

INDIAN AFFAIRS CONFERENCE
MINNEAPOLIS AREA

DES MOINES, IOWA
October 18 - 20, 1956

ONEIDA BAND, WISCONSIN - October 18, 1956 3:50 p.m.

Conference with Glenn L. Emmons, Commissioner of Indian Affairs

Present: Julius Danforth, Oneida, Wisconsin
Cecil Skenandore, West De Pere, Wisconsin
Mrs. Irene Moore, West De Pere, Wisconsin
R. D. Holtz, Area Director
E. J. Riley, Superintendent, Great Lakes Agency
H. P. Mangan, Program Officer, Washington, D. C.
Peter Walz, Program Officer, Washington, D. C.

EMMONS: I am mighty happy we can have this opportunity to visit in the room, and on account of the limited time, you folks do the talking.

SKENANDORE: The first thing is the aid for education above high school age. That seems to be over all. What can be done.

MOORE: Everybody wants to continue on and we need aid for education.

EMMONS: As I have explained to the other groups, Congress has always given us a very, very small amount for college education. Their attitude has been that the main effort has been getting our kids into the secondary and elementary schools. This last year they did raise our appropriation a little bit. I think we have a total of \$60,000 which scattered over the country does not amount to anything. There are a lot of foundations and what not that are now giving these scholarships and our people in Washington are trying our best to get that coordinated so that it can be better handled. We are very much in favor of as many of our Indian children as possible to go to colleges. We hope we can come up with something on that.

DANFORTH: We have some high school graduates who were not able to go to Haskill. We do not have the funds to keep them in school. A few years back they would have to pay their way in. But the way I understood today, they could go to Haskill without paying for their tuition if they got their transportation over there, but that is not available for our children, but we have some who want to go to college, - and have no funds.

Talk on
terminations

(3 Copies)

- RILEY: There is no restrictions on any of the Indians in going to Haskill if they are high school graduates. All we need is their application. They do not have to pay to go there. We had 3 requests this year for scholarship grants and we gave each one \$300.
- MOORE: I understand your policy is to grant instead of lend money.
- EMMONS: When a kid gets out of college he has a family sometimes, and he is burdened with a heavy load. It makes it pretty tough. We don't want him to feel like he is discouraged by a heavy debt load. By the way, I had forgotten that Bob Bennett is one of your folks. I was with Bob at Omaha, and then he was in our meeting at Salt Lake City. We have another boy from your country. Cornelius is in the Central Office. From what I have seen of your folks, you must be a wonderful bunch of people.
- SKENANDORE: Some of our folks that have educational loans, would it be possible not to have to pay those back? I do not know whether they have completed their education. It is a loan instead of a grant.
- HOLTZ: If they were loans, I do not know that that status can be changed so we must expect the loans to be repaid. They were made several years ago.
- RILEY: Most of them were made in 1937.
- EMMONS: It would take an act of Congress.
- SKENANDORE: We have 17 acres of land with buildings with CCC buildings. Could that be turned over to the state to be held in trust as the Onaida Memorial Park?
- MOORE: To be held in trust or a gift to the state as an Indian Memorial?
- EMMONS: Are those buildings used?
- MOORE: They were turned over to us.
- RILEY: It was a community building. Again, the buildings are located on IRA land, that would require legislation to transfer title.
- MOORE: It is the wish of the tribe to have that done if possible to keep that as a park, and it is a nice place. We want to turn it to the state so it will be tax free.
- EMMONS: Has the state indicated they would accept it?
- MOORE: I think they would take it.

EMMONS: They would maintain it?

MOORE: Yes.

SKENANDORE: We thought if we could turn this building over to the state, we could get the county and state to have more interest in it.

MANGAN: Do you have a resolution from the tribe?

MOORE: There was a motion made.

MANGAN: We need a resolution from the tribe in order to go ahead.

EMMONS: If you get the state to make some definite commitment on it.

MANGAN: If we had an indication from the tribe they were willing to make the gift, and the state were willing to accept it, I am sure we would have very little trouble with Congress authorizing the transfer.

