

sight over or liability for the accounting, disbursement, or investment of such withdrawn monies.

(D) No portion of the monies described in subparagraph (C) may be paid to Pueblo members on a per capita basis.

(E) The acquisition of lands with monies from the Fund shall be on a willing-seller, willing-buyer basis, and no eminent domain authority may be exercised for purposes of acquiring lands for the benefit of the Pueblo pursuant to this subchapter.

(F) The provisions of Public Law 93-134 [25 U.S.C. 1401 et seq.], governing the distribution of Indian claims judgment funds, and the plan approval requirements of section 4023 of this title shall not be applicable to the Fund.

**(2) Authorization of appropriations**

There are authorized to be appropriated \$15,000,000 for deposit into the Fund, in accordance with the following schedule:

(A) \$5,000,000 to be deposited in the fiscal year which commences on October 1, 2001.

(B) \$5,000,000 to be deposited in the next fiscal year.

(C) The balance of the funds to be deposited in the third consecutive fiscal year.

**(3) Limitation on disbursement**

Amounts authorized to be appropriated to the Fund under paragraph (2) shall not be disbursed until the following conditions are met:

(A) The case of Pueblo of Santo Domingo v. Rael (No. CIV-83-1888) in the United States District Court for the District of New Mexico, has been dismissed with prejudice.

(B) A compromise final judgment in the amount of \$8,000,000 in the case of Pueblo of Santo Domingo v. United States (Indian Claims Commission docket No. 355) in a form and manner acceptable to the Attorney General, has been entered in the United States Court of Federal Claims in accordance with subsection (a)(5) of this section.

**(4) Deposits**

Funds awarded to the Pueblo consistent with subsection (c)(2) of this section in docket No. 355 of the Indian Claims Commission shall be deposited into the Fund.

**(c) Activities upon compromise**

On the date of the entry of the final compromise judgment in the case of Pueblo of Santo Domingo v. United States (Indian Claims Commission docket No. 355) in the United States Court of Federal Claims, and the dismissal with prejudice of the case of Pueblo of Santo Domingo v. Rael (No. CIV-83-1888) in the United States District Court for the District of New Mexico, whichever occurs later—

(1) the public lands administered by the Bureau of Land Management and described in section 6 of the Settlement Agreement, and consisting of approximately 4,577.10 acres of land, shall thereafter be held by the United States in trust for the benefit of the Pueblo, subject to valid existing rights and rights of public and private access, as provided for in the Settlement Agreement;

(2) the Secretary of Agriculture is authorized to sell and convey National Forest System lands and the Pueblo shall have the exclusive right to acquire these lands as provided for in section 7 of the Settlement Agreement, and the funds received by the Secretary of Agriculture for such sales shall be deposited in the fund established under section 484a of title 16 and shall be available to purchase non-Federal lands within or adjacent to the National Forests in the State of New Mexico;

(3) lands conveyed by the Secretary of Agriculture pursuant to this section shall no longer be considered part of the National Forest System and upon any conveyance of National Forest lands, the boundaries of the Santa Fe National Forest shall be deemed modified to exclude such lands;

(4) until the National Forest lands are conveyed to the Pueblo pursuant to this section, or until the Pueblo's right to purchase such lands expires pursuant to section 7 of the Settlement Agreement, such lands are withdrawn, subject to valid existing rights, from any new public use or entry under any Federal land law, except for permits not to exceed 1 year, and shall not be identified for any disposition by or for any agency, and no mineral production or harvest of forest products shall be permitted, except that nothing in this subsection shall preclude forest management practices on such lands, including the harvest of timber in the event of fire, disease, or insect infestation; and

(5) once the Pueblo has acquired title to the former National Forest System lands, these lands may be conveyed by the Pueblo to the Secretary of the Interior who shall accept and hold such lands in the name of the United States in trust for the benefit of the Pueblo.

(Pub. L. 106-425, §5, Nov. 1, 2000, 114 Stat. 1892.)

REFERENCES IN TEXT

Act of June 30, 1834, referred to in subsec. (a)(4)(A), is act June 30, 1834, ch. 161, 4 Stat. 729, as amended. That act was incorporated into the Revised Statutes as R.S. §§ 533, 2111 to 2113, 2116 to 2118, 2124 to 2126, 2129 to 2135, 2137, 2141, 2145, 2147, 2150 to 2152, and 2154 to 2157. For complete classification of those sections of the Revised Statutes to the Code, see Tables.

Act of June 7, 1924, referred to in subsec. (a)(4)(A), is act June 7, 1924, ch. 331, 43 Stat. 636, as amended, known as the Pueblo Lands Act of 1924, which is set out as a note under section 331 of this title.

Act of June 24, 1938, referred to in subsec. (b)(1)(A), is act June 24, 1938, ch. 648, 52 Stat. 1037, as amended, which enacted section 162a of this title, repealed section 162 of this title, and enacted provisions set out as a note under section 162a of this title. For complete classification of this Act to the Code, see Tables.

Public Law 93-134, referred to in subsec. (b)(1)(F), is Pub. L. 93-134, Oct. 19, 1973, 87 Stat. 466, as amended, known as the Indian Tribal Judgment Funds Use or Distribution Act, which is classified generally to chapter 16 (§1401 et seq.) of this title. For complete classification of this Act to the Code, see section 1401(c) of this title and Tables.

