

Public Law 280 to provide that assumption of states of Jurisdiction in civil and criminal acts on Indian reservations shall only be after negotiations between the Indian tribe concerned and the State and consent given, and only to the extent, from time to time, as agreed upon by the Indian Tribe and the State; be it further

*"Resolved, That copies of this resolution be forwarded to the Congressional Committees concerned and other interested parties."*

Resolution No. 7 reads:

*"Whereas there is a pressing need for re-definition and clarification of the jurisdiction and procedure of the several courts concerned with Indian affairs and Indian persons and,*

*"Whereas Law and Order Codes of many organized and unorganized Indian Tribes are under revision and reconsideration or require such revision and consideration in the light of changing socio-economic and security needs of said tribes; and*

*"Whereas desirable uniformity and diversity of civil and criminal legal procedure and substantive law affecting Indian Tribes and persons can be derived by and through the united consideration and deliberation of all persons and agencies concerned: Now, therefore, be it*

*"Resolved, That NCAI, in convention assembled at Portland, Oregon, October 2-6, 1967 that the Secretary of the Interior is hereby requested to draft a model law and order code; also to consult with all appropriate Indian legal and tribal courts, members of Congress which he deems necessary to effectuate as far as practicable, a workable and equitable uniform law and order code for Indian reservations that would assist Indian, State and Federal courts, and Indian and non-Indian law enforcement agencies in the proper administration of law and order affecting both reservation and non-reservation Indians; be it further*

*"Resolved, That before the code becomes effective on any reservation, the tribe involved shall consent to and approve the same."*

More recently, at our annual Executive Council meeting in Washington, D.C., on March 4-5, 1968, the membership sustained its concern by passing Resolution 2 which reads as follows:

*"Whereas the National Congress of American Indians, in Executive Council, representing 87 American Indian Tribes, assembled at a duly called and convened session, at the Willard Hotel, on March 4-5, 1968, in Washington, D.C., goes on record as supporting S. 1843, with the understanding that the wording of the definitions of subsection (3) of Section 101, and as written and stated in Section 201, apply only to the Court of Indian Offense: Now, therefore be it*

*Resolved on this 5th day of March 1968, That the Executive Council of the National Congress of American Indians goes on record as being in support of S. 1843 with the above understanding."*

We of NCAI, speaking for the majority of our membership feel that the Senate approved bills, S. 1843 and H.R. 15122, both possess long awaited answers and solutions of the concerns reflected in these resolutions which have accumulated over the years. Our position has been most succinctly, accurately, and emphatically delineated by a letter written by Mr. Wendell Chino, Mescalero Apache, President of NCAI to President Lyndon Johnson on December 27, 1967. The portion of the subject letter pertinent to S. 1843 reads as follows:

*"Shortly before the first session of the 90th Congress was adjourned, the U.S. Senate passed S. 1843, referred to as the Indian Rights Bill. This action by the Senate is lauded by many Tribal leaders as marking a very important milestone in Federal and Indian relations in this country.*

*"In my opinion, there is no other omnibus Indian legislation pending before the Congress that will erase the apprehensions of our Indian people than to see an enactment of Indian rights measures as proposed in S. 1843. Passage of Indian Rights legislation would do more for Indian Tribes in assisting them to initiate and engage with greater efforts, ways to improve social and economic conditions in our Indian communities.*

*"In view of the fact that Senate approved S. 1843 needs the support of the U.S. House of Representatives, I respectfully request, Mr. President, that you encourage the second session of the 90th Congress to enact Indian rights legislation. The recent Civil Rights legislations have never been explicit in including a comprehensive Indian rights legislation. The opportunity to pass such a legislation is now at hand with S. 1843. I trust that the House will pass Indian rights legislation that is needed and long over due. This is important to the first citizens of this country."*