakota** plains, in Vermillion, South Dakota, the state that has 9 Sioux Reservations and Vermillion is also the home of the University of South Dakota and public television station, KUSD. For the past two days, the University and KUSD have been the host for a cultural pow-wow for a group of Indians from a number of tribes in the Vermillion area. And we have asked Mr. Cato Valandra to tell us something about the makeup of the group at KUSD and what their reaction was to tonight's question? Mr. Valandra is a Rosebud Sioux who is President of the United Sioux Tribes for 8 year's. Mr. Valandra can you tell us who is there now at the pow-wow.

Mr. Palmer, those here at Vermillion are members of 11 tribes from three states. There are the Yankton Sioux tribe, the Ogalala Sioux Tribe, the Rosebud Sioux Tribe, Fort Dix Sioux Tribe, Standing Rock Sioux Tribe, Lower Brulle Sioux Tribe, Cheyenne River Sioux Tribe, Chitamaca Chippewa, the Omaha tribe of Nebraska, Winnebago's of Nebraska, Devil Lake Sioux of Nebraska. Now we have some interesting facts about these people here. There are 20 men and 18 women, 16 are under employed, and 22 are over 40. 26 live on the reservation, 12 live off. 8 have incomes less than \$1000 a year but 6 have incomes of over \$1,000 a year but under \$3,000 per year. 14 have incomes of over \$3,000 per year and we are fortunate also to have one medicine man with us. Just before the broadcast this group voted and here are the results of that vote:

34 wanted to continue Indian Reservations indefinitely
4 were opposed.

Now we have voted again: Here is the second vote:

34 want to continue the reservations indefinitely
4 are still opposed.

Quick summary: I want to say to our audience, and particularly our Anglo audience, that we have to listen to what the American Indians are telling us. They want treaty guarantee's, federal cooperation and support to preserve their heritage and culture.

Mr. Bennett gave us the essential message that he has been giving through the Bureau of Indian Affairs Indian consistently. "Better the devil that you got, than the devil that you don't know." We think that the Indians are ready for no devil, they can administer their own land, they can administer their own assets, they should be given that opportunity.

We are going to talk about control then, Congressman operate to limit the development of capability for self-government. That seems to be the basic question that came up tonight.

REP. SAM STEIGER:

I would say that it is fair to say that in most cases, the BIA has well been restricted and productive, but one thing that was not brought out tonight is that when we speak about Indians, we tend to link them all together, It is very obvious from our description tonight, that the Menominees are very different from the Navajo.

There are many different tribes, many different people. Thank you Congressman Steiger, thank all the witness and until next week, good night.....

END OF TAPE