

Mr. DELLWO. Also, if everybody took advantage of their option, then you would have a tremendous growth of Yakimas. Everybody would be registering Yakimas in order to inherit on the Yakimas, and there would be a shrinking away of membership of the other tribes.

Senator McGOVERN. Well, thank you very much.

(The statement referred to follows:)

STATEMENT ON BEHALF OF SPOKANE, COEUR D'ALENE AND KALISPEL TRIBES

The writer is attorney for the Spokane, Coeur d'Alene and Kalispel Tribes and has been authorized and requested to submit this statement in behalf of those tribes urging the enactment of S. 1764.

In preparing this statement the writer has knowledge of the contents of statements prepared by the attorneys for the Warm Springs and Umatilla Tribes and finds that all of the points and arguments made by them would apply equally to the three tribes he represents. Each of the attorneys has cited examples of Indian probates where great injustices resulted by reason of the enforcement of Section 7 of the Yakima Enrollment Act.

The writer could cite innumerable other examples, all to the same point. He is involved at the present time in a large Indian will contest case in which three Yakima Indians are inheriting nearly \$200,000 worth of wheat lands on the Coeur d'Alene Reservation. These Yakima heirs are grandchildren and great grandchildren of deceased Indian couples who were mixed Yakima and Coeur d'Alene. Large estates on both reservations accrued through a series of probates and marriages. The Yakima members of the family are inheriting freely on the Coeur d'Alene Reservation but the Coeur d'Alene members cannot inherit on the Yakima Reservation. This is a large estate. The same thing has happened in numerous smaller estates.

The writer has observed the close relationship between the Yakima Indians and the various neighboring tribes. In looking at the map one can see that the Yakima Reservation is centrally located with the Colville, Spokane, Kalispel, Coeur d'Alene, Nez Perce, Umatilla and Warm Springs Tribes surrounding it. What is true now has been true since the beginning of the reservations. The central location of the Yakima Tribe, its various attractions, the hospitableness of the Yakimas has made it a kind of gathering point or crossroads for the Indian people. As a result, intermarriage has been the rule rather than the exception.

In the typical family of mixed tribal affiliation you have a Yakima parent and a parent enrolled with some other tribe. The children are often divided in their enrollment. As the generations succeed each other this mixture of Yakima and the blood of other tribes becomes more and more complicated and widespread and the problems of heirship will extend from generation to generation. In a situation of this kind to provide by law that only the enrolled Yakimas with satisfactory Yakima blood quantum can inherit on the Yakima reservation results in almost unbelievable inequities and injustices.

A number of possible solutions present themselves:

1. Enact a similar law governing all of the other tribes.
2. Generate a will and land transfer program in which precautions are taken by individual members of other tribes against inheritance on their reservations by Yakima Indians.
3. Repeal Section 7 of the Yakima Enrollment Act.

The conclusion is obvious. The only practical solution is the repeal of Section 7 by the enactment of S. 1764.

COEUR D'ALENE RESOLUTION

Whereas, the Coeur d'Alene Tribe has always considered Section 7 of the Yakima Enrollment Act to be patently unfair and has urged its repeal, now, therefore,

BE IT RESOLVED: That the Coeur d'Alene Tribe does hereby express its support of S. 1764 which, if enacted, would repeal Section 7.

The Coeur d'Alene Tribal Council has noted the statements being filed in behalf of the Warm Springs and Umatilla Tribes. These statements could be endorsed by the Coeur d'Alene Tribal Council without change. Everything said in them in support of S. 1764 applies with equal force on the Coeur d'Alene Reservation.