

this subchapter with the Sioux Indians of the Lower Brule Reservation, South Dakota, and with the Sioux Indians of the Crow Creek Reservation, South Dakota, acting through representatives of each tribe appointed for such purpose by its tribal council.

(July 6, 1954, ch. 463, § 1, 68 Stat. 452.)

**§ 1199. Provisions to be included in contracts for condemnation of Sioux lands for dam purposes**

The contract with each tribe negotiated pursuant to section 1198 of this title shall—

(a) convey to the United States title to all tribal, allotted, assigned, and inherited lands or interests therein belonging to the Indians of the tribe, and title to all undivided interests in such allotted or inherited lands owned by non-Indians or by Indian nonmembers of the tribe, required by the United States for the reservoir to be created by the construction of the dams across the Missouri River in South Dakota, to be known as Fort Randall Dam, including such lands along the margins as may be required by the Chief of Engineers, Department of the Army, for the protection, development, and use of said reservoir: *Provided*, That the contract may provide for retention by the owners of any oil and gas rights in such lands that are not needed by the United States for the protection of such dam and reservoir;

(b) provide for the payment of—

(1) just compensation for the lands and improvements and interests therein conveyed by the contract;

(2) costs of relocating the tribe and its members who reside upon the lands conveyed by the contract in a manner that will reestablish and protect their economic, social, religious, and community life;

(3) costs of relocating Indian cemeteries, tribal monuments, and shrines located upon the lands conveyed by the contract.

(c) Provide a schedule of dates for the orderly removal of the Indians and their personal property from the taking area of the Fort Randall Reservoir within the reservation; and

(d) State that the payments authorized to be made shall be in full and complete settlement of all claims by the tribe and its members against the United States arising because of the construction of the Fort Randall project.

(July 6, 1954, ch. 463, § 2, 68 Stat. 452.)

CHANGE OF NAME

Fort Randall Reservoir redesignated Lake Francis Case by Pub. L. 88-97, Aug. 15, 1963, 77 Stat. 124.

**§ 1200. Judicial determination where compensation for condemnation of Sioux lands for dam purposes rejected**

The just compensation payable for the individual property of any person conveyed pursuant to subsection (a) of section 1199 of this title shall be judicially determined, if such person rejects the compensation specified in the contract with the tribe, in proceedings instituted for such purpose by the Department of the Army in the United States district court for the district in which the lands are situated.

(July 6, 1954, ch. 463, § 3, 68 Stat. 453.)

**§ 1200a. Preparation of appraisal schedule in determining just compensation for condemnation of Sioux lands for dam purposes; contents; transmittal to tribal representatives**

To assist the negotiators in arriving at the amount of just compensation payable for the property conveyed pursuant to subsection (a) of section 1199 of this title, the Secretary of the Interior and the Chief of Engineers, Department of the Army, shall cause to be prepared an appraisal schedule on an individual tract basis of the tribal, allotted, and assigned lands, including heirship interests therein, located within the taking area in each reservation. The appraisal schedule shall show the fair market value of the lands, giving full and proper weight to the following elements of appraisal, among others: Improvements, severance damage, standing timber, mineral rights, and the uses to which the lands are reasonably adapted. The appraisal schedule shall be transmitted to the representatives of the tribe appointed to negotiate a contract, and shall be used, together with any other appraisals which may be available, as a basis for determining the amount of just compensation to be included in the contract.

(July 6, 1954, ch. 463, § 4, 68 Stat. 453.)

**§ 1200b. Inclusion of other provisions in contracts for condemnation of Sioux lands for dam purposes**

The specification in section 1199 of this title of certain provisions to be included in each contract shall not preclude the inclusion of other provisions beneficial to the Indians who are parties of such contracts.

(July 6, 1954, ch. 463, § 5, 68 Stat. 453.)

**§ 1200c. Submission of contracts and reports covering disagreements on condemnation of Sioux lands for dam purposes; ratification; effect**

Each contract negotiated pursuant to this subchapter shall be submitted to the Congress for approval. The Chief of Engineers, Department of the Army, and the Secretary of the Interior are requested to submit such contract within one year from July 6, 1954. If the negotiating parties are unable to agree on a proposed contract each party shall submit to the Congress separate detailed reports of the negotiations, together with their recommendations. In the event the negotiating parties are unable to agree on any provision in the proposed contracts such provision shall be included in an appendix to the contract, together with the views of each party, for consideration and determination by Congress. The contract shall not take effect unless, after determination of any disputed provision, it is ratified by Act of Congress and is ratified within six months after such action by the Congress by a majority of the adult members of the tribe: *Provided*, That when so ratified the contract shall constitute a taking by the United States as of the date the contract was signed by the Chief of Engineers, Department of the Army, and the Secretary of the Interior, for purposes of deter-

mining the ownership of the Indian tribal, allotted, and assigned lands and interests therein.

(July 6, 1954, ch. 463, § 6, 68 Stat. 453.)

