

**COMMITTEE ON NATURAL RESOURCES**  
**SUBCOMMITTEE FOR INDIGENOUS PEOPLES OF THE UNITED STATES**  
1324 LHOB & CISCO WEBEX  
September 20, 2022 at 11:00 a.m. ET

**Questions for the Record**

**Oversight Hearing on *Examining Oklahoma v. Castro-Huerta: The Implications of the Supreme Court's Ruling on Tribal Sovereignty***

Hon. Jonodev Chaudhuri, Ambassador, Muscogee Creek Nation

**Questions from Rep. Raúl M. Grijalva**

1. If you are able to, can you describe the Muscogee Creek Nation's relationship with Oklahoma's State government?

The relationship between the Muscogee (Creek) Nation (MCN) and the State of Oklahoma could be best characterized as unsteady depending upon the agency or entity involved. In some instances, MCN officials maintain deep relationships that facilitate coordination, particularly among fellow law enforcement officers. However, at the structural and policy level, the State's Governor has not only been uncooperative, but openly hostile to tribal nations exercising their inherent sovereignty. Rather than negotiate and coordinate, the Governor has studiously avoided cooperation and actively sought to leverage crime victims as props in a political campaign to overturn tribal jurisdiction. The environment created by his actions have caused others to follow his lead. Some District Attorneys have released prisoners into society instead of properly notifying tribes to ensure a secure transfer. We have seen similar impacts with a few law enforcement agencies. Historically, the government of Oklahoma has sought to eradicate the Muscogee (Creek) Nation, as well as other tribal nations, and unfortunately the current Governor seems set on repeating the most regrettable aspects of Oklahoma history.

- a. How do you anticipate this relationship to affect the delivery of public safety services on the Nation's lands following the Castro-Huerta ruling?

The State of Oklahoma illegally exercised jurisdiction over reservations in Oklahoma for decades, and its track record speaks for itself. The State did not prioritize crimes against Natives, it did not properly allocate resources, and many cases went unaddressed. All of this happened before the State's Governor was actively seeking to undermine tribal jurisdiction. So it would seem fantastical to expect that the State would improve its performance in this environment under jurisdiction granted by a court decision that does not require any coordination with the tribal governments. In fact, we have already seen District Attorneys offering guidance to withhold Violence Against Women Act (VAWA) cases from tribes that have authority to prosecute them. Moving forward, tribes will have no assurances that they will even be notified that VAWA cases exist, nor is there any mechanism in place to ensure tribes know whether the state is choosing to prosecute or not. Likewise, there is no way to ensure that United States Attorneys Offices and other federal agencies will be notified if and when District Attorneys decline to prosecute a VAWA case. This ignores congressional intent in expanding VAWA jurisdiction for tribes and leaves Native victims vulnerable to the whims of hostile state

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politicians.

These facts are the driving force behind measures in the *Inter-Tribal Proposal to Improve Public Safety* (attached), a proposal tribal nations have collaboratively drafted to change the mechanism by which states may exercise jurisdiction on Indian lands and require them to do so in collaboration with tribal governments. Codified collaborative cooperation improves public safety. The current patchwork jurisdiction exacerbated by *Castro Huerta* promotes disunity, abets political public safety decisions, and creates perverse incentives for state or federal agencies to continue to exclude, defund and weaken tribal law enforcement agencies and courts. All of this comes at the expense of public safety.

2. Although the facts of *Oklahoma v. Castro-Huerta* are rooted in Oklahoma, can you describe why you are certain that this ruling will impact tribal governments throughout Indian Country?

There are many reasons why the Court's decision in *Castro-Huerta* will bring negative consequences to public safety across Indian country and outside of Oklahoma. First, the Court made clear that its decision applies on all Indian lands across the United States. The Supreme Court did not limit its decision to Oklahoma.

Because the Court's decision is national in scope, there is a high risk that other federal courts and federal agencies could misinterpret the Court's decision and apply it to limit tribal sovereignty, or expand state authority, outside of the criminal context. Many federal agencies continue to fail to fully and faithfully implement the Court's previous decision in *McGirt v. Oklahoma*. It is critical that Congress act immediately in order to ensure that federal agencies do not erroneously interpret *Castro-Huerta* as somehow limiting or alleviating their federal trust duties and responsibilities to tribal nations and their citizens.

