

In 1955 Congress passed an Act providing for the unconditional removal of restrictions. The individual Indian may apply under the 1955 Act for a voluntary removal of restrictions, or the Secretary of the Interior, or his designated agent, may institute for a person proceedings to involuntarily remove all restrictions, if it is clearly obvious with him that he no longer needs the protection of the law - in either event, if the action is taken under the 1955 Act it ~~affects~~ ^{or} a complete removal/restrictions as to all property of the Indian, whether it be real or personalty. Under the authority removal of restrictions prior to the 1955 Act, which is also a continuing authority, our Area Office can remove restrictions as to the ~~part~~ portion of the property desired and it will not affect that portion of his real property that is not embraced in the application, and does not affect his personal property or any of his rights.

Under the 1955 Act, if he makes application under the Act and is rejected by the Area Director, he may appeal to the Commissioner, Bureau of Indian Affairs; if that is rejected, he may then appeal to the Secretary of the Interior, and if the Secretary concurs in the Commissioner's findings, he may then appeal to the County Court of his County for a removal of restrictions - - - - -

Mr. Gammon, Bureau of Indian Affairs, Code 183, extension 2940 -

July 30, 1959