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**APPROVED**  
OCT 26 1974

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

OCT 18 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills S. 1412 and S. 1411 - Sisseton-Wahpeton Sioux Indian Lands, North and South Dakota  
Sponsor - Sen. McGovern (D) South Dakota and Sen. Abourezk (D) South Dakota

*Posted  
10/28*

*To Archive  
10/29*

Last Day for Action

October 29, 1973 - Tuesday

Purpose

S. 1412 would transfer in trust 90.24 acres of Federal land to the Sisseton and Wahpeton Tribe of Sioux Indians of the Lake Traverse Reservation in North and South Dakota, and S. 1411 would authorize the tribe to consolidate its land-holdings within the reservation.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Justice	No objection (S. 1412) Defers to Interior (S. 1411)

Discussion

Some 2,000 members of the Sisseton and Wahpeton Sioux reside on the 108,876-acre Lake Traverse Reservation, which lies in the extreme northeastern corner of South Dakota, with a small portion located in North Dakota. Of the total tribal land base, only 876 acres are owned by the tribe, while individual members hold 108,000 acres in trust allotments.



These individual allotments are intermixed with non-Indian lands throughout a much larger area, and three-quarters of them have multiple owners because they have been divided among heirs over the course of several generations.

S. 1412 would transfer to trust status four tracts totaling 90.24 acres, and S. 1411 would authorize the tribe to acquire additional lands by purchase or exchange and to consolidate its landholdings.

The four tracts which would be placed in trust by S. 1412 were all acquired by the United States for the building of schools and offices, and are now being used by the tribe under long-term permits from the Bureau of Indian Affairs. They are:

- a 40-acre tract on which a day school is operating, and upon which the tribe is developing a housing project;
- a second 40-acre tract with a day school;
- a 10-acre tract containing a former school building now used for treatment of alcoholics; and,
- a .24-acre tract in the town of Sisseton, South Dakota, once used as a site for the local agency office and now used for tribal offices.

All four tracts are within the boundaries of the reservation and generally meet the criteria usually applied to transferring Government-owned lands to tribes. The first three are bounded by or corner on trust land, and, while the small fourth tract is in the predominantly non-Indian town of Sisseton, the town itself lies in the heart of the reservation.

Although S. 1412 provides for transfer of the lands without consideration, it contains the standard set-off provision which directs the Indian Claims Commission to determine whether and to what extent the value of the land transferred should be set off against any pending claims against the United States.



The other enrolled bill, S. 1411, would authorize the tribe to acquire by purchase, gift or exchange any lands or interests in lands within the boundaries of the reservation in order to consolidate its holdings and eliminate partial interests in the lands allotted to individuals. Title to such acquisitions would be taken by the United States in trust, and all lands acquired would be granted the customary exemption from State and local taxation.

S. 1411 would also authorize the tribe to sell unneeded lands under various conditions designed to ensure that the value received by the tribe is equivalent to the value given up. The bill specifies that the proceeds from such sales must be used exclusively for the purchase of other land on the reservation. Subject to the approval of the Secretary of the Interior, any tribal land could be mortgaged, and if so, it would become subject to sale or foreclosure under the laws of the State in which it was located.

The tribe was awarded some \$3 million in 1973 in settlement of a claim before the Indian Claims Commission, and has set aside \$300,000 to acquire land. The multiple-ownership situation and "checkerboarded" nature of allotments make rational economic development of the land quite difficult, but enactment of S. 1411 would provide the authority needed to help alleviate the problem. Many other tribes have been granted similar authority.

In its report to the Congress, Interior recommended enactment of both bills if amended in certain respects. The committees accepted the suggested amendments and the bills were passed with no further changes.

*Walter H. Rowmel*

Assistant Director for  
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION

WASHINGTON

Last Day - October 29

October 23, 1974

MEMORANDUM FOR:

THE PRESIDENT

FROM:

KEN  COLE

SUBJECT:

Enrolled Bills S. 1412 and S. 1411  
Sisseton-Wahpeton Sioux Indian  
Lands, North and South Dakota

Attached for your consideration are Senate bills, S. 1412 and S. 1411, sponsored by Senators McGovern and Abourezk. S. 1412 would transfer, in trust status, 90.24 acres of Federal land to the Sisseton and Wahpeton Tribe of Sioux Indians of the Lake Traverse Reservation in North and South Dakota. S. 1411 would authorize the tribe to consolidate its landholdings within the reservation.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

We have checked with Secretary Morton, the Counsel's office (Chapman), and Bill Timmons who recommend approval.

