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108TH CONGRESS
1ST SESSION

S. 523

[Report No. 108-49]

To make technical corrections to laws relating to Native Americans, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2003

Mr. CAMPBELL (for himself and Mr. INOUE) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

MAY 15, 2003

Reported by Mr. CAMPBELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To make technical corrections to laws relating to Native
Americans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the

5 ~~“Native American Technical Corrections Act of 2003”.~~

- 1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definition of Secretary.

TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS
 RELATING TO NATIVE AMERICANS

Subtitle A—Technical Amendments

- Sec. 101. Ute Mountain Ute Tribe; oil shale reserve.
 Sec. 102. Bosque Redondo Memorial Act.
 Sec. 103. Navajo-Hopi Land Settlement Act.
 Sec. 104. Cow Creek Band of Umpqua Indians.
 Sec. 105. Pueblo de Cochiti; modification of settlement.
 Sec. 106. Chippewa Cree Tribe; modification of settlement.
 Sec. 107. Mississippi Band of Choctaw Indians.

Subtitle B—Other Provisions Relating to Native Americans

- Sec. 111. Barona Band of Mission Indians; facilitation of construction of pipeline to provide water for emergency fire suppression and other purposes.
 Sec. 112. Conveyance of Native Alaskan objects.
 Sec. 113. Oglala Sioux Tribe; waiver of repayment of expert assistance loans.
 Sec. 114. Pueblo of Acoma; land and mineral consolidation.
 Sec. 115. Pueblo of Santo Domingo; waiver of repayment of expert assistance loans.
 Sec. 116. Quinault Indian Nation; water feasibility study.
 Sec. 117. Santee Sioux Tribe; study and report.
 Sec. 118. Seminole Tribe of Oklahoma; waiver of repayment of expert assistance loans.
 Sec. 119. Shakopee Mdewakanton Sioux Community.

TITLE II—PUEBLO OF SANTA CLARA AND PUEBLO OF SAN
 ILDEFONSO

- Sec. 201. Definitions.
 Sec. 202. Trust for the Pueblo of Santa Clara, New Mexico.
 Sec. 203. Trust for the Pueblo of San Ildefonso, New Mexico.
 Sec. 204. Survey and legal descriptions.
 Sec. 205. Administration of trust land.
 Sec. 206. Effect.
 Sec. 207. Gaming.

TITLE III—DISTRIBUTION OF QUINULT PERMANENT FISHERIES
 FUNDS

- Sec. 301. Distribution of judgment funds.
 Sec. 302. Conditions for distribution.

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, except as otherwise provided in this Act,
3 the term “Secretary” means the Secretary of the Interior.

4 **TITLE I—TECHNICAL AMEND-**
5 **MENTS AND OTHER PROVI-**
6 **SIONS RELATING TO NATIVE**
7 **AMERICANS**

8 **Subtitle A—Technical Amendments**

9 **SEC. 101. UTE MOUNTAIN UTE TRIBE; OIL SHALE RESERVE.**

10 Section 3405(e) of the Strom Thurmond National
11 Defense Authorization Act for Fiscal Year 1999 (10
12 U.S.C. 7420 note; Public Law 105–261) is amended by
13 striking paragraph (3) and inserting the following:

14 “(3) With respect to the land conveyed to the
15 Tribe under subsection (b)—

16 “(A) the land shall not be subject to any
17 Federal restriction on alienation; and

18 “(B) no grant, lease, exploration or devel-
19 opment agreement, or other conveyance of the
20 land (or any interest in the land) that is au-
21 thorized by the governing body of the Tribe
22 shall be subject to approval by the Secretary of
23 the Interior or any other Federal official.”.

24 **SEC. 102. BOSQUE REDONDO MEMORIAL ACT.**

25 Section 206 of the Bosque Redondo Memorial Act
26 (16 U.S.C. 431 note; Public Law 106–511) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “2000”
3 and inserting “2004”; and

4 (B) in paragraph (2), by striking “2001
5 and 2002” and inserting “2005 and 2006”;
6 and

7 (2) in subsection (b), by striking “2002” and
8 inserting “2007.”

9 **SEC. 103. NAVAJO-HOPI LAND SETTLEMENT ACT.**

10 Section 25(a)(8) of Public Law 93-531 (commonly
11 known as the “Navajo-Hopi Land Settlement Act of
12 1974”) (25 U.S.C. 640d-24(a)(8)) is amended by striking
13 “annually for fiscal years 1995, 1996, 1997, 1998, 1999,
14 and 2000” and inserting “for each of fiscal years 2003
15 through 2008”.

16 **SEC. 104. COW CREEK BAND OF UMPQUA INDIANS.**

17 Section 7 of the Cow Creek Band of Umpqua Tribe
18 of Indians Recognition Act (25 U.S.C. 712e) is amended
19 in the third sentence by inserting before the period at the
20 end the following: “, and shall be treated as on-reservation
21 land for the purpose of processing acquisitions of real
22 property into trust”.

1 **SEC. 105. PUEBLO DE COCHITI; MODIFICATION OF SETTLE-**
 2 **MENT.**

3 Section 1 of Public Law 102-358 (106 Stat. 960)
 4 is amended—

5 (1) by striking “implement the settlement” and
 6 inserting the following: “implement—

7 “(1) the settlement;”;

8 (2) by striking the period at the end and insert-
 9 ing “; and”; and

10 (3) by adding at the end the following:

11 “(2) the modifications regarding the use of the
 12 settlement funds as described in the agreement
 13 known as the ‘First Amendment to Operation and
 14 Maintenance Agreement for Implementation of
 15 Cochiti Wetlands Solution’, executed—

16 “(A) on October 22, 2001, by the Army
 17 Corps of Engineers;

18 “(B) on October 25, 2001, by the Pueblo
 19 de Cochiti of New Mexico; and

20 “(C) on November 8, 2001, by the Sec-
 21 retary of the Interior.”.

22 **SEC. 106. CHIPPEWA CREE TRIBE; MODIFICATION OF SET-**
 23 **TLEMENT.**

24 (a) IN GENERAL.—Section 101(b)(3) of the Chip-
 25 pewa Cree Tribe of The Rocky Boy’s Reservation Indian
 26 Reserved Water Rights Settlement and Water Supply En-

1 hancement Act of 1999 (Public Law 106-163; 113 Stat.
 2 1782) is amended by striking “3 years” and inserting “6
 3 years”.

4 (b) EFFECTIVE DATE.—The amendment made by
 5 subsection (a) shall apply to any decree described in sec-
 6 tion 101(b)(1) of the Chippewa Cree Tribe of The Rocky
 7 Boy’s Reservation Indian Reserved Water Rights Settle-
 8 ment and Water Supply Enhancement Act of 1999 (Public
 9 Law 106-163; 113 Stat. 1782) entered into on or after
 10 December 9, 1999.

11 **SEC. 107. MISSISSIPPI BAND OF CHOCTAW INDIANS.**

12 Section 1(a)(2) of Public Law 106-228 (114 Stat.
 13 462) is amended by striking “report entitled” and all that
 14 follows through “is hereby declared” and inserting the fol-
 15 lowing: “report entitled ‘Report of May 17, 2002, Clari-
 16 fying and Correcting Legal Descriptions or Recording In-
 17 formation for Certain Lands placed into Trust and Res-
 18 ervation Status for the Mississippi Band of Choctaw Indi-
 19 ans by Section 1(a)(2) of Pub. L. 106-228, as amended
 20 by Title VIII, Section 811 of Pub. L. 106-568’, on file
 21 in the Office of the Superintendent, Choctaw Agency, Bu-
 22 reau of Indian Affairs, Department of the Interior, is de-
 23 clared”.

1 **Subtitle B—Other Provisions**
 2 **Relating to Native Americans**

3 **SEC. 111. BARONA BAND OF MISSION INDIANS; FACILITA-**
 4 **TION OF CONSTRUCTION OF PIPELINE TO**
 5 **PROVIDE WATER FOR EMERGENCY FIRE SUP-**
 6 **PRESSION AND OTHER PURPOSES.**

7 (a) **IN GENERAL.**—Notwithstanding any other provi-
 8 sion of law, subject to valid existing rights under Federal
 9 and State law, and to any easements or similar restrictions
 10 which may be granted to the city of San Diego, California,
 11 for the construction, operation and maintenance of a pipe-
 12 line and related appurtenances and facilities for conveying
 13 water from the San Vicente Reservoir to the Barona In-
 14 dian Reservation, or for conservation, wildlife or habitat
 15 protection, or related purposes, the land described in sub-
 16 section (b), fee title to which is held by the Barona Band
 17 of Mission Indians of California (referred to in this section
 18 as the “Band”)—

19 (1) is declared to be held in trust by the United
 20 States for the benefit of the Band; and

21 (2) shall be considered to be a portion of the
 22 reservation of the Band.

23 (b) **LAND.**—The land referred to in subsection (a) is
 24 land comprising approximately 85 acres in San Diego
 25 County, California, and described more particularly as fol-

1 lows: San Bernardino Base and Meridian; T. 14 S., R.
 2 1 E.; sec. 21: W $\frac{1}{2}$ SE $\frac{1}{4}$, 68 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$, 17
 3 acres.

