

## The 20th Century: The Contemporary Era

- 1906 The federal government takes the Blue Lake region of New Mexico, an area sacred to Pueblos, to create a national forest.
- 1907 Indian Territory is eliminated when Oklahoma achieves statehood.
- 1909 The Enlarged Homestead Act increases to 320 acres the size of a homestead in certain states, encouraging white landholding in areas that have been home to two-thirds of all Indians since 1865.
- 1913 The Indian Head nickel is produced in tribute to the "vanishing red man."
- 1917-1918 During World War I, although not subject to the draft, many Indians volunteer.
- 1921 The Snyder Act makes the Department of the Interior responsible for Indian education, medical, and social services.
- 1924 The Citizenship Act makes all Indians citizens without impairing their status as tribal members. Nevertheless, few Indians are permitted to vote before the 1960s.
- 1930 The Northern Cheyenne Reservation becomes the last communally assigned tract of Indian land.
- 1933 John Collier becomes head of the Bureau of Indian Affairs and begins to clean up after years of corruption. He halts the sale of Indian lands, gets emergency work for 77,000 Indians under the Civilian Conservation Corps, and obtains millions of dollars to finance reservation schools.
- 1934 The Indian Reorganization Act (Wheeler-Howard Act), pushed by John Collier, provides funds to help rebuild Indian culture and political life. Land is returned to tribal ownership.
- 1941-1945 During World War II Native Americans are allowed to register for the draft for the first time, and more than 25,000 enlist.
- 1946 The Indian Claims Commission is established to settle land disputes between the U.S. government and Indian nations.
- 1950 The Utes are compensated \$31 million for tribal lands taken from them in Colorado and Utah between 1891 and 1938.
- 1953 House Concurrent Resolution No. 108 allows Congress to terminate by legislative fiat any tribe as a political unit.
- 1954-1962 Congress passes 12 termination bills, eliminating more than 60 tribes, all in the West.
- 1955 The Public Health Service takes over the administration of Indian health programs and subsequently establishes the Indian Health Service. Despite great improvements, Indians today have the highest mortality rates of any ethnic group.
- 1961 The republication of the 1932 book *Black Elk Speaks* sparks intense interest in Indian literature.
- 1964 The Civil Rights Act restores tribal law to reservations, and President Lyndon B. Johnson pledges to end paternalism.  
The first conference on Indian poverty is held in Washington, D.C.  
An "Indian desk" is established at the Office of Economic Opportunity.
- 1968 American Indian Movement (AIM) is founded in Minneapolis.
- 1969 Militants occupy the federal penitentiary on Alcatraz Island in San Francisco, demanding government funds for a cultural center and a university.  
Vine Deloria's book *Custer Died for Your Sins* rekindles interest in Indian history, told from the Indians' point of view.

- 1970 The federal government restores 48,000 acres of New Mexico's Blue Lake region to the Taos Pueblos.
- Dee Brown writes *Bury My Heart at Wounded Knee*, revealing that the historic battle was in fact an Indian massacre.
- The Native American Rights Fund (NARF) is established, eventually winning the return of lands for the Passamaquoddies and Penobscots of Maine, attempting to strengthen the regulations regarding remains and ceremonial objects, and offering assistance to unrecognized tribal entities.
- 1972 AIM and other Indian activists stage a sit-in at the Bureau of Indian Affairs in Washington, D.C., following a cross-country caravan called the Trail of Broken Treaties.
- 1973 AIM activists occupy Wounded Knee, South Dakota, demanding that the federal government honor treaties. The FBI, under the direction of J. Edgar Hoover, attacks, and two Indians and one federal marshal are killed.
- 1978 Passamaquoddy and Penobscot Indians become the first tribes to make a major land claim against the United States when they demand the return of two-thirds of the state of Maine. A tentative settlement is worked out in which they abandon their land claims in return for \$27 million in a federal trust and \$54.4 million in land-acquisitions funds.
- 1979 The Seminoles start bingo games, beginning the modern era of gambling on the reservations.
- 1982 President Ronald Reagan vetoes Congress's water-rights settlement of \$112 million to the Papagos. The federal government eventually pays them \$40 million.
- 1988 Congress passes the Indian Gaming Regulatory Act, ending the debate on the legality of gambling on the reservations. The law establishes the National Indian Gaming Commission with oversight responsibilities.
- 1992 *Time* magazine reveals that 140 tribes operate more than 150 casinos. Revenues in 1993 are in excess of \$3.2 billion.
- 1994 President Bill Clinton, in recognition of Indians' newfound economic and political power, meets with representatives from 500 Indian tribes to pledge the federal government's support of their culture.
- The first National Summit on Indian Health Care takes place.

