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Removal of Federal restrictions which have operated for years to hold the lands of a limited number of admittedly competent Indians in compulsory trusteeship against the owners' wishes was announced today by Acting Commissioner of Indian Affairs W. Barton Greenwood.

The effect of the move, which applies only to Indians actively seeking unrestricted title to their lands, is to equalize the status of all competent Indians in their dealings with the Bureau.

Since 1947 fee patents or unrestricted titles have been issued on request to competent Indian owners but have been withheld from those whose lands lay inside a federally or tribally managed timber or grazing unit. As a result, numerous Indian citizens with highly successful records of business or professional accomplishment have been unable to exercise their own judgment in the management or disposal of their properties.

To illustrate the old procedure, Mr. Greenwood cited the case of a woman with one-eighth Indian blood who began in 1951 applying for a fee patent to her 120-acre trust allotment on the Colville Reservation in Washington. This applicant lived off of the reservation, was married to a non-Indian, and was successfully engaged in farming with her husband. Her property holdings in non-trust status were valued at $28,500. Yet her application was denied for a period of nearly four years merely because her trust land was part of a timber management unit.

Numerous other cases could be cited, Mr. Greenwood said, where the holdings frozen in trust by the old procedure were too small to provide an adequate living for owners who lived elsewhere. Some, however, were large timber tracts worth thousands of dollars which would not bring revenue to the owner for 20 or 30 years as long as they remained in trust status.

Another adverse result of the former policy is related to the so-called “heirship” problem on Indian trust allotments. This is the problem which has developed following the death of the original allottees and the inheritance of the land by numerous and sometimes scattered heirs. In some cases, the Indian Bureau has to use a common denominator in the millions to compute the division of proceeds from the lease or sale of a 160-acre tract. Retention of allotments in trust status over a period of years against the wishes of the owners has led in numerous cases to further complication and compounding of this basic difficulty.

Under the new policy, trust restrictions will be removed from the land holdings of individual Indians upon written application of an adult owner if the applicant has shown ability to manage prudently his real property and business affairs. The Department will, however, consider requests for exceptions to this policy in cases where an extreme hardship to other Indians can be clearly demonstrated.

The new policy was adopted by the Indian Bureau following numerous conferences and consultations with the Indians primarily affected--those seeking unrestricted title to their lands.