

# Ten Years of Tribal Government Under I. R. A.

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United States Indian Service

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**DEPARTMENT OF THE INTERIOR**

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# TEN YEARS OF TRIBAL GOVERNMENT

## Under The Indian Reorganization Act

by Theodore H. Haas, Chief Counsel

**T**HE INDIAN REORGANIZATION ACT (48 Stat. 984), one of the most important and comprehensive Indian laws, was adopted a few days before the close of the first Congress which convened in the administration of Franklin D. Roosevelt. Although approved by the President on June 18, 1934, none of the authorized appropriations became available until May 1935. Though the Act dealt with a wide variety of subjects including land, credit, education, Indian employment and tribal organizations, this article will be confined to a discussion of the self-government feature.

### KLAMATH INDIANS FIRST PROPOSED INCORPORATION IN 1927

The first suggestion for the incorporation of tribes was advanced in 1927 by the Klamath Indian tribe of Oregon. Indians of other tribes, including Vice-President Curtis, a Kaw Indian, contributed many ideas which were embodied in the bill. The Indian Reorganization Act was presaged by the enactment by Congress of the Pueblo Relief Act on May 31, 1933, prohibiting the Secretary of the Interior from spending moneys appropriated under that Act for the various Pueblos "without first obtaining the approval of the governing authorities of the Pueblo affected."

While the Indian Reorganization bill was pending in Congress, Commissioner Collier and some of his principal aides attended ten meetings in various parts of the country to discuss and consult with delegations from Indian reservations and with other Indians about the proposed legislation. These conferences constituted a new precedent. They symbolized a new relation between the Indians and the Indian Office which the Commissioner hoped would evolve. In lieu of administrative absolutism there would be developed between government officials and Indians a partnership in the determination of many policies. Instead of the superintendents or Washington officials deciding everything, there would be an area for local self-government. If the Indian councils proved capable and faithful to their trust, they would be delegated additional power by the Secretary.

Under the terms of the Indian Reorganization Act power of approval or veto over the disposition of all tribal assets was given to the Indian tribes. It also authorized them to take over control of their own resources and to con-

duct tribal enterprises as membership corporations which would be subject to diminishing federal supervision as the tribal leadership showed a desire for more control and an ability to direct their affairs. Other enumerated powers were the right to employ legal counsel (subject to the approval of the Secretary of the Interior with respect to the choice of counsel and the fixing of fees), the right to negotiate with federal, state and local governments, and the right to be advised of all appropriation estimates affecting the tribes before such estimates are submitted to the Bureau of the Budget and Congress.

When a tribe is ready to draft its constitution, a constitutional committee of representative tribal members is chosen. It is the duty of this committee to draw up a constitution which will fit the needs of the tribe. The Department offers its assistance in the preparation of such documents, but only to the extent that such assistance is required. Scrupulous care is exercised to see that the document as drafted represents the wishes of the Indians.

When the constitutional committee has completed its draft and is ready to present the constitution to the tribal members for a vote, an election is requested by the constitutional committee or by a petition signed by one-third of the adult members of the tribe. The calling of this election is mandatory upon the Secretary of the Interior when the request is made in the manner prescribed by law. Thus a tribe may vote repeatedly upon the question of adopting a constitution, in those cases where such elections have failed to carry. It is not within the Secretary's discretion to determine whether or not the election shall be called.

#### **CONSTITUTIONS AND BY-LAWS SUBJECT TO AMENDMENT**

The constitution and by-laws when ratified by majority vote of the adult members of the tribe or of the adult Indians residing on the reservation, as the case might be, and approved by the Secretary of the Interior, could be revoked by an election open to the same voters and conducted in the same manner. Amendments may be ratified by the tribe and approved by the Secretary in the same manner as the original constitution and by-laws. The Act also provided that it should not be applicable to any reservation wherein a majority of all of the Indians entitled to vote, voted against its application. The original act provided that elections had to be called on the Act within one year after its approval. However, by the Act of June 15, 1935, this period was extended another year. The amendment to the act modified this rule so as to require a majority of those voting in an election in which not less than 30 per cent of those entitled to vote actually vote. Although many provisions of the statute did not originally apply to the Territory of Alaska or the State of Oklahoma, the Act of May 1, 1936, (49 Stat. 1250) and the Act of June 26, 1936, (49 Stat. 1967) extended the main provisions of the Indian Reorganization Act, with minor modifications, to Alaska and to Oklahoma.

During the period in which votes were taken on whether the Indian Reorganization Act should apply to the reservations, which extended from 1934 to 1936, 258 elections were held. The Oklahoma and Alaska Indians were not concerned in these elections as they were automatically brought under the law. In this balloting, 181 tribes (representing 129,750 Indians) voted to accept the law and 77 tribes (86,365 Indians) rejected it. About half of the latter were members of the Navajo Tribe (45,000) which rejected the act by a close vote.

At the present time there are 195 tribes, bands, and communities, or groups thereof, which are under the Indian Reorganization Act, excluding Indians in Oklahoma and Alaska. The Act applies to 14 groups of Indians who did not hold elections to exclude themselves from the application of the act.

On October 4, 1935 the first constitution prepared in accordance with the Indian Reorganization Act was adopted by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, by a vote of 549 to 123. It was approved by Secretary Ickes on October 28, 1935. Shortly thereafter constitutions were adopted and approved by the Rocky Boy's, Lower Brule and Fort Belknap Reservations. Ninety-three tribes, bands or Indian communities in the United States have adopted constitutions and by-laws, and seventy-three have been granted charters, permitting them to operate as business corporations.

Many constitutional provisions are substantially the same, notably those designed to enable the tribes to take advantage of the specific powers and benefits provided for in the Act. There are wide variations, however, in the provisions regarding tribal membership, the governmental organization, the safeguards available to individual members, the methods of handling tribal business and the extent of the supervision of the Secretary of the Interior.

#### **TRIBAL GOVERNMENT TAKES MANY FORMS**

While formal tribal organization has taken many forms, some governments have been adaptations of earlier tribal organizations. Some have merged the old and new forms and provided for a modern council and at the same time invested the chieftains with some power. A few organizations like the Minnesota Chippewas are confederacies.

After adopting a constitution and by-laws a tribe may, in accordance with section 17 of the Indian Reorganization Act, request the Secretary to issue a charter to the tribe. This request is made in the form of a petition signed by one-third of the adult Indians. The charter must be ratified by the tribe in a special election called by the Secretary. As in the case of the constitution, the calling of an election on the charter is mandatory when a petition is presented to the Secretary. A charter thus issued by the Secretary and ratified by the tribe may not be revoked or surrendered except by an Act of Congress.

## CHARTERED TRIBES BECOME BUSINESS CORPORATIONS

Most tribes subsequently supplemented their constitutions and by-laws by adopting charters. The Indian Reorganization Act provides for the issuance to organized Indian tribes of charters containing such powers as are incident to the normal functioning of a business corporation, such as capacity to make contracts, to adopt and use its corporate seal, to sue and be sued in courts of competent jurisdiction, and other powers as set forth in the following language of section 17: "to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands, and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, . . . .".

The exercise of corporate authority by a tribe is limited in certain respects by specific prohibitions against any sale, mortgage, or a lease for more than ten years, of any land within the reservation boundaries. The grant of a charter is made to enable a tribe more effectively to utilize the powers which it already possesses as an organized body, (55 I. D. 14), in promoting the welfare of its members. It bestows legal responsibility upon the organization and it adds weight to the legal status of the government body charged by the members with the duty and authority to administer the tribe's powers.

### TRIBAL POWERS LIMITED

Neither the constitution and by-laws nor a corporate charter give the Tribal Council power to control the conduct of members of the tribe except in respect to the matters set forth therein. They do not interfere with the pursuit by the members of their own private objectives except in such ways and to such an extent as the members themselves have agreed. They do not interfere with allotment rights or shares in tribal benefits. The property with which the Tribal Council may deal is only the property of the tribe as a whole, not that of the individual members. Several tribes, which have constitutions but failed to ratify charters, have recently ratified charters, and thus have become eligible for loans under the revolving credit fund.

Many tribal governments are approaching the end of the first decade of their operation. To some tribes with corporate charters the end of the first ten years has a special significance. Most of the I. R. A. charters provide that after the charters have been in effect for a specified period of years certain supervisory powers of the Secretary of the Interior may be terminated by action of the tribal council, the Secretary and the tribe. In some charters the supervisory powers of the Secretary may be terminated after a period of five years. If the Secretary disapproves the request for termination by the tribal council, the council may be freed from this supervision if two-thirds of the eligible voters of the tribe concur.

## SOME DIFFICULTIES OF TRIBAL GOVERNMENT

Before the various aspects of tribal governments are discussed, some of their difficulties, past and present, will be reviewed under the following headings:

1. Federal Indian Policy.
2. Institutional opposition to tribal government within the Indian Office.
3. Lack of familiarity among the Indians with white culture.
4. Misunderstandings and misinterpretations of the Indian Reorganization Act.
5. The war.
6. Abolition of the direct governmental services to tribal government.

1. **Federal Indian Policy.** Until comparatively recently the policy of the Federal Government has been to convert the Indian to the conventional land owning white farmer. The first step consisted in an attempt to break up tribal assets into individual allotments, to terminate historical tribal governments, and to suppress Indian customs and tribal laws. As a result some tribal governments had virtually disintegrated or had lost a great deal of their original vigor and importance. Broken treaties and promises, and harsh to cruel treatment naturally caused many Indians to feel varying degrees of hostility to the white race. The suspicion was ingrained that any new policy which might be started by the government was motivated by a desire to aid the whites and hurt the Indians. Since Indians were denied their natural way of life, the government had to establish the odious ration system which sapped initiative and resourcefulness. Many of the Indians became dependent upon government aid as a consequence. A tradition of need for assistance therefore has been developed among many who have experienced long periods of dependency on rations or other government assistance as well as unemployment or partial employment.

