

Management Specialist: The Forgotten Role of Thomas B. Watters in Klamath Termination, 1953-1958

In January 1955, Thomas B. Watters was about to start a new job. The offer, when it had come earlier the previous year, was not something the one-time mayor of Klamath Falls had anticipated. Sixty five years of age in 1955, Watters was preparing to enjoy small town life in his adopted home in Oregon. Yet despite his yearning for the peace and quiet of retirement, when the job offer came from the Secretary of the Interior Douglas McKay in Washington, DC, Watters listened. Secretary McKay, a fellow Oregonian, Republican, and personal friend, needed a specialist in Klamath Falls to aid the Department in carrying out a task assigned to it by Congress. The federal legislature had directed the Department to work with the Klamath tribes in Southern Oregon to terminate the reservation and the tribe's legal standing with the federal government – was Watters interested? McKay coaxed Watters to accept, encouraging him that “this job will add ten years to your life.”¹

Despite his personal friendship with McKay, Watters was hesitant to take the job. It would take several years, and put him in charge of an office of so-called “Management Specialists” responsible to act as a go-between for the Klamath people and the federal government. But more than this, the job would also place the fate of over two thousand Klamath and their cultural heritage in his hands. Watters later explained “that when Douglas McKay first asked me to accept this assignment, I was very reluctant to accept it, but finally did, with the thought that I might be able to render a service to Doug McKay, a personal friend, to the state of Oregon, to the Indians on the reservation, and also to the community in which I've lived for 42 years.”² Indeed, when Watters asked his friend of forty years and Klamath tribal member Mrs. Ball what she thought of his acceptance of the job, Mrs. Ball replied, “You are going to need God's help, and I will pray for you.”³ She was right - three years later in 1958, Watters would

face criticism from nearly every corner of his community, state, and the nation for his work, a job which was later described as a “perplexing, tiring and exasperating situation.”⁴

The role Watters had accepted was to work with the Department of the Interior as a Management Specialist in prosecuting the task Congress had assigned the agency in 1954 to end the federal supervision of what would eventually amount to 109 distinct communities of Native Americans. Known as termination, the policy was an effort spearheaded by the Republican senator from Utah, Arthur Watkins, when he and many congressional opponents of the Bureau of Indian Affairs came to believe that the time to reform federal Indian policy was nigh: to better allow the Native American people living on reservations to truly realize their social and economic individualism as Americans, the federal government ought to cease treating them as a special minority. “Termination was a federal Indian policy for all conservatives,” writes William Trulove, author of an economic case study of Klamath termination, “[as] it would eliminate all restrictions on Indians by advancing them to the rank of ‘first-class citizen,’ eliminate government paternalism, reduce the federal budget, return local functions to local controls, return large land tracts to the tax rolls, and encourage development of unused resources.”⁵

Those who advanced the termination agenda of ending the special relationships forged by treaty agreement and the Indian Reorganization Act of 1934 believed these legal relationships to be products of paternalism and subsequently obstacles to indigenous people being fully assimilated into dominate culture. “The termination policy adopted by the federal government in 1953... was designed, according to its proponents, to release Native Americans from the indignities of federal paternalism, thus paving the way towards their full equality with other Americans,” writes anthropologist Patrick Haynal.⁶ Nothing less than the freedom and liberty of American Indians was at stake, argued advocates of the termination, and under the auspices of a “Freedom Program” for Native Americans, “Watkins was able to engineer termination’s passage

with overwhelming support. Potential opponents [of termination] were disarmed by an argument which equated termination of federal decontrol or the ending of Indian dependency with [a] congressional ‘freedom program’ for Indians,” argues Trulove.⁷

By dissolving reservations and erasing federal recognition of Native American tribes, the termination policy was billed not only as a catalyst for Native Americans to become part of mainstream American culture by ending their restricting special treatment by the government, but as a means to shrink the size of government by eliminating the need for the Bureau of Indian Affairs. Starved of federal relationships to manage and protect, termination would also pave the way for the dissolution of a federal agency, a victorious strike against big government. While opponents of termination “contended that the tribes to be immediately affected were not yet ready for release from federal supervision...[and] in reality, [termination] was just another poorly disguised effort to force the complete assimilation of Native Americans,” Congress nevertheless proceeded in identifying five communities of Native Americans whose populations were deemed ready to become independent of their reservation and tribal status.⁸ Among these was the Klamath tribes of Oregon. After a process of what has been described as “biased hearings, misleading BIA data, unrepresentative tribal comments, and optimistic expectations,” Congress passed what became known as Public Law 587, a bill that specifically regarded the Klamath tribes.⁹ It was Section Five of this law that empowered Secretary of the Interior McKay to provide the tribe with “selected specialists ... to study reservation resources and submit management recommendations...”¹⁰ With the passage of PL 587, the Klamath tribes were now on a course to be terminated and Watters was on his way to being the one to see it through.

In studying the effect of termination on the Klamath tribes, anthropologist Patrick Haynal wrote “In the future, it might be useful for scholars to examine termination as an abandonment policy rather than as an assimilation policy.”¹¹ This essay seeks to test the interpretation of

termination as abandonment against Watters's experience. By analyzing the role of Thomas Watters the arbiter of Congressional policy in the Klamath Basin, Watters's experience is uniquely positioned to illustrate that termination was passed as an ideological rush-job couched in the rhetoric of individualism and freedom that, instead of providing a roadmap for terminated tribes to gain parity with the white counterparts, was a policy largely of abandonment which ultimately dealt hundreds of Native American communities a blow to their sovereignty, economic parity, and cultural inheritance.

