

WHAT IS PL 280?

In 1953 the US Congress passed two important laws affecting Indian Country:

1. **House Concurrent Resolution 108** changing US policy to terminate Tribal reliance on the U.S. Government
2. **P.L. 83-280** gave most States the option to assume the providing of certain services and jurisdiction in Indian Country away from the federal government.

P.L. 280

6 states were required to assume certain concurrent (with the Tribes) jurisdiction in Indian County.

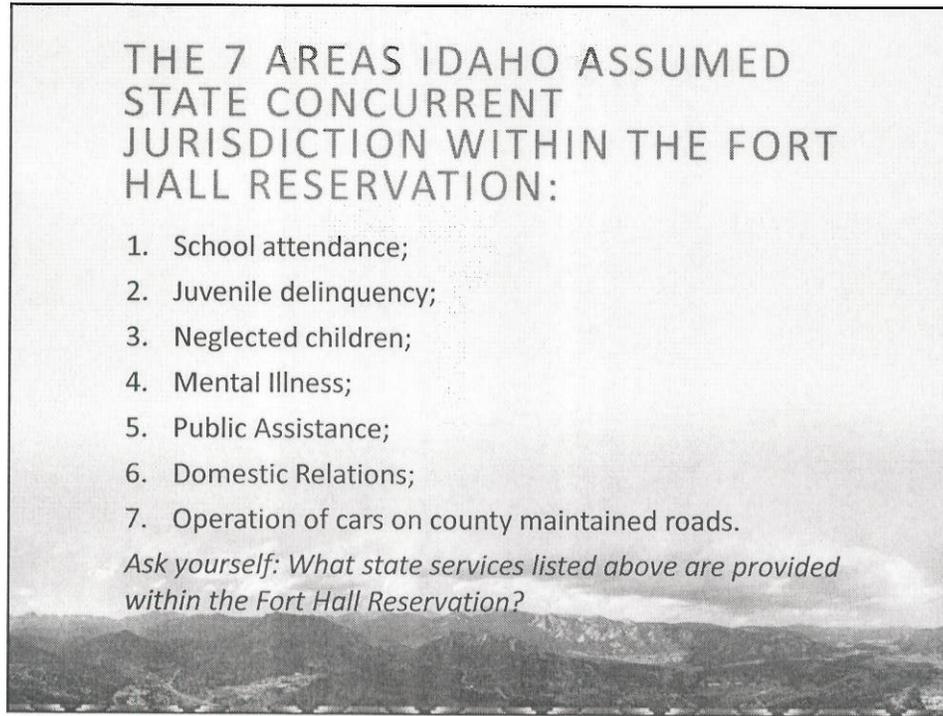
The remaining states had the option to assume federal duties. Idaho waited 10 years, until 1963, to assume those federal obligations in the 7 areas.

In 1968, the law changed requiring tribal consent for a State to assume concurrent jurisdiction and service provision. Idaho has never asked a Tribe for consent.

THE 7 AREAS IDAHO ASSUMED STATE CONCURRENT JURISDICTION WITHIN THE FORT HALL RESERVATION:

