

109TH CONGRESS
1ST SESSION

S. 279

To amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2005

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CRIMINAL JURISDICTION.**

4 The Act of June 7, 1924 (43 Stat. 636, chapter 331)
5 is amended by adding at the end the following:

6 **“SEC. 20. CRIMINAL JURISDICTION.**

7 “(a) IN GENERAL.—Except as otherwise provided by
8 Congress, jurisdiction over offenses committed anywhere
9 within the exterior boundaries of any grant from a prior
10 sovereign, as confirmed by Congress or the Court of Pri-

1 vate Land Claims to a Pueblo Indian tribe of New Mexico,
2 shall be as provided in this section.

3 “(b) JURISDICTION OF THE PUEBLO.—The Pueblo
4 shall have jurisdiction, as an act of the inherent power
5 of the Pueblo as an Indian tribe, over any offense com-
6 mitted by a member of the Pueblo or of another federally
7 recognized Indian tribe, or by any other Indian-owned en-
8 tity.

9 “(c) JURISDICTION OF THE UNITED STATES.—The
10 United States shall have jurisdiction over any offense de-
11 scribed in chapter 53 of title 18, United States Code, com-
12 mitted by or against a member of any federally recognized
13 Indian tribe or any Indian-owned entity, or that involves
14 any Indian property or interest.

15 “(d) JURISDICTION OF THE STATE OF NEW MEX-
16 ICO.—The State of New Mexico shall have jurisdiction
17 over any offense committed by a person who is not a mem-
18 ber of a federally recognized Indian tribe, which offense
19 is not subject to the jurisdiction of the United States.”.

○