## RESERVATIONS: WHAT THEY ARE AND HOW THEY WORK

Reservation lands set aside for the use of Native Americans at present occupy approximately 50 million acres and take several forms. The quality of the land dedicated to Indian use varies widely, but much of it is fairly remote and otherwise undesirable. Much of the reservation land in the West is nonarable, for example, a factor that has obviously contributed to the persistent poverty that has plagued reservation Indians for two centuries. Indians in the Southwest have been the most successful at continuing to live on land that they consider theirs. The Shinnecocks of Long Island, New York, who inhabit some of the country's richest real estate, are a notable exception.

Reservations, which were first established in the mid-17th century as whites began to take away Indian lands to use for their own purposes, have been created in three different categories: those established by an act of Congress or by treaty before 1871, those created after 1871, and those created by Executive Order. In the latter instance, for example, the Reno tribe of Nevada has purchased land for its own colony.

The date establishing a reservation usually refers to when the U.S. government recognized the land as dedicated to Indian use rather than when the Indians began to live on it. Although the U.S. government officially recognized the Pueblo reservation in New Mexico in 1864, for example, Pueblos have lived on this land for hundreds of years.

Initially, reservations were established to "missionize" Indians, that is, to convert them to Christianity and to get them to conform to European ideas of civilization. This was the purpose of the very first reservation, established by the Puritans in 1638 for the Quinnipiacs in New Haven, Connecticut. Since then, they have variously been used to segregate Indians, assimilate them, destroy their culture, preserve their culture, and since the 1970s, to accord tribal Indians a special status. In the 1980s a series of Supreme Court decisions greatly expanded the rights of reservation tribes by establishing their right to control gaming on Indian lands, an activity that is reducing poverty among many tribes and bringing them wealth. Today Indian tribes have jurisdiction on reservation lands and are not usually subject to state laws or taxes (although individual Indians may be).

The 1990 census shows that 739,000 Indians, or 37 percent of all Indians, live on reservations or other forms of tribally owned land.

## **ACTS OF CONGRESS AFFECTING NATIVE AMERICANS**

The following are the most significant acts of Congress affecting American Indian life and culture.

- 1786 An ordinance aims to define the economic relationship between Indians and settlers so that interaction will be as harmonious as possible. Successive acts in 1790, 1793, 1796, 1799, and 1802 continue the authority of the federal government. Shifts in public opinion by 1834 result in a new law, replacing the 1802 act, that provides more protection for persons doing business with Indians than for the Indians or the tribes.
- 1787 Northwest Ordinance. This states that "the utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent."
- 1790 Intercourse Act. This multipronged legislation regulates Indian-white trade via licensing arrangements, makes purchases of Indian lands invalid unless approved by the federal government, and punishes whites for crimes in Indian Country.
- 1802 Intercourse Act. As well as extending the first act, this also establishes Indian Territory and forms the basis for the federal government's "wardship" over Indians until 1834.
- 1824 The Bureau of Indian Affairs is established by act of Congress.
- 1868 Fourteenth Amendment. This defines citizenship, stating that "Indians not taxed" are not to be included in population counts for purposes of representation.
- 1871 Indian Appropriations Act. This terminates the treaty process by forbidding recognition of tribes as nations or independent powers. The federal government will no longer negotiate with Indian tribes before taking over their lands.
- 1885 Major Crimes Act. Passed in reaction to the *Crow Dog* case, in which the Supreme Court ruled that federal law does not apply to Indian lands unless so specified by Congress, this act affirms that federal law supersedes tribal sovereignty in specific serious crimes.
- 1887 General Allotment Act (Dawes Severalty Act). This provides for the dissolution of tribes and changes the status of many Indians from tribal members to individuals by allotting them 160 acres, to be held in trust by the federal government for 25 years to prevent exploitation. Although land has been granted to individuals before the act and tribal lands will be allotted after its passage, the act symbolically undermines tribal rights.
- 1898 Curtis Act. This overrides treaties promising certain tribes that their land will never be included in any state or territory without their approval.
- 1924 Indian Citizenship Act. All Native Americans born in the United States are defined as U.S. citizens. Few Indians are allowed to vote, but this act is generally accepted as the source of Indian enfranchisement.
- 1934 Indian Reorganization Act, also known as the Wheeler-Howard Act. This reverses the assimilationist policy that prevailed from the 1880s onward, returns tribal lands, permits the establishment of tribal constitutions, and funds social and welfare programs for Indians.
- 1946 Indian Claims Commission Act. This authorizes Indians to press claims relating to laws, treaties, executive orders, and even "dealings that are not recognized by any existing rule of law or equity" that have harmed them.
- 1953 Public Law 280. This gives some states jurisdiction over offenses by or against Native Americans.
- 1954 Termination Resolution. This permits the ending of the tribal status of Indian tribes believed competent to survive without federal assistance. Between 1954 and 1962 Congress passes 12 termination bills affecting more than 60 tribes. Many tribes are left impoverished and have since sued the federal government on grounds that they did not understand what termination involved.
- 1968 Indian Civil Rights Act. This extends the protections of the Constitution and the Bill of Rights to all Native Americans, including those with tribal status.
- 1988 Indian Gaming Regulatory Act. With the idea of promoting economic self-sufficiency, gambling is allowed on Indian land, if not prohibited by federal law. The National Indian Gaming Commission is given the task of overseeing all such activities.