4 (c) GAMING.—The land taken into trust by sub-
 5 section (a) shall neither be considered to have been taken
 6 into trust for gaming, nor be used for gaming (as that
 7 term is used in the Indian Gaming Regulatory Act (25
 8 U.S.C. 2701 et seq.).

9 **SEC. 112. CONVEYANCE OF NATIVE ALASKAN OBJECTS.**

10 Notwithstanding any provision of law affecting the
 11 disposal of Federal property, on the request of the Chu-
 12 gach Alaska Corporation or Sealaska Corporation, the
 13 Secretary of Agriculture shall convey to whichever of those
 14 corporations that has received title to a cemetery site or
 15 historical place on National Forest System land conveyed
 16 under section 14(h)(1) of the Alaska Native Claims Settle-
 17 ment Act (43 U.S.C. 1613(h)(1)) all artifacts, physical re-
 18 mains, and copies of any available field records that—

19 (1)(A) are in the possession of the Secretary of
 20 Agriculture; and

21 (B) have been collected from the cemetery site
 22 or historical place; but

23 (2) are not required to be conveyed in accord-
 24 ance with the Native American Graves Protection

1 and Repatriation Act (25 U.S.C. 3001 et seq.) or
 2 any other applicable law.

3 **SEC. 113. OGLALA SIOUX TRIBE; WAIVER OF REPAYMENT**
 4 **OF EXPERT ASSISTANCE LOANS.**

5 Notwithstanding any other provision of law—

6 (1) the balances of all outstanding expert as-
 7 sistance loans made to the Oglala Sioux Tribe under
 8 Public Law 88-168 (77 Stat. 301), and relating to
 9 Oglala Sioux Tribe v. United States (Docket No.
 10 117 of the United States Court of Federal Claims);
 11 including all principal and interest, are canceled; and

12 (2) the Secretary shall take such action as is
 13 necessary to—

14 (A) document the cancellation under para-
 15 graph (1); and

16 (B) release the Oglala Sioux Tribe from
 17 any liability associated with any loan described
 18 in paragraph (1).

19 **SEC. 114. PUEBLO OF ACOMA; LAND AND MINERAL CON-**
 20 **SOLIDATION.**

21 (a) **DEFINITION OF BIDDING OR ROYALTY CRED-**
 22 **IT.**—The term “bidding or royalty credit” means a legal
 23 instrument or other written documentation, or an entry
 24 in an account managed by the Secretary, that may be used
 25 in lieu of any other monetary payment for—

1 (1) a bonus bid for a lease sale on the outer
2 Continental Shelf; or

3 (2) a royalty due on oil or gas production;
4 for any lease located on the outer Continental Shelf
5 outside the zone defined and governed by section
6 8(g)(2) of the Outer Continental Shelf Lands Act
7 (43 U.S.C. 1337(g)(2)).

8 (b) AUTHORITY.—Notwithstanding any other provi-
9 sion of law, the Secretary may acquire any nontribal inter-
10 est in or to land (including an interest in mineral or other
11 surface or subsurface rights) within the boundaries of the
12 Acoma Indian Reservation for the purpose of carrying out
13 Public Law 107–138 (116 Stat. 6) by issuing bidding or
14 royalty credits under this section in an amount equal to
15 the value of the interest acquired by the Secretary, as de-
16 termined under section 1(a) of Public Law 107–138 (116
17 Stat. 6).

18 (c) USE OF BIDDING AND ROYALTY CREDITS.—On
19 issuance by the Secretary of a bidding or royalty credit
20 under subsection (b), the bidding or royalty credit—

21 (1) may be freely transferred to any other per-
22 son (except that, before any such transfer, the trans-
23 feror shall notify the Secretary of the transfer by
24 such method as the Secretary may specify); and

1 (2) shall remain available for use by any other
2 person during the 5-year period beginning on the
3 date of issuance by the Secretary of the bidding or
4 royalty credit.

5 **SEC. 115. PUEBLO OF SANTO DOMINGO; WAIVER OF REPAY-**
6 **MENT OF EXPERT ASSISTANCE LOANS.**

7 Notwithstanding any other provision of law—

8 (1) the balances of all expert assistance loans
9 made to the Pueblo of Santo Domingo under Public
10 Law 88–168 (77 Stat. 301), and relating to Pueblo
11 of Santo Domingo v. United States (Docket No. 355
12 of the United States Court of Federal Claims), in-
13 cluding all principal and interest, are canceled; and

14 (2) the Secretary shall take such action as is
15 necessary to—

16 (A) document the cancellation under para-
17 graph (1); and

18 (B) release the Pueblo of Santo Domingo
19 from any liability associated with any loan de-
20 scribed in paragraph (1).

21 **SEC. 116. QUINAULT INDIAN NATION; WATER FEASIBILITY**
22 **STUDY.**

23 (a) **IN GENERAL.**—The Secretary may carry out a
24 water source, quantity, and quality feasibility study for the
25 Quinalt Indian Nation, to identify ways to meet the cur-

1 rent and future domestic and commercial water supply
2 and distribution needs of the Quinault Indian Nation on
3 the Olympic Peninsula, Washington.

4 (b) PUBLIC AVAILABILITY OF RESULTS.—As soon as
5 practicable after completion of a feasibility study under
6 subsection (a), the Secretary shall—

7 (1) publish in the Federal Register a notice of
8 the availability of the results of the feasibility study;
9 and

10 (2) make available to the public, on request, the
11 results of the feasibility study.

12 **SEC. 117. SANTEE SIOUX TRIBE; STUDY AND REPORT.**

13 (a) STUDY.—Pursuant to reclamation laws, the Sec-
14 retary, acting through the Bureau of Reclamation and in
15 consultation with the Santee Sioux Tribe of Nebraska (re-
16 ferred to in this subtitle as the “Tribe”), shall conduct
17 a feasibility study to determine the most feasible method
18 of developing a safe and adequate municipal, rural, and
19 industrial water treatment and distribution system for the
20 Santee Sioux Tribe of Nebraska that could serve the tribal
21 community and adjacent communities and incorporate
22 population growth and economic development activities for
23 a period of 40 years.

24 (b) COOPERATIVE AGREEMENT.—At the request of
25 the Tribe, the Secretary shall enter into a cooperative

1 agreement with the Tribe for activities necessary to con-
 2 duct the study required by subsection (a) regarding which
 3 the Tribe has unique expertise or knowledge.

4 (c) REPORT.—Not later than 1 year after funds are
 5 made available to carry out this subtitle, the Secretary
 6 shall submit to Congress a report containing the results
 7 of the study required by subsection (a).

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
 9 authorized to be appropriated to the Secretary to carry
 10 out this section \$500,000, to remain available until ex-
 11 pended.

12 **SEC. 118. SEMINOLE TRIBE OF OKLAHOMA; WAIVER OF RE-**
 13 **PAYMENT OF EXPERT ASSISTANCE LOANS.**

14 Notwithstanding any other provision of law—

15 (1) the balances of all outstanding expert as-
 16 sistance loans made to the Seminole Tribe of Okla-
 17 homa under Public Law 88–168 (77 Stat. 301), and
 18 relating to Seminole Tribe of Oklahoma v. United
 19 States (Docket No. 247 of the United States Court
 20 of Federal Claims), including all principal and inter-
 21 est, are canceled; and

22 (2) the Secretary shall take such action as is
 23 necessary to—

24 (A) document the cancellation under para-
 25 graph (1); and

1 ~~(B)~~ release the Seminole Tribe of Okla-
2 homa from any liability associated with any
3 loan described in paragraph ~~(1)~~.

4 **SEC. 119. SHAKOPEE MDEWAKANTON SIOUX COMMUNITY.**

5 ~~(a) IN GENERAL.—~~Notwithstanding any other provi-
6 sion of law, without further authorization by the United
7 States, the Shakopee Mdewakanton Sioux Community in
8 the State of Minnesota (referred to in this section as the
9 “Community”) may lease, sell, convey, warrant, or other-
10 wise transfer all or any part of the interest of the Commu-
11 nity in or to any real property that is not held in trust
12 by the United States for the benefit of the Community.

13 ~~(b) NO EFFECT ON TRUST LAND.—~~Nothing in this
14 section—

15 ~~(1)~~ authorizes the Community to lease, sell,
16 convey, warrant, or otherwise transfer all or part of
17 an interest in any real property that is held in trust
18 by the United States for the benefit of the Commu-
19 nity; or

20 ~~(2)~~ affects the operation of any law governing
21 leasing, selling, conveying, warranting, or otherwise
22 transferring any interest in that trust land.

1 **TITLE II—PUEBLO OF SANTA**
 2 **CLARA AND PUEBLO OF SAN**
 3 **ILDEFONSO**

4 **SEC. 201. DEFINITIONS.**

5 In this title:

6 (1) **AGREEMENT.**—The term “Agreement”
 7 means the agreement entitled “Agreement to Affirm
 8 Boundary Between Pueblo of Santa Clara and Pueb-
 9 lo of San Ildefonso Aboriginal Lands Within Garcia
 10 Canyon Tract”, entered into by the Governors on
 11 December 20, 2000.

