



8-15-1953

## **An Act to Confer Jurisdiction on the States of California, Minnesota, Nebraska, Oregon, and Wisconsin, With Respect to Criminal Offenses and Civil Causes of Action Committed or Arising on Indian Reservations Within Such States, and for Other Purposes**

United States Congress

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be modified so as to apply to service performed by employees in positions covered by the Wisconsin retirement fund.

“(2) All employees in positions covered by the Wisconsin retirement fund at any time on or after January 1, 1951, shall, for the purposes of subsection (c) only, be deemed to be a separate coverage group; except that there shall be excluded from such separate coverage group all employees in positions to which the agreement applies without regard to this subsection.

“(3) The modification pursuant to this subsection shall exclude (in the case of employees in the coverage group established by paragraph (2) of this subsection) service performed by any individual during any period before he is included under the Wisconsin retirement fund.

“(4) The modification pursuant to this subsection shall, if the State of Wisconsin requests it, exclude (in the case of employees in the coverage group established by paragraph (2) of this subsection) all service performed in policemen’s positions, all service performed in firemen’s positions, or both.”

Effective date.

SEC. 2. For the purposes of section 218 (f) of the Social Security Act (relating to effective dates of agreements), the amendment made by the first section of this Act shall take effect as of January 1, 1951.

Approved August 15, 1953.

Public Law 280

CHAPTER 505

AN ACT

August 15, 1953  
[H. R. 1063]

To confer jurisdiction on the States of California, Minnesota, Nebraska, Oregon, and Wisconsin, with respect to criminal offenses and civil causes of action committed or arising on Indian reservations within such States, and for other purposes.

Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

State jurisdiction over criminal offenses.

“1162. State jurisdiction over offenses committed by or against Indians in the Indian country.”

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1161 a new section, to be designated as section 1162, as follows:

“§ 1162. State jurisdiction over offenses committed by or against Indians in the Indian country

“(a) Each of the States listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over offenses committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country as they have elsewhere within the State:

“State of	Indian country affected
California-----	All Indian country within the State
Minnesota-----	All Indian country within the State, except the Red Lake Reservation
Nebraska-----	All Indian country within the State
Oregon-----	All Indian country within the State, except the Warm Springs Reservation
Wisconsin-----	All Indian country within the State, except the Menominee Reservation

“(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

Taxation of property, etc.

“(c) The provisions of sections 1152 and 1153 of this chapter shall not be applicable within the areas of Indian country listed in subsection (a) of this section.”

SEC. 3. Chapter 85 of title 28, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1331 of such title the following new item:

State jurisdiction over civil causes.

“1360. State civil jurisdiction in actions to which Indians are parties.”

SEC. 4. Title 28, United States Code, is hereby amended by inserting in chapter 85 thereof immediately after section 1359 a new section, to be designated as section 1360, as follows:

“§ 1360. State civil jurisdiction in actions to which Indians are parties

“(a) Each of the States listed in the following table shall have jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country as they have elsewhere within the State:

“State of	Indian country affected
California-----	All Indian country within the State
Minnesota-----	All Indian country within the State, except the Red Lake Reservation
Nebraska-----	All Indian country within the State
Oregon-----	All Indian country within the State, except the Warm Springs Reservation
Wisconsin-----	All Indian country within the State, except the Menominee Reservation

“(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

Taxation of property, etc.

“(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.”

- Repeal.** SEC. 5. Section 1 of the Act of October 5, 1949 (63 Stat. 705, ch. 604), is hereby repealed, but such repeal shall not affect any proceedings heretofore instituted under that section.
- Removal of legal impediment.** SEC. 6. Notwithstanding the provisions of any Enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil and criminal jurisdiction in accordance with the provisions of this Act: *Provided*, That the provisions of this Act shall not become effective with respect to such assumption of jurisdiction by any such State until the people thereof have appropriately amended their State constitution or statutes as the case may be.
- Consent of U. S. to other States.** SEC. 7. The consent of the United States is hereby given to any other State not having jurisdiction with respect to criminal offenses or civil causes of action, or with respect to both, as provided for in this Act, to assume jurisdiction at such time and in such manner as the people of the State shall, by affirmative legislative action, obligate and bind the State to assumption thereof.
- Approved August 15, 1953.

## Public Law 281

## CHAPTER 506

## AN ACT

August 15, 1953  
[H. R. 3409]

To terminate certain Federal restrictions upon Indians.

- Repeals.** *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 467 and 2136 of the Revised Statutes (25 U. S. C., sec. 266) and section 2135 of the Revised Statutes (25 U. S. C., sec. 265), all of the said laws being laws which forbid the sale, purchase, or possession by Indians of personal property which may be sold, purchased, or possessed by non-Indians, are hereby repealed.
- Livestock.**  
62 Stat. 759.
- 25 USC 461-509**  
passim.
- SEC. 2. (a) Section 1157 of title 18 of the United States Code, as amended, is further amended by striking the period at the end thereof and adding the following: “: *Provided*, That this section shall apply only to livestock purchased by or for Indians with funds provided from the revolving loan fund established pursuant to the Acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), as amended and supplemented, or from tribal loan funds used under regulations of the Secretary of the Interior, and to livestock issued to Indians as loans repayable ‘in kind’, and to the increase of all such livestock, and only until such time as such loans are repaid: *Provided further*, That it shall be the duty of any purchaser of Indian livestock to use reasonable diligence to ascertain that such livestock are not subject to such loans.”
- Repeal.** (b) Section 1 of the Act of July 4, 1884 (23 Stat. 94, 25 U. S. C., sec. 195), is repealed.
- Approved August 15, 1953.

## Public Law 282

## CHAPTER 507

## AN ACT

August 15, 1953  
[H. R. 4508]

To authorize the sale of certain lands to the State of Oklahoma.

- Oklahoma.**  
Conveyance.
- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary