

S. 602 PROVIDING FOR THE DISPOSITION OF JUDGMENTS, WHEN APPROPRIATED, RECOVERED BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONT.

MARCH 1, 1972.—Ordered to be printed

Mr. ASPINALL, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 602]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 602) to provide for the disposition of judgments, when appropriated, recovered by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., in paragraphs 7 and 10, docket No. 50233, U.S. Court of Claims, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill, and agree to the same with an amendment as follows:

In lieu of the matter inserted by the House amendment, insert the following:

That the funds appropriated to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in satisfaction of judgments awarded in paragraphs 7 and 10 in docket numbered 50233, United States Court of Claims, including interest thereon, after payment of attorneys fees and other litigation expenses, shall be used as follows: 85 per centum thereof shall be distributed in equal per capita shares to each person who is enrolled or entitled to be enrolled on the date of this Act; the remainder may be advanced, expended, invested or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to members of the Tribes shall not be subject to Federal or State income tax.

SEC. 3. Sums payable under this Act to enrollees or their heirs or legatees who are less than eighteen years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interests of such persons.

And that the House agree to the same.

WAYNE N. ASPINALL,
JAMES A. HALEY,
JOHN MELCHER,
SAM STEIGER,
JOHN H. TERRY,

Managers on the Part of the House.

GEORGE MCGOVERN,
QUENTIN N. BURDICK,
LEE METCALF,
PAUL J. FANNIN,
CLIFFORD P. HANSEN.

Managers on the Part of the Senate.

JOINT STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 602) to provide for the disposition of judgments, when appropriated, recovered by the Confederated Salish and Kootenai Tribes of the Flatland Reservation, Mont., in paragraphs 7 and 10, docket No. 50233, U.S. Court of Claims, and for other purposes, submit this joint statement in explanation of the language agreed upon by the managers and recommended in the accompanying conference report.

The Senate-passed bill authorized the entire amount of the judgments to be used for any purpose requested by the tribal governing body and approved by the Secretary.

The House amendment required 90 percent of the judgments to be distributed per capita, and authorized the remainder to be used as provided in the Senate bill.

At the time of the House hearing the tribe, by formal resolution, proposed the 90 percent per capita. The Department concurred. This resolution reflected a compromise with the off-reservation members who wanted a 100-percent distribution. The off-reservation members constitute about one-half the tribe and do not receive any substantial benefit from money spent on reservation programs.

After the House hearings, the tribal council passed a new resolution asking for an 80 percent per capita distribution. The off-reservation members objected.

The conferees compromised the issue by agreeing on an 85 percent per capita distribution.

WAYNE N. ASPINALL,

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Managers on the Part of the House.

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