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DEPARTMENT of the INTERIOR
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INTERIOR RECOMMENDS EXTENSION FOR INDIAN CLAIMS COMMISSION

The Department of the Interior has recommended enactment of a bill which would amend the Indian Claims Commission Act of 1946, extending its life for five years beyond the present expiration date of April 10, 1967.

The Commission was established as an independent tribunal to hear and decide all tribal claims against the United States that existed before 1946. Over half the claims cases are still undecided.

In its recommendations regarding legislation to extend the Commission's life, the Department raised a question as to whether all stages of remaining Indian claims could be prepared, tried, and decided during the five-year time limit.

Department of the Interior recommendations regarding the amendment, which adds a new Section 27 to the Indian Claims Commission Act, included:

- Elimination of a provision in the proposed amendment requiring all claims to be set for trial by 1970, substituting a requirement that the Commission prepare a trial calendar to include all cases;

- Elimination of a provision granting only one six-month continuance for claims cases, substituting a provision for further continuances when justified by factors beyond the control of the claimant;

- Addition of a provision that claims of tribes not represented by attorneys be examined by the Investigation Division of the Indian Claims Commission and, if the situation warrants, continued for trial until the tribe has sufficient time to obtain legal counsel and prepare its case;

- Elimination of a provision that a Commission order dismissing a claim shall be final and not subject to review by a Court; normal judicial processes provide for at least one appellate review.

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