

of the tribe. Congressman Berry's bill omits this amendment of Public Law 280. I should like to dispose of the remaining sections of the bills and return to the title III amendment of Public Law 280.

Title IV and title V of S. 1843 and H.R. 15122 are relatively minor. Title IV is omitted from Congressman Berry's bill. Title IV would amend the U.S. criminal code by adding "assault resulting in bodily injury" as one of the major crimes within the exclusive jurisdiction of the Federal courts. Title V concerns approval of contracts between attorneys and Indian tribes. As to these two titles, my clients have not expressed either support or objection.

Title VI of S. 1843 and H.R. 15122 directs the Secretary of the Interior to revise and extend Kappler's "Indian Affairs, Laws and Treaties" and keep it current, to update the handbook on "Federal Indian Law," and to prepare a compilation of the published and unpublished opinions of the Department relating to Indian affairs. Congress, the tribes, the bar, the courts, and the Department itself have great need for such a work.

Congressman Berry's bill authorizes the Secretary to publish and keep current on an annual basis, Kappler's work. The difficulty is that Kappler's volumes are not complete for the period they cover. Also, some items omitted from earlier volumes were added in later volumes and are not in chronological order. For that reason a revision is needed as provided in S. 1843 and H.R. 15122.

I should like to return to title III of S. 1843 and H.R. 15122, modifying Public Law 280. Title III would require tribal consent before State jurisdiction could be imposed on Indians residing in Indian country. It would apply to those tribes where State jurisdiction has not already been lawfully extended. It is the most significant feature of the bills and of the greatest importance to Indians.

Public Law 280* permits State sovereignty to be imposed on Indian people residing in Indian country without their consent. Of all Indian legislation on the books there is none better known to Indians, or more generally despised, than Public Law 280. The most objectionable provisions of Public Law 280 are those contained in sections 6 and 7. These provisions were inserted in committee without an opportunity for the tribes affected by those sections to be heard. When the legislation was sent to President Eisenhower for signature, the tribes bitterly protested the bill and urged veto. President Eisenhower recognized that the bill was contrary to principles of self-determination and standards of democracy that every American takes for granted. He characterized the bill as an "unchristianlike approach" at the time he signed it into law. President Eisenhower at the same time made clear that he expected the next Congress to rectify the wrong, at least by requiring "consultation." But although bills to amend Public Law 280 to require tribal consent have been introduced in almost every Congress since the 83d, the wrong has not been rectified.

Where States have tried to impose State jurisdiction under Public Law 280, the tribes I represent have resisted. In the last 9 years, a

*Act of Aug. 15, 1953, c. 505, 67 Stat. 588 (18 U.S.C. 1162, 28 U.S.C. 1360).