But why the Klamath? The Klamath tribes of Oregon have and continue to call the southern region of the state home. Many groups of indigenous people have lived in the region between Crater Lake and what is today the Lava Beds National Monument of California, including the Klamath, the Modoc and the Yahooskin. After an 1864 treaty with the federal government, the three tribes were recognized as one legal and ethnic conglomeration, the Klamath, and were placed on a reservation in the Klamath Basin.¹² Once confined, the Klamath arguably made the best of the circumstances. Klamath domain included thousands of acres of Ponderosa pine which, although managed by the Bureau of Indian Affairs, proved to be a profitable asset that allowed the Klamath to enjoy a relatively high standard of living. The tribe built a modest sawmill in 1870 which in turn funded a health clinic. In 1913, this timber resource began to provide per capita payments to every tribal member.¹³ By the time of termination, these payments equaled \$800 annually.¹⁴

The proponents of termination came to the conclusion evidenced by the mill, the health clinic, and per capita payments that the Klamath had reached a semblance of social and economic parity with their white neighbors. Orme Lewis, Assistant Secretary of the Interior in the congressional testimony of hearings in 1954, outlined their rationale:

It is our belief that the Klamath tribe and individual members thereof have in general attained sufficient skills and ability to manage their own affairs without special federal assistance. Through intermarriage with a non-Indians and cooperative work and association which the non-Indian neighbors... these people have been largely integrated into all phases of the economic and social life of the area. The standard of living of the Klamath Indians compares favorably with that of their non-Indian neighbors.¹⁵

Compounding this narrative was the simultaneous perception of many congressional leaders that the majority of the Klamath actively sought termination. This was a view that was propagated in Washington, DC long before termination policy was being formulated in the 1950s largely by the actions of a vocal Klamath tribal member named Wade Crawford.¹⁶ Leader of this faction was Crawford who, taking full advantage of being named a Klamath representative to the federal government by John Collier, went to Washington, DC to lobby for the liquidation of the tribal holdings into individual shares. This program of privatization was quickly opposed by another contingent of Klamath led by local Klamath representatives Jackson Boyd, Dice Crain and Jesse Lee Kirk. This latter group favored the group ownership of the tribes' assets, namely the massive tracts of timberland. These two camps, while largely in mutual agreement that the Klamath had been under the "paternalistic authority of the federal government far too long," could not reach a consensus on a course of action. The issue intensified in 1947, when Crawford again went to Washington DC to lobby Senator Wayne Morse to introduce a bill to lift federal restrictions from individuating tribal assets. Though Jackson and the Klamath General Council stood by the results of a referendum among Klamath members several years earlier which rejected Crawford's platform by a vote of 95 to 4, Crawford's actions left the impression on the part of many lawmakers that there was overwhelming Klamath demand for termination.¹⁷

Though his attitude was not representative of the Klamath community as a whole, Crawford's voice was made disproportionately prominent by lawmakers eager to enact their policy of severance with tribes such as the Klamath in the 1950s. As Trulove records, "rushing to

enact their policy, Congress held perfunctory hearings, relied on overly optimistic testimony, utilized data supporting their policy bias, ignored protests by knowledgeable officials and groups, and hurried through termination bills surprisingly similar in form.”¹⁸ In this way, citing Crawford’s insistence on the private distribution of tribal assets, the first termination legislation in 1953 included the Klamath among the tribes most ready for disavowment with the federal government.¹⁹ This division amongst the Klamath also resulted in the stipulation in Section Five of PL 587, the law specifically passed to terminate the Klamath, that would “give...each member whose name appears on the final roll of the tribe and opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan” a stipulation that, supposedly a compromise, would define much of the legacy of the policy’s enactment.

The Klamath eventually voted to accept termination in the form of PL 587, but it appeared to many Klamath that they really had no other choice. Though many Klamath would undoubtedly have very much been more than happy to escape what they saw as the paternalism of the government, Klamath Elnathan Davis frankly assessed the situation the tribe now faced when he told the Commissioner of Indian Affairs in 1956, “I don’t think Public Law 587 is really what the Klamath Indians wanted.”²⁰ Additionally, the Klamath were waiting for a multimillion dollar settlement from an earlier suit against the government, and Senator Watkins found his way to seeing to it that this money further tarried a in federal hands until the Klamath accepted his policy. When they finally did in early 1954, the Klamath made sure to specifically address Assistant Secretary of the Interior Orme Lewis’ optimistic appraisal of their tribal readiness for termination and their inclusion in HR 108 by declaring that this had been “done without knowledge, orally, documentary, or otherwise, of the Klamath tribe, as to how such a decision

had been reached, [or] what methods were used to determine the readiness of the Klamath tribe...”²¹

In a vague premonition of what was to come, Watters wrote to McKay on the eve of his start as lead management specialist, writing “You know Doug, the more I read and talk about this [termination] deal the more those words of Mrs. Ball keep coming back to my mind.”²²

However, Watters had no time to have second thoughts; there was much for him to prepare and organize, including the contract for his work with the Secretary of the Interior, an office for the requisite work to be conducted from, and the team of Management Specialists itself.²³

Alongside Watters, two other men had been named by McKay to constitute the Management Specialists: Eugene Favell, a realtor from Lakeview and W.L. Phillips, a car dealer from Salem. The identity of these three men, their professions, and their connection to the Secretary who appointed them led to the first major challenge in what would eventually become a long and arduous campaign for credibility, for it just so happened that Watters, Favell, and Phillips were not only all self-identified Republicans, but personal friends of Secretary McKay. They immediately faced the skepticism and suspicion of the Klamath of being nothing more than politically appointed cronies. Making the situation worse, Phillips would soon duck out of his appointment to work on McKay’s bid for senate, leaving Watters and Favell to defend their intentions.

