

Thank you very much for your time.

Senator ANDERSON. Some people are going to be curious as to how you expunge the minority interests, these people who are not full-blooded who have the idea that they are a part of it, and then you terminate them in their inheritance. I do not know whether you can do it. Are you not terminating it by this?

You say "one-fourth or more." Somebody has one-eighth. Where do you put that individual?

Mr. JIM. If a parent has trust land allotments and he has a child that is one-eighth and cannot inherit the land—he is less than one-quarter—then there are various methods of transferring that. He can get patent fee or he can be gifted it—several ways.

Senator ANDERSON. If he dies and his descendants have only an eighth interest, they are eliminated, are they not?

Mr. JIM. Yes, because of their degree of blood. This is a cutoff.

Senator ANDERSON. You have some problems.

Senator Hatfield?

Senator HATFIELD. I think the point is well taken, Mr. Chairman. He would have to be with less blood. Let us say that we have a case of a Yakima woman who marries a Umatillo, and they have children and they are enrolled other than at Yakima. They are similarly denied. They cannot inherit if they are not one-quarter.

Mr. JIM. That was answered before when it was stated it was a choice of the parents generally, and in a case like that where they wanted to be enrolled.

Senator HATFIELD. But the point is that they are deemed to be out of the inheritance, even if they are one-half Yakima if they are not enrolled there. A child of a Yakima parent and a Umatilla parent is one-half Yakima but if it is not enrolled a Yakima, that child is denied inheritance at Yakima.

Mr. JIM. He is denied inheritance, but his parents can give to him the land so he can patent it, and that son and daughter can inherit it then. There is a departmental authority for that, and they use it now. It has been shown that there are some such cases. In 96 cases they have done this.

Senator HATFIELD. Otherwise, that escheats back to the tribe.

Mr. JIM. It escheats back to the nearest relative.

Senator HATFIELD. In other words, it could be a cousin, a third cousin, inheriting, but the child could not inherit.

Mr. JIM. If the parent dies without making preparation for it.

Senator HATFIELD. If a child of a Yakima and a Umatilla, who would be one half Yakima—his own daughter or his own son, would not inherit absent the circuitous route introduced to try to circumvent the law, and any property would go to a third cousin and deny the child of that parent.

Mr. JIM. Yes, but generally you will find if a person, like Mr. Totus said there, who knows exactly where his land is, wants it to go to one person, he can change it over to that person, to that Umatilla or to that child.

Senator ANDERSON. We will have to have some study on that. I am sure the Commissioner, himself, recognizes the problem.

Mr. JIM. Thank you.

Mr. Hovis will present our official statement.

Senator ANDERSON. Thank you. Go ahead.