History has shown us that in the few instances where Congress historically granted states criminal jurisdiction over tribal lands, public safety on tribal lands decreased, and the rate of violent victimization of Native people increased. This is because states do not have a trust relationship with tribal nations. The Constitution does not grant states any authority over tribal nations. There is nothing to incentivize states to dedicate the resources necessary to protect Native lives on Native lives, and historically, they have not. Prior to *Castro-Huerta*, tribes located within PL-280 states, or in Kansas (where tribes are subject to state jurisdiction under the Kansas Act), had some of the highest rates of crime against Native people since these states did very little to investigate and prosecute violent crimes committed against Native people.

Likewise, there is significant risk that because states now have jurisdiction to prosecute crimes on Indian country lands, the Federal Bureau of Investigation, the United States Attorneys Offices, and other federal agencies will decrease the amount of resources they dedicate to public safety in Indian country, as they have done historically in PL-280 states.

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It is clear this issue is not considered significant to the Department of Justice since not a single political appointee from the DOJ participated in the consultations with tribal nations that DOJ set up this past week. This lack of commitment from those exercise power and authority at DOJ is concerning.

Ultimately, the Court's decision in *Castro-Huerta* will decrease safety for Native women across the United States. As Professor Goldberg pointed out during her testimony, the Court's erroneous interpretation of PL-280 throws tribes in former PL-280 states across Indian country into chaos, as the Court's decision calls into question the ability of tribes to obtain retrocession under existing mechanisms.

*Castro-Huerta* creates national chaos and demands a national solution.

**Question from Rep. Stansbury**

1. What can Congress do to hear from Tribal nations in order to find a reasonable consensus in Indian Country to respond to *Castro-Huerta*?

Conversations have been happening all across Indian country to understand the implications of the *Castro-Huerta* decision and discuss potential solutions for moving forward and it has become clear that a majority of Indian country believes that legislation is urgently needed. Many are rallying around the attached *Legislative Proposal to Improve Public Safety in Indian Country*. This proposal is rooted in the decade old findings of the bipartisan Tribal Law and Order Act Commission, which concluded that empowering tribes is the best and only viable solution to improving public safety in Indian Country.

Consensus does not require unanimity. The proposed legislation would restore the voluntary mechanism that tribes fought for in the 1968 amendments to PL-280, resulting in a mechanism through which tribal nations could choose to exercise jurisdiction or to hand it off to the state or to exercise it concurrently. No tribe will be obligated to do anything they don't wish to do. As such, no tribe or group of tribes should be granted veto authority to prevent other nations from receiving this sovereign choice.

The legislative process in Congress is established to create consensus. Your recent oversight hearing was an excellent and beneficial first step. Immediate introduction of the *Legislative Proposal to Improve Public Safety in Indian Country* will provide a framework for tribal nations to offer input and feedback to negotiate the content and direction of the legislation as we move quickly to prevent agencies and courts from using the *Castro-Huerta* decision to worsen existing problems in Indian Country.

**Questions from Rep. Westerman**

1. Lead Up: Collaboration among tribal, state, federal, and local law enforcement and legal systems is needed to cover the complicated jurisdictional system that exists in Indian

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country.

Question: Could you provide examples of the best collaborative connection that your tribe has with non-tribal law enforcement, and how that may help inform discussion about public safety in Indian country?

The Muscogee (Creek) Nation has had cross-deputization agreements in place since the late 1980's. These agreements imbue both tribal and nontribal jurisdictions to both agencies in the agreement. These agreements also enable coordination, information and asset sharing, collaborative investigations, and more. Since the *McGirt* decision, these cross-deputization agreements have been expanded to cover over 60 state and local agencies.

Cross deputization agreements are an informative example of the good that can come from a negotiated approach to collaboration. By contrast, the jurisdiction granted to states under *Castro Huerta* contains no obligation or no mechanism for any such collaboration.