The Management Specialists’ first task was to attain the approval of the Klamath Executive Committee for their instatement. There was some hesitance on behalf of some members of the Klamath Executive Committee as to what the Management Specialists would do and how much authority these men would have, and there was some talk of sitting out in protest. When Watters came before the Klamath, Executive Committee member Mrs. McAnulty “state[ed] she did not approve of content of [PL 587], and points out to Mr. Watters ...in regard

to another land grab – a fear of our people – [is] a serious thing.” Watters asserted that his intentions were only to help the Klamath, and the minutes record Watters’ “state[ing] in regard to career and reputation of himself could be got by canvassing the streets of Klamath Falls, and stated [that the Klamath] have the right to question.” Ultimately, a motion was introduced “that this Klamath Executive Committee in official session hereby endorse the selection of the Management Specialists suggested by the Secretary.” The resolution passed, 5 to 1.²⁴

With the approval of the Executive Committee, the real work of the Management Specialists began, though they had not yet signed a contract with the Secretary of the Interior. Nevertheless, in setting up an office in Klamath Falls, Watters and Favell sent their first of many communiqués to the adult members of the Klamath tribe, notifying them that “We extend an invitation to visit those headquarters anytime you're in Klamath Falls. Our one objective is to do the best job we can for the Klamath Indians, and to do this, we will need your cooperation and assistance.”²⁵ The need for “cooperation and assistance” between the Management Specialists and the Klamath had ostensibly been addressed in April, when 1955 Acting Secretary of the Interior Clarence Davis called for an election among the Klamath to elect three men to a committee that would work with Watters as the official representatives of the Klamath during termination. On June 27, Seldon Kirk, Lawrence Witt and Wade Crawford were elected.²⁶ Crawford’s presence as a representative would become a contentious matter for Watters in the months to come.

The first major task prescribed by the termination law was for the Management Specialists to conduct a study of the cultural parity of the Klamath the white citizens of the Klamath Basin in detail. Then, they were to appraise the material assets of the Klamath for liquidation. As preparations to contract with outside firms for this appraisal work unfolded, the Management Specialists began to study the law in an effort to understand their mission and to

solidify the draft contract they had yet to sign with the Secretary of the Interior. In so doing, Thomas Watters came to the conclusion that the termination bill he had been hired to execute was deeply flawed.

Section Five of PL 587 required the Management Specialists to appraise the Klamath's assets and then to hold an election to determine how many Klamath wanted to withdraw from the tribe and take their *pro rata* share of the these assets versus those who elected to remain in the tribe and keep their shares communally owned. The Management Specialists were then to sell enough of the shared assets, which almost exclusively amounted to the reservation's timber, to pay the withdrawing members. However, there were problems. Watters explained his concern to the Klamath General Council:

We are particularly disturbed about the requirement of Section 5 that we set aside a portion of the reservation which has appraised value equal to the sum of the appraised individual shares of the tribal members who choose to withdraw, sell such portion by competitive bid and distribute the cash among the withdrawing members. Were there just a few members who wanted cash for their share of the tribal property such a sale of property could probably be made without harmful effects. There are, however, strong indications that as large a group as three fourths of the tribe may want cash -- which will mean that we must sell, within less than a year's time, as much as three fourths of the tribal property, at the highest price we can get for it. This amounts to a forced sale, with the inevitable decrease in the value of property being sold.²⁷

In addition to the "forced sale" of timber that was imposed by the law, the projected contingent of withdrawing members was so significant that it would require the sale of a substantial majority of the land. A sale of such a volume of timber land all at once would result in what would later be called "a basement bargain fire-sale." In so doing, not only would the sale of timber in this fashion destabilize timber markets and thus not compensate the Klamath for the true value of the land, but it would also destroy the timber-based economy of the Klamath Basin. "Present estimates indicate that the provisions of this section [Section 5] will require the sale of

approx. 2,660 million board feet of saw timber during a period of less than a year,” reported Watters. “These sales...will undoubtedly glut the market.”²⁸

If the majority of Klamath did not desire termination, why did Watters and the Management Specialists project so many members would elect to withdraw, forcing the sale of so much timber? Though Klamath motivations were diverse, scholars agree that the election was defined predominately by confusion.²⁹ Most Klamath simply did not understand what withdrawing entailed and efforts to educate them were insufficient. “Withdrawal” did not simply entail the withdrawal of monetary assets but also a claim to tribal membership. Despite the efforts of the Management Specialists and a BIA education program, many Klamath did not know that by cashing out their share of the tribal assets, they would also be stricken from the tribal roll, effectively renouncing their federally recognized status as Klamath. At the same time, the projected share of tribal asserts that withdrawing members would receive was approximately \$58,650, or \$496,754 in 2012 dollars, a tremendous sum for the relatively disadvantaged Klamath.³⁰ When individual tribal members were confronted with the choice between such a sum versus remaining in the tribe in a management plan that had yet to be defined (and which ultimately resulted in another paternalistic trust with the US National bank), the former option looked irresistibly preferable.³¹ Many of the Klamath perceived that this choice was deliberately designed to incentivize Klamath members to withdraw. “When you are faced with a campaign of propaganda material like that, how many families who are looking forward to easy money are going to bypass any possibility like that?” said Boyd Jackson of the difficulty in communicating the benefits of remaining in the tribe versus withdrawal in the face of what seemed to many Klamath to be a huge payout.³² Significantly, the number of Klamath who chose to withdraw did not correlate with those who approved of termination, the latter group being much smaller than the former.³³ That so many of the Klamath opted to withdraw without understanding the legal

implications of the choice further underscores the lack of education, comprehension of termination policy, and the financial know-how among the Klamath that was supposedly a pre-requisite for their termination.