12 (2) **BOUNDARY LINE.**—The term “boundary
 13 line” means the boundary line established under sec-
 14 tion 204(a).

15 (3) **GOVERNORS.**—The term “Governors”
 16 means—

17 (A) the Governor of the Pueblo of Santa
 18 Clara, New Mexico; and

19 (B) the Governor of the Pueblo of San
 20 Ildefonso, New Mexico.

21 (4) **INDIAN TRIBE.**—The term “Indian tribe”
 22 has the meaning given the term in section 4 of the
 23 Indian Self-Determination and Education Assistance
 24 Act (25 U.S.C. 450b).

25 (5) **PUEBLOS.**—The term “Pueblos” means—

1 (A) the Pueblo of Santa Clara, New Mex-
2 ico; and

3 (B) the Pueblo of San Hdefonso, New Mex-
4 ico.

5 (6) TRUST LAND.—The term “trust land”
6 means the land held by the United States in trust
7 under section 202(a) or 203(a).

8 **SEC. 202. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW**
9 **MEXICO.**

10 (a) IN GENERAL.—All right, title, and interest of the
11 United States in and to the land described in subsection
12 (b), including improvements on, appurtenances to, and
13 mineral rights (including rights to oil and gas) to the land,
14 shall be held by the United States in trust for the Pueblo
15 of Santa Clara, New Mexico.

16 (b) DESCRIPTION OF LAND.—The land referred to in
17 subsection (a) consists of approximately 2,484 acres of
18 Bureau of Land Management land located in Rio Arriba
19 County, New Mexico, and more particularly described
20 as—

21 (1) the portion of T. 20 N., R. 7 E., sec. 22,
22 New Mexico Principal Meridian, that is located
23 north of the boundary line;

24 (2) the southern half of T. 20 N., R. 7 E., sec.
25 23, New Mexico Principal Meridian;

1 (3) the southern half of T. 20 N., R. 7 E., sec.
2 24, New Mexico Principal Meridian;

3 (4) T. 20 N., R. 7 E., sec. 25, excluding the 5-
4 acre tract in the southeast quarter owned by the
5 Pueblo of San Hdefonso;

6 (5) the portion of T. 20 N., R. 7 E., sec. 26,
7 New Mexico Principal Meridian, that is located
8 north and east of the boundary line;

9 (6) the portion of T. 20 N., R. 7 E., sec. 27,
10 New Mexico Principal Meridian, that is located
11 north of the boundary line;

12 (7) the portion of T. 20 N., R. 8 E., sec. 19,
13 New Mexico Principal Meridian, that is not included
14 in the Santa Clara Pueblo Grant or the Santa Clara
15 Indian Reservation; and

16 (8) the portion of T. 20 N., R. 8 E., sec. 30,
17 that is not included in the Santa Clara Pueblo Grant
18 or the San Hdefonso Grant.

19 **SEC. 203. TRUST FOR THE PUEBLO OF SAN ILDEFONSO,**
20 **NEW MEXICO.**

21 (a) **IN GENERAL.**—All right, title, and interest of the
22 United States in and to the land described in subsection
23 (b), including improvements on, appurtenances to, and
24 mineral rights (including rights to oil and gas) to the land,

1 shall be held by the United States in trust for the Pueblo
2 of San Hdefonso, New Mexico.

3 (b) DESCRIPTION OF LAND.—The land referred to in
4 subsection (a) consists of approximately 2,000 acres of
5 Bureau of Land Management land located in Rio Arriba
6 County and Santa Fe County in the State of New Mexico,
7 and more particularly described as—

8 (1) the portion of T. 20 N., R. 7 E., sec. 22,
9 New Mexico Principal Meridian, that is located
10 south of the boundary line;

11 (2) the portion of T. 20 N., R. 7 E., sec. 26,
12 New Mexico Principal Meridian, that is located
13 south and west of the boundary line;

14 (3) the portion of T. 20 N., R. 7 E., sec. 27,
15 New Mexico Principal Meridian, that is located
16 south of the boundary line;

17 (4) T. 20 N., R. 7 E., sec. 34, New Mexico
18 Principal Meridian; and

19 (5) the portion of T. 20 N., R. 7 E., sec. 35,
20 New Mexico Principal Meridian, that is not included
21 in the San Hdefonso Pueblo Grant.

22 **SEC. 204. SURVEY AND LEGAL DESCRIPTIONS.**

23 (a) SURVEY.—Not later than 180 days after the date
24 of enactment of this Act, the Office of Cadastral Survey
25 of the Bureau of Land Management shall, in accordance

1 with the Agreement, complete a survey of the boundary
 2 line established under the Agreement for the purpose of
 3 establishing, in accordance with sections 3102(b) and
 4 3103(b), the boundaries of the trust land.

5 (b) LEGAL DESCRIPTIONS.—

6 (1) PUBLICATION.—On approval by the Gov-
 7 ernors of the survey completed under subsection (a),
 8 the Secretary shall publish in the Federal Register—

9 (A) a legal description of the boundary
 10 line; and

11 (B) legal descriptions of the trust land.

12 (2) TECHNICAL CORRECTIONS.—Before the
 13 date on which the legal descriptions are published
 14 under paragraph (1)(B), the Secretary may correct
 15 any technical errors in the descriptions of the trust
 16 land provided in sections 3102(b) and 3103(b) to
 17 ensure that the descriptions are consistent with the
 18 terms of the Agreement.

19 (3) EFFECT.—Beginning on the date on which
 20 the legal descriptions are published under paragraph
 21 (1)(B), the legal descriptions shall be the official
 22 legal descriptions of the trust land.

23 **SEC. 205. ADMINISTRATION OF TRUST LAND.**

24 (a) IN GENERAL.—Effective beginning on the date
 25 of enactment of this Act—

1 (1) the land held in trust under section 202(a)
2 shall be declared to be a part of the Santa Clara In-
3 dian Reservation; and

4 (2) the land held in trust under section 203(a)
5 shall be declared to be a part of the San Ildefonso
6 Indian Reservation.

7 (b) APPLICABLE LAW.—

8 (1) IN GENERAL.—The trust land shall be ad-
9 ministered in accordance with any law (including
10 regulations) or court order generally applicable to
11 property held in trust by the United States for In-
12 dian tribes.

13 (2) PUEBLO LANDS ACT.—The following shall
14 be subject to section 17 of the Act of June 7, 1924
15 (commonly known as the “Pueblo Lands Act”) (25
16 U.S.C. 331 note):

17 (A) The trust land.

18 (B) Any land owned as of the date of en-
19 actment of this Act or acquired after the date
20 of enactment of this Act by the Pueblo of Santa
21 Clara in the Santa Clara Pueblo Grant.

22 (C) Any land owned as of the date of en-
23 actment of this Act or acquired after the date
24 of enactment of this Act by the Pueblo of San
25 Ildefonso in the San Ildefonso Pueblo Grant.

1 (c) USE OF TRUST LAND.—

2 (1) IN GENERAL.—Subject to the criteria devel-
3 oped under paragraph (2), the trust land may be
4 used only for—

5 (A) traditional and customary uses; or

6 (B) stewardship conservation for the ben-
7 efit of the Pueblo for which the trust land is
8 held in trust.

9 (2) CRITERIA.—The Secretary shall work with
10 the Pueblos to develop appropriate criteria for using
11 the trust land in a manner that preserves the trust
12 land for traditional and customary uses or steward-
13 ship conservation.

14 (3) LIMITATION.—Beginning on the date of en-
15 actment of this Act, the trust land shall not be used
16 for any new commercial developments.

17 **SEC. 206. EFFECT.**

18 Nothing in this title—

19 (1) affects any valid right-of-way, lease, permit,
20 mining claim, grazing permit, water right, or other
21 right or interest of a person or entity (other than
22 the United States) that is—

23 (A) in or to the trust land; and

24 (B) in existence before the date of enact-
25 ment of this Act;

1 (2) enlarges, impairs, or otherwise affects a
2 right or claim of the Pueblos to any land or interest
3 in land that is—

4 (A) based on Aboriginal or Indian title;
5 and

6 (B) in existence before the date of enact-
7 ment of this Act;

8 (3) constitutes an express or implied reservation
9 of water or water right with respect to the trust
10 land; or

11 (4) affects any water right of the Pueblos in ex-
12 istence before the date of enactment of this Act.

13 **SEC. 207. GAMING.**

14 Land taken into trust under this title shall neither
15 be considered to have been taken into trust, nor be used
16 for, gaming (as that term is used in the Indian Gaming
17 Regulatory Act (25 U.S.C. 2701 et seq.)).