2. **Institutional opposition to tribal government within the Indian Office.** When the Indian Reorganization Act was enacted in 1934 a large number of Indian Service officials, including superintendents and chiefs of divisions in the agencies and central office, were skeptical of its success; in fact there were some who did not believe in Indian self-government. During several previous decades some important officials of the Service were luke warm, or even unfriendly to many tribal councils. These employees, consciously or unconsciously, relegated Indian organization to the background. They absented themselves from council meetings.\* Indian leaders frequently were not advised of reservation programs and other important facts. Often they were not consulted in the formulation of reservation plans. The attitude of the local administration in such cases may be likened to that of a colonial administrator who feels a keen sense of duty as a superior over an inferior people whose

\*Some superintendents who were sympathetic with self-government did not attend tribal council meetings unless asked, because they did not wish to influence the council.



lives he controls. The feeling that Indians are not prepared to handle their own affairs, though prompted by high motives, may result in a display of paternalism towards the Indians which they will deeply resent. Any mistakes of tribal governments, which supported the preconceived idea that Indians were unfit, loomed large. Achievements, by the same mental process were forgotten. Fear was manifest among a few that their own power would be to a great extent jeopardized by another body having something to say about the management of the reservation. They betrayed an obvious annoyance when the council made recommendations concerning matters which they regarded as peculiarly a governmental responsibility, one within their purview, of course. While there has been great progress, there is still room for improvement.

**3. Lack of familiarity among the Indians with white culture.** With the exception of a comparatively few tribes and individual Indians, American Indians are among the most economically depressed groups in the country. Educated Indians and those experienced in white methods often leave the reservation. While there has been a great improvement in the amount of education which most Indians receive, it is still several years less than that of most whites in neighboring communities. This leaves a dearth of educated leadership to carry on at home. Also the inability of many of the older Indians to understand English and many of the younger Indians to understand their native Indian tongue adds additional barriers. Lack of understanding and cooperation between the new and the old generation, an inevitable consequence in a rapidly changing culture, is often used to keep Indians in a divided status. Indians in some states are disenfranchised, and even in states where they vote, nowhere, save possibly in the State of Oklahoma, are many Indians elected or appointed to important offices. All these factors indirectly reflect on local Indians. For example most Indian councilmen had little experience in local government or in political matters generally prior to the institution of self-government on the reservation. Deeply frustrated groups are often plagued by internal rivalry and factionalism. Scapegoats are often sought. The Indians' plight is blamed on a person, a Bureau or a statute. The Commissioner of Indian Affairs, the Indian Office, the Superintendent, the Council or the I. R. A. may be attacked as the cause of all woes.

**4. Misunderstandings and misinterpretations of the Indian Reorganization Act.** Prior to the enactment of the Indian Reorganization Act during the early discussions of it, there was some condemnation by the delegates attending regional-held meetings over the country, based on misunderstanding of the probable effect of the statute, or on reasons not connected with the proposed legislation. As was to be anticipated, some opponents of the new administration including selfish vested interests, conducted a nation-wide campaign of false propganda to defeat the measure. Real estate interests which had been acquiring Indian lands by devious methods, and stockmen and lumber

interests which had profited by the inability of the Indians to protect their own resources, waged a campaign designed to perpetuate their privileges, often through hired Indians. Fantastic rumors were spread, such as: the bill was designed to deprive the Indians of the interests in their lands, to take away their allotments and communize them, to put the church out of business, and forbid missionaries to work among the Indians. For example, the Navajo Tribe rejected the act by a close vote because many voted in the negative, misadvised that its adoption would result in the confiscation of their sheep and goats by the government. Even before the voting was over there was started the first periodic drive by whites to scuttle the I.R.A., abolish the Indian Service, and terminate Federal guardianship over resources. This drive has recurred periodically. Another method of attack is to resort to litigation to vacate sentences of tribal courts imposed for violations of tribal ordinances.

5. **The war.** Since most Indian reservations are in rural, thinly populated regions, the difficulties of transportation within recent times have greatly added to the problem of communication so necessary to unity, between Indian leaders on and off the reservations. Various meetings, including those called by the Indian Service to exchange ideas and diffuse knowledge helpful to tribal organization, have been stopped because of travel restrictions and cuts in appropriations. Many courageous and able leaders were in the armed services or defense industries. Many have recently returned and are again playing a vital role in tribal affairs.

6. **Abolition of direct governmental services to tribal government.** The field staff of the Organization Division, all of whom were Indians, selected for their zealous espousal of Indian participation, stimulated tribal self-government. The failure of Congress to appropriate money for this work has retarded the development of tribal organizations on some reservations.

#### ACHIEVEMENTS OF TRIBAL GOVERNMENT

The achievements of tribal governments despite the difficulties which I have briefly enumerated have nevertheless been a long step forward. On some reservations work in tribal self-government has been laudable. Most tribal councilmen are seriously endeavoring to exercise their powers wisely and thoughtfully, because they have a stake in the final outcome. On this very principle the government predicates its whole program of self-government, namely that people who are most active in the making of their government will in the long run do most to perfect it. A resume of the accomplishments of tribal governments will prove this thesis.

1. **Self-government and the war.** Enemy propaganda has sought, according to reports, to exploit the weakest link in our political and economic system. Failure to live up entirely to the American creed of brotherhood and equality has been assailed, particularly in connection with minorities. Persons of Indian ancestry have been included. While sowing the seeds of prejudice

in various religious and racial groups, the enemy propagandists argued that the United States had broken treaties with the Indians and impoverished them by reducing the area and quality of their land. Such propaganda for many reasons has had little effect on the American Indian. Even before the outbreak of the war with Germany and Japan some Indian tribes like the Confederated Tribes of the Warm Springs Reservation of Oregon passed resolutions denouncing this propaganda.

There is no doubt that the gradual increase in self-government among the Indians during the last decade has contributed much toward overcoming historical bitterness and mistrust felt by some Indian groups against the United States. This has been evidenced by Indian leaders who frequently expressed their patriotism by speeches and deeds. Tribal councils invested over two million and a half dollars of funds in war bonds besides making sizable contributions to the Red Cross. Moneys were also set aside by some tribes to make loans to tribal members to pay transportation and tuition to trade schools in order to prepare members for defense work. A considerable amount of tribal land was permitted, leased or sold to the United States government for war purposes.

**2. Management of tribal resources.** One of the major functions of tribal councils is the management of tribal property. However, on allotted reservations containing little tribal land or other tribal resources, some tribal councils found it difficult to maintain interest in self-government after the novelty of elections had worn off. Some of the Lake States with meager tribal assets emphasized social and recreational activities. In other similar situations, as for example in the State of Oklahoma, the councils were mainly concerned with loans, leases, rehabilitation and relief. The chairman of the Caddo Council, by July 1940, intimated that the tribal revolving credit fund had enabled almost one-third of the tribal membership to be rehabilitated and taken off direct relief.

Tribal councils on the whole have exercised good judgment in controlling their resources. Tribal funds have been used to acquire fractionated heirship lands, to make loans for the purchase of land, livestock and equipment for individual members, and for tribal enterprises, such as livestock cooperative associations, tribal farming enterprises (including the producing of hay on tribal land), producers and consumers co-operatives, and arts and crafts organizations. Group action through corporations and cooperatives has increased the utilization of Indian resources. When the resources are owned by the tribe, the benefits of the enterprise accrue to members of the tribe as a whole. Prior to the passage of the I.R.A., only a handful of livestock associations were organized. Now they have increased in strength and number totaling about 160 cooperative livestock associations. Approximately 40 per cent of the Indian-owned beef cattle is managed by livestock associations which

have played an important role in improving breeding and management practices, range control, and feed production and cooperative sales. They have not only materially increased the income derived from the sale of cattle but they have enabled the Indians to utilize more fully the range lands, including the forestry areas suitable for grazing, aggregating approximately 80 per cent of the total Indian land resources.

In the initial stages of these enterprises supervision is usually given by Indian Service personnel to insure efficient operation and protection of the loan of the Federal Government. When the enterprise has created a sufficient surplus to insure its repayment, supervision is gradually relinquished until full responsibility is finally assumed by the Indians. Unfortunately this process is often slow.

Land management laws dealing with assignment, leasing, permitting and use of tribal lands also have been passed. Unfortunately economic plans for the use of Indian property are sometimes made by Indian Service officials with little or no participation by the Indians. Nevertheless, in my opinion there has been a slow but gradual increase in the amount of consultation by government officials with Indian leaders in the framing of policies. It is becoming recognized that a plan, no matter how idyllic, which is not favored by the people affected may be doomed to failure.

An increasing number of ordinances have been enacted by tribal councils to protect fish and wildlife, to provide a better and more equitable use of tribal land, and to conserve tribal land from overgrazing. For instance, recently the Papago Tribal Council enacted ordinances reducing excessive stock on tribal lands and eradicating horses infected with dourine. The White Mountain Apaches have appropriated money to round up wild horses.

The power to approve loans from revolving credit funds to members has been granted to the Flathead Tribe. It is reported that on the whole the tribal loan committee has been successful. In a few jurisdictions there had been abuses of the power to control certain tribal assets and distribute funds. A few tribal treasurers have misused funds and councilmen, in instances, have appropriated to their own use substantial sums by paying larger per diems or for excessive travel. Others have favored relatives and friends. But these are only the exceptional cases.

**3. Social welfare and education.** Some tribes having conducted very extensive home improvement and public works programs, are thus beginning to supplement the work of the government in the field of social service. The Apache Tribe of the Mescalero Reservation in New Mexico has constructed houses for each of the families. Tribal loans have been given Indians requiring special medical attention not available at local government hospitals. In addition, committees have assisted in health, education and relief. In a few places the whole relief program has been financed by the

tribe. Almost thirty councils have included a compulsory education section in their law and order code and three councils have adopted special compulsory education ordinances. Tribal funds have been used to employ truant officers.

The Makah Tribe of the Makah Indian Reservation, Washington, bought from the United States Government an abandoned construction camp no longer needed by the U.S. Engineers. Under the direction of a tribal council almost entirely composed of fullbloods, 64 new dwellings were moved to the Village of Neah Bay, the most populous village in the reservation, and about 250 members of the tribe secured vastly improved homes as a result. Twenty-four other buildings are utilized as boat houses, garages, wood shacks and other purposes. About \$60,000 of tribal funds was expended on the buildings and their removal.