RECOMMENDATION

That you sign both Senate bills, S. 1412 (Tab B) and S. 1411 (Tab C).



ACTION

Last Day - October 29

October 23, 1974

MEMORANDUM FOR: THE PRESIDENT  
FROM: KEN COLE  
SUBJECT: Enrolled Bills S. 1412 and S. 1411  
Sisseton-Wahpeton Sioux Indian  
Lands, North and South Dakota

Attached for your consideration are Senate bills, S. 1412 and S. 1411, sponsored by Senators McGovern and Abouresk. S. 1412 would transfer, in trust status, 90.24 acres of Federal land to the Sisseton and Wahpeton Tribe of Sioux Indians of the Lake Traverse Reservation in North and South Dakota. S. 1411 would authorize the tribe to consolidate its landholdings within the reservation.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

We have checked with Secretary Morton, the Counsel's office (Chapman), and Bill Timmons who recommend approval.

RECOMMENDATION

That you sign both Senate bills, S. 1412 (Tab B) and S. 1411 (Tab C).

ACTION

Last Day - October 29

October 23, 1974

MEMORANDUM FOR: THE PRESIDENT  
FROM: KEN COLE  
SUBJECT: Enrolled Bills S. 1412 and S. 1411  
Sisseton-Wahpeton Sioux Indian  
Lands, North and South Dakota

Attached for your consideration are Senate bills, S. 1412 and S. 1411, sponsored by Senators McGovern and Abouresk. S. 1412 would transfer, in trust status, 90.24 acres of Federal land to the Sisseton and Wahpeton Tribe of Sioux Indians of the Lake Traverse Reservation in North and South Dakota. S. 1411 would authorize the tribe to consolidate its landholdings within the reservation.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

We have checked with Secretary Norton, the Counsel's office (Chapman), and Bill Timmons who recommend approval.

RECOMMENDATION

That you sign both Senate bills, S. 1412 (Tab B) and S. 1411 (Tab C).

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO. 678

Date: October 21, 1974

Time: 11:30 a.m.

FOR ACTION: ✓ Michael Duval  
✓ Phil Buchen  
✓ Bill Timmons

cc. (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis  
Norm Ross

FROM THE STAFF SECRETARY

DUE: Date: Thursday, October 24, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bills S. 1412 and S. 1411 - Sisseton-  
Wahpeton Sioux Indian Lands, North and South  
Dakota

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

THE WHITE HOUSE

WASHINGTON

October 22, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS

FROM: WILLIAM E. TIMMONS *WET*

SUBJECT: Action Memorandum - Log No. 678  
Enrolled Bills S. 1412 and S. 1411 - Sisseton-  
Wahpeton Sioux Indian Lands, North and  
South Dakota

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 678

Date: October 21, 1974

Time: 11:30 a.m.

FOR ACTION: ✓ Michael Duval  
Phil Buchen  
Bill Timmons

cc (for information): Warren K. Hendriks  
Jerry Jones  
Paul Theis  
Norm Ross

FROM THE STAFF SECRETARY

DUE: Date: Thursday, October 24, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bills S. 1412 and S. 1411 - Sisseton-  
Wahpeton Sioux Indian Lands, North and South  
Dakota

ACTION REQUESTED:

- |   |  |
|---|--|
| <input type="checkbox"/> For Necessary Action     | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply                         |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks                       |

REMARKS: *OK* *Michael Duval 10/21*  
Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 678

Date: October 21, 1974

Time: 11:30 a.m.

FOR ACTION: Michael Duval  
 ✓ Phil Buchen  
 Bill Timmons

cc (for information): Warren K. Hendriks  
 Jerry Jones  
 Paul Theis  
 Norm Ross

FROM THE STAFF SECRETARY

DUE: Date: Thursday, October 24, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bills S. 1412 and S. 1411 - Sisseton-  
 Wahpeton Sioux Indian Lands, North and South  
 Dakota

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

*No objection  
 D.C.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
 For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 678

Date: October 21, 1974

Time: 11:30 a.m.

