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The Department of the Interior has asked Congress for legislation declaring the Colorado River Indian Reservation, which lies mainly in Arizona and partly in California, to be the property of the Mohave and Chemehuevi Indians now occupying the reservation.

Enactment of a bill proposed by the Department would settle a long-standing controversy which has seriously retarded effective development of the 1,300,000- acre reservation, the Department said.

The reservation was established by an 1865 act of Congress which specified that the area was reserved for the "Indians of said [Colorado] River and its tributaries." Broadly interpreted, this would include Navajo and Hopi Indians and several other southwestern tribes in addition to those which historically occupied the reservation.

In 1954 the Department of the Interior determined that the 1865 law constitutes a continuing offer to Indians of the class mentioned and may be accepted by them until withdrawn. The present occupants of the reservation, who are organized under the Indian Reorganization Act of 1934 as the Colorado River Indian Tribes of the Colorado River Reservation, disagree. The bill now proposed by the Department would resolve the dispute in their favor.

In authorizing the Secretary of the Interior (not the Colorado River Tribes) to lease the reservation lands in 1955, Congress provided that the act should not be construed as recognizing any ownership in the Colorado River Tribes, or in any Indians or group of Indians. Subsequent enactments continued the Secretary’s leasing authority until a determination has been made of the beneficial ownership of the reservation.

The reservation, the Department emphasized, has great potentialities for both irrigation farming and recreational development. It is the location of the oldest Federal irrigation project in the United States--a project initiated in 1867 with a potential irrigable area of over 100,000 acres of which only about 35,000 acres have thus far been developed.

"The absence of a determination of the beneficial owners of the reservation," the Department said, "is hampering its orderly development. The present leasing acts provide that the proceeds from leasing may be expended for the benefit of the organized group, but no provision is made for the use of funds from other sources. The organized group has expressed reluctance to consent to grants of rights-of-way over reservation lands in view of the fact that they may not be the sole beneficial owners and the proceeds may not be expended solely for their benefit. With the enactment of this legislation, the owners of the reservation will be clearly defined and the uncertainty which has inhibited the tribes from moving forward with desirable development activities and otherwise making the best use of the lands will be ended."

Under the proposed bill, the unallotted lands comprising all but a minor portion of the reservation would be held in trust by the United States for the Colorado River Tribes in the same manner as other Indian tribal lands. The bill would not cover improvements placed on the lands by colonists from other

tribes or by the United States for administrative purposes (including irrigation facilities). It also contains a provision permitting reservation colonists from other tribes to be adopted by the Colorado River Tribes provided they denounce their other tribal affiliations. Applications for membership would have to be filed by such persons within two years after the date of enactment.