**4. Law and order.** Under the revised law and order regulations promulgated by the Department soon after the passage of the Indian Reorganization Act, Indian Service officials are prohibited from controlling, obstructing or interfering with the functions of the Indian courts. Many councils have adopted their own law and order codes for their reservations which, after Secretarial approval, supersede the general regulations. Indian judges, while not always meticulous in following the proper procedure, have usually been conscientious and able in dispensing justice. Yet there is room for improvement in this field. The remuneration of Indian judges and Indian police is very low. Their training in law and procedure is often slight.

**5. Miscellaneous.** Tribal governing bodies besides those mentioned above have also enacted ordinances and resolutions dealing with a wide variety of other subjects. These include the correction of census rolls, the adoption and abandonment of membership, domestic relations including adoption, marriage, divorce and the appointment of guardians, inheritance, taxation and licensing, and tribal organizations and procedure. Variations in legislation will depend upon many facts, such as the power vested in the tribal councils by the tribal constitution, the local conditions and the calibre of the tribal officials. In distant Alaska the council of the native village of Noatak passed ordinances dealing with building permits, the making of wills and the straying of dogs.

**6. Medium for communication.** Ignorance breeds many ills. Maladministration, misunderstanding, and the dissemination of misinformation result when the channels of communication break down or are defective. The isolation of many reservations makes the transmission of developments in the Service of special importance. One of the major problems of the local agency administration is to diffuse a knowledge of its policies and of other important facts to local personnel and others principally affected.

Tribal leaders having a responsibility of conveying the news to their

people should be kept advised of matters of importance to the Indians. Tribal councils offer an excellent medium for the transmittal of this information. Furthermore, by conferences involving the council, the superintendents, and other government officials, an opportunity is afforded to become acquainted with Indian leaders and vice versa.

**7. Recommendations.** Community government also furnishes a means whereby administrators may know the opinions, hopes and aspirations of the Indians. Officials who are inclined to resent recommendations of Indian councils which they consider are in a field outside of the jurisdiction of the council are treading on doubtful ground. It is not uncommon for state legislatures, municipal councils and even Indian Service superintendents to pass resolutions concerning matters outside of their purview. Tribal councils who might do likewise should not be discouraged. Administrators should appreciate the insight gained thereby into Indian thinking. An ability to vocalize a complaint constitutes an emotional outlet of distinct social value.

A provision of the Indian Reorganization Act whereby the tribal councils were authorized to advise the Secretary of the Interior with regard to all appropriation estimates of Federal projects for the benefit of the tribe has apparently been disregarded in part because of the administrative difficulties involved. I believe that explaining to the councils these estimates and securing their views would be a very important educational process for both the Indian and the government personnel. An important step has already been taken: Budgets involving the use of tribal funds are discussed with the appropriate tribal council.

**8. Improvement.** Many effective and modern procedures have been established by councils in the conduct of business affairs and meetings. Tribal offices are now in evidence, some in the agency building and others in a separate tribal building. The number of persons who go to these tribal offices for assistance on some jurisdictions exceeds those who visit the agency.

Most of the Indians have also increased their knowledge of their constitutions and charters. There are still, however, many questions of interpretation of these documents which sometimes test the ingenuity of lawyers. Some tribal officials have been accused of violating provisions of their constitutions. Such actions may violate the Law and Order Code, in which case a remedy lies through a complaint to the tribal court. In others, recourse may be found in the impeachment or recall of the official, where the constitution provides for such remedies. Finally the electorate has, in all cases, the ability to elect new officials on the next election day.

**9. Tribes not organized under the I. R. A.** Four tribes which voted to come under the Indian Reorganization Act are operating under constitutions not under the Act.

Thirteen tribes which are not under the Indian Reorganization Act are

operating under constitutions. Eight of these constitutions have been approved by the Commissioner of Indian Affairs. The governing body provided for in some of these constitutions has considerable power. In other constitutions the powers are meager.

Under the present law, tribes which are not under the Indian Reorganization Act, cannot come within its provisions, and tribes which are under the Act cannot exclude themselves from its provisions.

**10. Relation between Indian self-government and world peace.** Democracy in many parts of the world is on the march; a march that is increasing in tempo. The economic income of oppressed people throughout the world has become a concern for all and is receiving widespread attention. World peace is linked up with the attainment of more self-government, the decline of imperialism and the elimination of general poverty. Colonial people everywhere are looking hopefully to the United States Government. It is especially important that this country demonstrate the sincerity of its ideals and its ability to effectuate them. On every front this must be exemplified by the increasing substitution of local self-government even on the smallest reservations, for bureaucratic control. The Indian Office, together with tribal councils, by increasing the standard of living of depressed Indian groups and achieving a high measure of self-determination, will be in the vanguard of the movement for greater economic and political democracy.

**Table A**

Indian Tribes, Bands and Communities  
Which Voted to Accept or Reject the Terms  
of the Indian Reorganization Act,  
the Dates When Elections Were Held,  
and the Votes Cast



**ACTION BY TRIBES ON INDIAN REORGANIZATION ACT**  
(Those listed in black face type accepted the act)

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
<b>ARIZONA</b>						
	Colorado River Agency:					
	Colorado River .....	705	365	119	8	Dec. 15, 1934
	Fort Mojave .....	432	265	102	8	Dec. 15
	Cocopah .....	32	18	4	0	Nov. 17
	Fort Apache Agency:					
	Fort Apache .....	2,718	1,340	726	21	April 27, 1935
	Papago Agency:					
	Gila Bend .....	228	120	18	0	Dec. 15
	Papago .....	5,146	3,028	1,267	166	Dec. 15
	San Xavier .....	525	283	158	22	Dec. 15
	Pima Agency:					
	Fort McDowell .....	205	111	65	7	Oct. 27, 1934
	Gila River .....	4,659	2,308	1,188	116	Dec. 15
	Salt River .....	1,049	592	194	66	Dec. 15
	Ak Chin .....	179	87	53	15	Dec. 15
	San Carlos Agency:					
	San Carlos .....	2,843	1,473	504	22	Oct. 27
	Hopi Agency:					
	Hopi .....	2,538		519	299	June 15, 1935
	Truxton Canon Agency:					
	Havasupai .....	201	106	72	3	June 15
	Hualapai .....	451	256	37	22	June 15
	Camp Verde (Yavapai Apache)...	451	259	112	20	Dec. 15, 1934
	Navajo Agency (Arizona, New Mexico)	43,135	15,900	7,608	7,992	June 14-15
<b>CALIFORNIA</b>						
	Colorado River Agency:					
	Fort Yuma (Quechan) .....	819	402	192	32	Nov. 17, 1934
	Hoopa Valley Agency:					
	Hoopa Valley Reservation .....	554	240	8	174	Dec. 15
	Klamath River .....	925	375	38	256	Dec. 15
	*Quartz Valley .....					
	Rancherias:	411				
	Smith River .....		41	1	31	June 14, 1935
	Crescent City .....		8	6	0	June 14
	Hohnerville .....		9	1	5	June 14
	Table Bluff .....		26	0	10	June 14
	Trinidad .....		4	4	0	June 14
	**Blue Lake .....	No Votes				June 14
	Mission Agency:					
	Augustine .....	14	13	0	6	Dec. 18, 1934
	Cabezon .....	29	17	0	7	Dec. 18
	Cahuilla .....	107	69	3	33	Dec. 18
	Campe .....	135	73	7	18	Dec. 18
	Capitan Grande .....	160	87	37	35	Dec. 18
	(Including Barona)					
	**Cuyapaipe .....	No Votes				Dec. 18
	Inaja .....	33	22	0	15	Dec. 18
	Laguna .....	3	1	1	0	Dec. 18
	LaJolla .....	221	145	28	68	Dec. 18
	La Posta .....	3	3	2	0	Dec. 18
	Los Coyotes .....	88	52	3	37	Dec. 18, 1934
	Manzanita .....	67	36	3	0	Dec. 18
	Mesa Grande .....	218	119	9	64	Dec. 18
	Pala .....	205	121	7	66	Dec. 18

\*Indians residing on lands purchased from I.R.A. funds. Group is organized under the I.R.A.

\*\*Act applies since Indians did not vote against its application.

\*\*\*Act applies since less than 30 percent of eligible voters participated in the election.

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
	Mission Creek	20	10	0	3	Dec. 18
	Morongo	292	173	25	79	Dec. 15
	Palm Springs	50	31	4	16	Dec. 15
	Pauma	69	37	0	23	Dec. 15
	Pechanga	216	156	14	48	Dec. 15
	Rincon	181	114	22	58	Dec. 15
	San Manuel	40	25	2	10	Dec. 15
	San Pascual	9	3	2	1	Dec. 15
	Santa Rosa	50	32	3	13	Dec. 15
	Santa Ynez	90	48	20	0	Dec. 15
	Santa Ysabel	237	122	14	47	Dec. 15
	Soboba	122	76	6	57	Dec. 15
	Sycuan	35	23	6	16	Dec. 15
	Torres Martinez	198	117	11	66	Dec. 15
Sacramento Agency:						
	Alexander Valley		14	14	0	June 11, 1935
	Alturas		13	6	5	June 8
	Auburn		36	5	16	June 14
	Berry Creek		49	0	26	June 12
**	Big Bend	No Votes				
	Big Sandy		38	1	25	June 8
	Big Valley		46	21	4	June 8
	Cache Creek		15	7	3	June 8
	Buena Vista		4	2	0	June 12
**	Cedarville	No Residents				
	Cloverdale		20	10	0	June 11
	Cold Springs		47	0	23	June 8
**	Colfax	No Residents				
	Colusa		36	25	1	June 12
	Cortina		20	12	0	June 12
	Coyote Valley		8	0	1	June 10-30
	Dry Creek		49	8	17	June 10-30
	East Lake (Robinson)		46	19	13	June 8
	Enterprise		29	7	17	June 12
	Fort Bidwell		41	27	2	June 8
	Guideville		25	14	1	June 10
	Grindstone		27	11	0	June 14
	Hopland		56	28	3	June 10
	Jamestown		5	0	5	June 11
	Jackson		3	3	0	June 12
	Laytonville		29	7	11	June 10
	Likely		30	19	1	June 8, 1935
	Lookout		12	6	2	June 8
**	Lytton	No Residents				
	Manchester		46	30	0	June 11
	Middletown		13	10	0	June 8
**	Millerton	No Residents				
	Mooretown		43	0	34	June 12
	Montgomery Creek		7	5	2	June 10
	Nevada City		18	6	2	June 14
	Northfork		6	0	4	June 10
	Paskenta		26	17	0	June 10
	Picayune		11	3	7	June 10
	Pinoleville		51	29	1	June 10
	Pitt River		2	0	2	June 10
	Potter Valley		26	10	3	June 10
	Redding		12	2	4	June 11
	Redwood Valley		18	16	0	June 10
	Rumsay		11	10	0	June 12
**	Santa Rose	Indians refused to Hold Election				

