

missible in any subsequent litigation, except that, if any such action is reinstated, any defense that would have been available to the State of Connecticut at the time the action was withdrawn—

- (i) may be asserted; and
- (ii) is not waived by anything in the State Agreement or by subsequent events occurring between the withdrawal action and commencement of the reinstated action.

(Pub. L. 103-377, §9, Oct. 19, 1994, 108 Stat. 3506.)

§ 1775h. Judicial review

(a) Jurisdiction

Notwithstanding any other provision of law, during the period beginning on October 19, 1994, and ending on the date that is 180 days after October 19, 1994, the United States District Court for the Southern District of Connecticut shall have exclusive jurisdiction over any action to contest the constitutionality of this subchapter or the validity of any agreement entered into under the authority of this subchapter or approved by this subchapter.

(b) Deadline for filing

Effective with the termination of the period specified in subsection (a) of this section, no court shall have jurisdiction over any action to contest the constitutionality of this subchapter or the validity of any agreement entered into under the authority of this subchapter or approved by this subchapter, unless such action was filed prior to the date of termination of the period specified in subsection (a) of this section.

(Pub. L. 103-377, §10, Oct. 19, 1994, 108 Stat. 3507.)

SUBCHAPTER X—CROW LAND CLAIMS SETTLEMENT

§ 1776. Findings and purpose

(a) Findings

Congress finds the following:

(1) Under the treaty between the United States of America and the Crow Tribe of Indians concluded May 7, 1868 (commonly known as the “Fort Laramie Treaty of 1868”; 15 Stat. 649), the eastern boundary of the Crow Indian Reservation was established as the 107th meridian for approximately 90 miles from the Yellowstone River to the boundary between Montana and Wyoming.

(2) Under Executive orders issued in 1884 and 1900, the western boundary of the Northern Cheyenne Reservation was established as the 107th meridian. The 107th meridian was intended to be the common boundary between the Crow Reservation and Northern Cheyenne Reservation for approximately 25 miles.

(3) From 1889 through 1891, a survey was conducted of the eastern boundary of the Crow Reservation. The 1891 survey line strayed to the west, and resulted in the exclusion from the Crow Indian Reservation of a strip of land of approximately 36,164 acres. Approximately 12,964 acres of such strip of land were included in the Northern Cheyenne Reservation. Deposits of low sulphur coal underlie the land ex-

cluded from the Crow Indian Reservation, including the land included in the Northern Cheyenne Indian Reservation.

(4)(A) The erroneous nature of the survey was not discovered for several decades. Meanwhile, the areas along the 107th meridian to the north and south of the Northern Cheyenne Indian Reservation were opened to settlement in the late nineteenth century and early part of the twentieth century. Patents were issued to non-Indian persons and to the State of Montana for most of the surface land and a significant portion of the minerals in these areas between the 107th meridian and the 1891 survey line.

(B) The 12,964 acres included in the Northern Cheyenne Reservation have been treated as part of the Northern Cheyenne Reservation and occupied by the Northern Cheyenne Tribe and the Northern Cheyenne allottees, and their successors in interest.

(5) Legislation to resolve the 107th meridian boundary dispute was introduced in Congress in the 1960’s and 1970’s, and again in 1992, but no such legislation was enacted into law.

(b) Purpose

The purpose of this subchapter is to settle the 107th meridian boundary dispute created by the erroneous survey of the eastern boundary of the Crow Indian Reservation made by the Federal Government described in subsection (a)(3) of this section.

(Pub. L. 103-444, §2, Nov. 2, 1994, 108 Stat. 4632.)

SHORT TITLE

Pub. L. 103-444, §1, Nov. 2, 1994, 108 Stat. 4632, provided that: “This Act [enacting this subchapter] may be cited as the ‘Crow Boundary Settlement Act of 1994’.”

§ 1776a. Definitions

As used in this subchapter:

(1) Crow Tribe

The term “Crow Tribe” means the Crow Tribe of Indians, the duly recognized governing body of the Crow Indian Reservation.

(2) Disputed area

The term “disputed area” means the approximately 36,164 acres of land, including the minerals, located between the 107th meridian on the east and the 1891 survey line on the west from the Yellowstone River on the north to the boundary between the State of Wyoming and the State of Montana on the south.

(3) 1891 survey

The term “1891 survey” means the survey of the eastern boundary of the Crow Reservation conducted by the United States Government from 1889 through 1891.

