

Please include the following statement in the written record of the hearing before the Senate Subcommittee on Indian Affairs, held at Naspalem, Washington, October 25, 1963.

Senator Frank Church, Chairman

To explain the basis of the following opinions on S.1442 and S.1169 I'd like first to tell you of the type of research made to be sure of the justice of our recommendations.

About a year and a half ago two Colville women came to our Chamber of Commerce and asked for our support in bringing about the termination of Federal Indian Bureau control of this reservation. I, a non-Indian, volunteered to investigate and report back to the Chamber.

I began the investigation by interviewing the County Attorney, the County Sheriff, the County Assessor, the County Welfare Administrator and one of the Colville women who had appealed to our Chamber of Commerce.

Since then I have talked with the County Commissioner who, at the time, was handling Indian problems, with Joseph Wicks (our retired Superior Court Judge), with the County Superintendent of Schools, the County Agricultural Agent, with a member of the Tribal Business Council and an ex-Council member, with members of the Colville Indian Association and of the Colville Liquidation Promoters, and with other Indians who are not associated with either organization.

I have studied copies of the Congressional Record, the record of joint Congressional hearings two years ago on Colville judgment funds, the record of House hearings last year on Colville termination legislation (H.R. 8469 which is the same as S. 1442 now being considered.)

The Indian people have brought me many copies of the minutes of Tribal Council meetings, the official audits of tribal funds (made by the Sass Accounting firm of Omak), the Stanford Research Institute's report, and many other documents.

With this information to guide us the Oroville Chamber of Commerce submits the following recommendations:

As to S. 1169, we are not in a position to know whether \$350 is the exact sum due each Colville from judgment funds, but we believe that all of their judgment money and its accumulated interest should be paid to the Indian people, on a per capita basis, unless some other use for the money is voted by the Indian people, themselves, in a free election. We believe this same principle should apply to all judgment funds, for all Indians, and that Congress should so direct the Secretary of the Interior.

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Now, in regard to S. 1442:

We believe the Colville people are ready for termination now. Our survey of the leaders in Okanogan County indicates they believe the same. But we believe that S. 1442 is designed to impede termination and delay it as long as possible. We believe the bill should provide a definite termination date, not to exceed five years.

As an example of the opportunities for stalling contained in this bill we cite the following: This bill provides for the tribe to present a membership roll within six months of the passage of this act, with the Secretary of the Interior directed to prepare the roll if the tribe fails to act. No time limit is imposed on the Secretary.

Now this bill was introduced in the Senate in May. That same month the Bureau issued per capita checks of \$150 out of Colville communal funds. Either the Bureau had an accurate roll at the time the bill was introduced or it appears to be guilty of gross negligence in handing out money without first learning who was entitled to receive those checks.

More opportunities for procrastination are apparent in the provision for bringing up to date the ownership records. For land it holds in trust the Bureau should have accurate records now.

The whole bill is loaded with devious devices to keep the Colvilles under Bureau control. One such device is the provision for duplicating studies already made. In 1959 the Bureau conducted an intensive survey of soil and grazing resources of this reservation. In addition to this the Stanford Research Institute conducted an extensive survey of tribal resources. The Bureau should already have available in its files much of the information needed for orderly termination of Federal supervision.

The major exception is a mineral survey. On that there should be a definite time limit. Also, all studies should run concurrently, not consecutively. Under S. 1442 the Bureau could easily perpetuate its control over these people for another generation, just by adding unnecessary surveys. (See p. 4, lines 21-22).

This bill provides for a land consolidation study but gives the Indians no opportunity to vote on whether they want land consolidation. In the last six years approximately \$670,000 of tribal money has been used to buy land to add to communal holdings without giving the Indian people an opportunity to vote on whether they want additional communal holdings. It is our belief that very few Colvilles would vote in favor of land consolidation expenditures.

In September President Kennedy told the United Nations, "People of the world must be free to choose their own future." If this precept is right for people behind the Iron Curtain it should also apply to people behind the Bukskin Curtain.

These Indians not only have been denied the right to choose their own future, they have also been denied the right to have access to their own membership roll. Since 75 per cent of the Colvilles live off the reservation, many living in other states, it is impossible for them to conduct an independent survey of the opinions of tribal members without a list of the names and addresses of enrolled members of voting age.

We believe this Senate Subcommittee has the power to requisition the tribal roll and should make it available to any tribal organization that wants it.

Public Law 772 specifically called for a termination bill to be presented in 1961. S. 1442 is not a termination bill. Even its strongest advocates admit that it is not. We believe it should be rewritten to comply with Public Law 772. A termination bill is already two years overdue.

Following are some of the provisions we think a termination bill should contain:

The question of hunting and fishing rights should be clearly settled. S. 1442 makes no mention of such rights and thereby leaves the door open for future litigation.

There is no provision for guardianship for minors and incompetents. We believe provision should be made for such guardians to be appointed by our local Superior Court judge who is in a position to keep abreast of the needs of those being protected.

We have heard reports that some Klamath Indian teenagers married hastily, to be free of guardianship, and received their liquidation money before they were mature enough to handle it wisely. We recommend that safeguards against such practices be included in Colville termination legislation.

We believe the bill prepared by the Colville Indian Association (H.R. 4918) should have been introduced in the Senate so that it, too, could have been included in these hearings. It seems peculiar that hearings are being held only on the bill which the Bureau has already approved.

We believe Senator Jackson did a grave injustice to the Indian people by refusing to introduce their bill after he had, by request, introduced this one which so heavily favors the Bureau.

Has this Bureau been allowed to grow into such a powerful monster that our Senators are reluctant to introduce or hold hearings on legislation to which the Bureau is opposed? It's no wonder the Colville Liquidation Promoters are making plans to take their problems into court. It is a shame on our state that these people have been so neglected by their own representatives in both the House and Senate.

We believe H.R. 4918 should still be introduced in the Senate and should receive unbiased consideration in preparing final termination legislation.

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We believe the termination bill should require the Bureau to stop all plans (not approved by a vote of the people) for developing this reservation, and speed up plans for its liquidation. It should prohibit all business commitments beyond five years. It should require the Bureau to issue land patents for privately owned trust land as provided in the bill prepared by the Colville Indian Association (H.R. 4918). This should be one of the first steps toward complete termination of Bureau control.

The bill should provide in-lieu-of taxes payments to Okanogan and Ferry Counties to cover the period between termination and receipt of the first tax payments some three years later.

We believe the termination bill should call for a comprehensive audit of all tribal funds, both locally and those handled by the Bureau. S. 1142 makes no such provision.

And finally, we believe the hearings on these two bills should be followed by a thorough investigation of conditions on this reservation. There are enough charges of graft and favoritism to warrant such an investigation. Whether the charges are true or false should be determined by an impartial examination by competent people.

If Congress is too apathetic to demand and get justice for people of Indian blood, then we can expect nothing better for the other races that make up America.

Respectfully submitted,

Ruth Scofield

Mrs. Ruth Scofield, Chairman
Indian Affairs Committee
Oreville Chamber of Commerce