18 **TITLE III—DISTRIBUTION OF**
19 **QUINALT PERMANENT FISH-**
20 **ERIES FUNDS**

21 **SEC. 301. DISTRIBUTION OF JUDGMENT FUNDS.**

22 (a) FUNDS TO BE DEPOSITED INTO SEPARATE AC-
23 COUNTS.—

24 (1) IN GENERAL.—Subject to section 302, not
25 later than 30 days after the date of enactment of

1 this Act, the funds appropriated on September 19,
 2 1989, in satisfaction of an award granted to the
 3 Quinault Indian Nation under Dockets ~~772-71,~~
 4 ~~773-71, 774-71,~~ and ~~775-71~~ before the United
 5 States Claims Court, less attorney fees and litigation
 6 expenses, and including all interest accrued to the
 7 date of disbursement, shall be distributed by the
 8 Secretary and deposited into ~~3~~ separate accounts to
 9 be established and maintained by the Quinault In-
 10 dian Nation (referred to in this title as the “Tribe”)
 11 in accordance with this subsection.

12 ~~(2) ACCOUNT FOR PRINCIPAL AMOUNT.—~~

13 ~~(A) IN GENERAL.—The Tribe shall—~~

14 ~~(i) establish an account for the prin-~~
 15 ~~cipal amount of the judgment funds; and~~

16 ~~(ii) use those funds to establish a Per-~~
 17 ~~manent Fisheries Fund.~~

18 ~~(B) USE AND INVESTMENT.—The prin-~~
 19 ~~cipal amount described in subparagraph~~

20 ~~(A)(i)—~~

21 ~~(i) except as provided in subparagraph~~

22 ~~(A)(ii), shall not be expended by the Tribe;~~

23 ~~and~~

1 (ii) shall be invested by the Tribe in
2 accordance with the investment policy of
3 the Tribe.

4 ~~(2)~~ ACCOUNT FOR INVESTMENT INCOME.—

5 (A) IN GENERAL.—The Tribe shall estab-
6 lish an account for, and deposit in the account,
7 all investment income earned on amounts in the
8 Permanent Fisheries Fund established under
9 paragraph ~~(2)~~(A)(ii) after the date of distribu-
10 tion of the funds to the Tribe under paragraph
11 ~~(1)~~.

12 (B) USE OF FUNDS.—Funds deposited in
13 the account established under subparagraph (A)
14 shall be available to the Tribe—

15 (i) subject to subparagraph (C), to
16 carry out fisheries enhancement projects;
17 and

18 (ii) pay expenses incurred in admin-
19 istering the Permanent Fisheries Fund es-
20 tablished under paragraph ~~(2)~~(A)(ii).

21 (C) SPECIFICATION OF PROJECTS.—Each
22 fisheries enhancement project carried out under
23 subparagraph (B)(i) shall be specified in the
24 approved annual budget of the Tribe.

1 (4) ACCOUNT FOR INCOME ON JUDGMENT
2 FUNDS.—

3 (A) IN GENERAL.—The Tribe shall estab-
4 lish an account for, and deposit in the account,
5 all investment income earned on the judgment
6 funds described in subsection (a) during the pe-
7 riod beginning on September 19, 1989, and
8 ending on the date of distribution of the funds
9 to the Tribe under paragraph (1).

10 (B) USE OF FUNDS.—

11 (i) IN GENERAL.—Subject to clause
12 (ii), funds deposited in the account estab-
13 lished under subparagraph (A) shall be
14 available to the Tribe for use in carrying
15 out tribal government activities.

16 (ii) SPECIFICATION OF ACTIVITIES.—
17 Each tribal government activity carried out
18 under clause (i) shall be specified in the
19 approved annual budget of the Tribe.

20 (b) DETERMINATION OF AMOUNT OF FUNDS AVAIL-
21 ABLE.—Subject to compliance by the Tribe with para-
22 graphs (3)(C) and (4)(B)(ii) of subsection (a), the
23 Quinault Business Committee, as the governing body of
24 the Tribe, may determine the amount of funds available

1 for expenditure under paragraphs (3) and (4) of sub-
 2 section (a).

3 (c) ANNUAL AUDIT.—The records and investment ac-
 4 tivities of the 3 accounts established under subsection (a)
 5 shall—

6 (1) be maintained separately by the Tribe; and

7 (2) be subject to an annual audit.

8 (d) REPORTING OF INVESTMENT ACTIVITIES AND
 9 EXPENDITURES.—Not later than 120 days after the date
 10 on which each fiscal year of the Tribe ends, the Tribe shall
 11 make available to members of the Tribe a full accounting
 12 of the investment activities and expenditures of the Tribe
 13 with respect to each fund established under this section
 14 (which may be in the form of the annual audit described
 15 in subsection (c)) for the fiscal year.

16 **SEC. 302. CONDITIONS FOR DISTRIBUTION.**

17 (a) UNITED STATES LIABILITY.—On disbursement
 18 to the Tribe of the funds under section 301(a), the United
 19 States shall bear no trust responsibility or liability for the
 20 investment, supervision, administration, or expenditure of
 21 the funds.

22 (b) APPLICATION OF OTHER LAW.—All funds dis-
 23 tributed under this title shall be subject to section 7 of
 24 the Indian Tribal Judgment Funds Use or Distribution
 25 Act (25 U.S.C. 1407).

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*
 3 *tive American Technical Corrections Act of 2003”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 5 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

**TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS
 RELATING TO NATIVE AMERICANS**

Subtitle A—Technical Amendments

Sec. 101. Bosque Redondo Memorial Act.

Sec. 102. Navajo-Hopi Land Settlement Act.

Sec. 103. Tribal sovereignty.

Sec. 104. Cow Creek Band of Umpqua Indians.

Sec. 105. Pueblo de Cochiti; modification of settlement.

Sec. 106. Four Corners Interpretive Center.

Sec. 107. Chippewa Cree Tribe; modification of settlement.

Sec. 108. Mississippi Band of Choctaw Indians.

Sec. 109. Rehabilitation of Celilo Indian Village.

Sec. 110. Inheritance of certain trust or restricted land.

Subtitle B—Other Provisions Relating to Native Americans

Sec. 121. Barona Band of Mission Indians; facilitation of construction of pipe-
line to provide water for emergency fire suppression and other
purposes.

Sec. 122. Conveyance of Native Alaskan objects.

Sec. 123. Oglala Sioux Tribe; waiver of repayment of expert assistance loans.

Sec. 124. Pueblo of Acoma; land and mineral consolidation.

Sec. 125. Pueblo of Santo Domingo; waiver of repayment of expert assistance
loans.

Sec. 126. Quinault Indian Nation; water feasibility study.

Sec. 127. Santee Sioux Tribe; study and report.

Sec. 128. Seminole Tribe of Oklahoma; waiver of repayment of expert assistance
loans.

Sec. 129. Shakopee Mdewakanton Sioux Community.

Sec. 130. Agua Caliente Band of Cahuilla Indians.

Sec. 131. Saginaw Chippewa Tribal College.

Sec. 132. Ute Indian Tribe; oil shale reserve.

**TITLE II—PUEBLO OF SANTA CLARA AND PUEBLO OF SAN
 ILDEFONSO**

Sec. 201. Definitions.

Sec. 202. Trust for the Pueblo of Santa Clara, New Mexico.

Sec. 203. Trust for the Pueblo of San Ildefonso, New Mexico.

Sec. 204. Survey and legal descriptions.

Sec. 205. Administration of trust land.

Sec. 206. Effect.
Sec. 207. Gaming.

TITLE III—DISTRIBUTION OF QUINULT PERMANENT FISHERIES FUNDS

Sec. 301. Distribution of judgment funds.
Sec. 302. Conditions for distribution.

1 SEC. 2. DEFINITION OF SECRETARY.

2 *In this Act, except as otherwise provided in this Act,*
 3 *the term “Secretary” means the Secretary of the Interior.*

4 **TITLE I—TECHNICAL AMEND-**
 5 **MENTS AND OTHER PROVI-**
 6 **SIONS RELATING TO NATIVE**
 7 **AMERICANS**

8 **Subtitle A—Technical Amendments**

9 **SEC. 101. BOSQUE REDONDO MEMORIAL ACT.**

10 *Section 206 of the Bosque Redondo Memorial Act (16*
 11 *U.S.C. 431 note; Public Law 106–511) is amended—*

12 *(1) in subsection (a)—*

13 *(A) in paragraph (1), by striking “2000”*
 14 *and inserting “2004”; and*

15 *(B) in paragraph (2), by striking “2001*
 16 *and 2002” and inserting “2005 and 2006”; and*

17 *(2) in subsection (b), by striking “2002” and in-*
 18 *serting “2007.”.*

19 **SEC. 102. NAVAJO-HOPI LAND SETTLEMENT ACT.**

20 *Section 25(a)(8) of Public Law 93–531 (commonly*
 21 *known as the “Navajo-Hopi Land Settlement Act of 1974”)*
 22 *(25 U.S.C. 640d–24(a)(8)) is amended by striking “annu-*

1 *ally for fiscal years 1995, 1996, 1997, 1998, 1999, and*
 2 *2000” and inserting “for each of fiscal years 2003 through*
 3 *2008”.*

4 ***SEC. 103. TRIBAL SOVEREIGNTY.***

5 *Section 16 of the Act of June 18, 1934 (25 U.S.C. 476),*
 6 *is amended by adding at the end the following:*

7 *“(h) TRIBAL SOVEREIGNTY.—Notwithstanding any*
 8 *other provision of this Act—*