It is important to note that jurisdictional issues of *Castro Huerta* extend well beyond law enforcement into the jurisdiction to prosecute, adjudicate and punish criminals. Indeed, District Attorneys are already giving staff guidance that VAWA cases—where Congress has made clear tribes have jurisdiction to prosecute-- are to be kept with the state without indicating that tribal governments will be informed in cases where the state chooses not to prosecute.

It is historically proven that collaboration produces better public safety. Rather than foster collaboration, the *Castro Huerta* decision, combined with outdated and unjustifiable restrictions on tribal jurisdiction, create a perverse incentive for disunity and noncooperation. This runs directly contradictory to the decade old report by the bipartisan Tribal Law and Order Act Commission that determined that the best path to increase public safety in Indian Country is through empowering tribes and fostering cooperation.

The *Legislative Proposal to Improve Public Safety in Indian County* seeks to empower tribes to contribute more to public safety by restoring the process by which states exercise jurisdiction on Indian lands to one that requires collaboration and by removing restrictions that prevent tribes from stepping in to fill gaps between state and federal agencies.

Question: Could you provide information and data about how plans to increase resources to the Muscogee Creek Nation's tribal court system have or have not changed both pre- and post- the *McGirt* decision, and also pre- and post- the *Castro-Huerta* decision, including staff increases, staff position additions, funding increases, and other similar metrics?

Ensuring public safety is the highest priority at the Muscogee (Creek) Nation. Since the *McGirt* decision the Muscogee (Creek) Nation has rapidly scaled up our operations. We multiplied our spending by the millions to meet the requirements of public safety. We have increased our number of prosecutors from one to now fourteen and police personnel

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from about 30 to near 90. We have filed over 4000 cases in Muscogee (Creek) Nation courts since the *McGirt* decision with over 1,200 in the third quarter of FY 2022 alone. As a result of these increases, we have also increased our budget for incarceration to over \$3.5 million annually.

Looking forward, our master plan demonstrates our continue commitment to public safety with planned growth in our public safety personnel and infrastructure.

**Year FY 23**

The Nation is in preliminary talks to acquire a medium security facility that will in year one allow the Nation to save its entire expense that it currently spends at Tulsa County Jail. Tulsa County leaders are charging rates that are equal to what they charge the U.S. Marshal Service.

The Nation is also looking at campus development on two new sites that are adequate for new construction in areas where the need for judicial services has been established.

**Estimated cost \$6 million for infrastructure**

**FY 24**

The Nation will determine 3 other locations that are suitable for new construction of jail court and other ancillary government services throughout the reservation. **Estimated cost \$18 million for infrastructure**

**FY 25**

The Nation will determine 3 other locations that are suitable for new construction of jail court and other ancillary government services throughout the reservation. **Estimated cost \$18 million infrastructure**

**Public Safety Infrastructure Investments:**

**Detention facilities** – \$80 million dollars are required for the construction of 8 regional tribal jails on the Reservation. These facilities are needed to incarcerate individuals at multiple locations geographically distributed across the Reservation to ensure convenient access for law enforcement officers and minimize the need for costly long distance prisoner transport.

**Courthouses w/Police Station** – \$80 million dollars are required for the construction of 8 regional tribal courthouse facilities on the Reservation. These would likely be geographically paired with the regional jail facilities for efficiency and convenience.

**Mental Health Facilities** – \$12 million dollars are required for the construction of 2 mental health facilities for the incarceration of individuals requiring mental health evaluation and treatment, both pre-trial and post-conviction. These facilities would also be available to provide training and support for our tribal police officers in violence interruption, de-escalation, and other techniques for increasing the likelihood of successful interactions with suspects/individuals with mental health problems.

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**Juvenile Detention Facilities** – \$24 million dollars are required for the construction of 4 juvenile detention facilities on the Reservation. These facilities are absolutely necessary to separate young offenders from older, hardcore criminals and to focus on the rehabilitation and diversion of youthful inmates away from crime and other destructive lifestyle choices.

**Public Safety Recurring Expenses**

**Tribal Police Force** – According to the Bureau of Indians Affairs, Office of Justice Services (OJS) and the American Community Survey estimates of the American Indian and Alaska Native population on the Reservation, the Muscogee Nation must maintain a police force of 312 full time equivalents (FTEs). To achieve this level of operation, OJS estimates that nearly \$34.4 million is required on a recurring basis for increased personnel, equipment, and other operational costs. These expenses are for recurring costs, however, and do not represent the one-time costs to build infrastructure or acquire existing infrastructure to support operations. Clearly, significant investments are necessary, because the MCN is responsible for all facets of law enforcement within a reservation that is larger than New Jersey and includes the second largest city in the state of Oklahoma.

