

ing it. However, there are several witnesses here from the Yakima Tribe this morning to testify on that.

Senator ANDERSON. Any questions, Senator Fannin?

Senator FANNIN. I have no questions, Mr. Chairman.

Senator ANDERSON. Senator Hatfield?

Senator HATFIELD. I would like to ask one question.

Is there a report from the Department of the Interior, Bureau of Indian Affairs, relating to the original act passed on August 9, 1946?

Mr. BENNETT. The Department made a report on this legislation. However, the report was not made to the Congress. It was made to the White House, after passage of the legislation—after it became a bill. And in this report the Department recommended the signature by the President. There was no report from the Department to the Congress during the consideration of this particular section.

Senator HATFIELD. Is that not a little unusual procedure?

Mr. BENNETT. Yes, sir; it is.

Senator HATFIELD. Do you know why there was no report made to the Congress relating to the original bill?

Mr. BENNETT. No, sir, I do not; other than the Yakima tribal members were working with some of the staff in the Department in the Bureau of Indian Affairs office in Chicago, and the liaison between the Congress and the tribal members and the Department was carried on here in Washington, and I do not know exactly why there was not a departmental report to the Congress.

Senator HATFIELD. Then, if I understand you correctly, the Congress, when it originally passed this section of the act, did not have the benefit of any study or any report as made by the Department?

Mr. BENNETT. There was no report by the Department to the Congress when it was under consideration.

Senator HATFIELD. Thank you. That is all, Mr. Chairman.

Senator ANDERSON. What would be the result of this bill, if enacted?

Mr. BENNETT. The result of this would be that the estates of the Yakima deceased tribal members would be probated through the usual probate laws governing Indian allotments and the responsibility would be with the Secretary of the Interior. In the probating of the estates, the heirs would be those as prescribed by State laws of the State of Washington, but the estates would be probated by examiners of inheritance under the authority of the Secretary of the Interior. This would mean that the Yakima tribal descendants would be probated in accordance with the laws of the State of Washington under the regulations of the Secretary of the Interior.

Senator ANDERSON. Do you have a report now on this bill?

Mr. BENNETT. We have a report which was filed with this committee on July 7, 1967.

Senator ANDERSON. Part of the story is that you are asking the Congress to repeal this. The Congress has the responsibility. Would this make the situation better or worse than it now is?

Mr. BENNETT. We take the position that, since the Yakima tribal members can inherit on other reservations, we support the position of the members of other tribes that they should likewise have the right to inherit on the Yakima Reservation. Several of the tribes have introduced bills to prevent them from inheriting, but we have opposed