

assumed criminal jurisdiction over Indian offenses. This title adds "assault resulting in serious bodily injury" to the "Major Crimes Act." Without this amendment an Indian can commit a serious crime and receive only a maximum sentence of 6 months. Since Indian courts cannot impose more than a 6-month sentence, the crime of aggravated assault should be prosecuted in a Federal court, where the punishment will be more in proportion to the seriousness of the offense.

TITLE V

This title provides that applications related to the employment of legal counsel made by Indian tribes and other Indian groups to the Secretary of the Interior or Commissioner of Indian Affairs are deemed approved if neither approved nor denied within 90 days from the date of filing.

Frequently, these delays in approving contracts extend for periods far exceeding a year and, consequently, impose so severe a hardship upon tribes in need of counsel that they constitute a denial of due process of law.

TITLE VI

This title authorizes and directs the Secretary of the Interior to revise and prepare the documents entitled, "Indian Affairs, Laws and Treaties" (S. Doc. 319, 58th Cong.), "Federal Indian Law," and the opinions of the Solicitor of the Department of the Interior. This title will assist many groups in helping Indians achieve their rights as American citizens.

For most Americans claiming deprivation of some right afforded them under the laws and treaties of the United States or State laws, it is a simple matter to have an attorney look up the law and court interpretations thereof, and to bring suit based on the result of such legal research. For the American Indian such a solution is difficult because of the inadequacy and sometimes even the total absence of legal documents. For instance, the latest edition of the document, "Indian Affairs, Laws and Treaties" was published in 1930 and the official opinions of the Solicitor of the Department of the Interior relating to Indian affairs are not always published and have never been compiled in one document.

Mr. Chairman, I believe this legislation is sound, it is the result of a six-year study by the Senate Subcommittee on Constitutional Rights, and I believe it to be a common sense way of giving the American Indian the basic rights which all other Americans enjoy.

The CHAIRMAN. Unless there is an objection, the statement of the Honorable Robert V. Denney, Congressman from the State of Nebraska, and a coauthor of the bill with Mr. Cunningham, will be made a part of the record at this point.

Hearing no objection, it is so ordered.

(The prepared statement of Congressman Denney, referred to, follows:)

PREPARED STATEMENT OF CONGRESSMAN ROBERT V. DENNEY, FIRST CONGRESSIONAL DISTRICT OF NEBRASKA

First of all, I would like to thank the distinguished Chairman from Florida, Mr. Haley, for giving me the opportunity to present testimony before this Committee in support of H.R. 15122 and related legislation. As you know, that bill was introduced by Congressman Cunningham and myself on February 6, 1968.

The main purpose of this bill is to give full constitutional rights to the American Indian. It is ironic indeed that the first settler of this country, the Indian, has, in many instances, been denied rights that are guaranteed to those who settled this country many years later.

TITLES I AND II

The purpose of Title I is to protect individual Indians from arbitrary and unjust actions of tribal governments. This is accomplished by placing restraints on Indian tribe powers of self-government. These limitations are the same as those imposed on the Government of the United States by the U.S. Constitution and on the States by judicial interpretation.