MOORE: You want a resolution drawn up?

EMMONS: If the proper state officials would indicate this authority and the state would agree to it, I am sure there wouldn't be much trouble.

MANGAN: The state may not need legislation. Frequently they have enabling measure which under the various standards could be accepted were sufficient people concerned.

MOORE: The state and county both had a survey made, and they thought the big question was where to get the money, but we thought if they could get the land, they could keep it up and keep the buildings.

SKENANDORE: I am wondering how our land, some of it seems to be in a position if we could get a road through it, we could maybe divide it up so that more could use it. On this drainage there is a lot, we figured approximately 25 miles of ditches needed to drain so it could be used.

EMMONS: Emmet and Bob, you will have to comment on it.

HOLTZ: I will have to pass.

RILEY: They wont go into any drainage system unless it is on lands which are adjacent. It will have to be a county or state project. It would have to go through county lands. It has to be a planned drainage program.

SKENANDORE: Is there some way we can get some money for this purpose? If we were sure there was, then we could talk to the west side people and we could do something together.

RILEY: I can't answer that. You have about \$9,000 that you want take from us now.

SKENANDORE: That is a top proposition on our people's minds.

DANFORTH: That is hard to transact; that is really some problem to solve.

MOORE: We had a meeting and they rejected it again.

EMMONS: Most of your people are living on the Reservation and are they employed locally?

DANFORTH: They are employed in other towns. Another thing we have a big problem in Onida. First of all, there isn't enough land to go around to those who live on these assignments. The other fellows want their share of what is called tribal land. We want to know if we can fix it some way that either if we divide it up which would amount to 1/2 acres each --that would be hardly enough to do anything with. Some of them are trying to farm that haven't got stuff to farm with, but they do the best they know how. They do not have equipment, and we do not have money to loan for equipment. Those that work out just want a homesite. Quite a few suggested that if there was a way which the land can be sold, and they want to know if the federal government would give them a homesite somewhere or whatever 1/2 acre is worth would pay those that do not have a home.

RILEY: When they originally purchased that acreage that was Indian land. You have 720 acres you do not have assigned. Everybody who wants an assignment has one according to those plats you sent up (map shown to Emons). We took our information and made our plats on what you furnished us on those charts that I brought down to your meeting. You still have them.

SKENANDORE: No, we don't. That was before we had an election...one of those officers moved and we lost the plats. That is the problem, where we get a new set of officers and half of our work is gone.

DANFORTH: This land is bought for landless Indians. Does it mean then...

RILEY: If you are making use of the assignment you can have it. In Milwaukee or Chicago, you have no right.

- MOORE: What about the people living around us. There is a bad feeling those who are on the land and those who do not have any land; many did not get any at the time. Those who are on the lands do not make improvements.
- EMMONS: What is the suggestion of your folks? What do they have in mind?
- MOORE: Why apply to any patent on it?
- RILEY: There are 30 or 40 applications that they wrote to you, Mr. EMMONS, about this that I will give you.
- DANFORTH: Mr. Riley, I heard you quite a number of times, and other members of the tribe heard you, in which I know you have told some of them because they have their homes they are not entitled to the lands the federal government has bought for the landless Indian. You told them that they shouldn't expect any as long as they have their own homes.
- RILEY: That is the way the legislation is written.
- DANFORTH: That is the question that is always thrown in the meetings. That they have just as much right to the land, and another question, we cannot loan money to those who do not live on the Reservation.
- RILEY: Those people who live on the taxable land are not entitled to loans.
- DANFORTH: That is one of the things that I always bring up, they should be entitled to some of that money.
- RILEY: A person that owns taxable land can get his land mortgaged. Our funds are not applicable to taxable lands.
- MOORE: We do not exactly like that either. We would like to be friendly with everybody and not have that feeling.
- DANFORTH: That is the thing we want to settle for once and for all. We want to know where the names of those that have no homes and see what could be done for them.
- MOORE: What about that termination?
- EMMONS: Do I understand that what you all want is to have an outright deed to the place that you have your home, as a homesite?
- MOORE: Yes, that on the lands those who do not have anything, they should have a share. It was not set up that way in the beginning.