**§ 1777d. Affirmation of accurate boundaries of Santo Domingo Pueblo Grant**

**(a) In general**

The boundaries of the Santo Domingo Pueblo Grant, as determined by the 1907 Hall-Joy Sur-

vey, confirmed in the Report of the Pueblo Lands Board, dated December 28, 1927, are hereby declared to be the current boundaries of the Grant and any lands currently owned by or on behalf of the Pueblo within such boundaries, or any lands hereinafter acquired by the Pueblo within the Grant in fee simple absolute, shall be considered to be Indian country within the meaning of section 1151 of title 18.

**(b) Limitation**

Any lands or interests in lands within the Santo Domingo Pueblo Grant, that are not owned or acquired by the Pueblo, shall not be treated as Indian country within the meaning of section 1151 of title 18.

**(c) Acquisition of Federal lands**

Any Federal lands acquired by the Pueblo pursuant to section 1777c(c)(1) of this title shall be held in trust by the Secretary for the benefit of the Pueblo, and shall be treated as Indian country within the meaning of section 1151 of title 18.

**(d) Land subject to provisions**

Any lands acquired by the Pueblo pursuant to section 1777c(c) of this title, or with funds subject to section 1777c(b) of this title, shall be subject to the provisions of section 17 of the Act of June 7, 1924 (43 Stat. 641; commonly referred to as the Pueblo Lands Act).

**(e) Rule of construction**

Nothing in this subchapter or in the Settlement Agreement shall be construed to—

(1) cloud title to federally administered lands or non-Indian or other Indian lands, with regard to claims of title which are extinguished pursuant to section 1777c of this title; or

(2) affect actions taken prior to November 1, 2000, to manage federally administered lands within the boundaries of the Santo Domingo Pueblo Grant.

(Pub. L. 106-425, § 6, Nov. 1, 2000, 114 Stat. 1895.)

REFERENCES IN TEXT

Act of June 7, 1924, referred to in subsec. (d), is act June 7, 1924, ch. 331, 43 Stat. 636, as amended, known as the Pueblo Lands Act of 1924, which is set out as a note under section 331 of this title.

**§ 1777e. Miscellaneous provisions**

**(a) Exchange of certain lands with New Mexico**

**(1) In general**

Not later than 2 years after November 1, 2000, the Secretary shall acquire by exchange the State of New Mexico trust lands located in township 16 north, range 4 east, section 2, and all interests therein, including improvements, mineral rights and water rights.

**(2) Use of other lands**

In acquiring lands by exchange under paragraph (1), the Secretary may utilize unappropriated public lands within the State of New Mexico.

**(3) Value of lands**

The lands exchanged under this subsection shall be of approximately equal value, and the Secretary may credit or debit the ledger ac-

count established in the Memorandum of Understanding between the Bureau of Land Management, the New Mexico State Land Office, and the New Mexico Commissioner of Public Lands, in order to equalize the values of the lands exchanged.

**(4) Conveyance**

**(A) By Secretary**

Upon the acquisition of lands under paragraph (1), the Secretary shall convey all title and interest to such lands to the Pueblo by sale, exchange or otherwise, and the Pueblo shall have the exclusive right to acquire such lands.

**(B) By Pueblo**

Upon the acquisition of lands under subparagraph (A), the Pueblo may convey such land to the Secretary who shall accept and hold such lands in trust for the benefit of the Pueblo.

**(b) Other exchanges of land**

**(1) In general**

In order to further the purposes of this subchapter—

(A) the Pueblo may enter into agreements to exchange restricted lands for lands described in paragraph (2); and

(B) any land exchange agreements between the Pueblo and any of the parties to the action referred to in paragraph (2) that are executed not later than December 31, 2001, shall be deemed to be approved.

**(2) Lands**

The land described in this paragraph is the land, title to which was at issue in Pueblo of Santo Domingo v. Rael (Civil No. 83-1888 (D.N.M.)).

**(3) Land to be held in trust**

Upon the acquisition of lands under paragraph (1), the Pueblo may convey such land to the Secretary who shall accept and hold such lands in trust for the benefit of the Pueblo.

**(4) Rule of construction**

Nothing in this subsection shall be construed to limit the provisions of section 1777c(a) of this title relating to the extinguishment of the land claims of the Pueblo.

**(c) Approval of certain resolutions**

All agreements, transactions, and conveyances authorized by Resolutions 97-010 and C22-99 as enacted by the Tribal Council of the Pueblo de Cochiti, and Resolution S.D. 12-99-36 as enacted by the Tribal Council of the Pueblo of Santo Domingo, pertaining to boundary disputes between the Pueblo de Cochiti and the Pueblo of Santo Domingo, are hereby approved, including the Pueblo de Cochiti's agreement to relinquish its claim to the southwest corner of its Spanish Land Grant, to the extent that such land overlaps with the Santo Domingo Pueblo Grant, and to disclaim any right to receive compensation from the United States or any other party with respect to such overlapping lands.

(Pub. L. 106-425, § 7, as added Pub. L. 106-434, § 3, Nov. 6, 2000, 114 Stat. 1913.)