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
**	Sebastopol	No Residents				
	Scotts Valley		17	0	10	June 8
	Sheep Ranch		1	1	0	June 12
	Sherwood		35	10	12	June 10
	Shingle Springs		3	0	3	June 13
	Stewarts Point		70	51	10	June 11
	Strawberry Valley		10	0	6	June 14, 1935
	Sulphur Banks		20	11	7	
	Susanville		9	6	0	June 12
	Table Mountain		16	2	10	June 8
**	Strathmore	No Residents				
	Taylorville		4	2	0	June 12
	Tuolumne		40	37	0	June 11
	Tule River	186	94	50	2	Nov. 17, 1934
	Upper Lake		36	7	4	
	Wilton	40	14	12	0	June 15, 1935
	Round Valley (Covelo)	827	458	138	36	Nov. 17, 1934
COLORADO						
	Consolidated Ute Agency:					
	Southern Ute	389	129	85	10	June 10, 1935
	Ute Mountain	445	225	9	3	June 12
FLORIDA						
	Seminole Agency:					
	Seminole	580	295	21	0	March 30
IDAHO						
	Northern Idaho Agency:					
	Coeur d' Alene	634	203	76	78	Nov. 17, 1934
	Kalispel	88	38	29	2	Nov. 17
	Nez Perce	1,399	608	214	252	Nov. 17
	Fort Hall Agency:					
	Fort Hall	1,839	971	375	31	Oct. 27
IOWA						
	Tomah Agency:					
	Sac & Fox	419	198	63	13	June 15, 1935
KANSAS						
	Potawatomi Agency:					
	Iowa	498	245	115	3	June 15
	Kickapoo	308	151	74	16	June 15
	Sac & Fox	99	49	32	3	June 15
	Potawatomi	955	469	198	122	June 15
LOUISIANA						
	Choctaw Agency:					
	Chitimacha	128	35	25	3	May 14
MINNESOTA						
	Consolidated Chippewa Agency:					
	Fond du Lac	1,298	725	167	28	Nov. 17, 1934
	Grand Portage	377	179	75	4	Oct. 27
	Leech Lake	2,076	961	375	60	Oct. 27
	(Cass Lake & Winnibigoshish, White Oak Point)					
	White Earth	8,059	4,169	1,122	245	Oct. 27
	Nett Lake (Boise Fort)	627	317	159	7	Oct. 27
	Red Lake Agency:					
	Red Lake	1,968	825	418	24	Nov. 17
	Pipestone School	552	271	94	2	Nov. 17
	Lower Sioux					
	Granite Falls					
	Prairie Island					
			Voted as one group			

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
<b>MICHIGAN</b>						
Great Lakes Agency:						
	L'Anse .....		558	413	8	June 17, 1935
	Bay Mills .....		95	42	25	June 17, 1935
	Hannahville .....			47	3	June 17, 1935
	Ontonagon .....		Voted with L'Anse			
Tomah Agency:						
	Isabelle (Swan Creek-Black River-Saginaw) .....		424	237	112	June 17
<b>MISSISSIPPI</b>						
Choctaw Agency:						
	Choctaw .....	1,792	736	218	21	March 30
<b>MONTANA</b>						
Blackfeet Agency:						
	Blackfeet .....	3,962	1,785	823	171	Oct. 27, 1934
Flathead Agency:						
	Flathead .....	2,964	1,218	494	166	Dec. 15
Fort Belknap Agency:						
	Fort Belknap .....	1,367	604	371	50	Oct. 27
Rocky Boy's Agency:						
	Rocky Boy's .....	676	344	179	7	Oct. 27
Tongue River Agency:						
	Tongue River .....	1,541	757	418	96	Oct. 27
Crow Agency:						
	Crow .....	2,082	982	112	689	May 18, 1935
Fort Peck Agency:						
	Fort Peck .....	2,663	1,027	276	578	Dec. 15, 1934
<b>NEBRASKA</b>						
Winnebago Agency:						
	Omaha .....	1,642	807	212	17	Oct. 27
	Ponca .....	392	192	64	4	Nov. 17
	Santee .....	1,277	627	260	29	Nov. 17
	Winnebago .....	1,187	583	133	52	Oct. 27
<b>NEVADA</b>						
Carson Agency:						
	*Duckwater (Shoshone) .....		89	73	2	Nov. 17
	Fort McDermitt .....	273	277	151	54	Dec. 15
	Pyramid Lake .....	64	14	10	4	May 24, 1935
	Summit Lake .....	205	95	53	5	June 10
	Reno-Sparks .....	170	75	58	1	June 10
	Dressierville .....	134	45	31	10	June 11
	Lovelock .....	35	26	15	0	June 11
	Winnemucco .....	28	14	9	0	June 14
	Battle Mountain .....	73	40	34	0	June 14
	Elko .....	64	35	8	6	June 17
	Ely .....	158	84	42	3	Nov. 17, 1934
	Moapa River .....	40	22	10	2	May 17, 1935
	Las Vegas Tract .....	20	11	0	11	June 11
	Big Pine .....	171	93	1	68	June 11
	Bishop .....	426	247	39	74	May 17
	Fallon .....	74	49	4	29	May 24
	Ft. Independence .....	28	8	8	0	May 14
	Indian Ranch .....		19	1	12	May 11
	Red Hill .....	492	301	37	41	Nov. 17, 1934
	***Walker River .....		14	1	9	June 11, 1935
	West Bishop .....	72	51	31	3	June 15
	Yerington .....					
	*Yomba .....					

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
Western Shoshone Agency:						
	Duck Valley (Shoshone-Paiute)	516	383	191	12	Oct. 27, 1934
	Gandy	6	4	4	0	May 5, 1935
	Goshute	155	81	21	0	May 14
	Skull Valley	41	21	9	5	Nov. 21, 1934
NEW MEXICO						
Mescalero Agency:						
	Mescalero	722	367	-273	11	Dec. 15
United Pueblos Agency:						
	Acoma	1,125	597	283	0	Dec. 15
	Cochiti	305	167	121	0	Dec. 15
	Isleta	1,103	567	138	7	June 17, 1935
	Jemez	677	351	84	178	June 17
	Laguna	2,271	1,315	776	66	Oct. 27, 1934
	Nambe	128	72	52	1	Dec. 15
	Picuris	117	59	51	0	Oct. 27
	Pojoaque	9	8	7	0	April 13, 1935
	Sandia	129	69	15	0	Dec. 15
	San Ildefonso	126	62	57	4	April 13
	San Felipe	596	331	224	0	June 17, 1935
	San Juan	561	280	243	0	Dec. 15, 1934
	Santa Ana	241	148	100	0	June 17
	Santa Clara	400	200	134	34	April 13
	Santa Domingo	866	476	171	1	June 17
	Sia	189	92	82	0	June 17
	Taos	745	402	303	36	Oct. 27
	Tesuque	123	71	67	0	Dec. 15
	Zuni	2,051	1,066	505	40	Nov. 17, 1934
NEW YORK						
New York Agency:						
	Allegany		548	37	298	June 10, 1935
	Cattaraugus		864	101	475	June 14
	Cornplanter (Pennsylvania)			23	17	June 15
	Onondaga		350	17	206	June 15
	St. Regis		800	46	237	June 8
	Tonawanda		338	42	175	June 11
	Tuscarora		225	6	132	June 12
NORTH CAROLINA						
Cherokee Agency:						
	Qualla Boundary (Eastern Cherokee)	3,254	1,114	700	101	Dec. 20, 1934
NORTH DAKOTA						
Fort Berthold Agency:						
	Fort Berthold	1,569	661	477	139	Nov. 17, 1934
Fort Totten Agency:						
	Fort Totten	960	521	144	233	Nov. 17
Standing Rock Agency:						
	Standing Rock					
	(North Dakota)	1,677				
	(South Dakota)	2,098	1,559	668	508	Oct. 27
Turtle Mountain Agency:						
	Turtle Mountain	6,034	1,181	257	550	June 15, 1935
OREGON						
Klamath Agency:						
	Klamath	1,364	666	56	408	June 15
Umatilla Agency:						
	Umatilla	1,140	681	155	299	June 15
Grand Ronde-Siletz Agency:						
	Grande Ronde	356	213	102	68	April 6
	Siletz	465	233	54	123	April 6