As the flaws of the law's structure became clear, Watters learned early what his contracted appraisals would later confirm: the Klamath had, by all metrics, in no way achieved social or economic parity with community of the Klamath Basin. Klamath incomes, though compared favorably with other Native American incomes, were heavily subsidized by the tribe's per capita timber payments.³⁴ Few Klamath were employed, and those who were made less than whites. Additionally, it was widely known that Klamath Falls' businesses wouldn't hire Klamath if they could avoid it.³⁵ Klamath education was poor – the tribe's children suffered high dropout rates and Klamath parents saw little incentive to send or keep their children in school. Klamath health conditions were marked by shorter life expectancies with whites, rampant alcoholism, and a higher incarceration rate than their white neighbors.³⁶ In the face of such glaring inconsistencies, Watters approved a memo that stated,

Of national importance is what will happen to the Klamath tribal forests and lands under the terms of public law 587. Of equal importance is the question of what will happen to the 2000 human beings who are directly affected by this law. As we have become increasingly familiar with the situation on the reservation, and as we have studied the documents and statements that were submitted to Congress along with the original legislation that became PL 587, and as we become more familiar with the contents of the transcripts of the hearings that were held relative to Klamath terminal legislation, we have become convinced that Congress acted on the basis of inaccurate information concerning the majority of Klamath tribal members.³⁷

Within his first year on the job, Watters concluded that the law was not in the best interests of the Klamath and that it needed to be amended.³⁸ Watters also concluded, against his political and ideological preferences, that the federal government ought to step in and purchase the forest to avoid destroying the value of the land and the timber market by quick

sale.³⁹ ‘I am against the government owning a lot of land,’ Watters declared... ‘It is so radical, it is so different from our ‘black Republicans’ that it amazes me.’⁴⁰ Watters and the Klamath Executive Committee also concluded that the federal government ought to pay for the costs of the termination process, including Watters’s salary, which were up to that point being paid by the Klamath.

Watters took a dramatic first step towards making his dissent known by refusing to sign the yet to be finalized contract with the Department of the Interior. “After a careful study of Public law 587,” wrote Watters, “[we] came individually to the conclusion that certain provisions of the act appeared to be unworkable...the management specialists refused to sign the contract...[until] the government would change their contract in [several] respects.” Primary of these respects was the addition that “the management specialists would have a right to submit amendments to the law for the consideration of Congress.”⁴¹ After learning how Watters regarded the law, the Klamath endorsed Watters’ position. The minutes of this meeting explain that “Mr. Watters proceeded to elaborate on part three of section five...he stated that before the Management Specialists would sign the proposed contract [and] that...that they needed the support of the tribe, otherwise they did not want anything to do with it.”⁴²

Watters’s insistence paid off. On May 9, 1955 the Management Specialists signed a contract with the Secretary of the Interior that made “Watters the chair of the Specialists, charge[d] them with carrying out Section 5 of PL 587, and include[d] the ability for the Management Specialists to make recommendations on amendment of the law.”⁴³ In his communication with the various stakeholders in Klamath termination in the BIA, the Department of the Interior, and Congress, Watters used his new capacity to make official recommendations to make it well known he did not support PL 587 as it was presently formulated. In a letter to the Indian Rights Association on July 19, 1955 Watters wrote “there is no secret about our thinking

regarding PL 587. We do not think it will serve the best interest of the Indians, their resources, or the economy of Klamath County, as written.”⁴⁴ To clarify their dissension, during subsequent Congressional and BIA hearings, Watters and Favell produced a report that stated “We are in favor of terminal legislation for the Klamath tribe. We feel that an indefinite continuation of the present situation is undesirable and that there is more than ample evidence to support the conclusion that the Klamath will not realize their potential for becoming responsible, respected, and self-respecting citizens under continued federal supervision.” But this could not be accomplished, they argued, if Congress did not admit they were misinformed about the Klamath’s supposedly “readiness” for termination by their premature inclusion in HR 108 in 1954.⁴⁵ Indeed, Watters even wrote to Watkins, the mastermind of HR 108, reporting,

After 18 months of study we have come to the firm conclusion that this bill, as written, will not work for the best interests of the Klamath Indians. I make this statement to you without any hesitation... I would like to emphasize that it is not our intent to censure the actions of any of the persons who work towards the passage of the act. In fact, if there is to be any blame, it must be shared by the Klamath Indians by the citizens of the community and of the state of Oregon. However, now that the full effects of the law are becoming more apparent, it behooves all persons who have any interest in the matter to work together towards amending the law in a manner that will safeguard the interests of the Klamath Indians and their resources.⁴⁶

Watters did not go so far as to denounce the entire program of termination or the Klamath’s “participation” in it. But his correspondence reveals that his concern for the social and economic harm that would befall the Klamath as a result of PL 587 was genuine. On January 19, 1957, Watters foreshadowed the inevitable reaction against termination when he wrote to the Assistant Secretary of the Interior Hatfield Chilson warning “if these implications were allowed to develop into the many social ramifications possible under Public law 587, the eventual reaction of the public at large might well ‘terminate’ the whole termination program being conducted by the Bureau of Indian Affairs.”⁴⁷

While some would later suggest Watters's criticism did not go far enough towards incriminating the foundational assumptions of termination, the position he took on PL 587 and his advocacy for its amendment was enough to win Watters the support of most of the Klamath leadership, as illustrated when Boyd Jackson stated in a conference with the Commissioner of Indian Affairs, "When they were appointed, we felt that a wrong step had been taken...and we felt that we had a fight on our hands. That we wouldn't be able to accept them.... [but] they realized what had happened and immediately took a stand and that lead us to where we are now in supporting them."⁴⁸ Despite an invariably tumultuous relationship, the Executive Committee and the Management Specialists were, for the most part, in synch regarding the increasingly urgent need to amend PL 587. But not everyone felt this way.