FOR ACTION: Michael Duval  
 Phil Buchen  
 Bill Timmons

cc (for information): Warren K. Hendriks  
 Jerry Jones  
 Paul Theis  
 Norm Ross

FROM THE STAFF SECRETARY

DUE: Date: Thursday, October 24, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bills S. 1412 and S. 1411 - Sisseton-  
 Wahpeton Sioux Indian Lands, North and South  
 Dakota

ACTION REQUESTED:

- |   |  |
|---|--|
| <input type="checkbox"/> For Necessary Action     | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply                         |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks                       |

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
 For the President

**Department of Justice**  
**Washington, D.C. 20530**

OCT 17 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the Enrolled Bill S. 1411 "to authorize the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes."

The enrolled bill would authorize consolidation of the landholdings of the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation.

The Department of Justice defers to the Department of the Interior as to whether this bill should receive Executive approval.

Sincerely,



W. Vincent Rakestraw  
Assistant Attorney General



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

OCT 17 1974

Dear Mr. Ash:

This responds to your request for our views on enrolled bill S. 1411, "To authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes."

We recommend that the President approve the enrolled bill.

S. 1411 would authorize the Secretary of the Interior to acquire by purchase, gift, or exchange any lands or interests in lands within the boundaries of the Lake Traverse Reservation. Such acquisitions would be taken in trust by the United States for the tribe. The bill would also empower the tribe to sell or exchange tribal land which it did not need under various conditions designed to insure that the tribe received value equal to that which it gave up; the proceeds from such sales would be required to be spent for the purchase of other land on the reservation. Title to land acquired by the tribe via sale or exchange would be taken in trust for the tribe; title to land acquired from the tribe by an enrolled member of the tribe in connection with a sale or exchange could be taken by the United States in trust for that member. All lands acquired by the tribe or its members pursuant to the Act would be exempt from State and local taxation.

Subject to approval of the Secretary of the Interior, any tribal land could be mortgaged. Such land would be subject to sale or foreclosure under the laws of the State in which it was located; the United States would not be a necessary party to the proceeding, but any conveyance of the land would divest it of title. Title to land redeemed or reacquired by the tribe at such sale or foreclosure would be taken in trust for the tribe, and title to land purchased by any tribal member at such a proceeding could be taken in trust for that person. The Secretary of the Interior would be authorized to take actions necessary to carry out the purposes of the Act.



*Save Energy and You Serve America!*

The Lake Traverse Reservation was established by the treaty of February 19, 1867 (15 Stat. 505). Article 5 of the treaty provided for the allotment of land to individual Indians. The original reservation, as established in 1867, contained 918,779.32 acres. Out of this, 309,913.66 acres were allotted and 608,865.66 acres were relinquished to the United States by the tribe for a payment of \$2.50 per acre under the treaty of December 12, 1889, whereby after the members received the allotments, the remainder was sold back to the United States. The reservation is V-shaped and lies in the northeast corner of South Dakota, with a small portion in the southeast corner of North Dakota.

The tribe presently has only 876.90 acres of trust land. Its members hold slightly in excess of 108,000 acres of trust allotments, all of which are highly checkerboarded, with approximately 75 percent of the allotments in multiple ownership. Due to the scattered condition of Indian-owned tracts, the tribe has had very limited opportunities to manage its land for the common good. Of the total acreage, approximately 36,250 acres are dry farmed, 63,850 acres are grazed, and the remaining 8,770 acres are being occupied by homesites, which contain rights-of-way and sloughs.

