Indian Affairs - Office of Public Affairs

Media Contact: Tozier - Int. 4306 | Information Service
For Immediate Release: February 15, 1958
Print PDF

Legislation that would make it a Federal criminal offense to trespass for hunting, fishing or trapping purposes on Indian reservations and other Indian lands held in trust by the United States is needed to protect the property rights of Indian tribal groups, Assistant Secretary of the Interior Roger Ernst said today.

The Interior Department, Mr. Ernst pointed out, has reported favorably to Congress on H.R. 7240, a bill which would provide such protection by amending appropriate sections of the United States Code.

"In a great many instances," Mr. Ernst said in the report, "fish and game are much more plentiful on Indian reservations than on adjacent lands, and non-Indian hunters and fishermen come on the reservations to hunt and fish. Indian tribes have the right to control or to prohibit hunting and fishing on their reservations, and to charge fees for permitting hunting and fishing. Sometimes the money derived from hunting and fishing permits represents sizable portion of the tribal income."

While there is authority in an 1834 statute which provides some measure of protection against such trespass, this authority is limited in scope and not adequate for meeting present-day needs. Over the past several years the Bureau of Indian Affairs has received many requests from Indian tribes for more adequate protective legislation.

The Interior Department recommended deletion of one provision in H.R. 7240 which would make it a Federal offense to destroy, remove or deface boundary markers on Indian reservations. This provision is not needed, the Department said, since the subject is adequately covered by existing law.