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
	Warm Springs Agency:					
	<b>Warm Springs</b> .....	992	394	260	74	April 6
	<b>Burns</b> .....		67	48	1	April 6
<hr/>						
SOUTH CAROLINA						
Cherokee Agency:						
**Catawba						
<hr/>						
SOUTH DAKOTA						
Cheyenne River Agency:						
	<b>Cheyenne River</b> .....	3,288	1,420	653	459	Oct. 27, 1934
Crow Creek Agency:						
	Crow Creek .....	953	388	87	246	Dec. 15
	<b>Lower Brule</b> .....	603	160	71	39	Dec. 15
Flandreau School:						
	<b>Santee Sioux</b> .....	345	193	79	5	Oct. 27
Pine Ridge Agency:						
	<b>Pine Ridge</b> .....	8,370	4,075	1,169	1,095	Oct. 27
Rosebud Agency:						
	Rosebud .....	6,362	3,126	843	424	Oct. 27
	<b>Yankton</b> .....	2,018	991	248	171	Oct. 27
Sisseton Agency:						
	Sisseton .....	2,658	1,170	266	335	April 6, 1935
Standing Rock Agency:						
(See North Dakota)						
<hr/>						
UTAH						
Uintah & Ouray Agency:						
	<b>Cedar City</b> .....	28	13	2	0	May 14, 1935
	<b>Kaibab (in Arizona)</b> .....	93	51	28	5	Nov. 17, 1934
	<b>Kanosh</b> .....	24	14	11	0	May 7, 1935
	<b>Keoshareh</b> .....	30	17	14	0	May 10
	<b>Peiate</b> .....	19	11	7	0	Nov. 24, 1934
	<b>Uintah</b> .....	1,251	634	335	21	Dec. 15
	<b>Shivwits</b> .....	79	40	27	2	Nov. 17
Fort Hall Agency:						
	<b>Washakie</b> .....	137	109	37	26	April 27, 1935
<hr/>						
WASHINGTON						
Colville Agency:						
	Colville .....	3,116	1,659	421	562	April 6
	Spokane .....	807	376	92	163	April 6
Taholah Agency:						
	Chehalis .....	132	70	22	26	April 6
	<b>Makah</b> .....	403	219	75	47	April 6
	<b>Nisqually</b> .....	63	40	19	2	Oct. 27, 1934
	<b>Ozette</b> .....	2	2	2	0	April 13, 1935
	<b>Quinalt</b> .....	1,729	764	184	176	April 13
	<b>Hoh</b> .....	4	4	3	1	April 13
	<b>Quileute</b> .....	242	96	37	15	April 13
	Shoalwater .....		11	3	5	April 13
	<b>Skokomish</b> .....	189	107	35	10	Oct. 27, 1934
	<b>Squaxon Island</b> .....	39	32	10	6	April 6, 1935
Tulalip Agency:						
	Lummi .....	667	287	72	110	March 30
	<b>Muckleshoot</b> .....	200	97	59	7	April 13
	* <b>Port Gamble</b> .....					
	<b>Port Madison</b> .....	171	110	30	0	April 6
	<b>Puyallup</b> .....	328	190	34	36	April 13
	<b>Swinomish</b> .....	273	123	122	1	Nov. 17, 1934
	<b>Tulalip</b> .....	663	215	143	68	April 6, 1935

STATE	RESERVATION	POP.	VOTING POP.	TOTAL YES	VOTES NO	ELECTION DATES
	Clallam .....	738				
	Nooksak .....	235	135	53	13	March 30
	Skagit-Suiattle .....	205	123	74	3	April 6
	Yakima Agency:					
	Yakima .....	2,942	1,392	361	773	April 20
<b>WISCONSIN</b>						
	Great Lakes Agency:					
	Bad River .....	1,211	697	296	47	Nov. 17, 1934
	Lac Courte Oreille .....	1,559	871	205	175	Dec. 15
	Red Cliff .....	506	360	122	7	Dec. 15
	*Sokaogan .....					
	Potawatomi .....	388	51	31	3	June 15, 1935
	*St. Croix .....					
	Lac du Flambeau .....	853	492	162	57	June 15
	Menominee Agency:					
	Menominee .....	2,077	1,020	596	15	Oct. 27, 1934
	Tamah Agency:					
	Oneida .....	3,128	1,844	688	126	Dec. 15
	Stockbridge .....	600	226	166	1	Dec. 15
<b>WYOMING</b>						
	Wind River Agency:					
	Shoshone & Arapahoe .....	2,196	1,032	339	469	June 15, 1935

**Table B**

Indian Tribes, Bands and Communities  
under Constitutions and Charters  
as Approved by the  
Secretary of the Interior  
in accordance with the  
Indian Reorganization Act  
Oklahoma Indian Welfare Act  
Alaska Reorganization Act

Revised October 10, 1946



*Office 11/15/38 - Carl Sed - Vigant  
 Dec 11/15/38 - Dec 11/15/38  
 11-2-38*

*April 23, 1938 - ...  
 K M Pueblo ...*

**TRIBES ORGANIZED UNDER THE INDIAN REORGANIZATION ACT**

The following list shows Indian tribes, grouped by agencies, which are under Constitutions and Charters, as approved by the Secretary of the Interior in accordance with the provisions of the Indian Reorganization Act, the Oklahoma Indian Welfare Act, and the Alaska Act. The listed dates show when the Constitutions and Charters went into effect. This listing also indicates which documents have been amended and the dates of amendment. Population figures, except for Alaska, are taken from Statistical Supplement for 1940.

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Blackfeet: Blackfeet	The Blackfeet Tribe of the Blackfeet Indian Reservation, Montana	Dec. 13, 1935 Amend. 1, Jan. 18, 1946	Aug. 15, 1936	4,494
Carson: Duckwater	The Duckwater Tribe of Indians of the Duckwater Reservation, Nevada	Nov. 28, 1940 Amend. 1, June 6, 1944	Nov. 30, 1940	115
Fort McDermitt	The Fort McDermitt Paiute and Shoshone Tribe, Nevada	July 2, 1936	Nov. 21, 1936	280
Pyramid Lake	The Pyramid Lake Paiute Tribe, Nevada	Amend. 1, June 20, 1945	Nov. 21, 1936	558
Reno-Sparks	The Reno-Sparks Indian Colony, Nevada	Jan. 15, 1936	Nov. 21, 1936	191
Walker River	The Walker River Paiute Tribe, Nevada	Jan. 15, 1936 Mar. 26, 1937 Amend. 1, July 12, 1945	Jan. 7, 1938 May 8, 1937	461
Washoe (Dresslerville)	The Washoe Tribe, Nevada	Jan. 24, 1936	Feb. 27, 1937	162
Yerington	The Yerington Paiute Tribe, Nevada	Amend. June 25, 1939	Amend. June 25, 1939	84
Yomba	The Yomba Shoshone Tribe, Nevada	Jan. 4, 1937 Dec. 20, 1939	Apr. 10, 1937 Dec. 22, 1939	96
Cherokee: (N. C.) Catawba	The Catawba Tribe of Indians South Carolina	June 30, 1944		
Cheyenne River:				
Cheyenne River	The Cheyenne River Sioux Tribe, South Dakota	Dec. 27, 1935		3,583
Choctaw:				
Choctaw	The Mississippi Band of Choctaw Indians	May 22, 1945		2,281
Colorado River:				
Colorado River	The Colorado River Indian Tribes of the Colorado River Reservation, Arizona and California	Aug. 13, 1937 Dec. 18, 1936		845 913
Fort Yuma	The Quechan Tribe, California			

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Great Lakes: Bad River	The Bad River Band of the Lake Superior Tribe of Chippewa Indians, Wisconsin	June 20, 1936 Amended Dec. 1, 1942 Amend. II, Oct. 31, 1944	May 21, 1938	1,259
Boy Mills	The Boy Mills Indian Community, Michigan	Nov. 4, 1936 Amended Nov. 27, 1937	Nov. 27, 1937	190
Hannahville	The Hannahville Indian Community, Michigan	July 23, 1936	Aug. 21, 1937	108
L'Anse Lac du Flambeau	The Keweenaw Bay Indian Community, Michigan The Lac du Flambeau Band of the Lake Superior Chippewa Indians of Wisconsin	Dec. 17, 1936	July 17, 1937	939
Mole Lake Potawatomi	The Sokaogon Chippewa Community, Wisconsin The Forest County Potawatomi Community, Wisconsin	Aug. 15, 1936 Amendment I & III June 25, 1943 Amend. II, Oct. 23, 1944	May 8, 1937 Amended Nov. 8, 1941	882
Red Cliff	The Red Cliff Band of Lake Superior Chippewa Indians, Wisconsin	Nov. 9, 1938	Oct. 7, 1939	187
St. Croix	St. Croix Chippewa Indian of Wisconsin	Feb. 6, 1937	Oct. 30, 1937	310
Hoopla Valley: Quartz Valley Hopi:	The Quartz Valley Indian Community, California The Hopi Tribe, Arizona	June 1, 1936 Nov. 12, 1942	Oct. 24, 1936 Amended Nov. 12, 1938	643
Jicarilla: Kiowa (See Oklahoma):	The Jicarilla Apache Tribe of New Mexico	Dec. 19, 1936	Mar. 12, 1940	29
Mescalero:	The Apache-Coushatta Tribes of Texas	Aug. 4, 1937	Sept. 4, 1937	3,444
Northern Idaho: Kalispel	The Apache Tribe of the Mescalero Reservation, New Mexico	Aug. 19, 1938	Oct. 17, 1939	743
Papago: Gila Bend Papago San Xavier	The Kalispel Indian Community of the Kalispel Reservation, Washington The Papago Tribe, Arizona	Mar. 25, 1936 Mar. 24, 1938	Aug. 1, 1936 May 28, 1938	790 100
		Jan. 6, 1937		6,217

*Plan  
July 29, 1940  
Kings*

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Consolidated Chippewa: White Earth Locch Lake Fond du Lac Bais Fort Grand Portage	The Minnesota Chippewa Tribe	July 24, 1936	Nov. 13, 1937	13,610
Consolidated Ute: Southern Ute	The Southern Ute Tribe of the Southern Ute Reservation, Colorado	Nov. 4, 1936 Amend. I, Oct. 15, 1942 Amend. II, Feb. 28, 1946	Nov. 1, 1938	423
Ute Mountain	The Ute Mountain Tribe of the Ute Mountain Reservation, Colorado	June 6, 1940	-	459
Crow Creek: Lower Brule	The Lower Brule Sioux Tribe, South Dakota	Nov. 27, 1935 Amended Jan. 6, 1941	July 11, 1936	619
Flandreau: Flandreau	The Flandreau Santee Sioux Tribe, South Dakota	Apr. 2, 1936 Amended Jan. 6, 1941	Oct. 31, 1936	355
Flathead: Flathead	The Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana	Oct. 28, 1935	Apr. 25, 1936	3,208
Fort Apache: Fort Apache	The White Mountain Apache Tribe, Arizona	Aug. 25, 1938	-	2,892
Fort Belknap: Fort Belknap	The Fort Belknap Indian Community, Montana	Dec 13, 1935 Amended Feb. 7, 1944	Aug. 25, 1937	1,600
Fort Berthold: Fort Berthold	The Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota	June 29, 1936	Apr. 24, 1937	1,791
Fort Hall: Fort Hall	The Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho	Apr. 30, 1936	Apr. 17, 1937	1,881
Grande Ronde: Siletz: Grande Ronde	The Confederated Tribes of the Grand Ronde Community, Oregon	May 13, 1936	Aug. 22, 1936	473