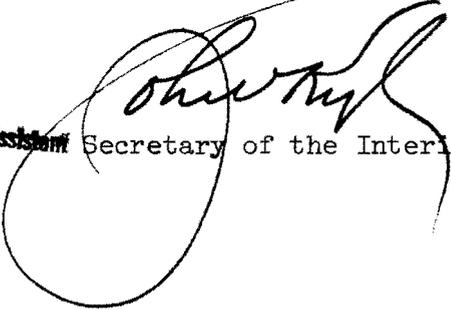
Tribal membership rolls are being brought up to date. It is estimated that there will be approximately 4,500 members when the roll is completed and that 2,000 of these members reside on the reservation. The general economy of the area is agriculturally based, but Indian unemployment is high. The livelihood of the resident Indian population is derived largely from lease income, seasonal employment, and welfare allowances. Only a small number of tribal members are permanently employed. There is no income to the tribe from commercial, recreation, or business enterprises.

Nonetheless, the tribe is moving aggressively on its own behalf and in cooperation with local communities and counties to stimulate the economy of the area and improve living conditions throughout the reservation. Under Claims Commission Docket Nos. 142 and 359, the Sisseton and Wahpeton Sioux Tribe participated in certain awards; the tribe's net share plus interest amounted to \$3,032,591.70 as of April 13, 1973. By Resolution No. 74-13 adopted on September 4, 1973, the sum of \$300,000 was programmed for the acquisition of land. However, the multiple-ownership situation with which the tribe is confronted makes rational development of its land potential very difficult. Approval of this bill would enable the tribe to consolidate landholdings, alleviate the problem of fractionated heirship of allotted lands, and acquire land for tribal programs. (Among the programs which the tribe is considering are ones involving the development of industry, recreational facilities, housing

projects, and the enhancement and rehabilitation of the total resource potential of the reservation.) Several other tribes have been given authority very similar to that which S. 1411 would confer. Such examples are the 117 tribes covered by the Indian Reorganization Act (25 U.S.C. 464 and 465), the 19 tribes covered by the Oklahoma Indian Welfare Act (25 U.S.C. 501), and the 22 tribes for which individual authorizations have been enacted. Authorizations for three of the latter tribes were enacted by the 92nd Congress: Kalispell, P.L. 92-182 (85 Stat. 625); Southern Ute, P.L. 92-312 (86 Stat. 216); and Coeur d' Alene, P.L. 92-472 (86 Stat. 788).

The bill includes all the amendments recommended in our reports, dated respectively, January 24, 1974, to the Senate Committee on Interior and Insular Affairs, and February 28, 1974, to the House Interior Committee. No other amendments were made.

Sincerely yours,

  
~~Assistant~~ Secretary of the Interior

Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C. 20503



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

W/K  
10/18  
6P

OCT 18 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills S. 1412 and S. 1411 - Sisseton-Wahpeton Sioux Indian Lands, North and South Dakota  
Sponsor - Sen. McGovern (D) South Dakota and Sen. Abourezk (D) South Dakota

Last Day for Action

October 29, 1973 - Tuesday

Purpose

S. 1412 would transfer in trust 90.24 acres of Federal land to the Sisseton and Wahpeton Tribe of Sioux Indians of the Lake Traverse Reservation in North and South Dakota, and S. 1411 would authorize the tribe to consolidate its land-holdings within the reservation.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of Justice

No objection (S. 1412)  
Defers to Interior (S. 1411)

Discussion

Some 2,000 members of the Sisseton and Wahpeton Sioux reside on the 108,876-acre Lake Traverse Reservation, which lies in the extreme northeastern corner of South Dakota, with a small portion located in North Dakota. Of the total tribal land base, only 876 acres are owned by the tribe, while individual members hold 108,000 acres in trust allotments.

**AUTHORIZING THE SISSETON AND WAHPETON SIOUX TRIBE OF THE  
LAKE TRAVERSE RESERVATION TO CONSOLIDATE ITS LANDHOLD-  
INGS IN NORTH DAKOTA AND SOUTH DAKOTA**

---

MAY 9, 1974.—Ordered to be printed

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Mr. ABOUREZK, from the Committee on Interior and Insular Affairs,  
submitted the following

## REPORT

[To accompany S. 1411]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 1411) to authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

### PURPOSE

This bill would authorize the Sisseton and Wahpeton Sioux Tribe to acquire by purchase, gift, or exchange, additional trust lands within its Lake Traverse Reservation. In sales or exchanges involving allotted land owned by tribal members, title to land acquired by the members could be taken in trust for them. The bill would also enable the tribe to mortgage its land, subject to approval of the Secretary of the Interior. Such land would be subject to sale or foreclosure under the laws of the State in which it was located; the United States would not be a necessary party to the proceeding, but any conveyance of the land would divest it of title.