**Tribal Court System** – Just as law enforcement needs have grown, so too have the needs of tribal courts. Using the OJS report, the MCN estimates that an additional \$40 million is required to support expanded responsibilities of tribal courts. Since July of 2020, the MCN has seen dockets in tribal court quadruple, without any additional funding to support efficient and professional disposition of cases that now must be adjudicated under tribal and federal law.

**Incarceration and Detention** – We calculate that around \$20.6 million will be need to cover the costs of the personnel and systems necessary to detain and incarcerate individuals.

2. Lead Up: In *Castro-Huerta*, the Court held that “Under the Constitution, States have jurisdiction to prosecute crimes within their territory except when preempted (and preempted in a manner consistent with the Constitution) by federal law or principles of tribal self-government.

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Question: Would you propose to limit state criminal jurisdiction over non-Indians in the absence of some measure of tribal consent be consistent with or violative of the Court's statement of the law?

The U.S. Constitution grants Congress plenary authority to determine policies related to tribal nations and Congress has the opportunity and the obligation to go beyond the consent problems created by *Castro Huerta* to understand and address other problems exacerbated by the decision. The *Legislative Proposal to Improve Public Safety in Indian Country* does not seek to limit states' jurisdiction on Indian lands. Rather, it seeks to require a collaborative approach between tribes and states that would strengthen public safety for all.

Over a decade ago, the bipartisan Tribal Law and Order Act Commission concluded that empowering tribes is the best and only viable solution to improving public safety in Indian Country. Orderly cooperation produces safer communities. The existing patchwork systems of unilateral authority for states do not. At a time when crime is rising, there is no justification for artificially keeping additional police, courts, and prosecutors who meet all requirements for Constitutional protections from contributing to the process based solely on the fact they are "tribal".

3. Lead Up: The Court also concluded that Oklahoma's exercise of criminal jurisdiction over a non-Indian who victimized a Native did not impermissibly infringe on Tribal self-government and would not harm the federal interest in protecting Indian victims.

Question: Given that is what the Court has said, what is the constitutional source of Congress's power to say otherwise?

The constitutional source of Congress's power to legislative over Indian affairs cannot be questioned.

The Supreme Court has repeatedly, and consistently, affirmed its "respect both for tribal sovereignty [] and for the plenary authority of Congress" over Indian affairs. *Iowa Mut. Ins. Co. v. LaPlante*, 480 U.S. 9, 18 (1987) (citations and quotations omitted); *see also United States v. Mazurie*, 419 U.S. 544, 554 n.11 (1975) (referring to "Congress' exclusive constitutional authority to deal with Indian tribes."). To be sure, "[t]he plenary power of Congress to deal with the special problems of Indians is drawn both explicitly and implicitly from the Constitution itself." *Morton v. Mancari*, 417 U.S. 535, 551-52 (1974).

Accordingly, "the Constitution grants Congress broad general powers to legislate in respect to Indian tribes, powers that [this Court has] consistently described as 'plenary and exclusive.'" *United States v. Lara*, 541 U.S. 193, 200 (2004); *see also Bay Mills Indian Cmty.*, 572 U.S. at 788 (The Court has "consistently described [Congress's authority] as plenary and exclusive to legislate [with] respect to Indian tribes.") (citations and quotations omitted). Indeed, "proper respect . . . for the plenary authority of

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Congress in this area cautions that [the courts] tread lightly.” *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 60 (1978).

