



FOR IMMEDIATE RELEASE: January 3, 2023

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Klamath Tribes Regain Self-Governance of Tribal Funds

(Washington, DC) - On December 21, 2022, the [Klamath Tribes Judgment Fund Repeal Act, S. 314](#), was signed into law by President Biden. As a result, the Klamath Tribes will regain self-governance over money held in trust by the United States government for almost sixty years.

In 1954, federal legislation terminated the existing government-to-government relationship between the U.S. and the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians (now Klamath Tribes). This action broke the Tribes' 1864 recognition treaty and was taken [without the consent or support of the Klamath tribal government](#).

As the termination act took hold, separating the Klamath Tribes from ownership of their timber rich reservation, the Tribes' property was the subject of legal claims against the U.S. for mismanagement of tribal assets. Tribal funds were set aside by members recorded on the "final roll" taken in 1954 to pursue that litigation. Later, monetary judgments from the successful litigation were used to replenish the fund.

However, after a long effort, the Klamath Tribes regained their federal recognition in 1986. Since then, the Tribes have sought control over those funds to honor the request of the members on the "final roll" that the funds they set aside be returned to them. The language of the 1965 Termination Era Judgement Fund Distribution Act did not anticipate the Tribes regaining federal recognition and so had no mechanism to permit the Tribes to return the funds to the members on the "final roll."

For years, successive Klamath Tribes elected leadership and staff have been working to repeal the law that allowed the federal government to hold these funds without input from the Tribes about how they should be dispersed. Thanks to bipartisan support from the Senate Committee on Indian Affairs under the leadership of Senators Schatz and Murkowski and the House Committee on Natural Resources under the leadership of Representatives Raúl Grijalva and Bruce Westerman the

repeal legislation has finally passed and the Tribes can move past this enduring scar from this disastrous federal termination era policy. This would not have been possible without the help of Senators Jeff Merkley and Ron Wyden, Representative Cliff Bentz, the Native American Rights Fund (NARF), Pipestem Law, and other allies.

"At long last, Congress has acknowledged that the Klamath Tribes should determine the appropriate distribution of tribal funds held in federal trust accounts for the past nearly 60 years," **said Klamath Tribes Tribal Chairman Clayton Dumont.**

"For decades, the Klamath Tribes have been unjustly kept from distributing funds that the Tribes won in judgements against the United States government for past wrongs. My bill, now a law, will restore the ability of the Klamath Tribes to distribute these funds, representing an important acknowledgement of their sovereignty and right to self-determination," **said Sen. Merkley**, who introduced and championed the *Klamath Tribe Judgment Fund Repeal Act* in the U.S. Senate. "I am pleased President Biden signed my bill into law to correct one of many grievous injustices from the Termination Era."

"The Klamath Tribes have overcome arduous and bitter legal battles to restore normalcy after the harmful actions of the United States in the Termination Era. NARF congratulates the Klamath Tribes on this successful step of regaining control over their funds," **said NARF Executive Director John Echohawk.**

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About the Native American Rights Fund (NARF)

NARF is a non-profit 501c(3) organization focused on applying existing laws and treaties to guarantee that federal and state governments live up to their legal obligations to Native Americans. Since 1970, **the Native American Rights Fund (NARF)** has provided specialized legal assistance to Indian tribes, organizations, and individuals nationwide to assert and defend the most important Native rights. In hundreds of major cases. NARF has achieved significant results in critical areas such as tribal sovereignty, treaty rights, natural resource protection, voting rights, and Indian education. Like us **on Facebook** and follow us **on LinkedIn** and **Twitter (@NDNrights)** to learn about the latest fights to promote justice and protect Native American rights.

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