(4) 1891 survey line

The term “1891 survey line” means the erroneous boundary line resulting from the survey of the 107th meridian which was completed in 1891.

(5) Northern Cheyenne Tribe

The term “Northern Cheyenne Tribe” means the Northern Cheyenne Tribe of Indians, with

the Northern Cheyenne Tribal Council as the duly recognized governing body of the Northern Cheyenne Indian Reservation.

(6) 107th meridian boundary dispute

The term “107th meridian boundary dispute” means the dispute resulting from the disparity between the location of the 107th meridian and the location of the 1891 survey line.

(7) 107th meridian escrow fund

The term “107th meridian escrow fund” means the revenues that arise from, or are derived from, parcel number 2, including all accrued interest on such revenues, which are held by the Bureau of Indian Affairs in an escrow account as of November 2, 1994.

(8) Parcel number 1

The term “parcel number 1” means the area, encompassing approximately 11,317 acres, bounded on the south by the Montana-Wyoming border, on the east by the 107th meridian, on the north by the extension to the west of the southern boundary of the Northern Cheyenne Indian Reservation, and on the west by the 1891 survey line.

(9) Parcel number 2

The term “parcel number 2” means the area, encompassing approximately 12,964 acres, bounded on the south by the extension to the west of the southern boundary of the Northern Cheyenne Indian Reservation, on the east by the 107th meridian, on the north by the extension to the west of the northern boundary of the Northern Cheyenne Indian Reservation, and on the west by the 1891 survey line.

(10) Parcel number 3

The term “parcel number 3” means the area, encompassing approximately 2,469 acres, bounded on the south by the extension to the west of the northern boundary of the Northern Cheyenne Indian Reservation, on the east by the 107th meridian, on the north by the northern boundary of the Crow Indian Reservation, and on the west by the 1891 survey line.

(11) Parcel number 4

The term “parcel number 4” means the area, encompassing approximately 9,415 acres, bounded on the south by the northern boundary of the Crow Indian Reservation, on the east by the 107th meridian, on the north by the midpoint of the Yellowstone River, and on the west by the 1891 survey line.

(12) Public lands

The term “public lands” means any land or interest in land owned by the United States (without regard to the means by which the United States acquired ownership of the land or interest in land) and administered by the Secretary through the Bureau of Land Management.

(13) Royalties received and retained by the United States

The term “royalties received and retained by the United States” means the royalties derived from minerals owned by the United States that the United States retains after all payments from the royalties have been made

to the State of Montana or any unit of local government of the State of Montana.

(14) Secretary

The term “Secretary” means the Secretary of the Interior.

(15) Settlement Agreement

The term “Settlement Agreement” means the agreement between the Secretary, on behalf of the United States and the Crow Tribe, that provides for the resolution of all claims held by the Crow Tribe arising from the 107th meridian boundary dispute.

(16) Undisposed of coal

The term “undisposed of coal” means coal that has not been conveyed to private parties or to the State of Montana by the United States.

(17) Undisposed of surface lands

The term “undisposed of surface lands” means surface land that has not been conveyed to private parties or to the State of Montana by the United States.

(18) Undisposed of oil, gas, coal methane, or other minerals

The term “undisposed of oil, gas, coal methane, or other minerals” means oil, gas, coal methane, or other minerals (excluding coal) that have not been conveyed to private parties or to the State of Montana by the United States.

(Pub. L. 103-444, §3, Nov. 2, 1994, 108 Stat. 4633.)

§ 1776b. Settlement Agreement

(a) Execution

Subject to the terms and conditions of this subchapter, the Secretary shall enter into the Settlement Agreement with the Crow Tribe.

(b) Ratification

Subject to the conditions set forth in section 1776g(a) of this title, the United States hereby approves, ratifies, and confirms the Settlement Agreement, to the extent that such Settlement Agreement does not conflict with this subchapter.

(c) Modification

The terms and conditions of the Settlement Agreement may be modified by mutual agreement of the Crow Tribe and the Secretary if such modification—

(1) is not inconsistent with this subchapter; and

(2) does not diminish or impair any right or benefit secured to the Northern Cheyenne Tribe, the Northern Cheyenne allottees, or their successors in interest by or pursuant to any provision of this subchapter.

(d) Enforcement

(1) In general

Except as provided in paragraph (2), the Settlement Agreement shall be subject to the enforcement provisions under chapter 7 of title 5.

(2) Additional enforcement

If, with respect to the enforcement of the Settlement Agreement, the remedies available