

Mr. RIDER. The State has assumed jurisdiction under the Kake village case.

Mr. MEEDS. Concurrent jurisdiction?

Mr. RIDER. Yes, sir.

Mr. MEEDS. Do you find that Indians residing on tribal land are now able to get loans from bankers because of this?

Mr. RIDER. No, sir. I am somewhat unfamiliar with it, whether they are or not. I do understand that they do receive loans at times. Whether they are for homes or not I do not know.

Mr. MEEDS. Do you envision that that status will be changed any under this law?

Mr. RIDER. Again, it is my understanding that this bill would remove the State's, as an example, commercial code application.

Mr. MEEDS. Remove the State's commercial code application?

Mr. RIDER. The application of our State's uniform commercial code on civil dealings between the Indian and non-Indian if it occurs on Indian lands.

Mr. MEEDS. Assuming that the Indians did not wish to have the State have jurisdiction, you are aware that they could also confer jurisdiction on the State under this bill, are you not?

Mr. RIDER. Yes, sir, I am; and this is one of the questions that has puzzled me, will the 19 pueblos and the four of five reservations which we have to vote on each law as it is passed by the legislature? What about previous enactments, our 18 volumes of law? Are they going to have to go back and be selective in adopting these? This is, I think, some of the questions that this bill does not seem to answer.

Mr. MEEDS. Now, if you were to assume jurisdiction, criminal jurisdiction, would you assume jurisdiction in any way in which—I am just asking you your personal opinion here for the groups you represent—would you assume jurisdiction, criminal jurisdiction, in which the guarantees of the first 10 amendments of the U.S. Constitution were not also a part?

Mr. RIDER. No, sir.

Mr. MEEDS. So that the Indians that have testified here about fear of the State jurisdiction or the State assuming jurisdiction, they would get the same thing under your—if you did assume jurisdiction, would they not, as this bill provides?

Mr. RIDER. It is my understanding, yes, sir.

Mr. MEEDS. With regard to those 10 amendments?

Mr. RIDER. Yes, sir.

Mr. MEEDS. Thank you. That is all.

The CHAIRMAN. The gentleman from South Dakota?

Mr. BERRY. Well, under your joint jurisdiction, Mr. Rider, is it possible—are the banks making loans in New Mexico or are they not? Do you know?

Mr. RIDER. I cannot answer positively, sir. It is my understanding that on occasion the Indian has borrowed money from a bank for, may I say, cattle feeding, this type of thing, the same as any other rancher would be engaged in, but I do not have any personal knowledge of this.

Mr. BERRY. But the loan, the mortgage is not enforceable, is it? I mean it cannot be foreclosed?