**§ 1200d. Effect of condemnation of Sioux lands for dam purposes on construction of Fort Randall Dam**

Nothing in this subchapter shall be construed to restrict completion of the Fort Randall Dam to provide flood protection and other benefits on the Missouri River.

(July 6, 1954, ch. 463, § 7, 68 Stat. 453.)

CHANGE OF NAME

Fort Randall Reservoir redesignated Lake Francis Case by Pub. L. 88-97, Aug. 15, 1963, 77 Stat. 124.

**§ 1200e. Authorization of appropriations for relocating certain Sioux tribe members after condemnation of lands for dam purposes; conditions; title to lands acquired**

There is authorized to be appropriated to the Secretary of the Interior the sum of \$106,500, which shall be available until expended for the purpose of relocating the members of the Yankton Sioux Tribe, South Dakota, who reside or have resided, on tribal and allotted lands acquired by the United States for the Fort Randall Dam and Reservoir project, Missouri River Development, in a manner that will reestablish and protect their economic, social, religious, and community life. Title to any lands acquired within Indian country pursuant to this section shall be taken in the name of the United States in trust for the Yankton Sioux Tribe or members thereof. The said sum of \$106,500 shall be assessed against the costs of the Fort Randall Dam and Reservoir, Missouri River Development.

(July 6, 1954, ch. 463, § 8, 68 Stat. 453.)

CHANGE OF NAME

Fort Randall Reservoir redesignated Lake Francis Case by Pub. L. 88-97, Aug. 15, 1963, 77 Stat. 124.

SUBCHAPTER IX—ENFORCEMENT OF PROVISIONS

**§ 1201. Power of Secretary or designated officer**

The Secretary of the Interior, or such officer as he may designate, is authorized to enforce and carry into execution, by appropriate regulations, every part of the provisions of title 32 of the Revised Statutes not otherwise specially provided for.

(R.S. § 2478; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

REFERENCES IN TEXT

Title 32 of the Revised Statutes, referred to in text, was in the original "this Title", meaning title 32 of the Revised Statutes, consisting of R.S. §§ 2207 to 2490. For complete classification of R.S. §§ 2207 to 2490 to the Code, see Tables.

CODIFICATION

R.S. § 2478 derived from acts Sept. 28, 1850, ch. 84, §§ 1, 4, 9 Stat. 520; Mar. 12, 1860, ch. 5, § 1, 12 Stat. 3; Feb. 19, 1874, ch. 30, 18 Stat. 16.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

tain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

"Secretary of the Interior or such officer as he may designate" substituted for "Commissioner of the General Land Office, under the directions of the Secretary of the Interior" on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

SUBCHAPTER X—OATHS IN CERTAIN LAND MATTERS

**§ 1211. Elimination of oaths for written statements; discretion of Secretary of the Interior**

Written statement in public land matters within the jurisdiction of the Department of the Interior, heretofore required by law to be made under oath, need no longer be made under oath unless the Secretary of the Interior shall, in his discretion, so require.

(June 3, 1948, ch. 392, § 1, 62 Stat. 301.)

**§ 1212. Unsworn written statements subject to penalties of presenting false claims**

Unsworn written statements made in public land matters within the jurisdiction of the Department of the Interior shall remain subject to section 1001 of title 18.

(June 3, 1948, ch. 392, § 2, 62 Stat. 301.)

CODIFICATION

"Section 1001 of title 18" substituted in text for "section 35(A) of the Criminal Code (35 Stat. 1095, 18 U.S.C. sec. 80), as amended" on authority of act June 25, 1948, ch. 645, 62 Stat. 683, the first section of which enacted Title 18, Crimes and Criminal Procedure.

EXEMPTION OF DEPARTMENT OF THE INTERIOR FROM RESTRICTIONS ON NOTARY PUBLIC

Act June 3, 1948, ch. 392, § 3, 62 Stat. 301, provided that: "That part of section 558 of the Act of March 3, 1901, entitled 'An Act to establish a code of law for the District of Columbia' (31 Stat. 1279), as amended December 15, 1944 (58 Stat. 810, D.C. Code, 1951 edition, sec. 1-501), which reads as follows: 'And provided further, That no notary public shall be authorized to take acknowledgments, administer oaths, certify papers, or perform any official acts in connection with matters in which he is employed as counsel, attorney or agent or in which he may be in any way interested before any of the Departments aforesaid' shall not apply to matters before the Department of the Interior."

SUBCHAPTER XI—WISCONSIN RIVER AND LAKE LAND TITLES

**§ 1221. Issuance of patents; application**

Whenever it shall be shown to the satisfaction of the Secretary of the Interior that a tract of public land, lying between the meander line of an inland lake or river in Wisconsin as originally surveyed and the meander line of that lake or river as subsequently resurveyed, has been held in good faith and in peaceful, adverse possession by a person, or his predecessors in interest, who had been issued a patent, prior to January 21, 1953, for lands lying along the meander line as originally determined, the Secretary of the Interior shall cause a patent to be issued to such person for such land upon the payment of the same price per acre as that at which the