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NATIVE AMERICA IN THE TWENTIETH CENTURY

An Encyclopedia

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of Congress in Their Legislative Work

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(*United States v. State of Washington*, 384 F. Supp. 312 (1974)), which allocated 50 percent of the commercial harvest of salmon to western Washington treaty tribes. Under Phase II of the Boldt Decision the treaty tribes have some say over development activities which might jeopardize the quality of the environment which supports the salmon runs. The Klallam tribes have taken an active role in resource protection and enhancement. They operate several salmon hatcheries and many of their tribal members are active in commercial fishing. The basis of their economic life is the commercial fishery, including salmon, crab, and other species of commercially valuable fish and shellfish. Unemployment rates vary from 21 percent at Jamestown, to 64 percent at Lower Elwha, and 74 percent at Port Gamble. Health care and other social services are provided by state and federal agencies on each of the reservations. Tribal development is limited to small-scale enterprises, such as smoke-shops, typical of reservation communities in the Northwest, and traditional crafts, such as wood carving.

Culture

The Klallam are of the Coast Salish language family, originally speaking a dialect of "Straits Salish," although there are few speakers of Klallam today. The religious life of the Klallam is dominated by Christianity. There are a number of members of the Indian Shaker Church, which has been active among the Klallam since the late 1800s. Children are educated in nearby public schools although the Port Gamble Klallam have a tribal preschool.

Daniel L. Boxberger

See also **Fishing and Hunting Rights; Washington State Tribes**

Further Reading

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KLAMATH

Historically the Klamaths have lived in the Cascade Range in present-day south central Oregon and northern California. Following a treaty in 1864, the federal government created the Klamath Reservation in what is now southern Oregon. Members of Klamath, Modoc, Pit River, Shasta, and Northern Paiute, the Yahooskin Band of Snake Indians and other groups settled on the reservation. By the end of the nine-

teenth century, these groups collectively became known as the Klamath tribe. Several anthropologists note that the tribe refers to themselves as Maklaks, or the "people." The name Klamath is of uncertain origin.

History

On October 14, 1864, the Klamaths through treaty (16 Stat. 718) ceded to the United States over 13 million acres of high, semiarid lands east of the Cascade Mountains. In exchange the Klamath retained about 1.9 million acres for the creation of their reservation on February 17, 1870 (16 Stat. 383). Several disputes arose over reservation treaty boundaries which remained unsettled until the twentieth century. Erroneous government surveys in 1871 and 1888 excluded some Klamath lands from the reservation. The federal government agreed on June 17, 1901, to compensate the Klamaths nearly half a million dollars for these omitted lands. Further disagreements ensued over land within the reservation itself. Prior to the 1864 treaty, the State of Oregon conveyed land patents to a land company to construct a never used Oregon Central Military Road. Of the land, 111,358 acres lay within the newly created Klamath Reservation. The Klamath initiated several suits to void the land patents. In February, 1904, the Supreme Court ruled in the Indians' favor. The land company on August 22, 1906, agreed to exchange the land patents in the heart of the reservation for 86,418 acres of prime forest land in the reservation's northeast corner. The Klamaths sought fairer compensation in the courts. After a lengthy battle, on April 25, 1938, the Supreme Court upheld an additional Court of Claims award of \$5,313,347. In recent decades the Klamaths have received several other claims related to the creation of the Klamath Reservation. In 1964 the Indian Claims Commission agreed to award the Klamaths \$2.5 million for land ceded in 1864 (Docket 100). The Claims Commission in 1969 also granted close to \$4.2 million additional compensation for nineteen boundary survey errors (Docket 100-A).

Allotments on the Klamath Reservation, like on most other Indian reservations, occurred in the period from 1895 to 1910. Nearly 180,000 acres were allotted to 1,174 Klamaths. Unallotted, or tribal surplus lands, however, were not opened to outside settlement. The Klamath peoples as a result retained large stands of valuable ponderosa (yellow) pine. Commercial harvests from the stands later became an important source of tribal income. The Klamath Reservation remained federally recognized until 1954. Congress in that year passed Public Law 587, otherwise known as the Klamath Termination Act, which ended the federal government's administrative responsibilities to the Klamath and transferred these to state and local governments. The Termination Act also provided for relinquishment of federal trust over Klamath land and the distribution of tribal income on a per capita basis.

