

from any liability arising from, or related to, the establishment and administration of the 107th meridian escrow fund.

(b) Establishment of Suspension Accounts

As soon as practicable after the Settlement Agreement is executed and approved pursuant to this subchapter, the Secretary of the Treasury shall establish in the Treasury of the United States two interest bearing accounts to be known respectively as the “Crow Tribal Suspension Account” and the “Northern Cheyenne Tribal Suspension Account” (collectively referred to in this section as the “Suspension Accounts”), consisting of—

- (1) such amounts as are transferred to the Suspension Accounts under subsection (c); and
- (2) any interest earned on investments of amounts in the Suspension Accounts under subsection (e).

(c) Contributions to Suspension Accounts

(1) In general

Beginning with fiscal year 1995, and ending on the date on which the total amount deposited pursuant to this subsection into the Suspension Accounts is equal to \$200,000 for each such account (as specified in subsection (d)), the Secretary and the Secretary of the Treasury shall make necessary and proper arrangements for the monthly payment, transfer, or deposit (or any combination thereof) into each of the Suspension Accounts of an amount equal to one-half of the royalties received and retained by the United States for the immediately preceding month, as determined in accordance with section 1776d(b)(1) of this title, by the date specified under section 1776d(b)(3) of this title.

(2) Subsequent deposits

At such time as the amount deposited pursuant to this subsection into the Suspension Accounts is equal to \$200,000 for each such account (as specified in subsection (d)), in accordance with section 1776d(b)(1) of this title, the Secretary and the Secretary of the Treasury shall thereafter deposit any remaining amounts determined under section 1776d(b)(1) of this title in the Crow Tribal Trust Fund established under section 1776d(a) of this title.

(d) Limitation

The Secretary and the Secretary of the Treasury shall not transfer more than a total amount equal to \$200,000 to each of the Suspension Accounts from the amounts determined under section 1776d(b)(1) of this title.

(e) Investment

All sums deposited in, accruing to and remaining in the Suspension Accounts shall be invested by the Secretary and the Secretary of the Treasury in interest bearing deposits and securities in accordance with the Act of June 24, 1938 (52 Stat. 1037, chapter 648; 25 U.S.C. 162a).

(f) Withdrawals and termination

(1) In general

(A) Beginning on the date that is 5 years after November 2, 1994, the Crow Tribe and the Northern Cheyenne Tribe may each submit a

duly authorized request to the Secretary for the withdrawal of all of the funds from the Suspension Account of the tribe established under subsection (b).

(B) Not later than 60 days after receiving a request for the distribution of funds from a Suspension Account made by a tribe under subparagraph (A)—

- (i) the Secretary shall, in cooperation with the Secretary of the Treasury, withdraw and distribute such funds in accordance with such request; and
- (ii) the Secretary of the Treasury shall terminate the Suspension Account.

(2) Other means of termination

With respect to a Suspension Account established under subsection (b) that is not terminated pursuant to paragraph (1), at such time as the corpus and the accrued interest of the Suspension Account of the Crow Tribe or the Northern Cheyenne Tribe is approximately equal to the amount specified in paragraph (1) or (2) of subsection (a), the Secretary of the Treasury shall terminate the Suspension Account and the Secretary of the Interior shall distribute the funds from the Suspension Account to the tribe.

(Pub. L. 103-444, §10, Nov. 2, 1994, 108 Stat. 4641; Pub. L. 104-109, §9(c), Feb. 12, 1996, 110 Stat. 765.)

REFERENCES IN TEXT

Act of June 24, 1938, referred to in subsec. (e), is act June 24, 1938, ch. 648, 52 Stat. 1037, 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.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-109 substituted “referred to in this section” for “referred to in this subsection”.

§ 1776i. Fort Laramie Treaty of 1868

Except for the adjustment to the eastern boundary of the Crow Indian Reservation, nothing in this subchapter or in the Settlement Agreement shall affect or modify the terms and conditions of 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).

(Pub. L. 103-444, §11, Nov. 2, 1994, 108 Stat. 4642.)

§ 1776j. Satisfaction of claims

The benefits available to the Crow Tribe under the terms and conditions of this subchapter and the Settlement Agreement shall constitute full and complete satisfaction of all claims by the Crow Tribe and the members of the Crow Tribe arising from or related to the erroneous survey of the 107th meridian described in section 1776(a)(3) of this title.

(Pub. L. 103-444, §12, Nov. 2, 1994, 108 Stat. 4642.)

§ 1776k. Authorization of appropriations

There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out this subchapter.

(Pub. L. 103-444, §13, Nov. 2, 1994, 108 Stat. 4643.)

SUBCHAPTER XI—SANTO DOMINGO
PUEBLO LAND CLAIMS SETTLEMENT

§ 1777. Findings and purposes

(a) Findings

Congress makes the following findings:

(1) For many years the Pueblo of Santo Domingo has been asserting claims to lands within its aboriginal use area in north central New Mexico. These claims have been the subject of many lawsuits, and a number of these claims remain unresolved.

