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IN THE SENATE OF THE UNITED STATES

May 2, 1963

Mr. Jackson (for himself and Mr. Magnuson) (by request) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs.

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A BILL

To provide for the closing of the roll of the Confederated Tribes of the Colville Indian Reservation preparatory to submission of proposed legislation for the termination of Federal supervision over the property and affairs of the Confederated Tribes and their members, and for other purposes.

1 Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,  
3 That in furtherance of the mandate of section 5 of the Act  
4 of July 24, 1956 (70 Stat. 626), at midnight of the date  
5 of enactment of this Act the roll of the Confederated Tribes  
6 of the Colville Reservation, Washington, shall be closed and  
7 no child born thereafter shall be eligible for enrollment:  
8 Provided, That any enrolled member of the Confederated

1 Tribes of the Colville Reservation who shall die between  
2 July 24, 1961, and the date of enactment of this Act shall  
3 not be excluded from the roll of the members of the Con-  
4 federated Tribes herein provided for: Provided further, That  
5 the tribes shall have a period of six months from the date  
6 of this Act in which to prepare and submit to the Secretary  
7 a proposed roll of the members of the Confederated Tribes  
8 living on the date of this Act, which shall be published in  
9 the Federal Register. Membership shall be determined by  
10 the eligibility requirements of the tribal constitution and  
11 bylaws. If the tribes fail to submit such a roll within the  
12 time specified in this section, the Secretary shall prepare  
13 a proposed roll for the tribes which shall be published in  
14 the Federal Register. Any person claiming membership  
15 rights in the tribes or an interest in the assets of the tribes  
16 or a representative of the Secretary on behalf of any such  
17 person, may, within six months from the date of publi-  
18 cation of proposed roll, file an appeal with the Secretary  
19 contesting the inclusion or omission of the name of any  
20 person on or from such roll. The Secretary shall review such  
21 appeals and his decisions thereon shall be final and conclu-  
22 sive. After disposition of such appeals, the roll of the Con-  
23 federated Tribes shall be published in the Federal Register,  
24 and such roll shall be final for all purposes.

25 SEC. 2. The rights or beneficial interests in tribal prop-

1     erty of each person whose name appears on the roll shall  
2     constitute personal property which may be inherited or be-  
3     queathed, but shall not otherwise be subject to alienation or  
4     encumbrance before any subsequent transfer of title to  
5     such tribal property as may hereafter be authorized, without  
6     the approval of the Secretary. Any contract made in vio-  
7     lation of this section shall be null and void. The heirs of  
8     any person whose name appears on the final roll and who  
9     dies prior to the transfer of title to tribal property or prior  
10    to the date of a proclamation, as may hereafter be authorized,  
11    whichever comes first, shall be determined and the estate  
12    distributed as provided by title 25, part 15, Code of Federal  
13    Regulations. Property which this section makes subject to  
14    inheritance or bequest and which is inherited or bequeathed  
15    after the date of enactment of this Act and prior to the trans-  
16    fer of title to tribal property as may hereafter be authorized  
17    shall not be subject to State or Federal inheritance, estate,  
18    legacy, or succession taxes.

19       SEC. 3. Within sixty days after enactment of this Act  
20    the Secretary of the Interior shall--

21           (a) institute a program, to be completed within  
22       one year or as soon as possible thereafter, to bring up to  
23       date all land and ownership records pertaining to lands  
24       on the Colville Indian Reservation;

25           (b) contract by negotiation or otherwise with a

1       qualified person, firm, corporation, or governmental  
2       agency for a mineral survey of the entire reservation.  
3       Such survey shall be made pursuant to such criteria  
4       therefor as may be required by the Secretary to reason-  
5       ably ascertain mineral values.

6       SEC. 4. (a) Upon completion of the land record pro-  
7       gram, and the mineral survey hereinabove provided the  
8       Secretary shall cause to be completed promptly and with-  
9       out delay, a land consolidation study calculated to fully  
10      appraise the tribes and the members thereof of all aspects  
11      of the land consolidation problem on the Colville Reserva-  
12      tion and submit to the tribes, his recommendations relating  
13      thereto.

14      (b) Thereafter, and as soon as practicable, the Secretary  
15      shall cause an appraisal and such revisions and updating  
16      thereof as may be required or desirable to be made of all  
17      tribal property showing the economic values and the fair  
18      market values of such property. Copies of said appraisals  
19      shall be forthwith delivered to the Confederated Tribes of the  
20      Colville Indian Reservation.

21      (c) The Secretary shall cause such additional studies  
22      and reports to be made as he may deem necessary or de-  
23      sirable to afford the tribes and its members the data on which  
24      to formulate and present to the Secretary a draft of proposed  
25      legislation providing for the final termination of Federal

1 supervision over the property and affairs of the Confederated  
2 Tribes and their members within a reasonable time after  
3 submission of such legislation. The tribes and the Secretary  
4 are given a six-month period from and after the delivery of  
5 the appraisal report to the tribes in which to define the  
6 scope and extent of such additional study and reports, if any,  
7 as may then be required. Within six months after comple-  
8 tion and delivery by the Secretary to the tribes of the final  
9 report, the proposed legislation shall be delivered to the  
10 Secretary.

11 (d) The costs of the survey required by section 3 (b)  
12 and the cost of the appraisal required by section 4 (b)  
13 shall be paid from tribal funds which are hereby made avail-  
14 able for such purpose subject to full reimbursement by the  
15 United States and the appropriation of funds for that pur-  
16 pose is hereby authorized.

17 SEC. 5. The Secretary is authorized to undertake, pur-  
18 suant to such criteria and regulations as he may impose, a  
19 special program of education and training, including adult  
20 education designed to help those members of the tribe whom  
21 the tribe, with the approval of the Secretary, deems qualified  
22 and in need of such assistance to earn a livelihood, to con-  
23 duct their own affairs and to assume their responsibilities as  
24 citizens without special services because of their status as  
25 Indians. For the purpose of such program the Secretary

1 is authorized to enter into contracts or agreements with any  
2 Federal, State, or local governmental agency, corporation.  
3 association, or persons: Provided, however, That no contract  
4 or educational program for any member of the Confederated  
5 Tribes shall extend beyond the date of the final termination  
6 proclamation as may hereafter be directed by Congress, with  
7 the exception of the completion of a vocational or under-  
8 graduate college program for any member of the tribe who  
9 has been accepted for such program prior to the termination  
10 date. Nothing in this section shall preclude any Federal  
11 agency from undertaking any other program for the educa-  
12 tion and training of Indians with funds appropriated for it,  
13 SEC. 6. The passage of this Act shall not prevent, im-  
14 pede, or deter the operation of any program generally appli-  
15 cable to Indians of the Colville Confederated Tribes or en-  
16 rolled members thereof.