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Pima:				
Fort McDowell	The Fort McDowell Mohave-Apache Community, Arizona	Nov. 24, 1936	June 6, 1938	193
Gila River	The Gila River Pima-Maricopa Indian Community, Arizona	May 14, 1936	Feb. 28, 1938	4,865
Salt River	The Salt River Pima-Maricopa Community of the Salt River Reservation, Arizona	June 11, 1940		1,172
Pine Ridge:				
Pine Ridge	The Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota	Jan. 15, 1936		9,204
Pipestone School:				
Lower Sioux	The Lower Sioux Indian Community in the State of Minnesota	June 11, 1936	July 17, 1937	192
Prairie Island	The Prairie Island Indian Community in the State of Minnesota	June 20, 1936	July 23, 1937	94
Potawatomi:				
Iowa	The Iowa Tribe in Nebraska and Kansas	Feb. 26, 1937	June 19, 1937	539
Kickapoo	The Kickapoo Tribe in Kansas	Feb. 26, 1937	June 19, 1937	343
Sac and Fox	The Sac and Fox Tribe of Missouri	Mar. 2, 1937	June 19, 1937	129
		Amended Nov. 25, 1943		
Rocky Boy's:				
Rocky Boy's	The Chippewa Cree Tribe of the Rocky Boy's Reservation, Montana	Nov. 23, 1935	July 25, 1936	742
Rosebud:				
Rosebud	The Rosebud Sioux Tribe, South Dakota	Dec. 20, 1935	Mar. 16, 1937	6,909
San Carlos:				
San Carlos	The San Carlos Apache Tribe, Arizona	Jan. 17, 1936	Oct. 16, 1940	3,103
Sacramento:				
Big Valley	The Big Valley Band of Pomo Indians of the Big Valley Rancheria, California	Jan. 15, 1936	Oct. 19, 1941	92
		Amended May 13, 1940		
Colusa	The Cachil Dehe Band of Wintun Indians, California	Nov. 23, 1941	Nov. 23, 1941	72
Fort Bidwell	The Fort Bidwell Indian Community, California	Jan. 28, 1936		117
		Amended June 8, 1940 and Feb. 4, 1942		

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Sacramento (Cont'd) Manchester	The Manchester Band of Pomo Indians of the Manchester Rancheria, California	Mar. 11, 1936 Amended May 18, 1940	Feb. 27, 1937	92
Round Valley Stewart's Point	The Covelo Indian Community, California The Kashia Band of Pomo Indians of the Stewart's Point Rancheria, California	Dec. 16, 1936 Mar. 11, 1936 Amended May 19, 1940	Nov. 6, 1937	848 140
Tuolumne	The Tuolumne of Me-wuk Indians of the Tuolumne Rancheria, California	Jan. 15, 1936 Amended May 25, 1940	Nov. 12, 1937	80
Tule River	The Tule River Indian Tribe, California	Jan. 15, 1936 Amended May 24, 1940		201
Upper Lake	The Upper Lake Band of Pomo Indians of the Upper Lake Rancheria, California (Name changed by amendment Oct. 22, 1941, to The Upper Lake Pomo Indian Community)	Jan. 15, 1936 Amended May 16, 1940 and Oct. 22, 1941	Feb. 15, 1942	72
Wilton	The Me-wuk Indian Community of the Wilton Rancheria, California	Jan. 15, 1936 Amended May 21, 1940		28
Taholah: Makah Nisqually Quileute	The Makah Indian Tribe, Washington The Nisqually Indian Community, Washington The Quileute Tribe of the Quileute Reservation, Washington	May 16, 1936 Sept. 19, 1946	Feb. 27, 1937	425 60
Skokomish	The Skokomish Indian Tribe of the Skokomish Reservation, Washington	Nov. 11, 1936 May 3, 1938	Aug. 21, 1937 July 22, 1939	287 221
Tomah: Isabella Oneida	The Saginaw Chippewa Indian Tribe of Michigan The Oneida Tribe of Indians of Wisconsin	May 6, 1937 Dec. 21, 1936 Amended June 3, 1939	Aug. 28, 1937 May 1, 1937	434 3,351
Sac & Fox Stockbridge	The Sac and Fox Tribe of the Mississippi in Iowa The Stockbridge-Munsee Community, Wisconsin	Dec. 20, 1937 Oct. 30, 1937	May 21, 1938	473 460
Tongue River: Tongue River	The Northern Cheyenne Tribe, Montana	Nov. 23, 1935	Nov. 7, 1936	1,618
Truxton Canon: Camp Verde Havasupai	The Yavapai-Apache Indian Community, Arizona The Havasupai Tribe of the Havasupai Reservation, Arizona	Feb. 12, 1937 Mar. 27, 1939	Oct. 5, 1946	467 213

*OS*

Agency and Reservation	Official Name of Organization	Constitution Approved	Charter Ratified	Population
Hualapai (Walapai)	The Hualapai Tribe of the Hualapai Reservation, Arizona	Dec. 17, 1938	June 5, 1943	462
Micapa	The Micapa Band of Paiute Indians	Apr. 17, 1947	May 3, 1942	172
Tulalip:				
Muckleshoot	The Muckleshoot Indian Tribe, Washington	May 13, 1936	Oct. 31, 1936	228
Port Gamble	The Port Gamble Indian Community, Washington	Sept. 7, 1939	Apr. 5, 1941	192
Puyallup	The Puyallup Tribe, Washington	May 13, 1936		319
Swinomish	The Swinomish Indian Tribal Community, Washington	Jan. 27, 1936	July 25, 1936	314
Tulalip	The Tulalip Tribes, Washington	Jan. 24, 1936	Oct. 3, 1936	676
		Amended Mar. 8, 1941		
Uintah & Ouray:				
Kanosh	The Kanosh Band of Paiute Indians	Dec. 2, 1942	Aug. 15, 1943	
Uintah & Ouray	The Ute Indian Tribe of the Uintah and Ouray Reservation, Utah	Jan. 19, 1937	Aug. 10, 1938	1,347
Shivwits	The Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah	Mar. 21, 1940	Aug. 30, 1941	97
United Pueblos:				
Santa Clara	The Pueblo of Santa Clara, New Mexico	Dec. 20, 1935		485
		Amended Dec. 19, 1939		
Warm Springs:				
Warm Springs	The Confederated Tribes of the Warm Springs Reservation, Oregon	Feb. 14, 1938	Apr. 23, 1938	778
		Amended Dec. 19, 1941	Amended Dec. 19, 1941	
Western Shoshone:				
Duck Valley	The Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada	Apr. 20, 1936	Aug. 22, 1936	554
Elko	The Te-Moak Bands of Western Shoshone Indians of Nevada	Aug. 24, 1938	Dec. 12, 1938	80
Goshute	The Confederated Tribes of the Goshute Reservation in Utah	Nov. 25, 1940	Mar. 29, 1941	155
Winnemago:				
Omaha	The Omaha Tribe of Nebraska	Mar. 30, 1936	Aug. 22, 1936	1,713
Ponca	The Ponca Tribe of Native Americans, Nebraska	Apr. 3, 1936	Aug. 15, 1936	384
Santee	The Santee Sioux Tribe of Nebraska	Apr. 3, 1936	Aug. 22, 1936	1,197
Winnemago	The Winnemago Tribe of Nebraska	Apr. 3, 1936	Aug. 15, 1936	1,268
TOTAL				105,216

### OKLAHOMA TRIBES

Agency and Tribe	Official Name of Organization	Constitution Ratified	Charter Ratified	Population
Cheyenne & Arapaho:	The Cheyenne-Arapaho Tribes of Oklahoma	Aug. 25, 1937 Amended Feb. 4, 1942		2,949
Five Tribes:				
Creek	The Alabama-Quassarte Tribal Town	Jan. 10, 1939	May 24, 1939	150
Creek	The Kiagee Tribal Town	June 12, 1941	Sept. 17, 1942	250
Creek	The Thlopthlecco Tribal Town	Dec. 27, 1938	Apr. 13, 1939	380
Kiowa:				
Caddo	The Caddo Indian Tribe of Oklahoma	Jan. 17, 1938 Amend. 1, Jan. 11, 1944	Nov. 15, 1938	1,048
Pawnee:				
Pawnee	The Pawnee Indians of Oklahoma	Jan. 6, 1938	Apr. 28, 1938	1,017
Tonkawa	The Tonkawa Tribe of Indians of Oklahoma	Apr. 21, 1938		54
Quapaw:				
Eastern Shawnee	The Eastern Shawnee Tribe of Indians, Oklahoma	Dec. 22, 1939	Dec. 12, 1940	299
Miami	The Miami Tribe of Oklahoma	Oct. 10, 1939	June 1, 1940	299
Ottawa	The Ottawa Tribe of Oklahoma	Nov. 30, 1938	June 2, 1939	438
Peoria	The Peoria Tribe of Indians of Oklahoma	Oct. 10, 1939	June 1, 1940	393
Seneca	The Seneca-Cayuga Tribe of Oklahoma	May 15, 1937	June 26, 1937	288
Wyandotte	The Wyandotte Tribe of Oklahoma	July 24, 1937	Oct. 30, 1937	800
Shawnee:				
Iowa	The Iowa Tribe of Oklahoma	Oct. 23, 1937	Feb. 5, 1938	110
Kickapoo	The Kickapoo Tribe of Oklahoma	Sept. 18, 1937	Jan. 18, 1938	269
Potawatomi	The Citizen Band of Potawatomi Indians of Oklahoma	Dec. 12, 1938		2,920
Sac & Fox	The Sac and Fox Tribe of Indians of Oklahoma	Dec. 7, 1937		910
Shawnee	The Absentee-Shawnee Tribe of Indians of Oklahoma	Dec. 5, 1938		667
TOTAL				13,241

