

Mr. SONOSKY. No. This was done without their consent. It was imposed by and that is a distinction I would like to make. Congress has plenary authority under our Constitution over Indians, under our Constitution.

Mr. McCLURE. Do you advocate that we repeal that change?

Mr. SONOSKY. No. I wouldn't advocate we change our Federal Constitution.

Mr. McCLURE. Would you advocate we repeal the major crimes?

Mr. SONOSKY. No. I wouldn't advocate that.

Mr. McCLURE. How do we make a distinction between that and Public Law 280?

Mr. SONOSKY. No; I wouldn't advocate—

Mr. McCLURE. How do you make a distinction between that and Public Law 280?

Mr. SONOSKY. First let me say that the jurisdiction exercised by Indian tribes is about the equivalent of jurisdiction of a justice of the Peace Court. We are dealing here with misdemeanors of everyday life. Ninety percent of all crimes committed on Indian reservations are disorderly conduct and possibly drunkenness. Those two cover 90 percent easily.

The CHAIRMAN. You can't answer that. You folks started back and forth, but I say that we might or might not be interested in this, but we don't have the time. Thank you very much.

Mr. SONOSKY. Thank you.

STATEMENT OF MARVIN J. SONOSKY, ATTORNEY

Mr. SONOSKY. My name is Marvin J. Sonosky. I am an attorney practicing mainly in Indian matters with offices at 1225 19th Street NW., Washington, D.C.

I thank the committee for this opportunity to appear on behalf of my tribal clients, the Rosebud Sioux Tribe of South Dakota, the Standing Rock Sioux Tribe of North and South Dakota, the Assiniboine and Sioux Tribes of Montana, and the Shoshone Indian Tribe of Wyoming.

The tribes support H.R. 15122 and S. 1843 which are identical. The tribes are opposed to Congressman Berry's bill, 15419, insofar as it eliminates the most important feature of the proposed legislation, namely, amendment of Public Law 280 to require the consent of the tribe before State jurisdiction may be extended over Indians on the reservation.

S. 1843 was passed by the Senate on December 7, 1967 and the text of S. 1843 was included in H.R. 2516, the civil rights bill which passed the Senate on March 11, 1968. But the history of S. 1843 goes back to 1961, when the Senate Subcommittee on Constitutional Rights commenced extensive investigations into the constitutional rights of the American Indian. These investigations were prompted by complaints from individual Indians. About 2,000 questionnaires were issued. In 1961 hearings were held in Washington, California, Arizona, and New Mexico. In June 1962, hearings were held in Colorado and North and South Dakota and concluded in Washington in March 1963. Based on the findings resulting from the subcommittee's investigations, bills,