### BACKGROUND

The Lake Traverse Reservation was established by the treaty of February 19, 1867 (15 Stat. 505). Article 5 of the treaty provided for the allotment of land to individual Indians. The original reservation, as established in 1867, contained 918,779.32 acres. Out of this, 309,913.66 acres were allotted and 608,865.66 acres were relinquished

by the tribe for a payment of \$2.50 per acre. The reservation is V-shaped and lies in the northeast corner of South Dakota, with a small portion in the southeast corner of North Dakota.

#### NEED

The tribe presently has only 876.90 acres of trust land. Its members hold slightly in excess of 108,000 acres of trust allotments all of which are highly checkerboarded, with approximately 75 per cent of the allotments being in multiple ownership. Due to the scattered condition of Indian-owned tracts, the tribe has had very limited opportunity to manage its land for the common good. The authority contained in this bill would enable the tribe to consolidate landholdings, alleviate the problem of fractionated heirship of allotted lands, and acquire land for tribal programs.

#### COMMITTEE AMENDMENTS

The Committee approved several technical and clarifying amendments which were recommended by the Department of the Interior in its report on S. 1411.

#### COST

No additional expenditure of Federal funds will result from the enactment of S. 1411.

#### COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs in open executive session unanimously ordered S. 1411, as amended, reported favorably to the Senate.

#### DEPARTMENTAL REPORTS

The favorable reports of the Department of the Interior and the Office of Management and Budget are set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., January 24, 1974.*

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

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on S. 1411, a bill "To authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes."

We recommend enactment of this bill, if amended as suggested herein.

S. 1411 would authorize the Sisseton and Wahpeton Sioux Tribe to acquire by purchase, gift, or exchange any lands or interests in lands within the boundaries of the Lake Traverse Reservation. Such acquisitions would be taken in trust by the United States for the tribe. The

S.R. 832

bill would also empower the tribe to sell or exchange tribal land which it did not need under various conditions designed to insure that the tribe received value equal to that which it gave up; the proceeds from such sales would be required to be spent for the purchase of other land on the reservation. Title to land acquired by the tribe via sale or exchange would be taken in trust for the tribe; title to land acquired from the tribe by an enrolled member of the tribe in connection with a sale or exchange could be taken by the United States in trust for that member. All lands acquired by the tribe or its members pursuant to the Act would be exempt from State and local taxation.

Subject to approval of the Secretary of the Interior, any tribal land could be mortgaged. Such land would be subject to sale or foreclosure under the laws of the State in which it was located; the United States would not be a necessary party to the proceeding, but any conveyance of the land would divest it of title. Title to land redeemed or reacquired by the tribe at such sale or foreclosure would be taken in trust for the tribe, and title to land purchased by any tribal member at such a proceeding could be taken in trust for that person. The Secretary of the Interior would be authorized to take actions necessary to carry out the purposes of the Act.

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The tribe presently has only 876.90 acres of trust land. Its members hold slightly in excess of 108,000 acres of trust allotments, all of which are highly checkerboarded, with approximately 75 per cent of the allotments in multiple ownership. Due to the scattered condition of Indian-owned tracts, the tribe has had very limited opportunities to manage its land for the common good. Of the total acreage, approximately 36,250 acres are dry farmed, 63,850 acres are grazed, and the remaining 8,770 acres are being occupied by homesites, which contain rights-of-way and sloughs.

Tribal membership rolls are being brought up to date. It is estimated that there will be approximately 4,500 members when the roll is completed and that 2,000 of these members reside on the reservation. The general economy of the area is agriculturally based, but Indian unemployment is high. The livelihood of the resident Indian population is derived largely from lease income, seasonal employment, and welfare allowances. Only a small number of tribal members are permanently employed. There is no income to the tribe from commercial, recreation, or business enterprises.

