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Acting Secretary of the Interior Hatfield Chilson today expressed the Department's opposition to the so-called "Four States" Indian bills.

He said the three identical bills, S.574, H. R. 3362 and H. R. 3634, would make the Federal Government financially responsible for a multitude of services which rightfully should be provided by the States.

Moreover, it would extend special Federal responsibility to include a great number of additional persons, some of them not even necessarily Indians, he said.

Enactment of the bills would burden the Federal Government with full cost for services to Indians in the four States singled out for preferential status-- Wisconsin, Minnesota, and North and South Dakota--the Acting Secretary pointed out in reports on the bills. The reports were sent to Senator James E. Murray, chairman of the Senate Interior Committee, and to Rep. Clair Engle, chairman of the House Interior Committee.

Mr. Chilson said there is "no sound basis for establishing for those four States rules that are different from the rules applicable to other States with Indian populations."

Enactment of the bills would be "a complete reversal of the policy that has been in effect for many years," he said.

The bills would make the Federal Government responsible in the four States for paying the full costs, including administrative costs, of services which have been and are now being provided to Indians by both Federal and State Governments on a cost-sharing basis.

"With respect to the class of Indians who should be eligible to some, but not necessarily exclusive, Federal aid in the fields of Indian education, health, agricultural assistance, relief of distress and social welfare aid we believe that the class should be restricted in general to Indians who live on tax exempt land, which is the situation today," Acting Secretary Chilson said. "Indians who live elsewhere should participate in State programs on the same basis that non-Indians participate in them."

He said that for years Federal policy has been to encourage assimilation of Indians into state and community life in a manner permitting equal participation with others in community responsibility and services. A reversal of the policy would be most unfortunate, he added.

The bills would immediately set apart as a special racial class all those Indians who have made the successful transition into the main stream of American life, Acting Secretary Chilson declared. "A restriction of this nature is not imposed on any other group of citizens, and it is repugnant to the principles of democracy," he said.

He said the bills would designate as Indians many persons who have never been identified as Indians eligible for Federal services.

"For example, a roll for the distribution of a judgment of the Court of Claims or the Indian Claims Commission contains the names of persons who are listed, not as Indians, but merely as descendants of persons who were members of an Indian tribe 100 years ago.

"The tribe has long since ceased to exist, and the descendants of the tribal members have not been associated with or identified as Indians for nearly as long. They would, however, be designated as Indians for the purpose of these bills.

"Another example is the census records of Indian tribes which captain the names of many persons who are not tribal members but appear on the list because it is a census rather than a membership roll. Many of such persons are not even citizens of the United states but are in fact Indian nationals of Canada residing in the United States on the basis of a treaty of law affording freedom of entry into the United States. Under these bills these persons would be designated as Indians entitled to special Federal services."

The State has the basic constitutional responsibility for services furnished by a State to Indians residing on tax exempt land, he said. The tax exemption's effect upon the revenue of the State or local agency providing the service should be the primary factor in determining Federal contribution, he continued.

"The Federal Government should not pay the full cost of the State service merely because the service is for Indians, regardless of the source of revenue used by the State or local agency to provide the service," he said.

“Such action would transfer to the Federal Government responsibilities traditionally held by the States solely because of the ethnic origin of the particular citizens involved.

“In our opinion, Federal contributions to the cost of State services to State citizens should not be based upon the ethnic origin of the group, but should be based upon the peculiar circumstances that impose a hardship on the State--in this instance the residence of the group on tax exempt land.

“It should be recognized, however, that not all State revenue is derived from real estate taxes, and that the Indians are subject to the payment of all other forms of taxes.

"To the extent a State service is financed from such other tax revenues, there is no justification for requiring the Federal Government to pay the full cost of the service merely because the recipient of the service is a citizen of the United States of Indian ancestry."

Enactment of the bills would require great increases in annual appropriations and a large increase in administrative personnel, he concluded.