By far, the biggest Klamath detractor was Wade Crawford. Crawford cast aspersions on the Management Specialists' intentions from the beginning of their appointment, calling them "little hired boys."⁴⁹ Watters's response to such animosity was de-escalation. "I admit I am a boy trying to do a man's job. A man my age should not go through [this]. The happiest thing that could happen to me is that you would decide you didn't want anything to do with me... Maybe we didn't render you a service but we think we did."⁵⁰ Despite this conciliatory tone, Crawford's enmity lived on – he believed that the call for amendment of PL 587 did not originate from among the Klamath. Crawford testified to the Commissioner of Indian Affairs that "Mr. McKay has said the Indians are not ready. Mr. Wilkinson says they are not ready. The Management Specialists say they are not ready. Somebody is misinforming somebody." This obfuscation was part of a design by the Management Specialists, Crawford felt, for their own pecuniary gain; the longer termination took to complete, the more salary the Management Specialists drew. "They [Management Specialists] have done everything to disrupt the Klamath Indians. They have mismanaged this thing from the start. The Management Specialists should be fired from the

Department of the Interior and fair-minded qualified people put in their places to carry out this law.”⁵¹ Mrs. McAnulty, then a member of the Executive Committee, responded:

We have always been more or less skeptical when different ones [Management Specialists] were appointed, and I think I questioned Mr. Watters when he first appeared before our Committee. But having worked with Mr. Watters on the Executive Committee...I believe they have done a wonderful job in trying to figure some way out of the mess that we find ourselves in. I believe that both of them are sincere, and I believe they are trying to do the very best they can. My personal thoughts are that if they had this to do over again and they knew the abuse they have had to take at various meetings that they would never have taken it at any price.⁵²

Things reached a head in 1957 when Crawford introduced a petition to Congress calling for the firing of the Watters and Favell. “We feel the Management Specialists are not qualified because of their inexperience. They've caused a delay and have jeopardized our interests.”⁵³

Crawford’s view and criticism of the Management Specialists was a significant albeit minority attitude among the Klamath. An undated Klamath petition found in the Management Specialists files between 1955 and 1956 shows that Watters’s position was in fact aligned with the rest of the Klamath leadership, as they called on Congress to “establish a period of time before forced sales of our tribal property shall begin, ensure us that congress will have time and inclination to consider the justice and wisdom involved in Federal purchase of our tribal assets, and assure us and our children of a just and honorable termination of federal supervision over our affairs.”⁵⁴

While Crawford was unsuccessful in seeing Watters dismissed in 1956, Crawford did eventually withdraw from the tribe with his share of tribal assets as he had lobbied for over thirty years.

With Crawford nipping at his heels every step of the way, the largest priority for Watters and the Klamath Executive Council was to acquire a so-called “stop-gap” amendment to delay termination and the sale of Klamath timber until a sustained yield policy could be included. Watters explained in a letter to Forester Dan Robinson, “Should Congress not be able to complete their hearings and act on our amendment before the time arrives in the normal

procedure of our work for us to start selling timber, the stop gap amendment would take effect, and we would be required to stop any further progress until such time as Congress would act on amendment. We think this stop gap amendment is necessary. The department [of the interior] does not.”⁵⁵

Indeed, Assistant Secretary of the Interior Wesley D’Ewart was of the mindset that the Department had one job and one job only: to release the federal government from any and all obligation to the Klamath. He had written to Robinson as well, explaining the Department’s opinion that “Regardless of the great wisdom of utilizing forest resources on the sustained-yield basis, we cannot go on treating the Indian’s property as public property and to deny his freedom of choice in the use of what is his personal property.”⁵⁶ In Congressional testimony on the matter, Watters articulated his dislike for the law and the strong need for its amendment. D’Ewart was not pleased. He accused Watters of embarrassing the Department by taking a position to delay and amend PL 587, which was counter to their official recommendation. But Watters was convinced the Management Specialists’ charge went beyond the mere material liquidation of the Klamath. “We [have] indicated that we did not agree with the Department’s views concerning the degree of competency of the Klamath Indians. Although it might at first seem that all of our responsibility should be confined to the disposition of the tribally owned property, this is not true.”⁵⁷

But D’Ewart was not the only one who was displeased with Watters’s call for amendment. Republican Representatives Berry and Saylor, members of the Subcommittee on Indian Affairs, after listening to Watters’s calls for a stop-gap, were convinced that the by seeking to extending deadlines for termination by amendment, the Management Specialists were failing to uphold their contract. Their attitude was undoubtedly compounded by Crawford’s testimony and petition which suggested the Management Specialists had “delayed and stalled

and now seek amendments to the law to extend the time of termination” for their own pecuniary gain.⁵⁸ Watters’s response to these charges is revealing about his interpretation of the

Management Specialists’ role:

It is well to point out that in signing the contract we have a sense of obligation to do everything reasonable to implement the intent of Congress as expressed by the law. At the same time we're extremely conscious of the social implications of the problems involved, and did not believe that we should tie ourselves to the mechanical application of the law if our experience should prove the impracticability of such a program. Accordingly, we insisted that the contract which we signed must contain provisions under which we would be allowed to recommend amendments to the law if such amendments appear to be necessary in order to protect the interests of the Klamath Indians.⁵⁹

Representatives Berry and Saylor disagreed with Watters’s interpretation of his role and censured the work of the Management Specialists in a minority report, saying “We the minority think that the managers appointed to carry out the Klamath termination legislation have failed in their responsibilities under the act. The testimony before this committee indicates clearly that they have not directed their efforts to carrying out the act as intended by Congress... and have substituted their own interpretation of the law for the intent of the act.” But most revealing as a window into the nature of termination policy was the two Congressional dissenters’ parting shot at Watters: “Termination as planned by Congress cannot be consummated if the managers substitute their own ideas for those expressed in the legislation.”⁶⁰ A policy of abandonment had no use for conscientious objectors.

