

and resolutions adopted thereunder, any lands that are held by the United States in trust for the Southern Ute Indian Tribe or that are subject to a restriction against alienation or taxation imposed by the United States, and that are not needed for Indian use, may be sold by the Southern Ute Indian Tribe, with the approval of the Secretary of the Interior, and such sales shall terminate the Federal trust or restrictions against alienation or taxation of the lands, except that the trust or restricted status of said lands may be retained, upon approval of the Secretary of the Interior, in any sale to a member of the tribe.

(Pub. L. 92-312, §1, June 14, 1972, 86 Stat. 216.)

SOUTHERN UTE INDIAN RESERVATION IN COLORADO;
CONFIRMATION OF RESERVATION BOUNDARIES

Pub. L. 98-290, May 21, 1984, 98 Stat. 201, provided that:

“CONGRESSIONAL PURPOSE

“SECTION 1. The purposes of this Act are—

“(1) to resolve uncertainty over the boundaries of the Southern Ute Indian Reservation and the status of unrestricted land on such reservation, and

“(2) to avoid long and costly litigation over issues dependent on reservation or Indian country status.

“INDIAN TRUST LAND DEFINED

“SEC. 2. For purposes of this Act, the term ‘Indian trust land’ means any land within the boundaries of the Southern Ute Indian Reservation which—

“(1) is held by the United States in trust for the benefit of the Southern Ute Indian Tribe or individual Indians, or

“(2) is owned by the United States and reserved for use or actually used in the administration of Indian affairs.

Any right-of-way bounded on both sides by Indian trust land shall be Indian trust land. Any other right-of-way shall not be Indian trust land.

“BOUNDARIES OF THE SOUTHERN UTE INDIAN
RESERVATION DEFINED

“SEC. 3. The Southern Ute Indian Reservation in the State of Colorado is declared to have the following boundaries:

“(1) Bounded on the north by the southern boundary of the lands—

“(A) ceded to the United States by certain bands of Ute Indians under the Articles of Convention entered into on September 13, 1873, and ratified by the Act approved April 29, 1874 (18 Stat. 36), and

“(B) described in article I of such Articles of Convention.

“(2) Bounded on the south by the boundary line between the States of Colorado and New Mexico as described in article II of the treaty between the United States and the Ute Indians concluded March 2, 1868, and proclaimed November 6, 1868 (15 Stat. 619).

“(3) Bounded on the west by the eastern boundary of the Ute Mountain Ute Indian Reservation.

“(4) Bounded on the east by the southernmost 15 miles of the eastern boundary of the lands reserved to the Ute Indians by article II of the treaty between the United States and the Ute Indians concluded March 2, 1868, and proclaimed November 6, 1868 (15 Stat. 619), except that the lands east of such boundary in township 32 north, range 1 west, New Mexico principal meridian, that are held by the United States in trust for the benefit of the Southern Ute Indian Tribe are part of the Southern Ute Indian Reservation.

“JURISDICTION OVER RESERVATION

“SEC. 4. (a) Such territorial jurisdiction as the Southern Ute Indian Tribe has over persons other than Indi-

ans and the property of such persons shall be limited to Indian trust lands within the reservation.

“(b) Any person who is not an Indian and the property of any such person shall be subject to the jurisdiction of the United States under section 1152 of title 18, United States Code, only on Indian trust land.

“(c) Any law of the United States related to the sale, possession, introduction, or manufacture of alcoholic beverages or to trading with Indians within Indian country, or within the Indian reservation, shall apply, with respect to the Southern Ute Indian Reservation, only on Indian trust land.

“JURISDICTION OVER INCORPORATED MUNICIPALITIES
WITHIN THE RESERVATION

“SEC. 5. The State of Colorado shall exercise criminal and civil jurisdiction within the boundaries of the town of Ignacio, Colorado, and any other municipality which may be incorporated under the laws of Colorado within the Southern Ute Indian Reservation, as if such State had assumed jurisdiction pursuant to the Act of August 15, 1953 (67 Stat. 588), as amended by the Act of April 11, 1968 (82 Stat. 79) [see 28 U.S.C. 1360 note].”

§ 669. Use of sale proceeds for purchase of real property only

All funds derived from the sale of lands pursuant to this subchapter shall be used only for the purchase of real property within the boundaries of the Southern Ute Indian Reservation. Title to any lands purchased with such funds and title to any lands reacquired by the tribe by foreclosure of a mortgage or deed of trust shall be taken in the name of the United States in trust for the Southern Ute Indian Tribe.

(Pub. L. 92-312, §2, June 14, 1972, 86 Stat. 216.)

§ 670. Mortgage or deed of trust of lands sold; United States as party to all proceedings

Any tribal lands that may be sold pursuant to section 668 of this title may, with the approval of the Secretary of the Interior, be encumbered by a mortgage or deed of trust, and shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State in which the land is located. The United States shall be an indispensable party to any such proceedings with the right of removal of the proceeding to the United States district court for the district in which the land is located, following the procedure in section 1446 of title 28, and the United States shall have the right to appeal from any order of remand in the proceeding.

(Pub. L. 92-312, §3, June 14, 1972, 86 Stat. 216.)

SUBCHAPTER XXVII—UTE INDIANS OF
UTAH

§ 671. Use of funds of the Ute Indian Tribe of the Uintah and Ouray Reservation for expenditure and per capita payments; regulations applicable to loans; restriction on attorney fees

Notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Ute Indian Tribe of the Uintah and Ouray Reservation may be expended or advanced for such purposes, including per capita payments, as may be designated by the Tribal Business Committee of said tribe and approved