

87TH CONGRESS
1ST SESSION

H. R. 8469

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1961

Mr. HORAN introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

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. If the tribes fail to submit such a roll
 10 within the time specified in this section, the Secretary shall
 11 prepare a proposed roll for the tribes which shall be pub-
 12 lished in the Federal Register. Any person claiming mem-
 13 bership rights in the tribes or an interest in the assets of the
 14 tribes or a representative of the Secretary on behalf of any
 15 such person, may, within six months from the date of publi-
 16 cation of proposed roll, file an appeal with the Secretary
 17 contesting the inclusion or omission of the name of any
 18 person on or from such roll. The Secretary shall review such
 19 appeals and his decisions thereon shall be final and conclu-
 20 sive. After disposition of such appeals, the roll of the Con-
 21 federated Tribes shall be published in the Federal Register,
 22 and such roll shall be final for all purposes.

23 SEC. 2. Upon publication in the Federal Register of the
 24 final roll as hereinabove provided, the rights or beneficial in-
 25 terests in tribal property of each person whose name appears

1 on the roll shall constitute personal property which may be
 2 inherited or bequeathed, but shall not otherwise be subject
 3 to alienation or encumbrance before any subsequent transfer
 4 of title to such tribal property as may hereafter be authorized,
 5 without the approval of the Secretary. Any contract made
 6 in violation of this section shall be null and void. Property
 7 which this section makes subject to inheritance or bequest
 8 and which is inherited or bequeathed after the date of enact-
 9 ment of this Act and prior to the transfer of title to tribal
 10 property as may hereafter be authorized shall not be subject
 11 to State or Federal inheritance, estate, legacy, or succession
 12 taxes.

13 SEC. 3. Within sixty days after enactment of this Act
 14 the Secretary of the Interior shall—

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

19 (b) contract by negotiation or otherwise with a
 20 qualified person, firm, corporation, or governmental
 21 agency for a mineral survey of the entire reservation.
 22 Such survey shall be made pursuant to such criteria
 23 therefor as may be required by the Secretary to reason-
 24 ably ascertain mineral values.

25 SEC. 4. (a) Upon completion of the land record pro-

1 gram, and the mineral survey hereinabove provided the
 2 Secretary shall cause to be completed promptly and with-
 3 out delay, a land consolidation study calculated to fully
 4 appraise the tribes and the members thereof of all aspects
 5 of the land consolidation problem on the Colville Reserva-
 6 tion and submit to the tribes his recommendations relating
 7 thereto.

8 (b) Thereafter, and as soon as practicable cause an
 9 appraisal and such revisions and updating thereof as may
 10 be required or desirable to be made of all tribal property
 11 showing the economic values and the fair market values
 12 of such property. Copies of said appraisals shall be forth-
 13 with delivered to the Confederated Tribes of the Colville
 14 Indian Reservation.

15 (c) Cause such additional studies and reports to be
 16 made as he may deem necessary or desirable to afford the
 17 tribes and its members the data on which to formulate and
 18 present to the Secretary a draft of proposed legislation pro-
 19 viding for the final termination of Federal supervision over
 20 the property and affairs of the Confederated Tribes and their
 21 members within a reasonable time after submission of such
 22 legislation. The tribes and the Secretary are given a six-
 23 month period from and after the delivery of the appraisal
 24 report to the tribes in which to define the scope and extent
 25 of such additional study and reports, if any, as may then

1 be required. Within six months after completion and de-
 2 livery by the Secretary to the tribes of the final report, the
 3 proposed legislation shall be delivered to the Secretary.

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

10 SEC. 5. The Secretary is authorized to undertake, pur-
 11 suant to such criteria and regulations as he may impose, a
 12 special program of education and training, including adult
 13 education designed to help those members of the tribe whom
 14 the tribe, with the approval of the Secretary, deems qualified
 15 and in need of such assistance to earn a livelihood, to con-
 16 duct their own affairs and to assume their responsibilities as
 17 citizens without special services because of their status as
 18 Indians. For the purpose of such program the Secretary
 19 is authorized to enter into contracts or agreements with any
 20 Federal, State, or local governmental agency, corporation,
 21 association, or persons: *Providing, however,* That no contract
 22 or educational program for any member of the Confederated
 23 Tribes shall extend beyond the date of the final termination
 24 proclamation as may hereafter be directed by Congress, with
 25 exception of commitments made prior to the termination

1 date. Nothing in this section shall preclude any Federal
 2 agency from undertaking any other program for the educa-
 3 tion and training of Indians with funds appropriated for it.

4 SEC. 6. The passage of this Act shall not prevent, im-
 5 pede, or deter the operation of any program generally appli-
 6 cable to Indians of the Colville Confederated Tribes or en-
 7 rolled members thereof.

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