

110TH CONGRESS
1ST SESSION

H. R. 3699

To provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe in *Minnesota Chippewa Tribe v. United States*, Docket Nos. 19 and 188, United States Court of Federal Claims.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2007

Mr. OBERSTAR introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe in *Minnesota Chippewa Tribe v. United States*, Docket Nos. 19 and 188, United States Court of Federal Claims.

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. FINDINGS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Pursuant to the Revised Constitution and
6 Bylaws of the Minnesota Chippewa Tribe, as ap-
7 proved by the Assistant Secretary of the Interior on
8 March 3, 1964, the Minnesota Chippewa Tribal Ex-

1 executive Committee is the governing body of the Min-
2 nesota Chippewa Tribe, comprised of the six member
3 Reservations (Bois Forte, Fond du Lac, Grand Por-
4 tage, Leech Lake, Mille Lacs, and White Earth).

5 (2) The Minnesota Chippewa Tribe was the
6 plaintiff in cases referred to as Docket Nos. 19 and
7 188 (hereinafter referred to as the “Claims”) origi-
8 nally before the Indian Claims Commission and, sub-
9 sequently, before the United States Court of Federal
10 Claims.

11 (3) The Claims arose from the disposition of
12 tribal lands, interests in lands, and other tribal as-
13 sets.

14 (4) The expenses of prosecuting the Claims
15 were shared equally by the 6 member Reservations
16 and the decisions regarding such prosecution were
17 made by the Minnesota Chippewa Tribal Executive
18 Committee.

19 (5) On July 1, 1998, the Minnesota Chippewa
20 Tribal Executive Committee enacted Resolution No.
21 01–99, approving a settlement of the Claims by a
22 vote of 6 for and 3 against with 10 members
23 present.

24 (6) On January 7, 1999, the Associate Solic-
25 itor, Division of Indian Affairs, Department of the

1 Interior, advised the United States Department of
2 Justice that Resolution 01–99 was sufficient under
3 the tribal constitution to approve the settlement of
4 the Claims.

5 (7) On May 17, 1999, the United States Court
6 of Federal Claims entered an order adopting certain
7 findings including a finding that “the Tribal Execu-
8 tive Committee has the constitutional authority to
9 enter into the proposed settlement on behalf of the
10 Minnesota Chippewa Tribe”.

11 (8) On May 26, 1999, the United States Court
12 of Federal Claims approved the settlement of the
13 Claims and entered a final judgment in the amount
14 of \$20,000,000 against the United States in favor of
15 the plaintiff Minnesota Chippewa Tribe.

16 (9) The Minnesota Chippewa Tribal Executive
17 Committee is authorized by the tribal constitution to
18 make decisions to administer, expend and apportion
19 funds within the control of the Minnesota Chippewa
20 Tribe.

21 (10) On September 9, 1999, the Minnesota
22 Chippewa Tribal Executive Committee enacted Reso-
23 lution No. 40–00, allocating each member Reserva-
24 tion an equal share of the judgment funds from the

1 Claims, by a vote of 10 for and 2 against, with 12
2 members present.

3 (11) The judgment funds were deposited into
4 trust fund account JA1041696.

5 (12) For purposes of the Indian Tribal Judgment
6 Funds Use or Distribution Act (25 U.S.C.
7 1401 et seq.), the sole present-day beneficiary of the
8 funds is the Minnesota Chippewa Tribe.

9 (b) PURPOSES.—The purposes of this Act are to ac-
10 knowledge that the Minnesota Chippewa Tribe is the sole
11 beneficiary entity of the judgment funds, that its gov-
12 erning body, the Tribal Executive Committee, has the sov-
13 ereign authority under the tribal constitution to allocate
14 funds amongst its member Reservations, and accordingly
15 that the judgment funds should be allocated as determined
16 by the Tribal Executive Committee in its Resolution No.
17 40–00.

18 **SEC. 2. DISTRIBUTION OF FUNDS.**

19 (a) IN GENERAL.—Notwithstanding any other law,
20 not later than 30 days after the date of the enactment
21 of this Act, the Secretary of the Interior (hereinafter re-
22 ferred to as the “Secretary”) shall distribute the funds
23 awarded to the Minnesota Chippewa Tribe in Minnesota
24 Chippewa Tribe v. United States, Docket Nos. 19 and 188
25 in the United States Court of Federal Claims together

1 with all interest and investment income accrued on deposit
2 in trust account JA1041696 in equal shares to each of
3 the following constituent bands of the Minnesota Chip-
4 pewa Tribe:

5 (1) The Bois Forte Band of Chippewa Indians.

6 (2) The Fond du Lac Band of Chippewa Indi-
7 ans.

8 (3) The Grand Portage Band of Chippewa Indi-
9 ans.

10 (4) The Leech Lake Band of Chippewa Indians.

11 (5) The Mille Lacs Band of Chippewa Indians.

12 (6) The White Earth Band of Chippewa Indi-
13 ans.

14 (b) USE OF FUNDS.—The shares of the bands shall
15 be available for use in the manner determined by the gov-
16 erning body of each band, except not less than 20 percent
17 of such funds shall be set aside for social and economic
18 development, education, reservation infrastructure needs,
19 and other governmental purposes.

20 (c) APPLICATION OF OTHER LAW.—Section 7 of
21 Public Law 93–134 (25 U.S.C. 1407) shall apply to funds
22 distributed pursuant to this Act.

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