Indian Affairs - Office of Public Affairs

Media Contact: Lovett 202-343-7445
For Immediate Release: January 17, 1977
Print PDF

Secretary of the Interior Thomas S. Kleppe announced today that he had approved a tribal tax on coal mining on the Crow Indian Reservation in Montana and a tribal zoning ordinance for the Fort Hall Reservation in Idaho.

In both instances, the tribal laws call for the exercise of jurisdiction by the Indian tribe over non-Indians on the reservation. The question of tribal jurisdiction over non-Indians in civil matters has become a major issue in many parts of the country.

The Secretary's approval for both ordinances was conditioned on the removal of criminal penalties for violations.

The Crow tax was specifically not approved for application to land known as the Crow ceded area. This is an area of some 30,000 acres outside the boundaries of the reservation, within the Crow aboriginal territory, in which the tribe has retained the mineral rights. The only operative mining of Crow lands at this time is in this area. The tribe's constitution, the Secretary noted, does not authorize exercise of governmental power in the ceded area.

The Crow Reservation consists of about 2,226,000 acres in Southeastern Montana. There are about 3,000 Crow Indians residing on the reservation. Non-Indians own about 44 percent of the land and constitute about the same proportion of the population. The reservation coal reserves are estimated to exceed three billion tons.

The tribal tax would be 25 percent of the value of each ton severed or mined. The State of Montana already has a 30 percent severance tax. The Fort Hall Reservation, home of the Shoshone and Bannock Tribes, consists of approximately 543,000 acres, of which about 20,000 acres, less than four percent, are owned by non-Indians.

The zoning ordinate requires that permits be obtained for industrial and commercial uses of the land and establishes a Land Use Policy Commission for administration of the ordinance.