

## SENATOR NEUBERGER'S FEDERAL PURCHASE BILL

mined by the appraisal board.

The Forest Service of the Department of Agriculture would administer this purchased timber property, and the Fish and Wildlife Service of the Department of the Interior would administer the Klamath Marsh lands.

The bill further provides that remaining agricultural and grazing lands would be sold on a competitive bid basis with tribal members enjoying the right to meet the high bid.

S. 2047 will be discussed in Washington by Government officials and tribal representatives during the coming several weeks. The complete text of this bill is printed below. Since Congressman Ullman's bill will also be considered by Congress, the Tribune will carry a complete text of that bill in the next issue of the Tribune.

(S. 2047 is as follows:)

A BILL to provide for the acquisition by the United States of all tribal lands of the Klamath Tribe of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes", approved August 13, 1954 (68 Stat. 718), is amended by striking out paragraphs (d) and (e) of such section and inserting in lieu thereof the following:

"(d) 'Tribal property' means any personal property, or any interest in personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to restriction against alienation imposed by the United States.

"(e) 'Adult' means a person who is an adult according to the law of the place of his residence.

"(f) 'Tribal lands' means any real property, interests therein, or improvements thereon, including timber and water rights, which belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States."

(b) The first paragraph of subsection (a) of section 5 of such Act is amended by striking out "by practicable logging or other appropriate economic units."

(c) Section 12 of such Act is amended by striking out "trans-

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fer of title to tribal property to a trustee, corporation, or other legal entity pursuant to section 6 of this Act" and inserting in lieu thereof "acquisition by the Secretary of the tribal lands referred to in this Act."

(d) Such Act is amended by adding at the end thereof the following new sections:

"Sec. 27. Notwithstanding any other provision of this Act, the Secretary shall purchase from the Klamath Indian Tribe all tribal lands of such tribe at the fair market value thereof as determined in accordance with the provisions of section 28 of this Act.

"Sec. 28. (a) There is hereby established an appraisal board to be composed of three qualified appraisers who have had wide experience in the valuation of timberlands, agricultural lands, and grazing lands, one of whom shall be appointed by the Secretary of the Interior and one of whom shall be appointed by the Secretary of Agriculture. The third member of the Board shall be elected by the Klamath Tribe by popular vote of the enrolled adult members of the Klamath Tribe taken by secret ballot.

"(b) It shall be the duty of the appraisal board to determine the fair market value of all tribal lands of the Klamath Tribe, and to report to the Committee on Interior and Insular Affairs of each House of the Congress during the Eighty-fifth Congress the results of such determination. Such report shall be submitted to both committees on the same day. In the event of disagreement among members of the appraisal board as to the fair market value, such value shall be determined by a majority of the board.

"(c) The appraisal provided for under this section shall become effective upon the expiration of a period of sixty calendar days of continuous session of the Congress following the date on which the appraisal board reports to such committees the results of its determination in accordance with the provisions of this section. For the purpose of this section—

"(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

"(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

"Sec. 29. (a) Any part of the tract of tribal lands acquired pursuant to section 27 of this Act

which consists of timberlands under sustained-yield management shall be transferred to and administered by the Forest Service of the Department of Agriculture as national forest lands. Such lands shall be administered in the same manner and to the same extent as are other national forest lands, and shall be subject to the same laws applicable to other national forest lands.

"(b) The Secretary of Agriculture is authorized and empowered, under general regulations established by him, to permit the use of rights-of-way through lands referred to in this section for beneficial purposes.

"Sec. 30. (a) Any remaining tribal lands acquired pursuant to section 27 of this Act, other than lands referred to in subsection (b) of this section, shall be sold on a competitive bid basis, except that any member enrolled under section 3 of this Act who wishes to purchase any of the agricultural or grazing lands comprising such remaining tribal lands shall have a priority right to purchase any part of such lands for not less than the highest offer received by competitive bid, and to apply toward the purchase price all or any part of the sum payable to such member pursuant to section 31 of this Act.

"(b) That portion of the tract of tribal lands acquired pursuant to section 27 of this Act comprising approximately seventy thousand acres of Klamath marsh lands shall be administered by the Fish and Wildlife Service of the Department of the Interior.

"Sec. 31. Notwithstanding any other provision of this Act, the Secretary shall pay, at the earliest practicable time but in no event later than one year after the acquisition by the United States of the tribal lands referred to in this Act, to each member of the Klamath tribe enrolled pursuant to section 3 of this Act, or to his heirs, his pro rata share of the purchase price of such tribal lands.

"Sec. 32. There are hereby authorized to be appropriated, such sums as may be necessary to carry out the provisions of this Act."

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Voter: "Senator, you promised me a job."

Senator: "But there are no jobs open."

Voter: "Well, you said you'd give me one."

Senator: "Tell you what I'll do: I'll appoint a commission to investigate why there are no jobs, and you can work on that."

## Dept. of Interior Bill Explained to Council

"Only land for the withdrawing members will be sold at realization value at the present appraisal", stated Lewis A. Sigler in explaining the Departmental Bill (see article concerning departmental bill elsewhere in this issue of the Tribune) to the General Council on January 24.

Under Neuberger's Bill, "all tribal land will be sold to the United States and put in a National Forest. There will be no land left for the Tribe," he said in pointing out the difference between the two bills.

Lewis Sigler, representing the Secretary of the Interior, appeared before the General Council on Saturday, January 24, with an explanation of the Departmental and Neuberger bills at the request of the Tribal Executive Committee.

Under Neuberger's bill, "there will be a new appraisal by an appraisal board. Whatever price they come up with will be the purchase price," he explained. He then said to the council that the question is whether "you want a new appraisal or do you want the present appraisal."

A question was raised regarding the present status of the appraisal and Sigler replied that the results will be made known to the tribe within the next few days. He emphasized that he could not inform the people about the appraisal at this time because he does not know what it is.

The Departmental Bill provides that the tribal property to be sold will be "put on a competitive market. If no one will buy it at the appraised price and practice sustained yield, the United States will buy it." Sigler stated that under the Department's bill, the "Tribe is guaranteed at least the appraised price while under Neuberger's, there is no chance of getting more than the appraised value."

Sigler spoke before a packed council house of about one hundred forty Indian and non-Indian people and answered many questions raised by tribal members from the floor.

Several times during the meeting, Sigler emphasized to tribal members that "your wishes will control what Congress will do. You have the right and duty to make known your wishes to the Senators and Congressmen."

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Nothing is impossible—to the man who doesn't have to do it himself.