

108TH CONGRESS
1ST SESSION

S. 523

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 introduced the following bill; which was read twice and
referred to the Committee on Indian Affairs

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”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 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.

1 **TITLE I—TECHNICAL AMEND-**
 2 **MENTS AND OTHER PROVI-**
 3 **SIONS RELATING TO NATIVE**
 4 **AMERICANS**

5 **Subtitle A—Technical Amendments**

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

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

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

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

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

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

22 Section 206 of the Bosque Redondo Memorial Act
 23 (16 U.S.C. 431 note; Public Law 106–511) is amended—

24 (1) in subsection (a)—

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

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

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

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

9 Section 25(a)(8) of Public Law 93–531 (commonly
10 known as the “Navajo-Hopi Land Settlement Act of
11 1974”) (25 U.S.C. 40d–24(a)(8)) is amended by striking
12 “annually for fiscal years 1995, 1996, 1997, 1998, 1999,
13 and 2000” and inserting “for each of fiscal years 2003
14 through 2008”.

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

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

22 **SEC. 105. PUEBLO DE COCHITI; MODIFICATION OF SETTLE-**
23 **MENT.**

24 Section 1 of Public Law 102–358 (106 Stat. 960)
25 is amended—

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

3 “(1) the settlement;”;

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

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

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

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

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

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

18 **SEC. 106. CHIPPEWA CREE TRIBE; MODIFICATION OF SET-**
19 **TLEMENT.**

20 (a) IN GENERAL.—Section 101(b)(3) of the Chip-
21 pewa Cree Tribe of The Rocky Boy’s Reservation Indian
22 Reserved Water Rights Settlement and Water Supply En-
23 hancement Act of 1999 (Public Law 106–163; 113 Stat.
24 1782) is amended by striking “3 years” and inserting “6
25 years”.

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

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

9 Section 1(a)(2) of Public Law 106–228 (114 Stat.
10 462) is amended by striking “report entitled” and all that
11 follows through “is hereby declared” and inserting the fol-
12 lowing: “report entitled ‘Report of May 17, 2002, Clari-
13 fying and Correcting Legal Descriptions or Recording In-
14 formation for Certain Lands placed into Trust and Res-
15 ervation Status for the Mississippi Band of Choctaw Indi-
16 ans by Section 1(a)(2) of Pub. L. 106–228, as amended
17 by Title VIII, Section 811 of Pub. L. 106–568’, on file
18 in the Office of the Superintendent, Choctaw Agency, Bu-
19 reau of Indian Affairs, Department of the Interior, is de-
20 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: W¹/₂ SE¹/₄, 68 acres; NW¹/₄ NW¹/₄, 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 Quinault 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 Mdwakanton 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 Ildefonso, 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 Ildefonso;

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 Ildefonso 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 Ildefonso, 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 Ildefonso 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 (3) 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

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