9 *“(1) each Indian tribe shall retain inherent sov-*
 10 *ereign power to adopt governing documents under*
 11 *procedures other than those specified in this section;*
 12 *and*

13 *“(2) nothing in this Act invalidates any con-*
 14 *stitution or other governing document adopted by an*
 15 *Indian tribe after June 18, 1934, in accordance with*
 16 *the authority described in paragraph (1).”.*

17 ***SEC. 104. COW CREEK BAND OF UMPQUA INDIANS.***

18 *Section 7 of the Cow Creek Band of Umpqua Tribe*
 19 *of Indians Recognition Act (25 U.S.C. 712e) is amended*
 20 *in the third sentence by inserting before the period at the*
 21 *end the following: “, and shall be treated as on-reservation*
 22 *land for the purpose of processing acquisitions of real prop-*
 23 *erty into trust”.*

1 **SEC. 105. PUEBLO DE COCHITI; MODIFICATION OF SETTLE-**
 2 **MENT.**

3 *Section 1 of Public Law 102–358 (106 Stat. 960) is*
 4 *amended—*

5 *(1) by striking “implement the settlement” and*
 6 *inserting the following: “implement—*

7 *“(1) the settlement;”;*

8 *(2) by striking the period at the end and insert-*
 9 *ing “; and”; and*

10 *(3) by adding at the end the following:*

11 *“(2) the modifications regarding the use of the*
 12 *settlement funds as described in the agreement known*
 13 *as the ‘First Amendment to Operation and Mainte-*
 14 *nance Agreement for Implementation of Cochiti Wet-*
 15 *lands Solution’, executed—*

16 *“(A) on October 22, 2001, by the Army*
 17 *Corps of Engineers;*

18 *“(B) on October 25, 2001, by the Pueblo de*
 19 *Cochiti of New Mexico; and*

20 *“(C) on November 8, 2001, by the Secretary*
 21 *of the Interior.”.*

22 **SEC. 106. FOUR CORNERS INTERPRETIVE CENTER.**

23 *Section 7 of the Four Corners Interpretive Center Act*
 24 *(113 Stat. 1706) is amended—*

25 *(1) in subsection (a)(2), by striking “2005” and*
 26 *inserting “2008”;*

1 (2) *in subsection (b), by striking “2002” and in-*
 2 *serting “2005”; and*

3 (3) *in subsection (c), by striking “2001” and in-*
 4 *serting “2004”.*

5 **SEC. 107. CHIPPEWA CREE TRIBE; MODIFICATION OF SET-**
 6 **TLEMENT.**

7 (a) *IN GENERAL.*—*Section 101(b)(3) of the Chippewa*
 8 *Cree Tribe of The Rocky Boy’s Reservation Indian Reserved*
 9 *Water Rights Settlement and Water Supply Enhancement*
 10 *Act of 1999 (Public Law 106–163; 113 Stat. 1782) is*
 11 *amended by striking “3 years” and inserting “6 years”.*

12 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
 13 *section (a) shall apply to any decree described in section*
 14 *101(b)(1) of the Chippewa Cree Tribe of The Rocky Boy’s*
 15 *Reservation Indian Reserved Water Rights Settlement and*
 16 *Water Supply Enhancement Act of 1999 (Public Law 106–*
 17 *163; 113 Stat. 1782) entered into on or after December 9,*
 18 *1999.*

19 **SEC. 108. MISSISSIPPI BAND OF CHOCTAW INDIANS.**

20 *Section 1(a)(2) of Public Law 106–228 (114 Stat. 462)*
 21 *is amended by striking “report entitled” and all that follows*
 22 *through “is hereby declared” and inserting the following:*
 23 *“report entitled ‘Report of May 17, 2002, Clarifying and*
 24 *Correcting Legal Descriptions or Recording Information for*
 25 *Certain Lands placed into Trust and Reservation Status*

1 *for the Mississippi Band of Choctaw Indians by section*
 2 *1(a)(2) of Public Law 106–228, as amended by title VIII,*
 3 *section 811 of Public Law 106–568’, on file in the Office*
 4 *of the Superintendent, Choctaw Agency, Bureau of Indian*
 5 *Affairs, Department of the Interior, is declared”.*

6 **SEC. 109. REHABILITATION OF CELILO INDIAN VILLAGE.**

7 *Section 401(b)(3) of Public Law 100–581 (102 Stat.*
 8 *2944) is amended by inserting “and Celilo Village” after*
 9 *“existing sites”.*

10 **SEC. 110. INHERITANCE OF CERTAIN TRUST OR RE-**
 11 **STRICED LAND.**

12 *(a) IN GENERAL.—Section 5 of Public Law 98–513*
 13 *(98 Stat. 2413) is amended to read as follows:*

14 **“SEC. 5. INHERITANCE OF CERTAIN TRUST OR RESTRICTED**
 15 **LAND.**

16 *“(a) IN GENERAL.—Notwithstanding any other provi-*
 17 *sion of this Act—*

18 *“(1) the owner of an interest in trust or re-*
 19 *stricted land within the reservation may not devise*
 20 *an interest (including a life estate under section 4) in*
 21 *the land that is less than 2.5 acres to more than 1*
 22 *tribal member unless each tribal member already*
 23 *holds an interest in that land; and*

24 *“(2) any interest in trust or restricted land*
 25 *within the reservation that is less than 2.5 acres that*

1 *would otherwise pass by intestate succession (includ-*
 2 *ing a life estate in the land under section 4), or that*
 3 *is devised to more than 1 tribal member that is not*
 4 *described in paragraph (1), shall revert to the Indian*
 5 *tribe, to be held in the name of the United States in*
 6 *trust for the Indian tribe.*

7 *“(b) NOTICE.—*

8 *“(1) IN GENERAL.—Not later than 180 days*
 9 *after the date of enactment of the Indian Probate Re-*
 10 *form Act of 2003, the Secretary shall provide notice*
 11 *to owners of trust or restricted land within the Lake*
 12 *Traverse Reservation of the provisions of this section*
 13 *by—*

14 *“(A) direct mail;*

15 *“(B) publication in the Federal Register; or*

16 *“(C) publication in local newspapers.*

17 *“(2) CERTIFICATION.—After providing notice*
 18 *under paragraph (1), the Secretary shall—*

19 *“(A) certify that the requirements of this*
 20 *subsection have been met; and*

21 *“(B) shall publish notice of that certifi-*
 22 *cation in the Federal Register.”.*

23 *(b) APPLICABILITY.—This section and the amendment*
 24 *made by this section shall not apply with respect to the*
 25 *estate of any person who dies before the date that is 1 year*

1 *after the date on which the Secretary makes the required*
 2 *certification under section 5(b) of Public Law 98–513 (98*
 3 *Stat. 2413) (as amended by subsection (a)).*

4 ***Subtitle B—Other Provisions***
 5 ***Relating to Native Americans***

6 ***SEC. 121. BARONA BAND OF MISSION INDIANS; FACILITA-***
 7 ***TION OF CONSTRUCTION OF PIPELINE TO***
 8 ***PROVIDE WATER FOR EMERGENCY FIRE SUP-***
 9 ***PRESSION AND OTHER PURPOSES.***

10 *(a) IN GENERAL.—Notwithstanding any other provi-*
 11 *sion of law, subject to valid existing rights under Federal*
 12 *and State law, and to any easements or similar restrictions*
 13 *which may be granted to the city of San Diego, California,*
 14 *for the construction, operation and maintenance of a pipe-*
 15 *line and related appurtenances and facilities for conveying*
 16 *water from the San Vicente Reservoir to the Barona Indian*
 17 *Reservation, or for conservation, wildlife or habitat protec-*
 18 *tion, or related purposes, the land described in subsection*
 19 *(b), fee title to which is held by the Barona Band of Mission*
 20 *Indians of California (referred to in this section as the*
 21 *“Band”)—*

22 *(1) is declared to be held in trust by the United*
 23 *States for the benefit of the Band; and*

24 *(2) shall be considered to be a portion of the res-*
 25 *ervation of the Band.*

1 (b) *LAND.*—*The land referred to in subsection (a) is*
 2 *land comprising approximately 85 acres in San Diego*
 3 *County, California, and described more particularly as fol-*
 4 *lows: San Bernardino Base and Meridian; T. 14 S., R. 1*
 5 *E.; sec. 21: W^{1/2} SE^{1/4}, 68 acres; NW^{1/4} NW^{1/4}, 17 acres.*

6 (c) *GAMING.*—*The land taken into trust by subsection*
 7 *(a) shall neither be considered to have been taken into trust*
 8 *for gaming, nor be used for gaming (as that term is used*
 9 *in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et*
 10 *seq.).*

11 ***SEC. 122. CONVEYANCE OF NATIVE ALASKAN OBJECTS.***

12 *Notwithstanding any provision of law affecting the*
 13 *disposal of Federal property, on the request of the Chugach*
 14 *Alaska Corporation or Sealaska Corporation, the Secretary*
 15 *of Agriculture shall convey to whichever of those corpora-*
 16 *tions that has received title to a cemetery site or historical*
 17 *place on National Forest System land conveyed under sec-*
 18 *tion 14(h)(1) of the Alaska Native Claims Settlement Act*
 19 *(43 U.S.C. 1613(h)(1)) all artifacts, physical remains, and*
 20 *copies of any available field records that—*

21 (1)(A) *are in the possession of the Secretary of*
 22 *Agriculture; and*

23 (B) *have been collected from the cemetery site or*
 24 *historical place; but*

1 (2) are not required to be conveyed in accordance
 2 with the Native American Graves Protection and Re-
 3 patriation Act (25 U.S.C. 3001 et seq.) or any other
 4 applicable law.

