Laws and Leadership

Trace how federal laws changed the options available to Tribal governments.

OKH.C.8.3.C "Explain how federal legislation in the twentieth century supported the reorganization or strengthening of Tribal governments and self-determination. Examples teachers may reference: Indian Reorganization Act, Oklahoma Indian Welfare Act..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Circle each law's name and underline what it allowed Tribal governments to do. Number the underlined changes in the order the laws were passed.

New Paths for Tribal Government

(1) After decades of federal policies that divided Tribal lands into individual allotments, many Native nations faced weakened land bases and limits on governing power. The 1934 Indian Reorganization Act changed federal policy in many states. It stopped further allotment of Tribal lands and allowed some land to return to Tribal ownership. It also offered tribes a path to adopt written constitutions and form federally chartered corporations. These options could help Tribal governments set rules and manage shared resources. Yet the federal government provided a model for constitutions, and not every tribe accepted it. Reorganization offered tools, not a single government that every nation had to copy.

(2) In Oklahoma, the 1934 act's main reorganization provisions did not apply. That gap mattered because Native nations there had also faced federal restrictions on their governments. Congress passed the Oklahoma Indian Welfare Act in 1936. It allowed Oklahoma tribes to organize for purposes of federal law, adopt constitutions and bylaws, and obtain federal charters for business corporations. A Tribal government could use these tools to define how leaders make decisions or to manage a shared enterprise. The law did not create Oklahoma's Native nations. Rather, it opened federal paths for governments that already had histories and communities of their own.

(3) A different kind of change arrived with the Indian Self-Determination and Education Assistance Act of 1975. Before that law, federal agencies often ran services for Native communities. Under the act, tribes could make contracts with federal agencies to operate eligible programs that those agencies had administered, such as health services or education programs. Imagine a Tribal government running a health program: its leaders could make choices about staffing and services instead of leaving those decisions entirely to a federal office. Federal funding and legal requirements still mattered. Unlike the 1930s laws, which offered ways to reorganize governments, the 1975 act shifted more control over program delivery to tribes.

2 ANSWER WITH EVIDENCE

Use the passage

1. How could the Indian Reorganization Act strengthen a Tribal government's ability to manage land or resources?

2. Why did the Oklahoma Indian Welfare Act provide an important path for Oklahoma tribes that the 1934 act did not?

3. How did the 1975 law change who could make decisions about an eligible health or education program?

4. What is one difference between the support offered by the two 1930s laws and the support offered by the 1975 law?

3 YOUR TURN

Your own words

Imagine a Tribal government can contract to run an eligible education program currently operated by a federal agency. In four sentences, name the law that supports this change, describe one decision Tribal leaders could make, explain how that decision supports self-determination, and identify a federal role that remains.

ANSWER KEY

Laws and Leadership

HIGH SCHOOL · OKH.C.8.3.C

PART 1 · READ AND MARK

Circle each law's name and underline what it allowed Tribal governments to do. Number the underlined changes in the order the laws were passed. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How could the Indian Reorganization Act strengthen a Tribal government's ability to manage land or resources?	**It stopped further allotment and allowed some land to return to Tribal ownership. It also offered constitutions and federally chartered corporations as tools for managing shared resources.**
2	Why did the Oklahoma Indian Welfare Act provide an important path for Oklahoma tribes that the 1934 act did not?	**The 1934 act's main reorganization provisions did not apply in Oklahoma. The 1936 act allowed Oklahoma tribes to organize for federal purposes, adopt governing documents, and obtain corporate charters.**
3	How did the 1975 law change who could make decisions about an eligible health or education program?	**A tribe could contract to operate a program previously administered by a federal agency, giving Tribal leaders more say over decisions such as staffing and services.**
4	What is one difference between the support offered by the two 1930s laws and the support offered by the 1975 law?	**The 1930s laws offered ways to reorganize Tribal governments. The 1975 law gave tribes a way to take greater control of eligible programs previously run by federal agencies.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The Indian Self-Determination and Education Assistance Act of 1975 would let the tribe contract to run the eligible education program. Tribal leaders could choose tutors who speak students' home languages. Making staffing decisions locally gives the Tribal government more control over a service for its community. The federal agency would still provide funding under the contract, and the program would still have to meet legal requirements.

Accept other plausible local decisions about the program. Responses should distinguish greater Tribal control from complete independence from federal funding or legal requirements.