

Public Law 109–133
109th Congress

An Act

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

Dec. 20, 2005

[S. 279]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INDIAN PUEBLO LAND ACT AMENDMENTS.

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

Native
Americans.
New Mexico.

“SEC. 20. CRIMINAL JURISDICTION.

25 USC 331 note.

“(a) IN GENERAL.—Except as otherwise provided by Congress, jurisdiction over offenses committed anywhere within the exterior boundaries of any grant from a prior sovereign, as confirmed by Congress or the Court of Private Land Claims to a Pueblo Indian tribe of New Mexico, shall be as provided in this section.

“(b) JURISDICTION OF THE PUEBLO.—The Pueblo has jurisdiction, as an act of the Pueblos’ inherent power as an Indian tribe, over any offense committed by a member of the Pueblo or an Indian as defined in title 25, sections 1301(2) and 1301(4), or by any other Indian-owned entity.

“(c) JURISDICTION OF THE UNITED STATES.—The United States has jurisdiction over any offense described in chapter 53 of title 18, United States Code, committed by or against an Indian as defined in title 25, sections 1301(2) and 1301(4) or any Indian-owned entity, or that involves any Indian property or interest.

“(d) JURISDICTION OF THE STATE OF NEW MEXICO.—The State of New Mexico shall have jurisdiction over any offense committed by a person who is not a member of a Pueblo or an Indian as

defined in title 25, sections 1301(2) and 1301(4), which offense is not subject to the jurisdiction of the United States.”.

Approved December 20, 2005.

LEGISLATIVE HISTORY—S. 279:

CONGRESSIONAL RECORD, Vol. 151 (2005):

July 26, considered and passed Senate.

Dec. 6, considered and passed House.