## ALASKA NATIVE COMMUNITIES AND COOPERATIVES

Alaska Community	Official Name of Organization	Constitution Ratified	Charter Ratified	Population
Angoon	The Angoon Community Association	Nov. 15, 1939	Nov. 15, 1939	347
Atka	The Native Village of Atka	May 23, 1939	May 23, 1939	91
Barrow	The Native Village of Barrow	Mar. 21, 1940	Mar. 21, 1940	386
Chanega	The Native Village of Chanega	Feb. 3, 1940	Feb. 3, 1940	100
Chilkat	See Klukwan			
<b>Craig</b>				
	The Craig Community Association of Craig, Alaska			
Deering	The Native Village of Deering	Oct. 8, 1938	Oct. 8, 1938	201
Diomedes	The Native Village of Diomedes	Oct. 26, 1945	Oct. 26, 1945	177
Douglas	The Douglas Indian Association	Jan. 31, 1940	Jan. 31, 1940	126
Elim	The Native Village of Elim	Nov. 24, 1941	Nov. 24, 1941	232
		Nov. 24, 1939	Nov. 24, 1939	98
Fort Yukon	The Native Village of Fort Yukon	Jan. 2, 1940	Jan. 2, 1940	320
Gambell	The Native Village of Gambell	Dec. 31, 1939	Dec. 31, 1939	290
Haines	The Chilkoot Indian Association	Dec. 5, 1941	Dec. 5, 1941	106
Hoonah	The Hoonah Indian Association	Oct. 23, 1939	Oct. 23, 1939	590
Hydaburg	The Hydaburg Cooperative Association of Alaska	Apr. 14, 1938	Apr. 14, 1938	329
Kanatak	The Native Village of Kanatak	Mar. 1, 1940	Mar. 1, 1940	60
Karluk	The Native Village of Karluk	Aug. 23, 1939	Aug. 23, 1939	192
Kasaan	The Organized Village of Kasaan	Oct. 15, 1938	Oct. 15, 1938	83
Ketchikan	The Ketchikan Indian Corporation	Jan. 27, 1940	Jan. 27, 1940	787
King Island	The King Island Native Community	Jan. 31, 1939	Jan. 31, 1939	192
Kivalina	The Native Village of Kivalina	Feb. 7, 1940	Feb. 7, 1940	144
Klawock	The Klawock Cooperative Association of Alaska	Oct. 4, 1938	Oct. 4, 1938	277
Klukwan	The Chilkat Indian Village	Mar. 27, 1941	Mar. 27, 1941	115
Kwethluk	The Native Village of Kwethluk	Jan. 11, 1940	Jan. 11, 1940	172
Mekoryuk	The Native Village of Mekoryuk	Aug. 24, 1940	Aug. 24, 1940	133
Mettlakotla	The Metlakotla Indian Community	Dec. 19, 1944	Dec. 19, 1944	700
Minto	The Native Village of Minto	Dec. 30, 1939	Dec. 30, 1939	128
Napakiaik	The Native Village of Napakiaik	July 29, 1946	July 29, 1946	121
Nikolski	The Native Village of Nikolski	June 12, 1939	June 12, 1939	87
Noatak	The Native Village of Noatak	Dec. 28, 1939	Dec. 28, 1939	350
Name	The Nome Eskimo Community	Nov. 23, 1939	Nov. 23, 1939	508
Noorvik	The Noorvik Native Community	Dec. 27, 1939	Dec. 27, 1939	221
Nunapitchuk	The Native Village of Nunapitchuk	Jan. 2, 1940	Jan. 2, 1940	140
Point Hope	The Native Village of Point Hope	Feb. 29, 1940	Feb. 29, 1940	247
Point Lay	The Native Village of Point Lay	Mar. 22, 1946	Mar. 22, 1946	90
Saxman	The Native Village of Saxman	Jan. 14, 1941	Jan. 14, 1941	99



Alaska Community	Official Name of Organization	Constitution Ratified	Charter Ratified	Population
Selawik	The Native Village of Selawik	Mar. 15, 1940	Mar. 15, 1940	290
Shaktoolik	The Native Village of Shaktoolik	Jan. 27, 1940	Jan. 27, 1940	122
Shishmaref	The Native Village of Shishmaref	Aug. 2, 1939	Aug. 2, 1939	235
Shiyanak	The Native Village of Shiyanak	July 24, 1946	July 24, 1946	
Sitka	The Sitka Community Association of Alaska	Oct. 11, 1938	Oct. 11, 1938	620
Stebbins	The Stebbins Community Association	Dec. 5, 1939	Dec. 5, 1939	104
Stevens	The Native Village of Stevens	Dec. 30, 1939	Dec. 30, 1939	92
Tanacross	The Native Village of Tanacross	Jan. 5, 1942	Jan. 5, 1942	109
Tetlin	The Native Village of Tetlin	Mar. 26, 1940	Mar. 26, 1940	81
Tyonek	The Native Village of Tyonek	Nov. 27, 1939	Nov. 27, 1939	101
Unalakleet	The Native Village of Unalakleet	Dec. 30, 1939	Dec. 30, 1939	307
Venette	The Native Village of Venette	Jan. 25, 1940	Jan. 25, 1940	86
Wales	The Native Village of Wales	July 29, 1939	July 29, 1939	189
White Mountain	The Native Village of White Mountain	Nov. 25, 1939	Nov. 25, 1939	174
				TOTAL 10,899

This list is subject to change. A number of the tribes which have accepted the act have not yet adopted constitutions or charters. Any Oklahoma tribe or Alaskan village may organize at any time.

**Table C**

Indian Tribes and Bands which accepted  
the Indian Reorganization Act  
but which operate under  
Constitutions adopted prior  
to the passage of the I. R. A.

Indian Tribes and Bands which accepted the Indian Reorganization Act  
but which operate under Constitutions adopted prior to the passage  
of the I. R. A.

Agency and Reservation	Official Name of Organization	Constitution Adopted	Population
Cherokee:			
Cherokee	The Cherokee Tribe of North Carolina, State Charter	March 8, 1897 Amended April 1, 1931 Amended March 6, 1933	3,795
Menominee:			
Menominee	The Menominee Indians of the Menominee Agency, Wisconsin	Feb. 11, 1928 Amended	2,551
Red Lake:			
Red Lake	The Red Lake Band of Chippewa Indians, Minnesota (I. R. A. Constitution pending.)	April 13, 1918	2,484
Standing Rock:			
Standing Rock	The Standing Rock Sioux Tribe, North Dakota	June 25, 1914 Amended	4,324

*Yonkers County, N. Y. 1932*

**Table D**

Indian Tribes, Bands and Communities  
not under  
the Indian Reorganization Act  
which operate under Constitutions

List of Indian Tribes not under the Indian Reorganization Act  
which operate under Constitutions

Agency and Reservation	Official Name of Organization	Constitution Adopted	Population
Colville	The Confederated Tribes of the Colville Reservation, Washington	Feb. 26, 1938	3,505
Hoopa Valley:			
Hoopa	The Hoopa Tribe of the Hoopa Reservation, California	Nov. 20, 1933	636
Fort Peck:			
Fort Peck	The Fort Peck Indians of the Fort Peck Indian Reservation, Montana	Indefinite	3,116
Fort Totten:			
Fort Totten	The Devils Lake Sioux Tribe, North Dakota	April 14, 1944	1,142
Grand Ronde-Siletz:			
Siletz	The Siletz Business Council, Oregon	June 30, 1933	516
Klamath:			
Klamath	The Klamaths, Modoc, and Yahooskin Band of Snake Indians, Klamath Reservation, Oregon	Dec. 23, 1929, Amended Mar. 30, 1936	1,547
Mission:			
Palm Springs	The Agua Caliente Band of Mission Indians, California	June 2, 1939	58
Navajo:			
Navajo	The Navajo Tribe of Indians of the Navajo Reservation, Arizona and New Mexico	July 26, 1938 Amended	55,458
New York:			
Seneca	The Seneca Nation of Indians of the Allegheny Reservation, New York	1848, Revised Oct. 22, 1868 Jan. 13, 1893 Nov. 15, 1898 <i>repealed, 1918</i>	2,879
<i>Ne. P. Reservation</i>			
Sisseton:			
Sisseton-Wahpeton	The Sisseton-Wahpeton Sioux Tribe, South Dakota	Oct. 16, 1946	3,177
Taholah:			
Chehalis	The Confederated Tribes of the Chehalis Reservation, Washington	Aug. 22, 1939	27
Turtle Mountain:			
Turtle Mountain	The Turtle Mountain Band of Chippewa Indians, North Dakota	Oct. 8, 1932	7,439
Wind River:			
Wind River	The Shoshone and Arapahoe Indians of the Wind River Reservation, Wyo- ming.	1930	2,697

## THE INDIAN REORGANIZATION ACT

(Public—NO. 383—73D CONGRESS)

(S. 3645)

### AN ACT

To conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That hereafter no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

SECTION 2. The existing periods of trust placed upon any Indian lands and any restriction on alienation thereof are hereby extended and continued until otherwise directed by Congress.

SECTION 3. The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: **Provided, however,** That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: **Provided further,** That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation: **Provided further,** That the order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: **Provided further,** That damages shall be paid to the Papago Tribe for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior but not to exceed the cost of said improvements: **Provided further,** That a yearly rental not to exceed five cents per acre shall be paid to the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations, and payments derived from damages or rentals shall be deposited in the Treasury of the United States to the credit

of the Papago Tribe: **Provided further,** That in the event any person or persons, partnership, corporation, or association, desires a mineral patent, according to the mining laws of the United States, he or they shall first deposit in the Treasury of the United States to the credit of the Papago Tribe the sum of \$1.00 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss or occupancy of the lands withdrawn by the requirements of mining operations: **Provided further,** That patentee shall also pay into the Treasury of the United States to the credit of the Papago Tribe damages for the loss of improvements not heretofore paid in such a sum as may be determined by the Secretary of the Interior, but not to exceed the cost thereof; the payment of \$1.00 per acre for surface use to be refunded to patentee in the event that patent is not acquired.

Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202).

SECTION 4. Except as herein provided, no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe or corporation organized hereunder, shall be made or approved: **Provided, however,** That such lands or interests may, with the approval of the Secretary of the Interior, be sold, devised, or otherwise transferred to the Indian tribe in which the lands or shares are located or from which the shares were derived or to a successor corporation; and in all instances such lands or interests shall descend or be devised, in accordance with the then existing laws of the State, or Federal laws where applicable; in which said lands are located or in which the subject matter of the corporation is located, to any member of such tribe or of such corporation or any heirs of such member: **Provided further,** That the Secretary of the Interior may authorize voluntary exchanges of lands of equal value and the voluntary exchange of shares of equal value whenever such exchange, in his judgment, is expedient and beneficial for or compatible with the proper consolidation of Indian lands and for the benefit of cooperative organizations.

