

Mr. Hovis. The Yakima Tribe has been opposed as you know, to this bill. This act was formulated as to the Yakima Tribe. It was initiated with reference to the tribe.

If we could explain a little bit about the general council. Every member, Senator, above the age of 18 years, both men and women, has the right to attend and vote, and they vote upon all matters brought before the council. This is unlimited as such. A quorum of 250 members is required to start the council, and, thereafter, 175 must remain in attendance. The vote of the majority present settles all matters brought before the council, excepting that a two-thirds vote is required to repeal or amend rules of procedures, acts, resolutions, ordinances, and tribal codes.

The Yakima Tribe also has a tribal council composed of 15 members. And most of the business has been delegated to this tribal council. That is a basic governing body.

Before the year 1945, the general council had directed certain of its members to investigate the matter of the enrollment and the proper method of doing so. The appointed for this purpose reported its findings to the Yakima General Council on February 20, 1945, and by an overwhelming majority the general council voted to secure legislation by Congress authorizing enrollment of the members of the Yakima Tribe, rather than to make an enrollment under the regulations of the Interior Department. At this council meeting a resolution was adopted to include members not only living on the Yakima Reservation proper but those who had secured public domain allotments within the area ceded to the United States under the treaty of June 9, 1855.

On February 21, 1945, the general council approved a motion directing the tribal council to draft the desired legislation. The tribal council prepared several drafts and submitted them to the general council on March 6, 1946. The general council rejected the draft submitted, and after considerable debate selected a committee of the general council to assist the Yakima Tribal Council in preparing a draft in accordance with the specific directions of the general council. At this meeting a motion was approved establishing the minimum degree of blood requisite for the inheritance of trust interests at one-fourth to cover the general aspects of this act.

This draft, prepared by this committee and the Yakima Tribal Council in accordance with the wishes of the general council, was brought first to Chicago to the Indian Affairs Bureau and back here in Washington to the Solicitor's Office in the Department of the Interior and was introduced by Congressman Holmes of our district, and it became the law that we have here now.

The Yakima Tribe, every time the amendment has come up, has rejected the amendment overwhelmingly. As was pointed out here, last December the vote was 137 to 3, and the previous council action brought forth a vote which was 174 for rejection and four against rejection.

Prior to the General Allotment Act heirs to allotments were determined in accordance with tribal custom. Subsequently, the General Allotment Act—as were several special allotment acts—was determined by what the State law was in the various States.

There are some tribes under it that made provisions about descent and distribution in their constitution. So there are varying ways.