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The Department of the Interior today announced issuance of new regulations dealing with off-reservation fishing by Indians under rights secured to them by Federal treaties. The regulations are intended to help assure that the Indians' rights will be protected and will be exercised in a manner consistent with conservation needs.

The new standards provide a framework to assist States and Indian tribes in regulating Indian treaty fishing to assure proper protection both to the Indians' treaty rights and to fish runs.

Where State or tribal regulations do not effectively provide both of these protections, the Secretary of the Interior may prescribe the permissible seasons and fishing practices to govern the Indian fishing. Prior to issuing any such rules. He will seek the views of affected State agencies and Indian tribes. Any fishing contrary to the Secretary's regulations or to federally approve tribal regulations will be regarded as without treaty protection and can be dealt with by States under State law.

In approving the new regulations, Secretary of the Interior Stewart L. Udall said he hopes the States and the tribes, in consultation with each other, will adopt regulations which will meet the treaty requirements, thus making it unnecessary for the Secretary of the Interior to fix seasons and fishing methods.

"The Federal courts, “Udall said, "have consistently held that the States may regulate Indian off-reservation treaty protected fishing to the extent necessary for conservation. But they must respect the treaty right and must prove that the restriction of Indian fishing is essential to conservation. In numerous recent Incidences State and Federal courts have held that present State laws or policies have not met that test. "

The Secretary welcomed the initiative taken by Oregon Governor Tom McCall to establish a Columbia River Indian Treaty Fisheries Council to improve understanding between the State and the tribes on matters affecting Indian fishing. A meeting to discuss formation of such a council was held July 11 at Salem, Oregon. State agencies from Washington, Oregon and Idaho, the Department of the Interior, and the four Columbia River Indian tribes (Yakima, Warm Springs, Umatilla and Nez Perce) were invited to attend the meeting. Interior Department representatives explained the new Federal regulations.

Last year the United States Department of Justice successfully defended numerous Indians charged in Washington and Oregon State courts with violating State fishing laws that did not make special allowances for Indian treaty rights. As a result, State authorities this year have not arrested Indians on the Columbia River when they were fishing in compliance with tribal regulations. The Department of the Interior has assisted Oregon State efforts to prosecute Indians who were not conforming to tribal conservation restrictions.

The new Interior Department regulations follow in substantial form the draft of proposed regulations published in the Federal Register July 16, 1965. Comments submitted by State and Federal agencies, Indian tribes and other persons have been considered in drafting the revised regulations. The new

regulations will become effective 30 days after publication in the Federal Register.