

*Self-determination:* The Wheeler-Howard Act is not offered to the Indians in a doctrinaire spirit. It is unique in its requirement (Section 18) that within one year after its approval by the President, all tribes shall determine by referendum whether they wish the new law to apply to them. If a majority vote indicates that the Indians of a particular reservation favor the Act, then immediately it becomes applicable to them. If they reject it, their present status shall continue.

*Protection of Indian Lands:* The land sections, taken together, have for their purpose the protection of the remaining Indian lands from dissipation, and the acquisition of new lands necessary to the development of self-subsistent rural life. Section 1, which prohibits further allotment, does not affect lands already distributed, but it does protect the great unallotted areas against the disintegration that has always followed the parceling of Indian lands in severalty.

Additional protection for Indian lands is provided by Section 2 which cancels all laws terminating the trust period on Indian lands (such termination resulting in taxation and disposal) until Congress shall otherwise direct.

Unfortunately, the Act does not go far enough in arresting the loss of the presently allotted lands which are rapidly leaving Indian title for white. While it limits the sale or transfer of such "restricted" lands to the tribe or tribal corporation, and while it limits the inheritance of these lands to members of the tribe or their heirs—and thus, the Secretary of the Interior can no longer sanction the sale of Indian lands to whites—the Act does, however, perpetuate the intolerable inheritance system which of its nature forces a hopelessly uneconomic divisioning of inherited lands. The multiplicity of heirs reduce a patch of land to tragic fractions. In the past, these lands have had to be sold to satisfy the heirs; and this has meant sale to whites for the Indians have neither had the money nor the credit to buy them. There are now about seven million acres of Indian lands in this heirship status. They cannot possibly support individual heirs and so they must be sold, or leased for a pittance. The Act requires that they be kept in Indian ownership, and since it would be a financial impossibility for the Government to purchase these lands for the tribes, the solution lies with the heirs: They must of their own volition surrender their inherited lands to the tribes in return for a proportionate interest in tribal estate.

Section 6 compels the Secretary of the Interior to operate Indian owned forests on the sustained yield principle; and also to prevent soil deterioration and erosion by restricting the numbers of the livestock grazed on Indian ranges to their carrying capacity, and assuring full utilization of the land. Indian forests now standing will thus be given the scientific management and use that was so grievously lacking in the past.

*Land Acquisition:* To build up the Indian land holdings to a sufficiency for present and future needs, Section 5 authorizes an annual appropriation of two million dollars for the purchase of new lands. This sum will by no means meet the immediate necessities of the landless Indians, but over a period of years, it will give them an economic foothold. Section 3 which provides for the return to Indian tribal ownership of all *unsettled* surplus lands will also increase Indian land-holdings on certain reservations. (Surplus lands are areas within original reservation