

108TH CONGRESS
2D SESSION

H. R. 5198

To clarify issues of criminal jurisdiction within the exterior boundaries of
Pueblo lands.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2004

Mr. UDALL of New Mexico (for himself and Mr. PEARCE) introduced the
following bill; which was referred to the Committee on Resources

A BILL

To clarify issues of criminal jurisdiction within the exterior
boundaries of Pueblo lands.

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. INDIAN PUEBLO LAND ACT AMENDMENTS.**

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 has jurisdiction, as an act of the Pueblos’ inherent power
5 as an Indian tribe, over any offense committed by a mem-
6 ber of the Pueblo or of another federally recognized Indian
7 tribe, or by any other Indian-owned entity.

8 “(c) JURISDICTION OF THE UNITED STATES.—The
9 United States has jurisdiction over any offense described
10 in chapter 53 of title 18, United States Code, committed
11 by or against a member of any federally recognized Indian
12 tribe or any Indian-owned entity, or that involves any In-
13 dian property or interest.

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

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