DANFORTH: As I understand Mr. Riley, the land is bought for the landless Indian. The rest should understand that as long as they didn't get an assignment they should understand that the land was bought for the landless Indians.

RILEY: You have 2,000 Onsidas spread out throughout the U. S. When that land program was put into effect in the depression, it was to get the Indian on to the land and was strictly landless Indians. It wasn't for people in New York or some other part of the world who have no interest in it. I know, Mrs. Moore, you have loans from the tribe, you have made improvements on your farm, you have paid it back to your tribe, still you have no clear title to the assignment and that is what you are asking for. I think we should be getting action to get a patent.

MOORE: We do not feel secure about doing any more.

RILEY: They can't go to a bank for further improvements.

EMMONS: You can't make a living off that land; it is strictly for your home?

MOORE: Some of them attempt farms.

EMMONS: How many acres do you farm?

MOORE: We have 40 acres and my husband has bought on contract 70 acres and we rent 20 acres.

EMMONS: What do you raise?

MOORE: We are dairy farmers.

EMMONS: You are one of those who made the state famous as a dairy country.

MOORE: Those that are not on the land, they have no sympathy. It takes a lot of money or credit to start to buy your improvements and stock and all that.

EMMONS: You have to have a certain amount of land to make a living.

MOORE: There are only a few that are farming. They do a little truck farming and make their home there.

HOLTZ: Are most of these assignments one or two acres?

MOORE: Some have 20; some 2 or 3, some 10, all sizes.

HOLTZ: Would most of them like to have clear titles?

MOORE: Yes, that is why I have these letters.

- EMMONS: Would the majority of your folks--that is what they want?
- MOORE: Those on the land.
- EMMONS: They have just two or three acres...that is all they want?
- MOORE: Not everybody is interested in farming. There is a lot more money made than in farming now.
- EMMONS: That is just exactly our program, to try to give opportunities. We want the Indian people to have the same opportunities to go into various lines of livelihood the same as anyone else. It is a pitiful situation when we have a Reservation that is barren land, no good to anyone, and they can never make a living on those lands. The population is increasing. Those people need help for a proper type of relocation service so that they can go out and get a job the same as any white man, have the same opportunities. A lot of people want to keep Indians on a particular spot whether they can make a living or not. It burns me up and it burns Indian people up if they want to keep them as a museum piece. Just as though he was a throw-back on civilization! But there are some people in America that think it is a terrible thing that we give those people an opportunity to make a decent living other than to try to use the land. They are trying to make us appear as though we were devils with horns and tails.
- MOORE: A lot of people have lived there all their lives and would like to live there.
- RILEY: This young man lives on taxable land and has 4 or 5 children.
- SKENANDORE: I am assistant maintenance man. I work at Green Bay. It is a coal dock. They also have a pre-stressed concrete plant. I am Assistant Maintenance in all these places and have to help fix it.
- EMMONS: That shows what we can do.
- DANFORTH: I farm a little and catch little jobs. I only have 39 acres. I have tried to have cattle; I really have to buy feed for them and it don't pay. I have spent most of my life on a farm.
- SKENANDORE: If this land was all the peoples and get a patent and the rest sold and divided that wouldn't necessarily mean termination, then there would be no reservation out there. Could the Onsidas be able to take advantage of that little bit of education?
- EMMONS: The law provides...Congress gives us a million dollars; several tribes that are terminating have vocational training for any members of the tribe that want vocational training. The law provides