Many of those back in Oregon rallied to Watters and the very “ideas” the Management Specialists had “substituted.” “I’m glad you took that crack at those members of the House committee,” wrote Robert Sawyer, a Bend attorney. “They simply did not know what they were talking about and one in particular – Saylor – had he the facts explained would never have acted as he did.”⁶¹ Afterwards, Watters explained to a friend that “I have received enough compliments, both written and verable [sic], from many people in the state of Oregon to make up

for the evil things that Mr. Berry and Mr. Saylor had to say against me.”⁶² But Watters was clearly affected by this criticism. It did not abate his feeling of being singled out when his fellow Management Specialist Eugene Favell resigned due to illness and on March 9, 1959, passed away, resulting in Watters’s feeling of sole responsibility for their course of action. “[Favell’s death] means I am the only one of the original three Management Specialists who remains to defend the actions which we took to protect the interests of the Klamath people and the community in which they reside.”⁶³

As the congressional hearings continued, former Commissioner of Indian Affairs John Collier wrote a scathing attack on the Republicans and the Department of the Interior for attempting to stymie the amendment of PL 587. While Collier praised the Management Specialists when he wrote “Nothing in the hearings indicates less than mental honesty and genuine public spirit in these executors of the legislative-administrative felony,” Collier did find flaws in the Management Specialist’s dissent, namely that the Specialists did not advocate for the total repeal of PL 587. “The management specialists reject as being contrary to public policy, one of these two alternatives, i.e., continued tribal ownership with perpetual yield administration by the Indian Bureau. They recommend exclusively the other alternative, which is a buying out [of] the Indian reservation by the government.” Collier felt the Management Specialists accepted that termination was in the best interest of the Klamath too easily and without challenge and that “the members of the tribe, faced with the two alternatives...presented by the management specialists, naturally would be tempted to choose sale to the government...”, while Collier felt the better alternative would have been to resist termination altogether.⁶⁴ While this is consistent with Collier’s attitude against termination, his call for Watters to be a revolutionary rather than reformer in respect to PL 587 was a goal that Watters would have probably been unable to realize even if he wanted to. If Crawford, Saylor and Berry, and D’Ewart felt Watters was being

too liberal in his reading of his charge as lead Management Specialist, Collier felt he was too conservative. Torn between two competing ideologies, Watters was besieged by disapproval.

It was during this two year drama over the Congressional fate of PL 587 that Watters began to lobby Oregon Senator Richard Neuberger to advance the federal purchasing of Klamath land as the solution to the “forced sale” of timber problem. Senator Neuberger, a Democrat who had been drawn to the issue largely because of Watters’s outcry, led the congressional effort to amend PL 587 based largely on the recommendations of Watters.⁶⁵ Neuberger was not only successful but central to the passing of legislation that did ultimately delay Klamath termination until 1960, ensuring not only did the federal government pay for the costs of termination, but that the federal government would acquire the Klamath timber land in an effort to attain the best possible value for the Klamath, in what today is the Winema National Forest. Despite criticism from all quarters, Watters had achieved his goal, and Congress acted on his recommendations. In what was perhaps a small sign of vindication on the floor of the senate, the initial propagator of the entire program of termination, Senator Watkins, eventually agreed that Neuberger’s solution was the right course of action in the face of the flawed PL 587 and lobbied for its amendment.

But amid the hard-won amendments achieved by 1958, the final revision to PL 587 contained another smaller stipulation, one that would force Watters to face his own kind of termination. In winning the amendment pushing termination’s deadline back to 1960, Watters’s congressional opponents made sure Watters wasn’t around to see it, for the newly amended law called for the dismissal of the Management Specialists before their contract was set to expire. At the directive of Congress, Secretary of the Interior Fred Seaton notified Watters that his services were no longer required. After nearly four years had passed since McKay had tapped his friend for the job, Watters wrote to Secretary of the Interior Seaton to accept his termination:

I'm pleased that at the outset we were able to include the clause in our contract giving us the privilege of pointing out to the department the features of PL 587 which we felt might be detrimental to welfare of the Indians. We are very happy that the Department, by teaming with our Sen. Neuberger, was able to accomplish the principle objectives which we believe to be mandatory for successful termination, even though it now appears that some members of the House are disappointed.⁶⁶

Those familiar with the whole affair rallied to Watters support. Richard Neuberger wrote of Watters that "He is a citizen of integrity and outstanding caliber. All our state should be grateful to him for his work as head of the Management Specialists."⁶⁷ Percy Murray, purveyor of a Klamath Falls creamery wrote to Watters saying that "The job was big and the man doing it was still bigger, and this time almost like a miracle out of the whole community came an unanimous approval and commendation. A whole hearted vote of confidence I have never seen given anyone since I have been here."⁶⁸ But perhaps most importantly, the Klamath Executive Council wrote to Watters, thanking him "for [his] diligent efforts to protect the best interests of the Klamath people. We are convinced of the sincerity with which you strove to protect our interests. We realize that your stand was taken in the face of severe criticism from many sources, including censure from certain congressional leaders. We are grateful for the courage you displayed to have steps taken to prevent what might well have proved to be disaster not only for the Klamath people but for the Klamath Basin community as well."⁶⁹ Watters efforts were summarized in the words of Trulove: "The management specialists sought to discharge their duties honorably and equitably; they were harassed and finally fired."⁷⁰

What can Watters's unique role in Klamath termination tell us about the policy of termination as a whole? In calling attention to the glaring discrepancies between the material and cultural conditions of parity with whites Congress believed the Klamath to have attained, Watters went beyond what Congress charged, expected, and wanted the Management Specialist to do. Watters demonstrated his principled commitment to the facts and integrity to stand up for what

he felt were the best interests of the Klamath by holding out on signing his contract until his office was permitted to make formal recommendations on possible amendments to PL 587, an ability that would allow him to advocate an outcome more closely aligned with the desires of the majority of Klamath leadership. In this way, it is difficult to see Watters himself as an agent of abandonment, especially considering that the position of the chairman of Management Specialist was a position with a license to be just that: the law which generated their office charged these men to terminate the bond between the government and the Klamath and to liquidate Klamath assets with impunity, something Assistant Secretary of the Interior D'Ewart certainly felt Watters should have done. Instead, Watters felt he was answerable to the Klamath people. As Watters stated, "We could have taken this law as written, hard-boiled, cold-blooded law whether heard [by] the Indian or not. What difference did it make to us? We didn't take that position. We dedicated ourselves to do the best job we could have the people we were working for -- the Indians themselves."⁷¹ The Congressional disapproval of the Management Specialists is most telling: by advocating the delay and amendment of PL 587, Watters became an obstacle for a quick and clean jettisoning of the Klamath by the federal government. For Watters's defense of the Klamath, he earned censure from his own party instead, an action that cut through Senator Watkins' libulatory and patriotic rhetoric in passing HR 108 and strongly implicates the underlying motivations of termination as a policy of abandonment.

