

**STATEMENT OF
THE UNITED STATES DEPARTMENT OF JUSTICE
TO THE
HOUSE COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON INDIAN, INSULAR AND ALASKA NATIVE AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES**

ON

H.R. 1074, TO REPEAL THE ACT ENTITLED “AN ACT TO CONFER JURISDICTION ON THE STATE OF IOWA OVER OFFENSES COMMITTED BY OR AGAINST INDIANS ON THE SAC AND FOX INDIAN RESERVATION.”

JUNE 7, 2017

Chairman LaMalfa, Ranking Member Torres, and members of the Subcommittee, the Department of Justice appreciates the opportunity to provide comments to the Subcommittee on H.R. 1074, a bill to repeal the Act entitled “An Act to Confer Jurisdiction on the State of Iowa Over Offenses Committed By Or Against Indians On The Sac And Fox Indian Reservation” referenced as 62 Stat. 1161, Chap. 759. The Department supports H.R. 1074.

The Department of Justice views tribes as partners in ensuring public safety in Indian country, and is committed to maximizing tribal control over tribal affairs. It is our belief, informed by experience, that challenges faced by the tribes are generally best met by tribal solutions. Our work to enhance public safety has been, and continues to be, shaped by our commitment to empowering tribal governments and to improving coordination and collaboration at the federal, tribal, state, and local levels. We believe that, by clarifying criminal jurisdiction on the Sac and Fox Indian Reservation, H.R. 1074 will enhance collaboration between the Tribe and the Federal government in criminal prosecutions.

H.R. 1074

As is made clear in its title, H.R.1074 is a bill to repeal an earlier act of Congress which conferred jurisdiction on the State of Iowa over crimes committed by or against Indians on the Reservation to the same extent as the State had jurisdiction over these offenses outside of the Reservation. As a result, the Tribe, Federal government, and State currently exercise concurrent jurisdiction over crimes on the Reservation. With passage of H.R. 1074, jurisdiction on the Sac and Fox Reservation over crimes involving Indian persons would be exclusive to either the Tribe or the Federal Government under the Major Crimes Act. As a result, jurisdiction on the Sac and Fox Reservation would be similar to that seen on many Reservations across the country. The Department is aware that both the Tribe and the State of Iowa seek the repeal of 62 Stat 1161 Chap. 759 and supports this legislation.

Impacts of the Department of Justice

If H.R. 1074 is enacted, we would expect that the U.S. Attorney's Office for the Northern District of Iowa would see an increase in the number of criminal prosecutions referred to the Office. We would also expect a corresponding increase in investigative demands on the Federal Bureau of Investigation.

Conclusion

In consideration of the support of the Tribe and the State, as well as the jurisdictional clarity this bill would bring, the Department of Justice supports passage of H.R. 1074.