(2) In December 1927, the Pueblo Lands Board, acting pursuant to the Pueblo Lands Act of 1924 (43 Stat. 636) confirmed a survey of the boundaries of the Pueblo of Santo Domingo Grant. However, at the same time the Board purported to extinguish Indian title to approximately 27,000 acres of lands within those grant boundaries which lay within 3 other overlapping Spanish land grants. The United States Court of Appeals in *United States v. Thompson* (941 F.2d 1074 (10th Cir. 1991), cert. denied 503 U.S. 984 (1992)), held that the Board “ignored an express congressional directive” in section 14 of the Pueblo Lands Act, which “contemplated that the Pueblo would retain title to and possession of all overlap land”.

(3) The Pueblo of Santo Domingo has asserted a claim to another 25,000 acres of land based on the Pueblo’s purchase in 1748 of the Diego Gallegos Grant. The Pueblo possesses the original deed reflecting the purchase under Spanish law but, after the United States assumed sovereignty over New Mexico, no action was taken to confirm the Pueblo’s title to these lands. Later, many of these lands were treated as public domain, and are held today by Federal agencies, the State Land Commission, other Indian tribes, and private parties. The Pueblo’s lawsuit asserting this claim, *Pueblo of Santo Domingo v. Rael* (Civil No. 83-1888 (D.N.M.)), is still pending.

(4) The Pueblo of Santo Domingo’s claims against the United States in docket No. 355 under the Act of August 13, 1946 (60 Stat. 1049; commonly referred to as the Indian Claims Commission Act) have been pending since 1951. These claims include allegations of the Federal misappropriation and mismanagement of the Pueblo’s aboriginal and Spanish grant lands.

(5) Litigation to resolve the land and trespass claims of the Pueblo of Santo Domingo would take many years, and the outcome of such litigation is unclear. The pendency of these claims has clouded private land titles and has created difficulties in the management of public lands within the claim area.

(6) The United States and the Pueblo of Santo Domingo have negotiated a settlement to resolve all existing land claims, including the claims described in paragraphs (2) through (4).

(b) Purpose

It is the purpose of this subchapter—

(1) to remove the cloud on titles to land in the State of New Mexico resulting from the claims of the Pueblo of Santo Domingo, and to

settle all of the Pueblo’s claims against the United States and third parties, and the land, boundary, and trespass claims of the Pueblo in a fair, equitable, and final manner;

(2) to provide for the restoration of certain lands to the Pueblo of Santo Domingo and to confirm the Pueblo’s boundaries;

(3) to clarify governmental jurisdiction over the lands within the Pueblo’s land claim area; and

(4) to ratify a Settlement Agreement between the United States and the Pueblo which includes—

(A) the Pueblo’s agreement to relinquish and compromise its land and trespass claims;

(B) the provision of \$3,000,000 to compensate the Pueblo for the claims it has pursued pursuant to the Act of August 13, 1946 (60 Stat. 1049; commonly referred to as the Indian Claims Commission Act);

(C) the transfer of approximately 4,577 acres of public land to the Pueblo;

(D) the sale of approximately 7,355 acres of national forest lands to the Pueblo; and

(E) the authorization of the appropriation of \$15,000,000 over 3 consecutive years which would be deposited in a Santo Domingo Lands Claims Settlement Fund for expenditure by the Pueblo for land acquisition and other enumerated tribal purposes.

(c) Rule of construction

Nothing in this subchapter shall be construed to effectuate an extinguishment of, or to otherwise impair, the Pueblo’s title to or interest in lands or water rights as described in section 1777c(a)(2) of this title.

(Pub. L. 106-425, §2, Nov. 1, 2000, 114 Stat. 1890.)

REFERENCES IN TEXT

The Pueblo Lands Act of 1924, referred to in subsec. (a)(2), is act June 7, 1924, ch. 331, 43 Stat. 636, as amended, which is set out as a note under section 331 of this title.

Act of August 13, 1946, referred to in subsecs. (a)(4) and (b)(4)(B), is act Aug. 13, 1946, ch. 959, 60 Stat. 1049, as amended, known as the Indian Claims Commission Act of 1946, which was classified generally to chapter 2A (§70 et seq.) of this title and was omitted from the Code in view of the termination of the Indian Claims Commission on Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

SHORT TITLE

Pub. L. 106-425, §1, Nov. 1, 2000, 114 Stat. 1890, provided that: “This Act [enacting this subchapter] may be cited as the ‘Santo Domingo Pueblo Claims Settlement Act of 2000’.”

§ 1777a. Definitions

In this subchapter:

(1) Federally administered lands

The term “federally administered lands” means lands, waters, or interests therein, administered by Federal agencies, except for the lands, waters, or interests therein that are owned by, or for the benefit of, Indian tribes or individual Indians.

(2) Fund

The term “Fund” means the Pueblo of Santo Domingo Land Claims Settlement Fund established under section 1777c(b)(1) of this title.