

on the non-Yakima spouse who may have helped for years in the building and development of the estate of the deceased member.

The repeal of section 7 will leave in full force and effect the provisions of the Acts of February 8, 1887 (24 Stat. 388), as amended, and June 25, 1910 (36 Stat. 855), as amended, which authorizes the Secretary of the Interior to approve wills and determine the heirs of the Indians owning restricted property in accordance with the State laws of descent and distribution. The 1887 and 1910 Acts are now being applied to the estates of deceased Yakima Indians, except as limited by section 7 of the 1946 Act.

We believe that in fairness to heirs and devisees of a Yakima Indian, who in many instances are persons of Yakima Indian blood, a more liberal attitude should be taken toward their right to inherit. Repealing this section would be fair and just, and would permit carrying out the wishes of the husband or wife who holds such trust or restricted property, or the parent who may wish to see that his children are provided for. Therefore, we recommend its repeal on the ground that it is inequitable.

The following information is submitted with respect to the operation of section 7 in the past:

Number of Yakima estates determined since 1946 through June 30, 1966	794
Enrolled Yakimas, including husbands, wives, children, grandchildren, and other relatives, excluded by reason of section 7 of 1946 Act from inheriting (not having required quantum of Yakima Indian blood)	287
Unenrolled heirs, including husbands, wives, children, etc., excluded from inheriting by reason of 1946 Act	494
Unenrolled spouses limited to life estate in one-half of real property	83

There have been 69 cases, involving 146 tracts, where land has been conveyed inter vivos to children, spouses, etc., of Yakima allottees who would not be eligible to inherit due to the provisions of the present law. In these cases the grantor reserved life use of the estate.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., July 5, 1967.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on S. 1764, a bill "To repeal section 7 of the Act of August 9, 1946 (60 Stat. 968)."

The Bureau of the Budget would have no objection to the enactment of S. 1764.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

Senator ANDERSON. I understand there are several witnesses from the Yakima Tribe in the city who wish to be heard. If I do not call your name and you wish to speak on this legislation, I hope you will let me know for we want to make certain that everyone has an opportunity to express his views.

Our first witness will be the Honorable Robert L. Bennett, Commissioner of Indian Affairs.