5 **SEC. 123. OGLALA SIOUX TRIBE; WAIVER OF REPAYMENT OF**
 6 **EXPERT ASSISTANCE LOANS.**

7 Notwithstanding any other provision of law—

8 (1) the balances of all outstanding expert assist-
 9 ance loans made to the Oglala Sioux Tribe under
 10 Public Law 88–168 (77 Stat. 301), and relating to
 11 Oglala Sioux Tribe v. United States (Docket No. 117
 12 of the United States Court of Federal Claims), includ-
 13 ing all principal and interest, are canceled; and

14 (2) the Secretary shall take such action as is nec-
 15 essary to—

16 (A) document the cancellation under para-
 17 graph (1); and

18 (B) release the Oglala Sioux Tribe from any
 19 liability associated with any loan described in
 20 paragraph (1).

21 **SEC. 124. PUEBLO OF ACOMA; LAND AND MINERAL CON-**
 22 **SOLIDATION.**

23 (a) *DEFINITION OF BIDDING OR ROYALTY CREDIT.*—
 24 The term “bidding or royalty credit” means a legal instru-
 25 ment or other written documentation, or an entry in an

1 *account managed by the Secretary, that may be used in*
2 *lieu of any other monetary payment for—*

3 *(1) a bonus bid for a lease sale on the outer Con-*
4 *tinental Shelf; or*

5 *(2) a royalty due on oil or gas production;*
6 *for any lease located on the outer Continental Shelf*
7 *outside the zone defined and governed by section*
8 *8(g)(2) of the Outer Continental Shelf Lands Act (43*
9 *U.S.C. 1337(g)(2)).*

10 *(b) AUTHORITY.—Notwithstanding any other provi-*
11 *sion of law, the Secretary may acquire any nontribal inter-*
12 *est in or to land (including an interest in mineral or other*
13 *surface or subsurface rights) within the boundaries of the*
14 *Acoma Indian Reservation for the purpose of carrying out*
15 *Public Law 107–138 (116 Stat. 6) by issuing bidding or*
16 *royalty credits under this section in an amount equal to*
17 *the value of the interest acquired by the Secretary, as deter-*
18 *mined under section 1(a) of Public Law 107–138 (116 Stat.*
19 *6).*

20 *(c) USE OF BIDDING AND ROYALTY CREDITS.—On*
21 *issuance by the Secretary of a bidding or royalty credit*
22 *under subsection (b), the bidding or royalty credit—*

23 *(1) may be freely transferred to any other person*
24 *(except that, before any such transfer, the transferor*

1 *shall notify the Secretary of the transfer by such*
2 *method as the Secretary may specify); and*

3 *(2) shall remain available for use by any other*
4 *person during the 5-year period beginning on the date*
5 *of issuance by the Secretary of the bidding or royalty*
6 *credit.*

7 ***SEC. 125. PUEBLO OF SANTO DOMINGO; WAIVER OF REPAY-***
8 ***MENT OF EXPERT ASSISTANCE LOANS.***

9 *Notwithstanding any other provision of law—*

10 *(1) the balances of all expert assistance loans*
11 *made to the Pueblo of Santo Domingo under Public*
12 *Law 88–168 (77 Stat. 301), and relating to Pueblo*
13 *of Santo Domingo v. United States (Docket No. 355*
14 *of the United States Court of Federal Claims), includ-*
15 *ing all principal and interest, are canceled; and*

16 *(2) the Secretary shall take such action as is nec-*
17 *essary to—*

18 *(A) document the cancellation under para-*
19 *graph (1); and*

20 *(B) release the Pueblo of Santo Domingo*
21 *from any liability associated with any loan de-*
22 *scribed in paragraph (1).*

1 **SEC. 126. QUINAULT INDIAN NATION; WATER FEASIBILITY**
 2 **STUDY.**

3 (a) *IN GENERAL.*—*The Secretary is authorized to*
 4 *carry out, in accordance with Federal reclamation law (the*
 5 *Act of June 17, 1902 (32 Stat. 388, chapter 1093), and*
 6 *Acts supplemental to and amendatory of that Act (43*
 7 *U.S.C. 371 et seq.)), a water source, quantity, and quality*
 8 *feasibility study for land of the Quinault Indian Nation*
 9 *to identify ways to meet the current and future domestic*
 10 *and commercial water supply and distribution needs of the*
 11 *Quinault Indian Nation on the Olympic Peninsula, Wash-*
 12 *ington.*

13 (b) *PUBLIC AVAILABILITY OF RESULTS.*—*As soon as*
 14 *practicable after completion of a feasibility study under*
 15 *subsection (a), the Secretary shall—*

16 (1) *publish in the Federal Register a notice of*
 17 *the availability of the results of the feasibility study;*
 18 *and*

19 (2) *make available to the public, on request, the*
 20 *results of the feasibility study.*

21 **SEC. 127. SANTEE SIOUX TRIBE; STUDY AND REPORT.**

22 (a) *STUDY.*—*Pursuant to reclamation laws, the Sec-*
 23 *retary, acting through the Bureau of Reclamation and in*
 24 *consultation with the Santee Sioux Tribe of Nebraska (re-*
 25 *ferred to in this subtitle as the “Tribe”), shall conduct a*
 26 *feasibility study to determine the most feasible method of*

1 *developing a safe and adequate municipal, rural, and in-*
2 *dustrial water treatment and distribution system for the*
3 *Santee Sioux Tribe of Nebraska that could serve the tribal*
4 *community and adjacent communities and incorporate*
5 *population growth and economic development activities for*
6 *a period of 40 years.*

7 **(b) COOPERATIVE AGREEMENT.**—*At the request of the*
8 *Tribe, the Secretary shall enter into a cooperative agree-*
9 *ment with the Tribe for activities necessary to conduct the*
10 *study required by subsection (a) regarding which the Tribe*
11 *has unique expertise or knowledge.*

12 **(c) REPORT.**—*Not later than 1 year after funds are*
13 *made available to carry out this subtitle, the Secretary shall*
14 *submit to Congress a report containing the results of the*
15 *study required by subsection (a).*

16 **(d) AUTHORIZATION OF APPROPRIATIONS.**—*There is*
17 *authorized to be appropriated to the Secretary to carry out*
18 *this section \$500,000, to remain available until expended.*

19 **SEC. 128. SEMINOLE TRIBE OF OKLAHOMA; WAIVER OF RE-**
20 **PAYMENT OF EXPERT ASSISTANCE LOANS.**

21 *Notwithstanding any other provision of law—*

22 **(1)** *the balances of all outstanding expert assist-*
23 *ance loans made to the Seminole Tribe of Oklahoma*
24 *under Public Law 88–168 (77 Stat. 301), and relat-*
25 *ing to Seminole Tribe of Oklahoma v. United States*

1 *(Docket No. 247 of the United States Court of Federal*
 2 *Claims), including all principal and interest, are*
 3 *anceled; and*

4 *(2) the Secretary shall take such action as is nec-*
 5 *essary to—*

6 *(A) document the cancellation under para-*
 7 *graph (1); and*

8 *(B) release the Seminole Tribe of Oklahoma*
 9 *from any liability associated with any loan de-*
 10 *scribed in paragraph (1).*

11 ***SEC. 129. SHAKOPEE MDEWAKANTON SIOUX COMMUNITY.***

12 *(a) IN GENERAL.—Notwithstanding any other provi-*
 13 *sion of law, without further authorization by the United*
 14 *States, the Shakopee Mdewakanton Sioux Community in*
 15 *the State of Minnesota (referred to in this section as the*
 16 *“Community”) may lease, sell, convey, warrant, or other-*
 17 *wise transfer all or any part of the interest of the Commu-*
 18 *nity in or to any real property that is not held in trust*
 19 *by the United States for the benefit of the Community.*

20 *(b) NO EFFECT ON TRUST LAND.—Nothing in this sec-*
 21 *tion—*

22 *(1) authorizes the Community to lease, sell, con-*
 23 *vey, warrant, or otherwise transfer all or part of an*
 24 *interest in any real property that is held in trust by*

1 *the United States for the benefit of the Community;*
 2 *or*

3 *(2) affects the operation of any law governing*
 4 *leasing, selling, conveying, warranting, or otherwise*
 5 *transferring any interest in that trust land.*

6 **SEC. 130. AGUA CALIENTE BAND OF CAHUILLA INDIANS.**

7 *(a) IN GENERAL.—Notwithstanding any other provi-*
 8 *sion of law (including any restrictive covenant in effect*
 9 *under, or required by operation of, a State law), title to*
 10 *land to be acquired by the United States in accordance with*
 11 *the Act of June 18, 1934 (25 U.S.C. 465), for the Agua*
 12 *Caliente Band of Cahuilla Indians shall be taken in the*
 13 *name of the United States.*

14 *(b) COVENANTS.—A restrictive covenant referred to in*
 15 *subsection (a) shall be unenforceable against the United*
 16 *States if the land to which the restrictive covenant is at-*
 17 *tached was held in trust by the United States for, or owned*
 18 *by, the Agua Caliente Band of Cahuilla Indians, or an in-*
 19 *dividual member of the Band, before the date on which the*
 20 *restrictive covenant attached to the land.*

21 **SEC. 131. SAGINAW CHIPPEWA TRIBAL COLLEGE.**

22 *Section 532 of the Equity in Educational Land Grant*
 23 *Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-*
 24 *382) is amended—*

1 (1) *by redesignating paragraphs (22) through*
 2 (31) *as paragraphs (23) through (32), respectively;*
 3 *and*

4 (2) *by inserting after paragraph (21) the fol-*
 5 *lowing:*

6 “(22) *Saginaw Chippewa Tribal College.*”.