The story of termination and eventually re-recognition by the federal government should be the Klamath's story to tell. It is a story of financial survival and ruin, of loss and hardship for some, and of enduring cultural trauma. But it also a story of renewal, for the Klamath, in the 1980s, reversed the legal erasure of termination and won back their federal recognition and tribal status – but by then, not only was their land unable to be reclaimed, but a generation of Klamath

had been separated from their heritage, stricken from the tribal roll as a part of the election in 1956. Nothing can reverse these effects of termination.

But Thomas Watters's role in mitigating the damage of termination policy, though imperfect, deserves recognition. Watters never seriously cast any doubt on the wisdom of the underlying assumptions driving termination. He was party to the idea that tribal rights and reservations were be ultimately harmful to Klamath efforts at assimilation into wider American culture, and he never formally challenged the presumption that the Klamath should be assimilated at all. But when he saw firsthand that the Klamath had not achieved the parity that was the basis for their termination and that the law would not fairly compensate the Klamath for their material resources, he spoke out. For his trouble, he was criticized by one faction of the Klamath, censured by members of Congress, had his efforts dismissed by John Collier, and in the end was ultimately fired before his contract expired. Amid all the criticism, he even offered to resign.⁷²

Considering the abundance of criticism it earned him, Watters might be pleased if he were alive that his pivotal role in attempting to redeem as best he could the enactment of termination has largely become secondary in the narrative of Klamath termination and forgotten at large. After his work with the Department of the Interior and with the Klamath, Watters was finally able to retire in Klamath Falls. And as for Douglas McKay's original hope that working and struggling alongside the Klamath would give Watters ten more years of life, Watters did just that – upon his work's completion in 1958, Watters lived for exactly another decade until he passed away in 1968.

To understand termination as abandonment, or if nothing else but to rescue him from obscurity, Watters deserves much of the credit for not only alerting Senator Neuberger to the substantial and quantitative problems with the legislation, but for building the case upon which

Neuberger was able to convince Congress to eventually pay for the cost of termination and purchase of the forest. Though an imperfect solution for the Klamath, purchase of the tribe's land was a lesser of two evils, a creative response to a policy that was on course to becoming a unilateral severance of the federal government from the Klamath. Without Thomas Watters as the chairman of the Management Specialists, the Klamath may have been totally abandoned during their travail with the government. "In fact," writes Trulove, "had it not been for Watters forcefulness, competence, and dedication to the Klamath, their interests would have been so poorly represented as to constitute an unambiguous national disgrace."⁷³

End Notes

1. Douglas McKay to Thomas Watters, 1955, Box 125, Records of the Klamath Management Specialists, University of Oregon Special Collections and University Archives, Eugene, Oregon.
2. Thomas Watters to J.P. Kinney, March 23, 1955, SCUA, Eugene, Oregon. University of Oregon SCUA, Eugene, Oregon.
3. Douglas McKay to Thomas Watters, 1955, SCUA, Eugene, Oregon.
4. R.A. Welch to Thomas Watters, 1958, Box 125, Records of the Klamath Management Specialists, University of Oregon SCUA, Eugene, Oregon.
5. Willaim T. Trulove, "The Economics of Paternalism: Federal Policy and the Klamath Indians" (PhD diss, University of Oregon, 1973) 56.
6. Patrick Haynal, "The Impact of Termination on the Klamath Sociocultural System" (Master's thesis, University of Oregon, 1986), 1.
7. Ibid, 2.
8. William T. Trulove, "The Economics of Paternalism," 155.
9. Ibid, 160.
10. Susan Hood, "Termination of the Klamath Indian Tribe of Oregon," *Ethnohistory*, 19, (Autumn, 1972) 379-392.
11. Patrick Haynal, "Termination and Tribal Survival," *Oregon Historical Quarterly*, 101, (Fall, 2000) 301.
12. Patrick Haynal, "The Impact of Termination on the Klamath Sociocultural System," 20-35.
13. Patrick Haynal, "Termination and Tribal Survival," 271-272.
14. Stanford Research Institute Report, 1956, Box 125, Records of the Klamath Management Specialists, University of Oregon SCUA, Eugene, Oregon.
15. Letter by Orme Lewis, US Congress 1954a: 203-204, quoted in Susan Hood, "Termination of the Klamath Indian Tribe of Oregon," *Ethnohistory*, 19, (Autumn, 1972) 379-392.
16. Patrick Haynal, "Termination and Tribal Survival," 271.
17. Ibid, 272.
18. Willaim T. Trulove, "The Economics of Paternalism," 159.
19. Patrick Haynal, "Termination and Tribal Survival," 272.