Furthermore, since the inception of the United States, interactions between the United States and tribal nations have been vested exclusively in the federal government. *Worcester v. Georgia*, 31 U.S. 515, 557 (1832) (“The treaties and laws of the United States contemplate . . . that all intercourse with [Indian tribes] shall be carried on exclusively by the government of the union.”). Indeed, the supremacy of congressional regulation is necessary to protect tribal nations from states, whose actions have historically threatened tribal self-governance and their continued existence. *See United States v. Kagama*, 118 U.S. 375, 383-84 (1886) (concluding that this exclusively federal authority “is within the competency of congress” in part because Indian Tribes “owe no allegiance to the states, and receive from them no protection”). Consequently, “tribal sovereignty is dependent on, and subordinate to, only the Federal Government, not the States.” *California v. Cabazon Band of Mission Indians*, 480 U.S. 202, 207 (1987).

In addition to deriving from the text of the Constitution, Congress’s exclusive authority to regulate Indian affairs also derives, in significant part, from the unique trust relationship between tribal nations and the United States. *See, e.g., United States v. Mitchell*, 463 U.S. 206, 225 (1983) (recognizing “a general trust relationship between the United States and the Indian people.”). The Supreme Court has reaffirmed that management of this trust relationship is assigned to Congress. *See United States v. Jicarilla Apache Nation*, 564 U.S. 162, 175 (2011) (“Throughout the history of the Indian trust relationship, [the Court] ha[s] recognized that the organization and management of the trust is a sovereign function subject to the plenary authority of Congress.”); *see also Blackfeather v. United States*, 190 U.S. 368, 373 (1903) (“The moral obligations of the government toward the Indians, whatever they may be, are for Congress alone to recognize.”).

Furthermore, the United States’s trust relationship with tribal nations has *no* counterpart in any relationship between tribal nations and individual states. *See Washington v. Confederated Bands & Tribes of Yakima Indian Nation*, 439 U.S. 463, 501 (1979) (“States do not enjoy this same unique relationship with Indians . . .”). The trust relationship between Indian tribes and the United States, therefore, is “an instrument of federal policy[,]” and Congress has the authority to “invoke[its trust relationship to prevent state interference with its policy toward the Indian tribes.” *Jicarilla Apache Nation*, 564 U.S. at 180 & n.8. When it comes to regulation of Indian affairs related to tribal government, sovereignty, and safety for Native women and children, only Congress has the necessary constitutional authority to complete the task.

## **Legislative Proposal to Improve Public Safety in Indian Country**

In 1991, after the Supreme Court’s ruling in [Duro v. Reina](#), 495 U.S. 676 (1990), Congress sought to clarify various jurisdictional issues created by the decision. This Congressional action is commonly referred to as the “Duro Fix.” The way Congress enacted this language and the statutory placement of this clarifying language provides a helpful guide as to how Congress may address the new jurisdictional complications created by the Court’s recent decisions. A summary of the *Duro*-related language is therefore provided for background purposes to provide context to the 2022 legislative proposal set forth below.

### **Duro Congressional Fix**

Congress amended the Indian Civil Rights Act in 1991 to overturn the U.S. Supreme Court’s decision in [Duro v. Reina](#), 495 U.S. 676 (1990). The Court had held that tribal courts lack criminal jurisdiction over non-member Indians. Congress subsequently acted to restore tribal criminal jurisdiction over all Indians—including non-member Indians.

Congress overturned *Duro* by adding language to 25 U.S.C § 1301, the definitions section that defines “powers of self-government.” Prior to the *Duro* fix, that section read as follows:

“powers of self-government” means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses . . . .

25 U.S.C. § 1301(2). Congress amended this definition to include that powers of self-government “means the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians.” Thus, overturning SCOTUS’s *Duro* decision and reaffirming that tribal governments possess the inherent power to exercise criminal jurisdiction over all Indians.

### **Amending the ICRA to Relax Restrictions and Remove Sentencing Limitations**

The Indian Civil Rights Act should be amended to relax restrictions regarding tribal authority over non-Indian criminal activity and to remove sentencing limitations. These changes would ensure tribal nations are empowered to exercise criminal jurisdiction over any individual who commits a crime on tribal lands, regardless of whether they are Indian or non-Indian. In furtherance of this goal, the following preamble should be added to the ICRA:

It is the sense of Congress that Indian tribes, as sovereigns that pre-date both the United States and the United States Constitution, maintain their inherent sovereignty to govern and engage in self-government within their territorial borders.

It is the sense of Congress that the treaties the United States has signed with tribal nations, “according to the constitution of the United States, compose a part of the supreme law of the land.” [Worcester v. State of Ga.](#), 31 U.S. 515, 531 (1832).