Nonetheless, the tribe, is moving aggressively on its own behalf and in cooperation with local communities and counties to stimulate the economy of the area and improve living conditions throughout the reservation. Under Claims Commission Docket Nos. 142 and 359, the Sisseton and Wahpeton Sioux Tribe participated in certain awards; the tribe's net share plus interest amounted to \$3,032,591.70 as of April 13, 1973. By Resolution No. 74-13 adopted on September 4,

S.R. 832

1973, the sum of \$300,000 was programmed for the acquisition of land. However, the multiple-ownership situation with which the tribe is confronted makes rational development of its land potential very difficult. Enactment of this bill would enable the tribe to consolidate landholdings, alleviate the problem of fractionated heirship of allotted lands, and acquire land for tribal programs. (Among the programs which the tribe is considering are ones involving the development of industry, recreational facilities, housing projects, and the enhancement and rehabilitation of the total resource potential of the reservation.) Several other tribes have been given authority very similar to that which this bill would confer. In the last Congress, for example, the Kalispell Indian Community (P.L. 92-182) and the Southern Ute Tribe (P.L. 92-312) were given such authority.

We recommend that the following clarifying amendments be adopted:

Delete line 3, page 1, and substitute therefor: "That the Secretary of the Interior is authorized, at his discretion and upon the request of the Sisseton and Wahpeton Sioux Tribe of the Lake."

In line 4, page 1, delete the word "delegated" and substitute therefor the word "designated".

In line 5, page 1, delete the words "is authorized".

In line 10, page 1, delete the words "allotments" and substitute therefor the words "trust lands."

In line 11, page 2, place a period after the word "Dakota" and delete the rest of the line and all of lines 12, 13, 14, 15, and 16.

Delete line 19, page 2, and substitute therefor the following: "Reservation, acting through its governing body or its designated agent, is authorized with the approval of the Secretary of the Interior".

In line 10, page 3, delete the word "by" and substitute therefor the word "for".

In line 15, page 3, after the word "may" add the following language: "with the approval of the Secretary of the Interior".

Delete line 21, page 3, and substitute therefor: "SEC. 3. All lands acquired by the United States in trust for the tribe or members".

In line 15, page 4, after the word "may" add the following: "with the approval of the Secretary of the Interior".

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

Sincerely yours,

JOHN H. KYL,  
*Assistant Secretary of the Interior.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT AND BUDGET,  
*Washington, D.C., February 22, 1974.*

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

DEAR MR. CHAIRMAN: This letter is in response to your request of September 28, 1973, for the views of the Office of Management and

Budget on S. 1411, a bill "To authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes."

The Department of the Interior, in its report to your Committee, recommends enactment of the bill if certain clarifying amendments are adopted. We concur in the views expressed by the Department, and accordingly, subject to the suggested amendments, would have no objection to the enactment of S. 1411.

Sincerely,

WILFRED H. ROMMEL,  
*Assistant Director for Legislative Reference.*

○

# Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

## An Act

To authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized, at his discretion and upon the request of the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation or its designated agent in the States of North Dakota and South Dakota, to acquire through purchase, gift, or exchange any lands or interest in lands within the boundaries of the Lake Traverse Reservation in North Dakota and South Dakota for the purpose of consolidating landholdings, eliminating fractionated heirship interests in Indian trust lands, providing land for any tribal program for the improvement of the economy of the tribe and its members through the development of industry, recreational facilities, housing projects, and the general rehabilitation and enhancement of the total resource potential of the reservation. For the purchase of such lands or interests in lands the use of any funds available to the tribe from any source is authorized and title to any land acquired under the authority of this Act shall be taken in the name of the United States in trust for the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation in North Dakota and South Dakota.

SEC. 2. (a) Notwithstanding any other provision of law, the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation, acting through its governing body or its designated agent, is authorized with the approval of the Secretary of the Interior to exchange or sell any tribal real property not needed or suitable for use by the tribe or so situated or located that it would be to the economic advantage of the tribe to sell or exchange the property; except that (1) any such sale shall be by competitive sealed bidding, and a preference shall be given to enrolled members of the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation to match the high bid; (2) the amount or exchange value received for the property shall not be less than the fair market value thereof as determined by the Secretary of the Interior or his duly authorized representative; (3) if lands involved in an exchange are not of equal value, the difference in value shall be paid in money; (4) any proceeds from the sale of land under this authority or money received to equalize an exchange shall be used exclusively for the purchase of other land on the reservation; (5) title to any land acquired for the tribe under this authority shall be taken in the name of the United States in trust for the tribe; and (6) if an enrolled member of the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation acquires land from the tribe under this Act, title may, with the approval of the Secretary of the Interior, be taken in the name of the United States in trust for the use and benefit of such member.

