

owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

Sec. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory there-to shall not apply to the probate of the trust and restricted property of the members of the tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months or more after the date of this act.

Sec. 8. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Sec. 9. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Sec. 10. Pending the completion of the property dispositions provided for in this act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

Sec. 11. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

Sec. 12. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

Sec. 13. (a) Upon removal of Federal restrictions on the property of the tribe and

individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or persons. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

Sec. 14. (a) Effective on the date of the proclamation provided for in section 13 of this act, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, to the Wyandotte Tribe of Oklahoma and ratified by the tribe on July 24, 1937, is hereby revoked.

(b) Effective on the date of the proclamation provided for in section 13 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

Sec. 15. Nothing in this act shall affect any claims heretofore filed against the United States by the tribe.

Sec. 16. Nothing in this act shall abrogate any water rights of a tribe or its members.

Sec. 17. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

Sec. 18. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 3 of this act.

Sec. 19. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision

to other persons or circumstances shall not be affected thereby.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOTOR VEHICLE SERVICE EMPLOYEES, POST OFFICE DEPARTMENT

The Clerk called the bill (S. 4060) to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 607 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" wherever they appear therein the words "and the Motor Vehicle Service." The heading of such section is amended to read as follows: "Employees in the Postal Transportation Service and the Motor Vehicle Service."

Sec. 2. As used in this section in reference to employees in the Motor Vehicle Service the term "assigned to road duty" means assignment to a Motor Vehicle Service route which is not less than 50 miles in length one way.

Sec. 3. Subsection (b) of section 605 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" the words "and the Motor Vehicle Service."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUDICATING THE CONFLICTING CLAIMS OF THE NAVAHO AND HOPI INDIANS

The Clerk called the bill (S. 4086) to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RHODES of Arizona. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Texas has any question about the bill. I think it is a very meritorious bill. It involves the settling of a rather long dispute concerning boundaries of the Navaho and Hopi Reservations. I should like to say to the gentleman that the delegations on both sides of the Congress from the two States involved are in favor of the bill. After long and lengthy parley between these two tribal councils this method of settlement has been worked out. It seems like a particularly fair way in which to approach the matter, to allow a special three judge Federal Court to decide where this boundary should be.

Mr. ROGERS of Texas. Mr. Speaker, if the gentleman will yield, my understanding is that there were no hearings

on this bill and no report was furnished to the committee.

I think if hearings were had on this bill there would be a lot more disclosed than presently meets the eye. I feel that all interested parties, especially aggrieved Indians, should be heard.

Mr. Speaker, I am constrained to insist upon my unanimous consent request that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RHODES of Arizona. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROGERS of Texas. Mr. Speaker, I object.

PRIVACY OF GRAND AND PETIT JURIES

The Clerk called the bill (S. 2887) to further protect and assure the privacy of grand or petit juries in the courts of the United States while such juries are deliberating or voting.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 73 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 1508. Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting.

"Whoever knowingly and willfully, by any means or device whatsoever—

"(a) records, or attempts to record, the proceedings of any grand or petit jury in any court of the United States while such jury is deliberating or voting; or

"(b) listens to or observes, or attempts to listen to or observe, the proceedings of any grand or petit jury of which he is not a member in any court of the United States while such jury is deliberating or voting—

"shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

"Nothing in paragraph (a) of this section shall be construed to prohibit the taking of notes by a grand or petit juror in any court of the United States in connection with and solely for the purpose of assisting him in the performance of his duties as such juror."

Sec. 2. The analysis of chapter 73 of title 18 of the United States Code is amended by adding at the end thereof the following:

"1508. Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting."

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill S. 2887.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, I rise in support of S. 2887, which is identical with my bill, H. R. 8546. Both measures outlaw eavesdropping on Federal juries and provide penalties of not more than \$1,000 in fines and not more than 1 year in prison, or both.

I first became interested in this type of legislation last fall, when the disclosure was made that a law school research team was using recordings of jury

deliberations as part of a study of the American jury system. After looking into the situation at some length, I was more than happy to introduce legislation recommended by the Attorney General to curb this practice, since his ideas and mine concurred on the problem.

