

# Union Calendar No. 435

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5680

[Report No. 110-692]

To amend certain laws relating to Native Americans, and for others purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2008

Mr. GRIJALVA introduced the following bill; which was referred to the  
Committee on Natural Resources

JUNE 5, 2008

Reported with amendments, committed to the Committee of the Whole House  
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 2, 2008]

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## A BILL

To amend certain laws relating to Native Americans, and  
for others purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TABLE OF CONTENTS.**

4 *The table of contents for this Act is as follows:*

*Sec. 1. Table of contents.*

*Sec. 2. Colorado River Indian Tribes.*

*Sec. 3. Gila River Indian Community contracts.*

*Sec. 4. Land and interests of the Sault Ste. Marie Tribe of Chippewa Indians of Michigan.*

*Sec. 5. Morongo Band of Mission Indians Lease Extension.*

*Sec. 6. Cow Creek Band of Umpqua Tribe of Indians leasing authority.*

*Sec. 7. New Settlement Common Stock issued to descendants, left-outs, and elders.*

*Sec. 8. Miccosukee Tribe of Indians of Florida.*

**1 SEC. 2. COLORADO RIVER INDIAN TRIBES.**

2       *From revenues deposited into the Treasury after the*  
 3 *date of the enactment of this Act pursuant to section 3 of*  
 4 *the Act of August 7, 1946 (25 U.S.C. 385c) and disbursed*  
 5 *pursuant to Public Law 82–136, from power operations on*  
 6 *the reservation of the Colorado River Indian Tribe and*  
 7 *earnings derived from such revenues under section 1(b) of*  
 8 *the Act of June 24, 1938 (25 U.S.C. 162a(b)), the Secretary*  
 9 *of the Interior may make an annual disbursement to the*  
 10 *Colorado River Indian Tribes. Funds disbursed under this*  
 11 *section—*

12               *(1) shall be used to fund the Office of the Colo-*  
 13       *rado River Indian Tribes Reservation Energy Devel-*  
 14       *opment;*

15               *(2) shall not affect funds held from any other ir-*  
 16       *rigation project;*

17               *(3) shall not be less than \$200,000 and not to ex-*  
 18       *ceed \$350,000 annually; and*

19               *(4) shall only be disbursed in years that the reve-*  
 20        *nues deposited exceed the amount required to carry*  
 21       *out the purposes for which they were deposited under*



1 *instrumentality of the Tribe) for any term of, or any loss*  
2 *resulting from the term of any transfer, lease, encumbrance,*  
3 *or conveyance of land made pursuant to this Act unless the*  
4 *United States or an agent or instrumentality of the United*  
5 *States is a party to the transaction or the United States*  
6 *would be liable pursuant to any other provision of law. This*  
7 *subsection shall not apply to land transferred or conveyed*  
8 *by the Tribe to the United States to be held in trust for*  
9 *the benefit of the Tribe.*

10 *(d) EFFECTIVE DATE.—This section shall be deemed*  
11 *to have taken effect on January 1, 2005.*

12 **SEC. 5. MORONGO BAND OF MISSION INDIANS LEASE EX-**  
13 **TENSION.**

14 *Subsection (a) of the first section of the Act of August*  
15 *9, 1955 (25 U.S.C. 415(a)) is amended in the second sen-*  
16 *tence by inserting “and except leases of land held in trust*  
17 *for the Morongo Band of Mission Indians which may be*  
18 *for a term of not to exceed 50 years,” before “and except*  
19 *leases of land for grazing purposes which may be for a term*  
20 *of not to exceed ten years”.*

21 **SEC. 6. COW CREEK BAND OF UMPQUA TRIBE OF INDIANS**  
22 **LEASING AUTHORITY.**

23 *(a) AUTHORIZATION FOR 99-YEAR LEASES.—Sub-*  
24 *section (a) of the first section of the Act of August 9, 1955*  
25 *(25 U.S.C. 415(a)), is amended in the second sentence by*

1 *inserting “and lands held in trust for the Cow Creek Band*  
2 *of Umpqua Tribe of Indians,” after “lands held in trust*  
3 *for the Confederated Tribes of the Warm Springs Reserva-*  
4 *tion of Oregon,”.*

5 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
6 *section (a) shall apply to any lease entered into or renewed*  
7 *after the date of the enactment of this Act.*

8 **SEC. 7. NEW SETTLEMENT COMMON STOCK ISSUED TO DE-**  
9 **SCENDANTS, LEFT-OUTS, AND ELDERS.**

10 *Section 7 of the Alaska Native Claims Settlement Act,*  
11 *(Public Law 92–203; 85 Stat. 691), is amended—*

12 (1) *by amending subsection (g)(1)(B)(iii) (43*  
13 *U.S.C. 1606(g)(1)(B)(iii)), to read as follows:*

14 “(iii) *The amendment authorized by clause (i) may*  
15 *provide that Settlement Common Stock issued to a Native*  
16 *pursuant to such amendment (or stock issued in exchange*  
17 *for such Settlement Common Stock pursuant to subsection*  
18 *(h)(3) of this section or section 1626c(d) of this title) shall*  
19 *be subject to one or more of the following:*

20 “(I) *Such stock shall be deemed canceled upon*  
21 *the death of such Native, and no compensation for*  
22 *this cancellation shall be paid to the estate of the de-*  
23 *ceased Native or to any person holding stock.*

24 “(II) *Such stock shall carry limited or no voting*  
25 *rights.*

1           “(III) Such stock shall not be transferred by gift  
2           as provided in subparagraph (h)(1)(C)(iii).”; and  
3           (2) in subsection (h)(1)(C) (43 U.S.C.  
4           1606(h)(1)(C)), by striking “Notwithstanding the re-  
5           strictions” and inserting “Except as otherwise ex-  
6           pressly provided in this chapter and”.

7 **SEC. 8. MICCOSUKEE TRIBE OF INDIANS OF FLORIDA.**

8           As soon as practicable after the date of the enactment  
9           of this Act, the Secretary of the Interior shall, consistent  
10          with the National Environmental Policy Act of 1969, take  
11          into trust for the benefit of the Miccosukee Tribe of Indians  
12          of Florida the land described as Tract A and Tract B,  
13          Kendale Lakes North Section One, according to the Map  
14          or Plat thereof, as recorded in Plat Book 93, Page 1, Public  
15          Records of Miami-Dade County, Florida. After having been  
16          taken into trust, the land described in this section shall be  
17          part of the reservation of the Miccosukee Tribe of Indians  
18          of Florida.

          Amend the title so as to read: “A bill to amend cer-  
tain laws relating to Native Americans, and for other  
purposes.”.



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