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The idea of some form of termination for the Klamath Reservation was not new. Rich timber holdings had long made them a target for withdrawal. The termination movement, however, gained momentum after 1945, largely as a result of the leadership of tribal politician Wade Crawford. His insistence that the Klamaths were ready for termination ensured immediate action. Crawford and his followers were vehemently opposed by veteran tribal leaders Boyd J. Jackson, Dibbon Cook, Jesse L. Kirk, Sr., and Seldon E. Kirk.

Congressional supporters of the Klamath Termination Act hoped the law would appease both tribal factions. The law allowed tribal members the option either to withdraw from the tribe and receive their pro rata share of tribal assets, or to remain with the tribe and have their claim to the unsold portion of the reservation placed under trust. The law provided a four-year transition period lasting until August 13, 1958. Carrying out Public Law 587 proved difficult. Efforts by various lobbyists produced two amendments to the original termination law. The greater revision came in 1958, as Congress agreed to several key changes. New provisions authorized the sale of timber tracts to private buyers through competitive bids equal to or above the market value. Purchasers were required to adhere to sustained yield and other conservation measures. Unsold tracts would be sold to the Forest Service to create a national forest (Winema National Forest). The federal government would purchase the Klamath marsh and manage it as a wildlife refuge. Final termination was postponed until April 1, 1961.

Elections in 1958 effectively ended the Klamath Reservation. In that year, 1,659 Klamaths (77 percent) voted to withdraw from the tribe and receive a per capita payment of \$43,000. The government, in order to pay these individuals their share of the tribal estate, sold 717,000 acres of their 862,000 reservation. The remaining 474 members (23 percent) continued their tribal status, hoping to survive economically on the 145,000 acres still held by them. In 1974, however, these last holdouts voted to sell the remainder of the reservation for per capita shares of \$173,000.

While federal recognition was terminated in 1954, Klamath identity remained resilient. In 1975, the Klamath readopted its 1953 Constitution and functioned as a tribal government. Federal courts in the middle to late 1970s acknowledged Klamath treaty rights to hunt and fish and water claims. Eventually on August 27, 1986, Public Law 99-398 restored the Klamath tribe to federally recognized status.

Current Situation

Termination proved costly to the Klamaths. Prior to termination, the Klamath were among the most self-sufficient tribes in the United States. In 1993, having lost their land base, the 2,700 enrolled Klamath, 1,600 of them living in Klamath County, Oregon, face severe economic problems. Recent droughts

and complicated conservation issues have further hurt the Klamaths' ability to compete. Current statistics reveal that 70 percent of the Klamaths live below the poverty level. Submission by the Tribal Council to Congress in late 1992 of a thirty-year economic self-sufficiency plan attempts to revive a sluggish post-termination Klamath economy. Presently an eight-member business committee chosen by popular vote of the general council directs Klamath affairs. The general council includes all enrolled adult members of the tribe. The Klamaths have had a Tribal Council since 1908, and a Constitution since 1929. Since restoration of tribal status, Tribal Chairman Charles E. Kimbol, Sr., and other present leaders, worked to meet daily needs and provide for their constituents. Home improvement programs, construction of a new dental facility, and plans for new tribal offices and a cultural center seek to improve present living conditions. Forty years after termination, the Klamaths face an uncertain future. Yet the resourceful and adaptive nature of the Klamath people in the face of adversity ensures the continuance and persistence of the tribe as the twentieth century draws to a close.

Culture

Participation in the annual August sucker ceremony, a traditional event to assure favorable sucker (fish) runs, basketweaving classes and translation of textbooks into the Penutian language helps secure cultural continuity. Beadwork, arrowhead-making, and ornamental usage of bone among the Klamaths are among the crafts taught to new generations. An annual all-Indian basketball tournament in February and March, the Klamath Propriety Powwow on December 31, to usher in the new year, and Treaty Days in August, to celebrate restoration of tribal status, help promote community life. Religion among the Klamaths contains elements of Christianity, Catholicism, Shakerism, and traditional Native practices.

Thomas W. Cowger

See also Government Policy: Termination and Restoration

Further Reading

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KOASATI

See Alabama-Coushatta

KONKOW

See Maidu

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