- EMMONS: that, and of course, you are getting practically no governmental service now.
(cont.)
- MOORE: We want to increase the funds for higher education if we could.
- EMMONS: With \$60,000 it isn't very much. I would say it might be that we could get some Foundations for a limited time that might give scholarships to the Oneidas, but that couldn't be forever.
- MOORE: What he meant, if the Oneidas got patents, we would still be able to take advantage of those scholarships.
- EMMONS: Not under the government.
- NANGAN: The rules are Congress would provide in there a period of years to accomplish this termination. For those tribes who go through the process in order to instruct those who want to get training and to help adjust to living without special status as Indians, as is now going on at Menominee, they (the government) would provide this special, very intensive training and educational program. A million dollars a year is authorized now. Under that we have a contract with the State of Wisconsin for over 1/4 million dollars a year for the Menominee program. We have people down at the University of Wisconsin; other people are on job training and on vocational training programs over at Green Bay, at Milwaukee. They may get several years program. They are furnished transportation with their family to the training center and subsistence cost. That program will last as long as this termination program, for 4-1/2 years. That is intended to catch everybody that either graduated from high school or already have their families if they want more training and it is intended that they get intensive training so that they will be on a sound economic basis after this transition period is ended. They will have a good background to provide for their own families. It is a program with more facilities than they have had for several years. Would that fill the needs to catch up for your people and those in trainable years? The Congress provides that when this transition period ends, that the status of these people as Indians will end and they have the same status as any other citizen of the U. S. It does cut them off for help or benefits of general appropriations for Indians.
- EMMONS: Do these folks have a claim?
- MOORE: Yes.
- EMMONS: We have nothing to do about that, but the adjustment bills, there is nothing in those bills that will affect this Indian claim.

ERRIONS: If a tribe were out of existence as far as the trusteeship is concerned, the claim would still be tribal so nothing is lost there either. There are about 800 of those cases on the docket. It will take a lot of time. They can only try so many cases; lawyers have to get evidence and any claims filed will have their turn in court.

SKENANDORE: I went to school to study to be an electrician while I was in the service, and I do a lot of it on the side at home. I do not have enough training to pick up an apprenticeship. Under that would I be able to go?

MANGAN: Apprenticeship is part of the state program for the mechanics. There are a good many people on the Reservation and a fellow who is working as a mill hand at \$1.04 an hour, and then went through an apprenticeship program at Milwaukee, and after finishing one year of apprenticeship he was making \$2.50 an hour in Milwaukee. You would be eligible under that type of program. But Congress has limited the funds just to those tribes who are going through transition status. Everything else will be cut off so they want to have an intensive and unlimited opportunities now before that happens. Under the present law it will continue until the end of 1958. It started in 1954. It is for four colonies in Utah and some in Oregon. They have all gone through legislative processes terminating trusteeship. It gives unrestricted fee title to all those who were occupying assignments on the Reservation and pro rata division of all remaining assets, or if they elect to, they can form a corporation to take custody and title of property.

SKENANDORE: You might as well just get a patent and stop at that.

MANGAN: The Menominees have 230,000 acres of undivided timber lands that is worth, perhaps \$40 million dollars at today's prices, but with that amount of money and with over 3,000 people having interest in it, each member may be getting blocks of stock in it. In this set-up, as you have getting individual fee titles would be much more sensible.

MOORE: We have funds. What would become of that? Could we continue to have the lending to anyone of the tribal fund?

HOLTZ: It would depend on the kind of an organization you may decide on following this termination period. You could form a corporation or loan association or divide it up.

SKENANDORE: That is what we want.

MANGAN: The State of Wisconsin enables Indian tribes to set up a bank to continue just as a country bank.

SKENANDORE: What were rehabilitation funds to begin with?

RILEY: It was a grant from the United States for the various Indian tribes in order to improve their own conditions, to build homes, etc.

SKENANDORE: How much was it in our case?

RILEY: I do not know, but I think in the neighborhood of \$30,000.

SKENANDORE: Wasn't part of that used to buy up lands?

RILEY: That was IRA funds that bought lands.

HOLTZ: You have made loans and have that paid up. Unpaid loans would be assets.

RILEY: We discussed at these various meetings the fact that no person would be allowed to get a patent unless their loan was paid up.

SKENANDORE: Let's get the patents.

DANFORTH: What if just a few individuals have applied for it?

RILEY: We could get title to the lands in the name of the tribe if someone objected to it.

DANFORTH: Some might hang on to it if they opposed it. There would be some that wouldn't want it.

MOORE: Some want it this way because they don't have to pay taxes.