## THE BUREAU OF INDIAN AFFAIRS

The federal government's policies toward Native Americans are one and the same with the policies of the Bureau of Indian Affairs (BIA), the agency that oversees relations between the government and Indians. However misguided they may be judged by today's standards, early administrators believed that their task was to teach Indians English and agriculture and hoped that they would become Christians. The reservation system would thus speed them on the way to becoming good citizens. The creation of reservations was largely achieved via a system of treaties negotiated by the government in which Indians often believed they were leasing their land or land rights rather than selling the land outright.

Initially the Bureau of Indian Affairs was located within the Department of War, but in 1849, it was transferred to the newly created Department of the Interior. The BIA was also charged with administering Indian lands, which it did for the most part erratically, restrictively, and in a manner most Indians found denigrating.

During the late-19th century a new policy of acculturation was instituted. Its underlying purpose was to reduce the federal government's responsibility for a people it had spent decades making dependent. Reservations were broken up and land allotments were turned over to individuals in the belief that land ownership was the basis for the democracy the United States strived to create. Many of the people active in this program were former abolitionists who had used much the same philosophy in that struggle.

With the passage of time the BIA became one of the more corrupt and graft-ridden agencies of the federal government. Indian agents, on-site representatives of the BIA who were stationed on or near reservations, cheated Indians in countless ways, large and small, including private sales of Indian lands designed primarily to line individual agents' pockets with cash.

The corruption was not checked until 1933, when John Collier became head of the BIA. For the first time in its history, the bureau was run by someone interested in helping Native Americans. By that time, however, Indians had lost two-thirds of their lands, but Collier set up reform commissions and undertook studies to find ways to improve Indians' lives. He sued to protect Indian lands and establish their rights. A Division of Indian Health was established at the BIA, and other social, educational, and medical services became available. The 1930s and 1940s were an era of tribal restoration. Reservation lands were returned, and tribal law was recognized for the first time. Most important, under Collier, Indians were hired for the first time at the BIA.

The 1950s saw some backsliding as the BIA resumed the tribal-termination policy and began encouraging Indians to relocate to cities. Urbanization was an attempt to end reservation poverty, which for obvious reasons had been growing since the reservation system was initiated, but while the policy left Indians free to rebuild their own nations and tribes, it did little to eradicate poverty. Instead, the BIA simply moved poverty off the reservation while eradicating the safety net it had provided.

By the late 1960s, the country was in the midst of a civil rights revolution whose impact was felt on reservations across the country. Indians were at last emboldened to demand control of the BIA, which they were granted after they staged a sit-in at the agency in November 1972.

Indians suffered, as did many other groups, from a reduction in government services under President Ronald Reagan in the 1980s, but this was balanced with a great advance in the early 1990s, when Indians won the right to control gaming on their own lands and were further found to be exempt from paying federal taxes on the profits. With gambling booming around the country, many Indian nations suddenly found themselves rich. Indian nations became self-sufficient in a way they had not been in many decades. The full results of turning to gambling are not yet in. At best gambling may be a mixed blessing, for on some reservations the advent of crime connected to gambling is a potent factor that is not fully understood.