(b) All of the foregoing provisions of this Act shall be construed to be exclusive to resident United States citizens enrolled as members of the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation.

SEC. 3. All lands acquired by the United States in trust for the tribe or members thereof under the authority of this Act shall be exempt from State and local taxation.

SEC. 4. Any tribal land may, with the approval of the Secretary of the Interior, be encumbered by a mortgage or deed of trust, and shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State in which the land is located. For the purpose of the foreclosure or sale proceeding, the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation shall be regarded as vested with an unrestricted fee simple title to the land. The United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to such proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe, and title to any land purchased by an individual member of the tribe at such proceeding may, with the approval of the Secretary of the Interior, be taken in the name of the United States in trust for the use and benefit of the individual Indian purchaser.

SEC. 5. The Secretary of the Interior is authorized to take such action as may be necessary to carry out the purposes of this Act.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

# Ninety-third Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

### An Act

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SEC. 2. (a) Notwithstanding any other provision of law, the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation, acting through its governing body or its designated agent, is authorized with the approval of the Secretary of the Interior to exchange or sell any tribal real property not needed or suitable for use by the tribe or so situated or located that it would be to the economic advantage of the tribe to sell or exchange the property; except that (1) any such sale shall be by competitive sealed bidding, and a preference shall be given to enrolled members of the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation to match the high bid; (2) the amount or exchange value received for the property shall not be less than the fair market value thereof as determined by the Secretary of the Interior or his duly authorized representative; (3) if lands involved in an exchange are not of equal value, the difference in value shall be paid in money; (4) any proceeds from the sale of land under this authority or money received to equalize an exchange shall be used exclusively for the purchase of other land on the reservation; (5) title to any land acquired for the tribe under this authority shall be taken in the name of the United States in trust for the tribe; and (6) if an enrolled member of the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation acquires land from the tribe under this Act, title may, with the approval of the Secretary of the Interior, be taken in the name of the United States in trust for the use and benefit of such member.

(b) All of the foregoing provisions of this Act shall be construed to be exclusive to resident United States citizens enrolled as members of the Sisseton Wahpeton Sioux Tribe of the Lake Traverse Reservation.

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SEC. 5. The Secretary of the Interior is authorized to take such action as may be necessary to carry out the purposes of this Act.

*Speaker of the House of Representatives.*

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*Vice President of the United States and  
President of the Senate.*

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III

October 17, 1974

Dear Mr. Director:

The following bills were received at the White House on October 17th:

- |                 |             |              |              |
|-----------------|-------------|--------------|--------------|
| S.J. Res. 236 ✓ | S. 2840 ✓   | H.R. 7768    | H.R. 14225   |
| S.J. Res. 250 ✓ | S. 3007 ✓   | H.R. 7780    | H.R. 14597   |
| S.J. Res. 251 ✓ | S. 3234 ✓   | H.R. 11221   | H.R. 15148 ✓ |
| S. 355 ✓        | S. 3473 ✓   | H.R. 11251 ✓ | H.R. 15427   |
| S. 605 ✓        | S. 3698 ✓   | H.R. 11452 ✓ | H.R. 15540 ✓ |
| S. 628 ✓        | S. 3792     | H.R. 11830 ✓ | H.R. 15643 ✓ |
| S. 1411 ✓       | S. 3838 ✓   | H.R. 12035 ✓ | H.R. 16857 ✓ |
| S. 1412 ✓       | S. 3979 ✓   | H.R. 12281   | H.R. 17027 ✓ |
| S. 1769 ✓       | H.R. 6624   | H.R. 13561 ✓ |              |
| S. 2348 ✓       | H.R. 6642 ✓ | H.R. 13631 ✓ |              |

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.