HOLTZ: Those lands would have to belong to the tribe. The tribe would have to decide.

EMMONS: Is that the older people?

SKENANDORE: Yes. The IRA land is a timber deal. Under this if most of them wanted a patent could they be under the same program.

RILEY: It is all IRA land; therefore, some of the people who have IRA loans would have to pay to the tribe. The IRA has nothing to do with the land base itself. IRA is land base where land for landless Indians was purchased.

EMMONS: What percentage of the people on your Reservation would like to get fee patent to their lands, say this is it and that is all they want; do they want that security?

- MOORE: Of those living on the lands 75% of them would. There are a couple of the older ones that do not want to because they do not want to pay taxes.
- HANGAN: We have legislation enabling us to make immediate issuance of fee patents to all those who apply for fee patents, and then it provides that any of those who did not think they could manage their own property would be issued a temporary trust patent and interest in that land, but continue in a restricted status for a certain period of years; then periodically every 3 years that is subject to review. If they want to take a fee patent and the government doesn't think they are competent to manage their own lands, the individual can go into court.
- EMIONS: There are very few of your folks if you get a fee patent that would work your land generally. The Indian who doesn't have sense enough to keep his homesite, he will lose it as a landowner, but with you people from what I have seen, you want it just like I would have a lot in Des Moines with a home on it. You folks are earning your way and you could afford to pay the taxes on it.
- SKENANDORE: Could it be set up so that if they had a patent that they couldn't sell it?
- EMIONS: From a law standpoint if an Indian says, "I am competent and I want a fee patent," you can't turn around and tie him up with restriction. The government does not have any right to tell you what you have to do for the next 10 years. In fact there is one particular Indian that owned a fee patent—I guess he had better business sense than I do. They suggested to him that we tie his property up for 10 years, and he just blew his top, as if we were doubting his ability. I would like to see something worked out for you folks up there. The older folks that do not have any income to speak of, and naturally we do not want anything to happen that they would lose their property. They want to live there, and there are protective features that would have to be worked out.
- DANFORTH: Some of the old folks that had no home, and they just stay here and there, could there be some provision made that they could have a program set up for the old folks?
- MOORE: Like a convalescent home for the aged?
- EMIONS: They will not be with us too long, and I don't say that it should be 30 years or today, and then when he gets to the age of 60 or 65, but this is for the folks as of this time; is that right? I think it is something that could be worked out with the State. They handle those kind of institutions, but it would seem there should be some possibilities.

- DANFORTH: They hate to leave our old home. They don't want to be moved out into a new place and put into some home out of the Reservation. By having a home set up somewhere they could be at home. Maybe in a few years, I will be in there too.
- EMMONS: You will be eliminated.
- SKENANDORE: I think with the persons in the convalescent home, don't they run more or less so their pay just about covers up their old age pension?
- MOORE: They tell me that they get old age pension but they can hardly keep on. They were getting only enough to pay their board and room. They would like it near the Reservation.
- EMMONS: I would like to see something worked out with the State.
- HOLTZ: The old people should not be asked to leave there because of the termination.
- HANGAN: Would they consider the city of Green Bay? Is that close enough to the stamping grounds?
- MOORE: It is better than Oshkosh but they would rather stay in Oneida.
- HANGAN: There are Catholic aids or others sometimes and I am sure the city of Green Bay has some of them.
- DANFORTH: Just when and how long yet before the termination will take place?
- EMMONS: That will depend on circumstances. There was a joint resolution 108 passed by Congress before I became Commissioner that declared the policy of Congress, that was unanimously passed by both houses of Congress, that as rapidly as the circumstances of each tribe will permit, they should be terminated. How long would it take to work out a bill for your program? Would it be two, three or five years?
- MOORE: One year.
- EMMONS: It seems to me that something like that would be better if the tribe itself would prepare a bill like they did in Utah. They prepared their own readjustment bill and they came into Congress. I was asked by the Indians themselves to come up and testify to the bill, and so if you folks could work out something along with our people, and have that come from the tribe, a bill like that would pass much faster than if we took a termination bill up, even after we have