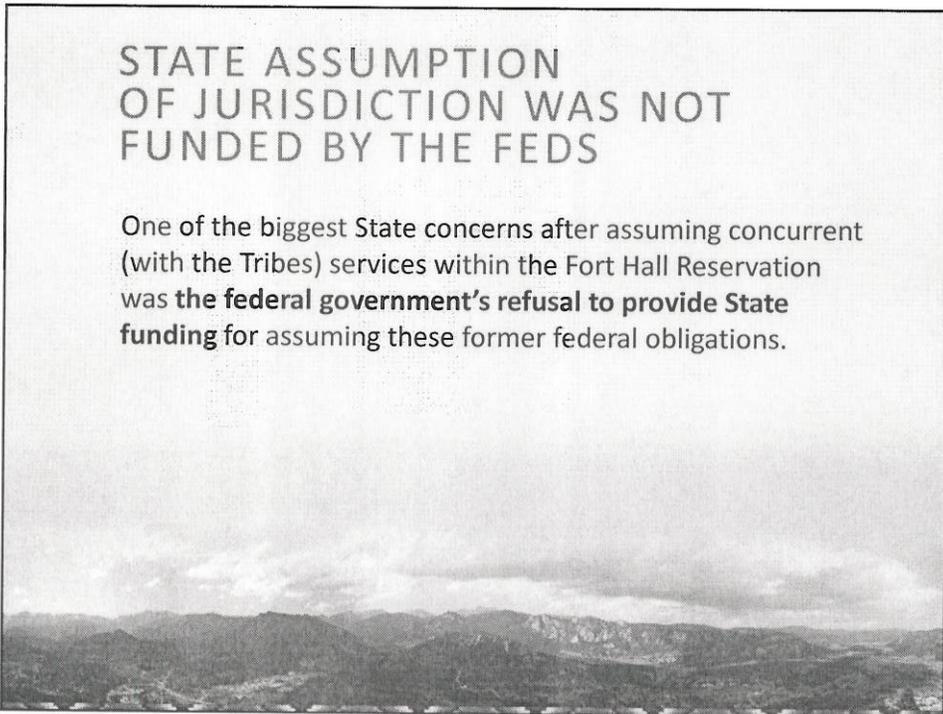
1. School attendance;
2. Juvenile delinquency;
3. Neglected children;
4. Mental Illness;
5. Public Assistance;
6. Domestic Relations;
7. Operation of cars on county maintained roads.

Ask yourself: What state services listed above are provided within the Fort Hall Reservation?



STATE ASSUMPTION OF JURISDICTION WAS NOT FUNDED BY THE FEDS

One of the biggest State concerns after assuming concurrent (with the Tribes) services within the Fort Hall Reservation was **the federal government's refusal to provide State funding** for assuming these former federal obligations.



IDAHO HAS NEVER FUNDED ANY OF THE ASSUMED CONCURRENT JURISDICTIONS

When the Shoshone-Bannock Tribes contact counties for assistance regarding any of the state assumed concurrent jurisdictions we are told **they cannot provide services to tribal members residing on the reservation** because they do not have funds to do so.



WHY IDAHO SHOULD RETROCEDE P.L. 280

Several States that assumed concurrent jurisdiction **retroceded jurisdiction back to the feds to pay for those services**, not the States, thereby saving State tax dollars and adding federal funds to local communities.

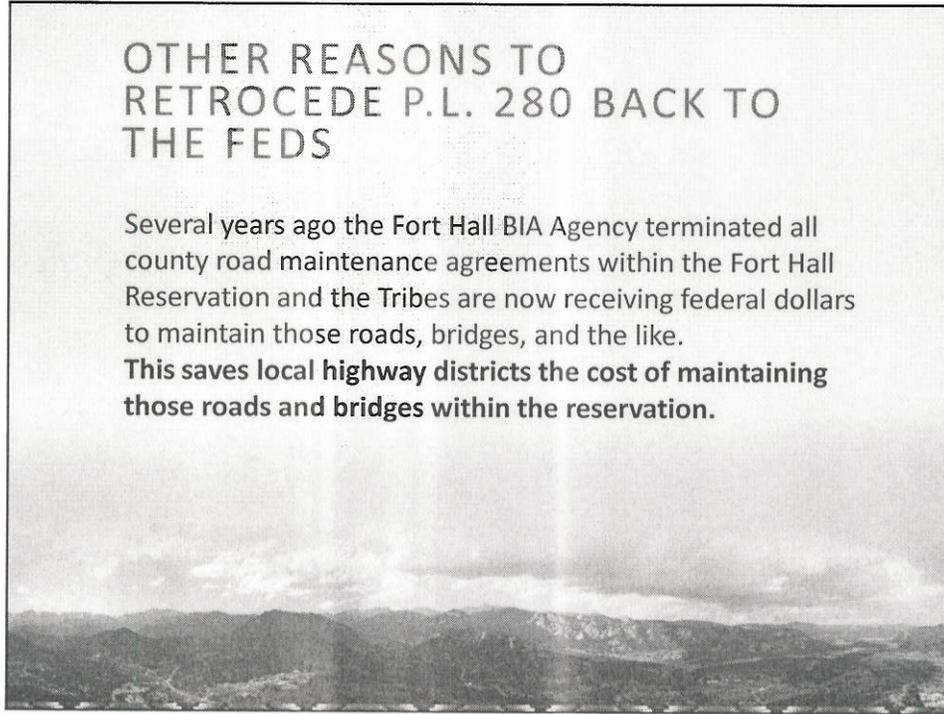
We assume Idaho does not provide these former federal services within the Fort Hall Reservation because Idaho does not receive federal funding to do so.