There is not now any Federal law to prevent the bugging of jury rooms, but incidents such as that in Wichita indicate there is need for protective legislation. Only in this way can we provide adequate protection under the seventh amendment of our Constitution, which requires preservation of trial by jury.

The basis of our whole jury system is freedom of jurors in their thinking and deliberations about the case before them. If there is the slightest doubt in their minds that their discussions are not private and that some recording of their words is being made, it is apparent that their independence of deliberation may be threatened.

When a jury retires to consider evidence in a case, it must be free from all outside pressure. The jurors must rest easy in the assurance that nothing they say will go beyond the walls of the jury room. Any factors which might stifle their deliberations must be eliminated.

Mr. Speaker, nothing is more precious to the preservation of America as we know it, and particularly of the fine traditions of American justice, than the continuation of the integrity of our jury system and the sanctity of the jury room. The jury system is the bedrock on which our judicial structure is founded and is thus an essential in our concept of a free society. Any weakening of our jury system is undeniably a blow to the liberties of the American people.

In order to preserve the detachment of future juries, in order to retain the sacred privacy of the jury room, in order to insure the peace of mind of jurors in the days to come, we should pass the measure before us.

I think it is good, constructive legislation and deserves the support of all Members of this body.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill S. 2887.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. VANIK. Mr. Speaker, when the revelation was made some time ago that the deliberations of certain Federal juries had been recorded without their knowledge, I thought it was one of the most glaring attacks ever made on the American jury system. The judge who sanctioned the study of jury deliberations certainly abused his discretion and provided the adverse party with grounds for new trial.

As a lawyer and as the former judge of a trial court, I have frequently disagreed with a jury's verdict. There are times when every judge must wonder whether a jury has fully understood its function and its serious responsibilities. However, the Court is vested with broad authority to grant a new trial or to modify a verdict on a finding that the verdict results in a miscarriage of justice or is unsupported by the evidence.

The integrity of our jury system must be preserved. The deliberations of all juries must be given the sanctity of secrecy. If the jury system is to be improved, it must be improved outside of the jury deliberation room. I urge the support of this vital legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORKING CAPITAL FUND OF NATIONAL BUREAU OF STANDARDS

The Clerk called the bill (S. 2060) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to use the working capital fund, and to permit certain improvements in fiscal practices.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish the National Bureau of Standards," approved March 3, 1901, as amended, is amended by striking out sections 7 and 8 and inserting in lieu thereof the following sections:

"Sec. 7. The Secretary shall charge for services performed under the authority of section 3 of this act, except in cases where he determines that the interest of the Government would be best served by waiving the charge. Such charges may be based upon fixed prices or cost. The appropriation or fund bearing the cost of the services may be reimbursed, or the Secretary may require advance payment subject to such adjustment on completion of the work as may be agreed upon.

"Sec. 8. In the absence of specific agreement to the contrary, additional facilities, including equipment, purchased pursuant to the performance of services authorized by section 3 of this act shall become the property of the Department of Commerce."

Sec. 2. Such act is further amended by striking out sections 11, 12, and 13 and inserting in lieu thereof the following sections:

"Sec. 11. (a) The Secretary of Commerce is authorized to accept and utilize gifts or bequests of real or personal property for the purpose of aiding and facilitating the work authorized therein.

"(b) For the purpose of Federal income, estate, and gift taxes, gifts, and bequests accepted by the Secretary of Commerce under the authority of this act shall be deemed to be gifts and bequests to or for the use of the United States.

"Sec. 12. (a) The National Bureau of Standards is authorized to utilize in the performance of its functions the working capital fund established by the act of June 29, 1959 (64 Stat. 275), and additional amounts as from time to time may be required for the purposes of said fund are hereby authorized to be appropriated.

"(b) The working capital of the fund shall be available for obligation and payment for any activities authorized by the act of March 3, 1901 (31 Stat. 1449), as amended, and for any activities for which provision is made in the appropriations which reimburse the fund.

"(c) In the performance of authorized activities, the working capital fund shall be available and may be reimbursed for expenses of hire of automobile, hire of consultants, and travel to meetings, to the extent that such expenses are authorized for the appropriations of the Department of Commerce.