It is the sense of Congress that because the treaties the United States signed with

tribal nations “have been duly ratified by the senate of the United States of America,” and because they acknowledge tribal nations to be “sovereign nation[s], authorised to govern themselves, and all persons who have settled within their territory,” tribal nations are therefore “free from any right of legislative interference by the several states composing [the] United States of America.” *Id.* at 530.

Thus, it is the sense of Congress that state laws “are unconstitutional and void” when they seek to exercise jurisdiction over tribal lands absent legislation from Congress authorizing a state’s exercise of jurisdiction since under the United States Constitution, that power “belongs exclusively to the congress of the United States.” *Id.* at 531.

Much like in the *Duro* fix, Congress should amend 25 U.S.C. § 1301 by adding the red language as follows:

“powers of self-government” means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and means the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all persons, Indian and non-Indian, located on or within “Indian country” as defined by 18 U.S.C. § 1151.

25 U.S.C. § 1301 (proposed language).

Moreover, additional language should be added to ensure the protection of non-Indian defendants’ due process rights. Suggested language is as follows:

Any tribal nation seeking to exercise criminal jurisdiction over non-Indian defendants not otherwise provided for by other independent statutory authority may only do so if the due process requirements set forth in 25 U.S.C. § 1302(c) are ensured.

ICRA should also be amended to remove sentencing limitations that restrict tribal nations to sentencing criminals up to three years for certain crimes, and when stacked using the Tribal Law and Order Act, nine years total. The following proposed amendments to [25 U.S.C. § 1302](#) would remove the limitations on tribal sentencing altogether:

(a) In general. – Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by undertaking the following:

Subparagraphs (B) through (D) of section 202(a)(7) and section 202(b) shall be eliminated in their entirety.

These amendments would delete the following subparagraphs of Section 202(a)(7) (provided below in purple):

(B) except as provided in subparagraph (C), impose for conviction of any 1 offense any penalty or punishment greater than imprisonment for a term of 1 year or a fine of \$5,000, or both;

(C) subject to subsection (b), impose for conviction of any 1 offense any penalty or punishment greater than imprisonment for a term of 3 years or a fine of \$15,000, or both; or

(D) impose on a person in a criminal proceeding a total penalty or punishment greater than imprisonment for a term of 9 years;

These amendments would also delete Section 202(b) which provides:

**(b) Offenses subject to greater than 1-year imprisonment or a fine greater than \$5,000**

A tribal court may subject a defendant to a term of imprisonment greater than 1 year but not to exceed 3 years for any 1 offense, or a fine greater than \$5,000 but not to exceed \$15,000, or both, if the defendant is a person accused of a criminal offense who—

(1) has been previously convicted of the same or a comparable offense by any jurisdiction in the United States; or

(2) is being prosecuted for an offense comparable to an offense that would be punishable by more than 1 year of imprisonment if prosecuted by the United States or any of the States.

**Justice Gorsuch Proposed Amendment to Pub.L. 83-280 (18 U.S.C. § 1162)**

As described in Justice Gorsuch’s dissent, Pub.L. 83-280 must be amended to ensure that states, other than those six states with mandatory criminal jurisdiction under 18 U.S.C. 1162 (a), have no criminal jurisdiction in Indian country unless they have first obtained tribal consent to that state criminal jurisdiction and, where necessary, have amended their state constitutions or statutes to permit that jurisdiction, all in compliance with procedures outlined in 25 U.S.C § 1324. The following is suggested language to implement Justice Gorsuch’s proposed amendment:

Section 2 of Public Law 82-280, as amended and codified at 18 U.S.C. 1162, is hereby further amended by adding at the end thereof the following new subsection (e):

**(e) Lack of State Jurisdiction Absent Tribal Consent.**

Except as provided in subsection (a) of Title 18, Section 1162, a State lacks criminal jurisdiction over crimes by or against Indians in Indian Country, unless the State complies with the procedures to obtain tribal consent outlined in 25 U. S. C. § 1321, and, where necessary, amends its constitution or statutes pursuant to 25 U. S. C. § 1324.

\* \* \*