OTHER REASONS TO RETROCEDE P.L. 280 BACK TO THE FEDS

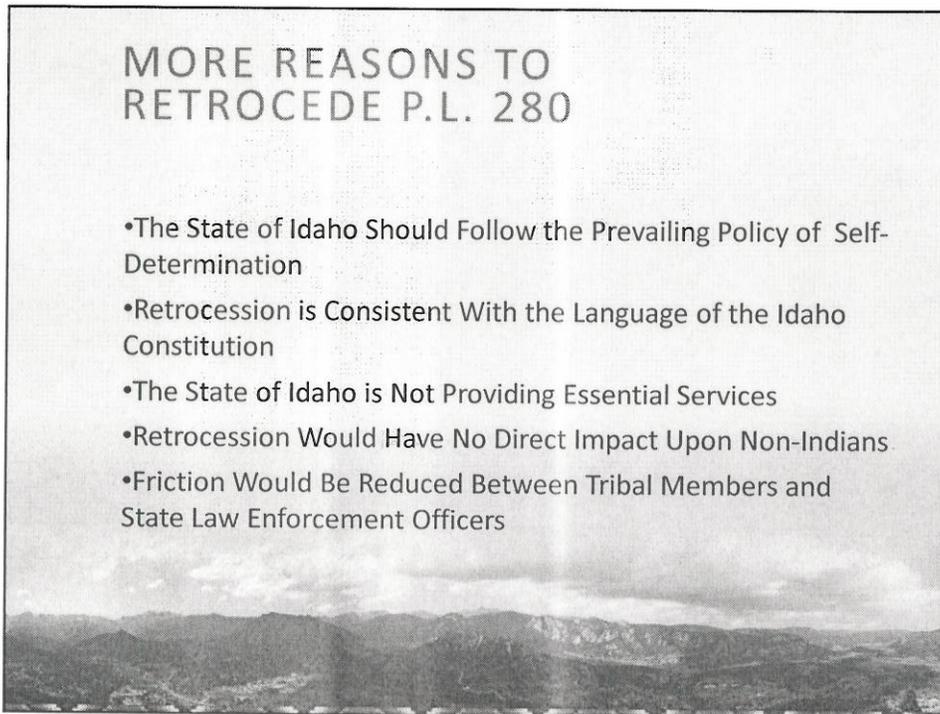
Several years ago the Fort Hall BIA Agency terminated all county road maintenance agreements within the Fort Hall Reservation and the Tribes are now receiving federal dollars to maintain those roads, bridges, and the like.

This saves local highway districts the cost of maintaining those roads and bridges within the reservation.



MORE REASONS TO RETROCEDE P.L. 280

- The State of Idaho Should Follow the Prevailing Policy of Self-Determination
- Retrocession is Consistent With the Language of the Idaho Constitution
- The State of Idaho is Not Providing Essential Services
- Retrocession Would Have No Direct Impact Upon Non-Indians
- Friction Would Be Reduced Between Tribal Members and State Law Enforcement Officers



WHAT NEXT?

The Shoshone-Bannock Tribes request the Idaho joint legislative **oversight committee study retroceding P.L. 280 jurisdiction** within the Fort Hall Reservation.

