

95TH CONGRESS
1ST SESSION**H. R. 9054**

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 1977

Mr. CUNNINGHAM introduced the following bill; which was referred to the
Committee on Interior and Insular Affairs

A BILL

To direct the President to abrogate all treaties entered into by the United States with Indian tribes in order to accomplish the purposes of recognizing that in the United States no individual or group possesses subordinate or special rights, providing full citizenship and equality under law to Native Americans, protecting an equal opportunity of all citizens to fish and hunt in the United States, and terminating Federal supervision over the property and members of Indian tribes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Native Americans Equal
4 Opportunity Act".

5 SEC. 2. (a) The President of the United States shall, as
6 soon as practicable after the date of enactment of this Act,

1 abrogate all treaties entered into between the United States
2 and any Indian tribe.

3 (b) The President, in carrying out the provisions of
4 this Act, shall—

5 (1) provide that any real property which is held
6 in trust by the United States on behalf of an Indian tribe
7 and to which such Indian tribe is entitled, on the date
8 of enactment of this Act, to exclusive use and occupancy
9 shall be (A) allotted, in fee simple and in severalty,
10 to the individual adult members of the tribe (as deter-
11 mined by an enrollment) with priority being given to
12 those individuals with the greatest amount of Indian
13 blood; or (B) conveyed, if a majority of the adult
14 members of the tribe so indicate in an election, in fee
15 simple to a tribal corporation for the purpose of enabling
16 such corporation to hold such property in trust for the
17 tribe;

18 (2) provide that all property allotted or conveyed
19 under paragraph (1) (and all persons residing thereon
20 and all acts committed thereon) shall be subject to the
21 laws of Federal, State, and local governments;

22 (3) provide that any funds deposited to the credit
23 of the tribe in the United States Treasury shall be
24 (A) allotted to the individual adult members of the
25 tribe; or (B) transferred, if a majority of the adult

1 members of the tribe so indicate in an election, to the
2 tribal corporation described in paragraph (1) for the
3 purpose of enabling such corporation to hold such funds
4 in trust for the tribe;

5 (4) provide that hunting and fishing rights derived
6 by the Indian tribe from a treaty shall be abrogated,
7 and the members of such tribe shall be subject to Fed-
8 eral, State, and local laws governing hunting and fish-
9 ing; and

10 (5) provide that there be no taking without just
11 compensation of any property right specifically created
12 for a particular individual by any such treaty.

13 (c) After the completion of the abrogation of the treat-
14 ies with an Indian tribe under this Act, the President shall
15 publish in the Federal Register an appropriate proclama-
16 tion of such completion. Thereafter individual members of
17 the tribe shall not be entitled to any of the services per-
18 formed by the United States for Indians because of their
19 status as Indians, all statutes of the United States which
20 affect Indians because of their status as Indians shall no
21 longer be applicable to the members of the tribe, and the
22 laws of the several States shall apply to the tribe and its
23 members in the same manner as they apply to other citi-
24 zens or persons within their jurisdiction.

25 (d) In the case of any Indian tribe with respect to

1 which treaties have been abrogated prior to the date of
2 enactment of this Act or with respect to which no treaties
3 were entered into but which remain under the supervision
4 of the Federal Government, the President shall, as soon
5 as practicable after the date of enactment of this Act, take
6 steps to assure that such supervision is terminated, the
7 completion of such termination is published in the Federal
8 Register, and the provisions of subsection (e) apply to the
9 members of such tribe.

10 (e) The President shall issue whatever regulations are
11 necessary to carry out the provisions of this Act.

12 (f) For purposes of this Act, the term "Indian tribe"
13 means any Indian tribe, band, nation, or other organized
14 group or community, including any Alaska Native village or
15 regional or village corporation as defined in or established
16 pursuant to the Alaska Native Claims Settlement Act.