SECTION 5. The Secretary of the Interior is hereby authorized, in his discretion, to acquire through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments whether the allottee be living or deceased, for the purpose of providing land for Indians.

For the acquisition of such lands, interests in land, water rights, and

surface rights, and for expenses incident to such acquisition, there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed \$2,000,000 in any one fiscal year: **Provided**, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona and New Mexico, in the event that the proposed Navajo boundary extension measures now pending in Congress and embodied in the bills (S.2499 and H.R. 8927) to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes, and the bills (S. 2531 and H.R. 8982) to define the exterior boundaries of the Navajo Indian Reservation in New Mexico and for other purposes, or similar legislation, become law.

The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.

Title to any lands or rights acquired pursuant to this Act shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

SECTION 6. The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.

SECTION 7. The Secretary of the Interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: **Provided**, That lands added to existing reservations shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

SECTION 8. Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reservation now existing or established hereafter.

SECTION 9. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed \$250,000 in any fiscal year, to be expended at the order of the Secretary of the Interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.

SECTION 10. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$10,000,-



000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of administering such loans. Repayment of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established. A report shall be made annually to Congress of transactions under this authorization.

SECTION 11. There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, a sum not to exceed \$250,000 annually, together with any unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools: **Provided**, That not more than \$50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner of Indian Affairs.

SECTION 12. The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil-service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions.

SECTION 13. The provisions of this Act shall not apply to any of the Territories, colonies, or insular possessions of the United States, except that sections 9, 10, 11, 12, and 16, shall apply to the Territory of Alaska: **Provided**, That Sections 2, 4, 7, 16, 17, and 18 of this Act shall not apply to the following-named Indian tribes, the members of such Indian tribes, together with members of other tribes affiliated with such named tribes located in the State of Oklahoma, as follows: Cheyenne, Arapaho, Apache, Comanche, Kiowa, Caddo, Delaware, Wichita, Osage, Kaw, Otoe, Tonkawa, Pawnee, Ponca, Shawnee, Ottawa, Quapaw, Seneca, Wyandotte, Iowa, Sac and Fox, Kickapoo, Pottawatomi, Cherokee, Chickasaw, Choctaw, Creek, and Seminole. Section 4 of this Act shall not apply to the Indians of the Klamath Reservation in Oregon.

SECTION 14. The Secretary of the Interior is hereby directed to continue the allowance of the articles enumerated in section 17 of the Act of March 2, 1889 (23 Stat. L. 894), or their commuted cash value under the Act of June 10, 1896 (29 Stat. L. 334), to all Sioux Indians who would be eligible, but for the provisions of this Act, to receive allotments of lands in severalty under section 19 of the Act of May 29, 1908 (25 Stat. L. 451), or

under any prior Act, and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall be final and conclusive, claims therefor to be paid as formerly from the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive in his own right more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse. Such benefits shall continue to be paid upon such reservation until such time as the lands available therein for allotment at the time of the passage of this Act would have been exhausted by the award to each person receiving such benefits of an allotment of eighty acres of such land.

SECTION 15. Nothing in this Act shall be construed to impair or prejudice any claim or suit of any Indian tribe against the United States. It is hereby declared to be the intent of Congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall be considered as offsets in any suit brought to recover upon any claim of such Indians against the United States.

SECTION 16. Any Indian tribe or tribes, residing on the same reservation, shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforesaid and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws.

In addition to all powers vested in any Indian tribe or tribal council by existing law, the constitution adopted by said tribe shall also vest in such tribe or its tribal council the following rights and powers: To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments. The Secretary of the Interior shall advise such tribe or its tribal council of all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and the Congress.

SECTION 17. The Secretary of the Interior may, upon petition by at least one-third of the adult Indians, issue a charter of incorporation to such

tribe: **Provided,** That such charter shall not become operative until ratified at a special election by a majority vote of the adult Indians living on the reservation. Such charter may convey to the incorporated tribe the power to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, but no authority shall be granted to sell, mortgage, or lease for a period exceeding ten years any of the land included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

SECTION 18. This Act shall not apply to any reservation wherein a majority of the adult Indians, voting at a special election duly called by the Secretary of the Interior, shall vote against its application. It shall be the duty of the Secretary of the Interior, within one year after the passage and approval of this Act, to call such an election, which election shall be held by secret ballot upon thirty days' notice.

SECTION 19. The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal peoples of Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty one years.

Approved, June 18, 1934.

(PUBLIC—NO. 147—74TH CONGRESS)

(H. R. 7781)

AN ACT

To define the election procedure under the Act of June 18, 1934, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That in any election heretofore or hereafter held under the Act of June 18, 1934 (48 Stat. 984), on the question of excluding a reservation from the application of the said Act or on the question of adopting a constitution and bylaws or amendments thereto or on the question of ratifying a charter, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate such exclusion, adoption, or ratification, as the case may be: **Provided, however,** That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote.

SECTION 2. The time for holding elections on the question of excluding a reservation from the application of said Act of June 18, 1934, is hereby extended to June 18, 1936.

SECTION 3. If the period of trust or of restriction on any Indian land has not, before the passage of this Act, been extended to a date subsequent to December 31, 1936, and if the reservation containing such lands has voted or shall vote to exclude itself from the application of the Act of June 18, 1934, the periods of trust or the restrictions on alienation of such lands are hereby extended to December 31, 1936.

SECTION 4. All laws, general and special, and all treaty provisions affecting any Indian reservation which has voted or may vote to exclude itself from the application of the Act of June 18, 1934 (48 Stat. 984), shall be deemed to have been continuously effective as to such reservation, notwithstanding the passage of said Act of June 18, 1934. Nothing in the Act of June 18, 1934, shall be construed to abrogate or impair any rights guaranteed under any existing treaty with any Indian tribe, where such tribe voted not to exclude itself from the application of said Act.

Approved, June 15, 1935.

# THE ALASKA REORGANIZATION ACT

(PUBLIC—NO. 538—74TH CONGRESS)

(H. R. 9866)

AN ACT

To extend certain provisions of the Act approved June 18, 1934, commonly known as the Wheeler-Howard Act (Public Law Numbered 383, Seventy-third Congress, 48 Stat. 984), to the Territory of Alaska, to provide for the designation of Indian reservations in Alaska, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That sections 1, 5, 7, 8, 15, 17, and 19 of the Act entitled "An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934 (48 Stat. 984), shall hereafter apply to the Territory of Alaska: **Provided,** That groups of Indians in Alaska not heretofore recognized as bands or tribes, but having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, may organize to adopt constitutions and bylaws and to receive charters of incorporation and Federal loans under sections 16, 17, and 10 of the Act of June 18, 1934 (48 Stat. 984).

Sec. 2. That the Secretary of the Interior is hereby authorized to designate as an Indian reservation any area of land which has been reserved for the use and occupancy of Indians or Eskimos by section 8 of the Act of May 17, 1884 (23 Stat. 26), or by section 14 or section 15 of the Act of March 3, 1891 (26 Stat. 1101), or which has been heretofore reserved under any executive order and placed under the jurisdiction of the Department of the Interior or any bureau thereof, together with additional public lands adjacent thereto, within the Territory of Alaska, or any other public lands which are actually occupied by Indians or Eskimos within said Territory: **Provided,** That the designation by the Secretary of the Interior of any such area of land as a reservation shall be effective only upon its approval by the vote, by secret ballot, of a majority of the Indian or Eskimo residents thereof who vote at a special election duly called by the Secretary of the Interior upon thirty days' notice: **Provided, however,** That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote: **Provided further,** That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

Approved, May 1, 1936.

**THE OKLAHOMA INDIAN WELFARE ACT**  
**(PUBLIC—NO. 816—74TH CONGRESS**  
**(S. 2047)**

**AN ACT**

To promote the general welfare of the Indians of the State of Oklahoma, and for other purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That the Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership: **Provided,** That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made. Title to all lands so acquired shall be taken in the name of the United States, in trust for the tribe, band, group, or individual Indian for whose benefit such land is so acquired, and while the title thereto is held by the United States said lands shall be free from any and all taxes, save that the State of Oklahoma is authorized to levy and collect a gross-production tax, not in excess of the rate applied to production from lands in private ownership, upon all oil and gas produced from said lands, which said tax the Secretary of the Interior is hereby authorized and directed to cause to be paid.

**SECTION 2.** Whenever any restricted Indian land or interests in land, other than sales or leases of oil, gas, or other minerals therein, are offered for sale, pursuant to the terms of this or any other Act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by the appraisement satisfactory to the Indian owner or owners, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor.

**SECTION 3.** Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: **Provided, however,** That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma,

the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the Act of June 18, 1934 (48 Stat. 984): **Provided**, That the corporate funds of any such chartered group may be deposited in any national bank within the state of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

SECTION 4. Any ten or more Indians, as determined by the official tribal rolls or Indian descendants of such enrolled members, or Indians as defined in the Act of June 18, 1934 (48 Stat. 984), who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers' protection, or land management. The provisions of this Act, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto shall govern such cooperative associations: **Provided**, That in those matters not covered by said Act, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. In any stock or nonstock cooperative association no one member shall have more than one vote, and membership therein shall be open to all Indians residing within the prescribed district.

SECTION 5. The charters of any cooperative association organized pursuant to this Act shall not be amended or revoked by the Secretary except after a majority vote of the membership. Such cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the Secretary of the Interior, or upon an employee duly authorized by him to receive such service. Within thirty days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States district court to be held in the district where such petition is pending by filing in such action in the State court a petition for such removal, together with the certified copy of the papers served upon the Secretary. It shall then be the duty of the State court to accept such petition and to proceed no further in such action. The said copy shall be entered in the said district court within thirty days after the filing of the petition for removal, and the said district court is hereby given jurisdiction to hear and determine said action.

SECTION 6. The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this Act: For the making of such loans and for expenses of the cooperative associa-

tions organized pursuant to this Act, there shall be appropriated, out of the Treasury of the United States, the sum of \$2,000,000.

SECTION 7. All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984), are hereby made available for use under the provisions of this Act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth: **Provided,** That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this Act, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are hereby made available for expenditure by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this Act and by the Act of June 18, 1934 (48 Stat. 984).

SECTION 8. This Act shall not relate to or affect Osage County, Oklahoma.

SECTION 9. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, June 26, 1936.