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[CITE: 18USC1153]

TITLE 18--CRIMES AND CRIMINAL PROCEDURE

PART I--CRIMES

CHAPTER 53--INDIANS

Sec. 1153. Offenses committed within Indian country

(a) Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, kidnapping, maiming, a felony under chapter 109A, incest, assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title), an assault against an individual who has not attained the age of 16 years, arson, burglary, robbery, and a felony under section 661 of this title within the Indian country, shall be subject to the same law and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

(b) Any offense referred to in subsection (a) of this section that is not defined and punished by Federal law in force within the exclusive jurisdiction of the United States shall be defined and punished in accordance with the laws of the State in which such offense was committed as are in force at the time of such offense.

(June 25, 1948, ch. 645, 62 Stat. 758; May 24, 1949, ch. 139, Sec. 26, 63 Stat. 94; Pub. L. 89-707, Sec. 1, Nov. 2, 1966, 80 Stat. 1100; Pub. L. 90-284, title V, Sec. 501, Apr. 11, 1968, 82 Stat. 80; Pub. L. 94-297, Sec. 2, May 29, 1976, 90 Stat. 585; Pub. L. 98-473, title II, Sec. 1009, Oct. 12, 1984, 98 Stat. 2141; Pub. L. 99-303, May 15, 1986, 100 Stat. 438; Pub. L. 99-646, Sec. 87(c)(5), Nov. 10, 1986, 100 Stat. 3623; Pub. L. 99-654, Sec. 3(a)(5), Nov. 14, 1986, 100 Stat. 3663; Pub. L. 100-690, title VII, Sec. 7027, Nov. 18, 1988, 102 Stat. 4397; Pub. L. 103-322, title XVII, Sec. 170201(e), title XXXIII, Sec. 330021(1), Sept. 13, 1994, 108 Stat. 2043, 2150.)

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[CITE: 25USC232]

TITLE 25--INDIANS

CHAPTER 6--GOVERNMENT OF INDIAN COUNTRY AND RESERVATIONS

SUBCHAPTER I--GENERALLY

Sec. 232. Jurisdiction of New York State over offenses committed  
on reservations within State

The State of New York shall have jurisdiction over offenses committed by or against Indians on Indian reservations within the State of New York to the same extent as the courts of the State have jurisdiction over offenses committed elsewhere within the State as defined by the laws of the State: Provided, That nothing contained in this section shall be construed to deprive any Indian tribe, band, or community, or members thereof, \1\ hunting and fishing rights as guaranteed them by agreement, treaty, or custom, nor require them to obtain State fish and game licenses for the exercise of such rights.

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\1\ So in original. Probably should be followed by ``of''.  
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(July 2, 1948, ch. 809, 62 Stat. 1224.)

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TITLE 25--INDIANS

CHAPTER 6--GOVERNMENT OF INDIAN COUNTRY AND RESERVATIONS

SUBCHAPTER I--GENERALLY

Sec. 233. Jurisdiction of New York State courts in civil actions

The courts of the State of New York under the laws of such State shall have jurisdiction in civil actions and proceedings between Indians or between one or more Indians and any other person or persons to the same extent as the courts of the State shall have jurisdiction in other civil actions and proceedings, as now or hereafter defined by the laws of such State: Provided, That the governing body of any recognized tribe of Indians in the State of New York shall have the right to declare, by appropriate enactment prior to September 13, 1952, those tribal laws and customs which they desire to preserve, which, on certification to the Secretary of the Interior by the governing body of such tribe shall be published in the Federal Register and thereafter shall govern in all civil cases involving reservation Indians when the subject matter of such tribal laws and customs is involved or at issue, but nothing herein contained shall be construed to prevent such courts from recognizing and giving effect to any tribal law or custom which may be proven to the satisfaction of such courts: Provided further, That nothing in this section shall be construed to require any such tribe or the members thereof to obtain fish and game licenses from the State of New York for the exercise of any hunting and fishing rights provided for such Indians under any agreement, treaty, or custom: Provided further, That nothing herein contained shall be construed as subjecting the lands within any Indian reservation in the State of New York to taxation for State or local purposes, nor as subjecting any such lands, or any Federal or State annuity in favor of Indians or Indian tribes, to execution on any judgment rendered in the State courts, except in the enforcement of a judgment in a suit by one tribal member against another in the matter of the use or possession of land: And provided further, That nothing herein contained shall be construed as authorizing the alienation from any Indian nation, tribe, or band of Indians of any lands within any Indian reservation in the State of New York: Provided further, That nothing herein contained shall be construed as conferring jurisdiction on the courts of the State of New York or making applicable the laws of the

State of New York in civil actions involving Indian lands or claims with respect thereto which relate to transactions or events transpiring prior to September 13, 1952.

(Sept. 13, 1950, ch. 947, Sec. 1, 64 Stat. 845.)

#### Effective Date

Section 2 of act Sept. 13, 1950, provided: ``This Act [this section] shall take effect two years after the date of its passage [Sept. 13, 1950].''

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