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Letter from John B. Hart to Senator Langer Regarding Editorial in Devil's Lake Journal, August 13, 1956

John B. Hart

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August 13, 1956

Honorable William Langer
Senator from the State of North Dakota
Senate Office Building
Washington, D. C.

Dear Senator Langer:

Enclosed you will find a dittoed copy of an editorial appearing in the Devils Lake Journal under date of August 8. I thought you might want to file this article for future reference.

Sincerely,


John B. Hart

JBH:mh
Enclosure

Today's Editorial

IT'S TIME FOR CLARIFICATION

The U. S. Bureau of Indian Affairs has taken the first step, long delayed, to clarify the issue of state and federal jurisdiction in matters pertaining to Indian welfare.

An assistant to the U. S. commissioner of Indian affairs visited North Dakota last week and suggested that the Aberdeen, S. D., office of the Bureau study the exact areas of possible confusion.

Since a supreme court decision on the matter, the state of North Dakota has taken the view that it could not legally accept jurisdiction over Indian reservations within its borders. The Bureau of Indian Affairs has been of the opinion, however, that the state could assume authority if it wanted to do so.

With the court decision to back up its stand, the state has refused to accept further responsibility for law and order on Indian reservations.

In an effort to pave the way for the state to assume jurisdiction, a constitutional amendment was placed on the ballot in the June primary.

Purpose of the amendment was to empower the state legislature to accept jurisdiction on reservations. It was implied that the legislature would never accept responsibility for law enforcement without reimbursement from the federal government. The people, however, apparently felt the measure lacked the necessary guarantees and they might be saddled with the cost.

Another attempt to pass the measure will probably be made in a subsequent election.

In the meantime the Bureau of Indian Affairs and state welfare agencies have plenty of work to do to clear up other areas of confusion. Instead of working at cross purposes, federal, state and county officials should be co-operating on ways and means of doing a better job.

The federal government has been inconsistent in the handling of Indian affairs, even as between various states. Before asking the state and local government to clarify their positions, the Bureau of Indian Affairs should draw up its own code for handling Indian matters.

Under the present system, the Bureau varies not only in its dealing with individual tribes but with individual Indians. As a result, local welfare agencies have been confused, while the Indians themselves have lost respect for the government.

Things have improved a lot with regard to law enforcement in the Devils Lake area. Qualified policemen now handle the situation.

Local officials could probably do the job at less cost, but until the question of jurisdiction for reimbursement to the counties, the work will have to be done by the Bureau.

In areas, such as welfare, the time for clarification of federal policies on Indian matters is long overdue. It is encouraging to note that initial steps are being taken to deal with the problem.