7 ***SEC. 132. UTE INDIAN TRIBE; OIL SHALE RESERVE.***

8 *Section 3405(c) of the Strom Thurmond National De-*
 9 *fense Authorization Act for Fiscal Year 1999 (10 U.S.C.*
 10 *7420 note; Public Law 105–261) is amended by striking*
 11 *paragraph (3) and inserting the following:*

12 “(3) *With respect to the land conveyed to the*
 13 *Tribe under subsection (b)—*

14 “(A) *the land shall not be subject to any*
 15 *Federal restriction on alienation; and*

16 “(B) *notwithstanding any provision to the*
 17 *contrary in the constitution, bylaws, or charter*
 18 *of the Tribe, the Act of May 11, 1938 (commonly*
 19 *known as the ‘Indian Mineral Leasing Act of*
 20 *1938’) (25 U.S.C. 396a et seq.), the Indian Min-*
 21 *eral Development Act of 1982 (25 U.S.C. 2101 et*
 22 *seq.), section 2103 of the Revised Statutes (25*
 23 *U.S.C. 81), or section 2116 of the Revised Stat-*
 24 *utes (25 U.S.C. 177), or any other law, no pur-*
 25 *chase, grant, lease, or other conveyance of the*

1 *land (or any interest in the land), and no explo-*
 2 *ration, development, or other agreement relating*
 3 *to the land that is authorized by resolution by*
 4 *the governing body of the Tribe, shall require ap-*
 5 *proval by the Secretary of the Interior or any*
 6 *other Federal official.”.*

7 ***TITLE II—PUEBLO OF SANTA***
 8 ***CLARA AND PUEBLO OF SAN***
 9 ***ILDEFONSO***

10 ***SEC. 201. DEFINITIONS.***

11 *In this title:*

12 (1) *AGREEMENT.—The term “Agreement” means*
 13 *the agreement entitled “Agreement to Affirm Bound-*
 14 *ary Between Pueblo of Santa Clara and Pueblo of*
 15 *San Ildefonso Aboriginal Lands Within Garcia Can-*
 16 *yon Tract”, entered into by the Governors on Decem-*
 17 *ber 20, 2000.*

18 (2) *BOUNDARY LINE.—The term “boundary line”*
 19 *means the boundary line established under section*
 20 *204(a).*

21 (3) *GOVERNORS.—The term “Governors”*
 22 *means—*

23 (A) *the Governor of the Pueblo of Santa*
 24 *Clara, New Mexico; and*

1 (B) *the Governor of the Pueblo of San*
 2 *Ildefonso, New Mexico.*

3 (4) *INDIAN TRIBE.*—*The term “Indian tribe” has*
 4 *the meaning given the term in section 4 of the Indian*
 5 *Self-Determination and Education Assistance Act (25*
 6 *U.S.C. 450b).*

7 (5) *PUEBLOS.*—*The term “Pueblos” means—*

8 (A) *the Pueblo of Santa Clara, New Mexico;*
 9 *and*

10 (B) *the Pueblo of San Ildefonso, New Mex-*
 11 *ico.*

12 (6) *TRUST LAND.*—*The term “trust land” means*
 13 *the land held by the United States in trust under sec-*
 14 *tion 202(a) or 203(a).*

15 **SEC. 202. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW**
 16 **MEXICO.**

17 (a) *IN GENERAL.*—*All right, title, and interest of the*
 18 *United States in and to the land described in subsection*
 19 *(b), including improvements on, appurtenances to, and*
 20 *mineral rights (including rights to oil and gas) to the land,*
 21 *shall be held by the United States in trust for the Pueblo*
 22 *of Santa Clara, New Mexico.*

23 (b) *DESCRIPTION OF LAND.*—*The land referred to in*
 24 *subsection (a) consists of approximately 2,484 acres of Bu-*

1 *reau of Land Management land located in Rio Arriba*
2 *County, New Mexico, and more particularly described as—*

3 (1) *the portion of T. 20 N., R. 7 E., sec. 22, New*
4 *Mexico Principal Meridian, that is located north of*
5 *the boundary line;*

6 (2) *the southern half of T. 20 N., R. 7 E., sec.*
7 *23, New Mexico Principal Meridian;*

8 (3) *the southern half of T. 20 N., R. 7 E., sec.*
9 *24, New Mexico Principal Meridian;*

10 (4) *T. 20 N., R. 7 E., sec. 25, excluding the 5-*
11 *acre tract in the southeast quarter owned by the Pueb-*
12 *lo of San Ildefonso;*

13 (5) *the portion of T. 20 N., R. 7 E., sec. 26, New*
14 *Mexico Principal Meridian, that is located north and*
15 *east of the boundary line;*

16 (6) *the portion of T. 20 N., R. 7 E., sec. 27, New*
17 *Mexico Principal Meridian, that is located north of*
18 *the boundary line;*

19 (7) *the portion of T. 20 N., R. 8 E., sec. 19, New*
20 *Mexico Principal Meridian, that is not included in*
21 *the Santa Clara Pueblo Grant or the Santa Clara In-*
22 *Indian Reservation; and*

23 (8) *the portion of T. 20 N., R. 8 E., sec. 30, that*
24 *is not included in the Santa Clara Pueblo Grant or*
25 *the San Ildefonso Grant.*

1 **SEC. 203. TRUST FOR THE PUEBLO OF SAN ILDEFONSO,**
2 **NEW MEXICO.**

3 (a) *IN GENERAL.*—All right, title, and interest of the
4 United States in and to the land described in subsection
5 (b), including improvements on, appurtenances to, and
6 mineral rights (including rights to oil and gas) to the land,
7 shall be held by the United States in trust for the Pueblo
8 of San Ildefonso, New Mexico.

9 (b) *DESCRIPTION OF LAND.*—The land referred to in
10 subsection (a) consists of approximately 2,000 acres of Bu-
11 reau of Land Management land located in Rio Arriba
12 County and Santa Fe County in the State of New Mexico,
13 and more particularly described as—

14 (1) the portion of T. 20 N., R. 7 E., sec. 22, New
15 Mexico Principal Meridian, that is located south of
16 the boundary line;

17 (2) the portion of T. 20 N., R. 7 E., sec. 26, New
18 Mexico Principal Meridian, that is located south and
19 west of the boundary line;

20 (3) the portion of T. 20 N., R. 7 E., sec. 27, New
21 Mexico Principal Meridian, that is located south of
22 the boundary line;

23 (4) T. 20 N., R. 7 E., sec. 34, New Mexico Prin-
24 cipal Meridian; and

1 (5) *the portion of T. 20 N., R. 7 E., sec. 35, New*
2 *Mexico Principal Meridian, that is not included in*
3 *the San Ildefonso Pueblo Grant.*

4 **SEC. 204. SURVEY AND LEGAL DESCRIPTIONS.**

5 (a) *SURVEY.*—*Not later than 180 days after the date*
6 *of enactment of this Act, the Office of Cadastral Survey of*
7 *the Bureau of Land Management shall, in accordance with*
8 *the Agreement, complete a survey of the boundary line es-*
9 *tablished under the Agreement for the purpose of estab-*
10 *lishing, in accordance with sections 3102(b) and 3103(b),*
11 *the boundaries of the trust land.*

12 (b) *LEGAL DESCRIPTIONS.*—

13 (1) *PUBLICATION.*—*On approval by the Gov-*
14 *ernors of the survey completed under subsection (a),*
15 *the Secretary shall publish in the Federal Register—*

16 (A) *a legal description of the boundary line;*

17 *and*

18 (B) *legal descriptions of the trust land.*

19 (2) *TECHNICAL CORRECTIONS.*—*Before the date*
20 *on which the legal descriptions are published under*
21 *paragraph (1)(B), the Secretary may correct any*
22 *technical errors in the descriptions of the trust land*
23 *provided in sections 3102(b) and 3103(b) to ensure*
24 *that the descriptions are consistent with the terms of*
25 *the Agreement.*