20. Transcript, "Conference with Commissioner of Indian Affairs Emmons," September 18, 1956, Bx 51, box 1-2, Klamath Executive Committee Minutes, University of Oregon SCUA, Eugene, Oregon.
21. Resolution entitled "Supporting Conditional Acceptance of the Eventual Termination of Federal Supervision over the Property of the Klamath Tribe and Other Ramifications, February 6, 1954, Bx 51, SCUA, Eugene, Oregon. It is worth noting that this resolution was a preliminary vote to confirm the Management Specialists, and the decision was revisited on February 13th and a more formal resolution numbered 1955-5 passed 6-0 which lays out detailed conditions for approval of the Management Specialists, and can be found in the same folder as the resolution cited.
22. Douglas McKay to Thomas Watters, 1955, SCUA, Eugene Oregon.
23. Hiroto Zakoji, *Termination and the Klamath Indian Education Program, 1955-1961* (Salem; 1961) 99.
24. Minutes of January 19, 1955, Bx 51, SCUA, Eugene, Oregon.
25. "Management Specialist Announcement," June 16, 1955, SCUA, Eugene, Oregon.
26. Hiroto Zakoji, *Termination and the Klamath Indian Education Program, 1955-1961* .
27. Report to Klamath General Council by Management Specialists, June 9, 1956, SCUA, Eugene, Oregon.
28. Records of the Klamath Management Specialists, University of Oregon SCUA, Eugene, Oregon.
29. Patrick Haynal, "The Impact of Termination on the Klamath Sociocultural System," 249.
30. William T. Trulove, "The Economics of Paternalism," 179.
31. Patrick Haynal, "The Impact of Termination on the Klamath Sociocultural System," 209.
32. Transcript, "Conference with Commissioner of Indian Affairs Emmons," September 18, 1956, Bx 51, SCUA, Eugene, Oregon.
33. The Stanford Research Institute Klamath Study, page 25, 1956, SCUA, Eugene, Oregon.
34. "Memorandum to Administrative Office Klamath Indian Agency," October 16, 1956, Agency Records Relating to Termination, 1954-159, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington.
35. Patrick Haynal, "Termination and Tribal Survival," 281.
36. Haynal, "The Impact of Termination on the Klamath Sociocultural System," 209 and Hiroto Zakoji, *Termination and the Klamath Indian Education Program, 1955-1961* (Salem; 1961)
37. Report to the Klamath General Council by the Management Specialists, June 9, 1956, SCUA, Eugene, Oregon.

38. "General Progress of Work, and Conclusions Concerning Need for Amendment of Public Law 587," 9, SCUA, Eugene, Oregon.
39. "Statement of the Management Specialists Concerning S. 3051," February 3- 5, 1958, SCUA, Eugene, Oregon..
40. The *Oregonian*, "Fast Timber Cutting Feared," by Robert Smith, Box 1, Correspondence of the Management Specialists Chronological Correspondence, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington.
41. "Statement of Management Specialists," May 11, 1955, SCUA, Eugene, Oregon.
42. Minutes of March 21, 1955 Meeting, Bx 51, SCUA, Eugene, Oregon.
43. Hiroto Zakoji, *Termination and the Klamath Indian Education Program, 1955-1961* (Salem; 1961)
44. Thomas Watters to Indian Rights Association, July 19, 1955, SCUA, Eugene, Oregon.
45. "Some of the Social Implications of Public Law 587," SCUA, Eugene, Oregon.
46. Thomas Watters to Arthur Watkins, July 25, 1956, Box 1, Correspondence of the Management Specialists Chronological Correspondence, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington.
47. Thomas Watters to Assistant Secretary of the Interior, January 19, 1957, SCUA, Eugene, Oregon.
48. Transcript, "Conference with Commissioner of Indian Affairs Emmons," September 18, 1956, Bx 51, SCUA, Eugene, Oregon.
49. Minutes of April 18, 1955, Bx 51, SCUA, Eugene, Oregon.
50. Minutes of March 21, 1955 Meeting, Bx 51, SCUA, Eugene, Oregon..
51. Transcript, "Conference with Commissioner of Indian Affairs Emmons," September 18, 1956, 20-22 Bx 51, SCUA, Eugene, Oregon.
52. Petition, April 12, 1958, Agency Reports Relating to Termination, 1954-59, boxes 1-9, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington.
53. Petition, Date Unknown, Bx 51, SCUA, Eugene, Oregon.
54. Thomas Watters to H.E. Robison, August 3, 1956, Box 1, Correspondence of the Management Specialists Chronological Correspondence, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington
55. Wesley D'Ewart to Robison, May 18, 1956, SCUA, Eugene, Oregon.
56. Thomas Watters to Hatfield Chilson, January 19, 1957, SCUA, Eugene, Oregon.

57. Petition, April 12, 1958, Agency Reports Relating to Termination, 1954-59, Boxes 1-9, National Archives and Records Administration, Pacific Alaska Region, Seattle, Washington.
58. "Summary Statement of Management Specialists," February 6, 1957, SCUA, Eugene, Oregon.
59. "Minority Report," 1957, SCUA, Eugene, Oregon.
60. Robert Sawyer to Thomas Watters, September 14, 1958, SCUA, Eugene, Oregon.
61. Thomas Watters to Ken Pomeroy, November 10, 1958, SCUA, Eugene, Oregon.
62. Thomas Watters to James Gamble, March 19, 1959, SCUA, Eugene, Oregon.
63. "The Menominee of Wisconsin and the Klamath of Oregon Cases: How to Make Rich Indians Poor," 8-16, SCUA, Eugene, Oregon.
64. Correspondence between Thomas Watters and Richard Neuberger, May 27, 1957; February 14, 1958; March 10, 1958; May 8, 1958; July 3, 1958; August 12, 1958; October 16, 1958, Box 125, Records of the Klamath Management Specialists, University of Oregon SCUA, Eugene, Oregon.
65. Thomas Watters to Fred Seaton, September 8, 1958, SCUA, Eugene, Oregon.
66. Richard Neuberger to Frank Jenkins, October 9, 1958, SCUA, Eugene, Oregon.
67. Percy Murray to Thomas Watters, October 9, 1958, SCUA, Eugene, Oregon.
68. Klamath Executive Committee to Thomas Watters, October, 1958, SCUA, Eugene, Oregon.
69. William T. Trulove, "The Economics of Paternalism," 162.
70. Transcript, "Conference with Commissioner of Indian Affairs Emmons," September 18, 1956-67, Bx 51, SCUA, Eugene, Oregon.
71. Thomas Watters to Fred Seaton, September 13, 1957, SCUA, Eugene, Oregon.
72. Ibid.
73. Willaim T. Trulove, "The Economics of Paternalism," 187.