- EMMONS: talked with you and are in agreement, but if you think that you folks want something like that I suggest that you work on something and submit it to us, and our folks will be happy to work with you. After all, we want to be sure that termination bills have the interest of the people because I want to be sure that the Indian people would be better off. In your case, I can readily see that you would be because you want title to your homes. You think you are entitled to it. You will make your living up there. It doesn't make much sense if you are out on the desert and you can't make a living out there where there are no job opportunities. It will take a long time for those people on the desert to ever be ready; 75,000 people living there on the desert. We will have to prepare those people by education.
- MANGAN: I think the actual drafting of the legislation is beyond the call of most of us. But if the people here can work out with Mr. Riley and Mr. Holtz the factual data of the situation as it is there, and just give us a general proposition of what you want to do, how you want those situations resolved; we will perform the drafting of the bill, send it back to you, and let you decide whether it is adequate, and for making amendments. If you will just let us know what your situation is, we would like to make it fit your needs.
- RILEY: The one stumbling block that we have run into is still what would happen with this annuity payment in connection with an adjustment bill? I do not know the answer. The government offered \$60,000 to institute a settlement and they refused that.
- HOLTZ: The tribe agreed not to pay it out immediately at 52¢ per person, but to let it accumulate. The last 5 years there has been no distribution of \$1,800 annually, and it has accumulated to \$9,000.
- MCCRE: They didn't have an appropriation to make out the checks.
- SKENANDORE: It doesn't amount to anything.
- EMMONS: There are more Oneidas too, that it will have to be distributed to.
- SKENANDORE: It is a treaty between the Oneidas and the government.
- MCCRE: They didn't think it was enough money to offer them.
- EMMONS: In 50 years' time on compound interest that might amount to a pretty good sum, but that won't do you much good.
- DANFORTH: If termination comes, a treaty offering \$1,800 would not be good unless the tribe would agree to it some way.

MANGAN: Congress would have to abrogate the treaty generally, but you would have your day in court on that. They have stated that they would rather terminate that treaty on something that would be agreeable with you. Congress could pass a law, and say, "here's \$60,000 and we are no longer obligated to you under that treaty." Congress continues to leave the thing open. They would prefer in termination to reconsider this lump sum settlement, but if you didn't agree to it, the Congress could provide such regulations that that annual payment could continue on. Nobody is going to deny the continual obligation, either by annual payments or by exposing the United States to a court case on your part.

EMMONS: Folks, it is hard for me to express my appreciation to have this little visit with you, and I hope you will all enjoy the meetings. I think these meetings are coming up with something good. Now I can go before Congress and say, "Look, these Indians want an opportunity." I have always said that they want an opportunity and most of the people that try to knock the Indian, they don't know that Indians do not want to live like they did 200 or 300 years ago. Many people have never seen an Indian. It's been real nice to talk to you folks.

GENERAL DISCUSSION ITEMS

WISCONSIN and IOWA GROUPS.

October 18-19, 1956

EDUCATION

- A. Loans and Scholarships
- B. Adult Training Programs
- C. School Transportation

COMMUNITY DEVELOPMENT

- A. Recreational Programs
- B. Home Improvement
 - 1. Sanitation
 - 2. Water Supply
 - 3. Repair of Homes

RELOCATION

HEALTH

LAW AND ORDER

WELFARE

- A. Public Assistance Programs
- B. General Assistance Programs
- C. Child Welfare Programs

DEVELOPMENT AND CONSERVATION OF RESERVATION RESOURCES

- A. Fish and Game
- B. Timber
- C. Land

INDUSTRIAL DEVELOPMENT

- A. On reservation Employment
- B. Establishment of Industries on or adjacent to Reservations
- C. Credit

READJUSTMENT and WITHDRAWAL OF BUREAU OF INDIAN AFFAIRS SERVICES

BETTER UNDERSTANDING AND CLOSER PLANNING BETWEEN BIA, INDIAN TRIBAL COUNCILS AND BETWEEN INDIAN TRIBES.

MISCELLANEOUS.