1 (3) *EFFECT.*—*Beginning on the date on which*
2 *the legal descriptions are published under paragraph*
3 *(1)(B), the legal descriptions shall be the official legal*
4 *descriptions of the trust land.*

5 **SEC. 205. ADMINISTRATION OF TRUST LAND.**

6 (a) *IN GENERAL.*—*Effective beginning on the date of*
7 *enactment of this Act—*

8 (1) *the land held in trust under section 202(a)*
9 *shall be declared to be a part of the Santa Clara In-*
10 *Indian Reservation; and*

11 (2) *the land held in trust under section 203(a)*
12 *shall be declared to be a part of the San Ildefonso In-*
13 *Indian Reservation.*

14 (b) *APPLICABLE LAW.*—

15 (1) *IN GENERAL.*—*The trust land shall be ad-*
16 *ministered in accordance with any law (including*
17 *regulations) or court order generally applicable to*
18 *property held in trust by the United States for Indian*
19 *tribes.*

20 (2) *PUEBLO LANDS ACT.*—*The following shall be*
21 *subject to section 17 of the Act of June 7, 1924 (com-*
22 *monly known as the “Pueblo Lands Act”) (25 U.S.C.*
23 *331 note):*

24 (A) *The trust land.*

1 (B) Any land owned as of the date of enact-
2 ment of this Act or acquired after the date of en-
3 actment of this Act by the Pueblo of Santa Clara
4 in the Santa Clara Pueblo Grant.

5 (C) Any land owned as of the date of enact-
6 ment of this Act or acquired after the date of en-
7 actment of this Act by the Pueblo of San
8 Ildefonso in the San Ildefonso Pueblo Grant.

9 (c) USE OF TRUST LAND.—

10 (1) IN GENERAL.—Subject to the criteria devel-
11 oped under paragraph (2), the trust land may be used
12 only for—

13 (A) traditional and customary uses; or

14 (B) stewardship conservation for the benefit
15 of the Pueblo for which the trust land is held in
16 trust.

17 (2) CRITERIA.—The Secretary shall work with
18 the Pueblos to develop appropriate criteria for using
19 the trust land in a manner that preserves the trust
20 land for traditional and customary uses or steward-
21 ship conservation.

22 (3) LIMITATION.—Beginning on the date of en-
23 actment of this Act, the trust land shall not be used
24 for any new commercial developments.

1 **SEC. 206. EFFECT.**

2 *Nothing in this title—*

3 *(1) affects any valid right-of-way, lease, permit,*
4 *mining claim, grazing permit, water right, or other*
5 *right or interest of a person or entity (other than the*
6 *United States) that is—*

7 *(A) in or to the trust land; and*

8 *(B) in existence before the date of enactment*
9 *of this Act;*

10 *(2) enlarges, impairs, or otherwise affects a right*
11 *or claim of the Pueblos to any land or interest in*
12 *land that is—*

13 *(A) based on Aboriginal or Indian title; and*

14 *(B) in existence before the date of enactment*
15 *of this Act;*

16 *(3) constitutes an express or implied reservation*
17 *of water or water right with respect to the trust land;*
18 *or*

19 *(4) affects any water right of the Pueblos in ex-*
20 *istence before the date of enactment of this Act.*

21 **SEC. 207. GAMING.**

22 *Land taken into trust under this title shall neither be*
23 *considered to have been taken into trust for, nor be used*
24 *for, gaming (as that term is used in the Indian Gaming*
25 *Regulatory Act (25 U.S.C. 2701 et seq.)).*

1 **TITLE III—DISTRIBUTION OF**
 2 **QUINAULT PERMANENT FISH-**
 3 **ERIES FUNDS**

4 **SEC. 301. DISTRIBUTION OF JUDGMENT FUNDS.**

5 (a) *FUNDS TO BE DEPOSITED INTO SEPARATE AC-*
 6 *COUNTS.—*

7 (1) *IN GENERAL.—Subject to section 302, not*
 8 *later than 30 days after the date of enactment of this*
 9 *Act, the funds appropriated on September 19, 1989,*
 10 *in satisfaction of an award granted to the Quinault*
 11 *Indian Nation under Dockets 772–71, 773–71, 774–*
 12 *71, and 775–71 before the United States Claims*
 13 *Court, less attorney fees and litigation expenses, and*
 14 *including all interest accrued to the date of disburse-*
 15 *ment, shall be distributed by the Secretary and depos-*
 16 *ited into 3 separate accounts to be established and*
 17 *maintained by the Quinault Indian Nation (referred*
 18 *to in this title as the “Tribe”) in accordance with this*
 19 *subsection.*

20 (2) *ACCOUNT FOR PRINCIPAL AMOUNT.—*

21 (A) *IN GENERAL.—The Tribe shall—*

22 (i) *establish an account for the prin-*
 23 *cipal amount of the judgment funds; and*

24 (ii) *use those funds to establish a Per-*
 25 *manent Fisheries Fund.*

1 (B) *USE AND INVESTMENT.*—*The principal*
2 *amount described in subparagraph (A)(i)—*

3 (i) *except as provided in subparagraph*
4 *(A)(ii), shall not be expended by the Tribe;*
5 *and*

6 (ii) *shall be invested by the Tribe in*
7 *accordance with the investment policy of the*
8 *Tribe.*

9 (3) *ACCOUNT FOR INVESTMENT INCOME.*—

10 (A) *IN GENERAL.*—*The Tribe shall establish*
11 *an account for, and deposit in the account, all*
12 *investment income earned on amounts in the*
13 *Permanent Fisheries Fund established under*
14 *paragraph (2)(A)(ii) after the date of distribu-*
15 *tion of the funds to the Tribe under paragraph*
16 *(1).*

17 (B) *USE OF FUNDS.*—*Funds deposited in*
18 *the account established under subparagraph (A)*
19 *shall be available to the Tribe—*

20 (i) *subject to subparagraph (C), to*
21 *carry out fisheries enhancement projects;*
22 *and*

23 (ii) *pay expenses incurred in admin-*
24 *istering the Permanent Fisheries Fund es-*
25 *tablished under paragraph (2)(A)(ii).*

1 (C) *SPECIFICATION OF PROJECTS.*—*Each*
 2 *fisheries enhancement project carried out under*
 3 *subparagraph (B)(i) shall be specified in the ap-*
 4 *proved annual budget of the Tribe.*

5 (4) *ACCOUNT FOR INCOME ON JUDGMENT*
 6 *FUNDS.*—

7 (A) *IN GENERAL.*—*The Tribe shall establish*
 8 *an account for, and deposit in the account, all*
 9 *investment income earned on the judgment funds*
 10 *described in subsection (a) during the period be-*
 11 *ginning on September 19, 1989, and ending on*
 12 *the date of distribution of the funds to the Tribe*
 13 *under paragraph (1).*

14 (B) *USE OF FUNDS.*—

15 (i) *IN GENERAL.*—*Subject to clause*
 16 *(ii), funds deposited in the account estab-*
 17 *lished under subparagraph (A) shall be*
 18 *available to the Tribe for use in carrying*
 19 *out tribal government activities.*

20 (ii) *SPECIFICATION OF ACTIVITIES.*—
 21 *Each tribal government activity carried out*
 22 *under clause (i) shall be specified in the ap-*
 23 *proved annual budget of the Tribe.*

24 (b) *DETERMINATION OF AMOUNT OF FUNDS AVAIL-*
 25 *ABLE.*—*Subject to compliance by the Tribe with paragraphs*

1 (3)(C) and (4)(B)(ii) of subsection (a), the Quinault Busi-
 2 ness Committee, as the governing body of the Tribe, may
 3 determine the amount of funds available for expenditure
 4 under paragraphs (3) and (4) of subsection (a).

5 (c) ANNUAL AUDIT.—The records and investment ac-
 6 tivities of the 3 accounts established under subsection (a)
 7 shall—

- 8 (1) be maintained separately by the Tribe; and
- 9 (2) be subject to an annual audit.

10 (d) REPORTING OF INVESTMENT ACTIVITIES AND EX-
 11 PENDITURES.—Not later than 120 days after the date on
 12 which each fiscal year of the Tribe ends, the Tribe shall
 13 make available to members of the Tribe a full accounting
 14 of the investment activities and expenditures of the Tribe
 15 with respect to each fund established under this section
 16 (which may be in the form of the annual audit described
 17 in subsection (c)) for the fiscal year.

18 **SEC. 302. CONDITIONS FOR DISTRIBUTION.**

19 (a) UNITED STATES LIABILITY.—On disbursement to
 20 the Tribe of the funds under section 301(a), the United
 21 States shall bear no trust responsibility or liability for the
 22 investment, supervision, administration, or expenditure of
 23 the funds.

24 (b) APPLICATION OF OTHER LAW.—All funds distrib-
 25 uted under this title shall be subject to section 7 of the In-

- 1 *dian Tribal Judgment Funds Use or Distribution Act (25*
- 2 *U.S.C. 1407).*

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108TH CONGRESS
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S. 523

[Report No. 108-49]

A BILL

To make technical corrections to laws relating to
Native Americans, and for other purposes.

MAY 15, 2003

Reported with an amendment