

# ***Interior Officials Testify on Indian Omnibus Bill***

Secretary of the Interior Stewart L. Udall told members of the Senate Subcommittee on Indian Affairs—in a hearing devoted solely to the testimony of Departmental witnesses on July 11—that the “Indian Resources Development Act of 1967” will provide new tools for the development of Indian Resources and will allow Indians to take greater responsibility in managing their own economic affairs.

A provision for Escheat to the tribe or the United States of undivided interests in tracts of trust or restricted land, the value of which is less than \$100 dollars; Authority for tribes to

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establish a procedure through which nonresident tribal membership and special Federal services to Indians can be compensated by a share of tribal assets.

In conclusion Udall said the bill was only one facet of the "Indian Problem" and that the increases in appropriations for Indian programs demonstrated the interest of Congress in this challenge.

Some members of the Subcommittee differed with Udall on certain points of the bill.

Ernest Gruening, the 80 year old Senator from Alaska, thumbed through the 22-page package bill and cited the numerous instances where the Interior Secretary's broad discretionary powers were still present: "Secretary is authorized"... "The Secretary may grant authority"... "To the satisfaction of the Secretary"... "In the judgment of the Secretary"... etc.

"This isn't an emancipation bill for the American Indians," Gruening said, "There are practically no discretionary powers left to them. This bill moves in the opposite direction of self-determination," he added.

Udall countered by explaining the reasons for the Secretary's authority saying that the provisions were safeguards to protect the Indians from unlawful acts and that the trust arrangement instituted by the Government required vested authority be placed somewhere.

"The real catch," Udall said, "is to provide safeguards and still maintain the trust."

Other Department witnesses who testified were Indian Commissioner, Robert L. Bennett, and Under-Secretary of the Interior Charles F. Luce. They provided additional detailed analyses of the bill for the subcommittee.

Bennett summarized his title by title colloquy by emphasizing the importance of land and property as the beginning point in economic

development.

"But it is necessary," he added, "to apply imaginative new approaches to the use of land and resources if Indian tribes and Indian families are to ride the wave of economic growth in the United States."

Senator Mark Hatfield from Oregon questioned the "unprincipled" route the Department was taking in their attempt to solve the Indian Heirship problems—problems which result from the fractionated ownership of Indian property through inheritance.

Referring to a provision whereby all interest in trust lands valued at less than \$100 dollars would escheat (revert) to the tribe conditionally or to the U.S. for management after the death of the owner, Hatfield told Luce that "escheat" was a nice sounding legal term for confiscation. "How long does an Indian have to be dead before his land is handed over to someone else?" asked Hatfield.

Under-Secretary Luce—who will be leaving Interior next month to become Chairman of the Board for the Consolidated Edison Power Company—parried Hatfield's verbal thrusts by stressing the need for more effective tools to cope with the problem.

"The Department, Luce said, "will present a separate bill to Congress dealing fully with the total heirship problem built upon prior bills considered in the House and Senate. This is only a step toward eliminating those troublesome cases where the costs of probate and administration greatly exceed the low value of the fractionated interests."

The second round of discussions was held July 13 but the results are not available at this time. The same departmental witnesses faced the Indian Subcommittee of the House.

Indian delegates and representatives will be given an opportunity to testify at a later date.