

## S 523

Native American Technical Corrections Act of 2004

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Native Americans

**Introduced:** Mar 5, 2003

**Current Status:** Became Public Law No: 108-204.

**Latest Action:** Became Public Law No: 108-204. (Mar 2, 2004)

**Law:** 108-204 (Enacted Mar 2, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/523>

### Sponsor

**Name:** Sen. Campbell, Ben Nighthorse [R-CO]

**Party:** Democratic • **State:** CO • **Chamber:** Senate

### Cosponsors (1 total)

| Cosponsor                     | Party / State | Role | Date Joined  |
|-------------------------------|---------------|------|--------------|
| Sen. Inouye, Daniel K. [D-HI] | D · HI        |      | Mar 11, 2003 |

### Committee Activity

| Committee                   | Chamber | Activity    | Date         |
|-----------------------------|---------|-------------|--------------|
| Agriculture Committee       | House   | Referred to | Dec 18, 2003 |
| Indian Affairs Committee    | Senate  | Reported By | May 15, 2003 |
| Natural Resources Committee | House   | Reported By | Nov 18, 2003 |

### Subjects & Policy Tags

#### Policy Area:

Native Americans

### Related Bills

*No related bills are listed.*

**(This measure has not been amended since it was passed by the Senate on July 30, 2003. The summary of that version is repeated here.)**

**Native American Technical Corrections Act of 2004 - Title I: Technical Amendments and Other Provisions Relating To Native Americans - Subtitle A: Technical Amendments** - (Sec. 101) Amends the Bosque Redondo Memorial Act to reauthorize appropriations for: (1) the Bosque Redondo Memorial Act through FY 2006; and (2) the Navajo-Hopi Land Settlement Act of 1974 (relocation housing) for FY 2003 through 2008.

(Sec. 103) Amends the Indian Reorganization Act to declare that each Indian tribe shall retain inherent sovereign power to adopt governing documents under procedures not specified in such Act.

(Sec. 104) Amends the Cow Creek Band of Umpqua Tribe of Indians Recognition Act concerning certain Oregon land conveyed by the Cow Creek Band of Umpqua Tribe to the Secretary of the Interior to hold in trust for them. Declares that real property taken into trust shall be treated as on-reservation land for the purpose of processing acquisitions of real property into trust.

(Sec. 105) Amends Federal law (the Pueblo de Cochiti Settlement) to direct the Secretary of the Interior and the Secretary of the Army to implement certain modifications regarding the use of settlement funds as described in the First Amendment to Operation and Maintenance Agreement for Implementation of Cochiti Wetlands Solution.

(Sec. 106) Amends the Four Corners Interpretive Center Act to reauthorize specified appropriations for three additional years through FY 2008.

(Sec. 107) Amends Federal law: (1) with respect to certain corrections to legal descriptions or recording information for specified lands declared to be held by the United States in trust for the benefit of the Mississippi Band of Choctaw Indians; and (2) to require the Secretary of the Army to make improvements to the Celilo Village, Oregon.

**Subtitle B: Other Provisions Relating to Native Americans** - (Sec. 121) Declares that the land held by the Barona Band of Mission Indians of California shall be considered to be a portion of the reservation of the Band held in trust by the United States, subject to any easements or similar restrictions which may be granted to the city of San Diego, California, for a pipeline for conveying water from the San Vicente Reservoir to the Barona Indian Reservation, or for conservation, wildlife or habitat protection, or related purposes.

Declares that such land shall neither be considered to have been taken into trust for gaming, nor be used for gaming.

(Sec. 122) Requires the Secretary of Agriculture, on the request of the Chugach Alaska or Sealaska Corporation, to convey all artifacts, physical remains, and copies of specified field records to those corporations that have received title to a cemetery site or historical place conveyed under the Alaska Native Claims Settlement Act.

(Sec. 123) Defines the term "bidding or royalty credit" as a transferable legal instrument or other written documentation, or an entry in an account managed by the Secretary of the Interior, that may be used in lieu of any other monetary payment for a bonus bid for a lease sale on the Outer Continental Shelf, or a royalty due on oil or gas production, for any lease located on the Outer Continental Shelf outside a certain zone defined and governed by the Outer Continental Shelf Lands Act.

(Sec. 124) Authorizes the Secretary of the Interior to carry out a water source, quantity, and quality feasibility study to

identify ways to meet the current and future domestic and commercial water supply and distribution needs of the Quinault Indian Nation, Olympic Peninsula, Washington.

(Sec. 125) Directs the Secretary of the Interior, through the Bureau of Reclamation, to study and report to Congress on the feasibility of developing a water treatment and distribution system for the Santee Sioux Tribe of Nebraska.

Authorizes appropriations.

(Sec.126) Authorizes the Shakopee Mdewakanton Sioux Community of Minnesota to lease, sell, convey, warrant, or otherwise transfer any interest of the Community that is not held in trust by the United States.

(Sec. 127) Declares that title to land to be acquired by the United States in accordance with specified Federal law for the Agua Caliente Band of Cahuilla Indians shall be taken in the name of the United States.

Declares a restrictive covenant to be unenforceable against the United States if the land to which it is attached was held in trust by the United States for, or owned by, the Band before the date on which the restrictive covenant attached to the land.

(Sec. 128) Amends the Equity in Educational Land Grant Status Act of 1994 to consider the Saginaw Chippewa Tribal College a land-grant college established for the benefit of agriculture and the mechanic arts in accordance with the First Morrill Act.

(Sec. 129) Amends the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 with respect to conditions on the conveyance to the Ute Tribe of Oil Shale Reserve Numbered 2 on the Uintah and Ouray Reservation Land. Repeals the prohibition against reversion of the land to the United States for management in trust status. Declares that: (1) such land shall not be subject to any Federal restriction on alienation; and (2) no purchase, grant, lease, exploration or development agreement, or other conveyance of the land (or any interest in the land), or other agreement relating to the land that is authorized by the governing body of the Tribe shall be subject to approval by the Secretary of the Interior or any other Federal official.

**Title II: Pueblo of Santa Clara and Pueblo of San Ildefonso** - (Sec. 202) Declares the right, title, and interest of the United States in certain tracts of land in Rio Arriba County and in Rio Arriba and Santa Fe Counties, New Mexico, to be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso (including mineral rights).

(Sec. 204) Directs the Office of Cadastral Survey of the Bureau of Land Management to conduct a survey of the boundary lines between the properties.

(Sec. 205) Declares the lands held in trust to be part of the Santa Clara Indian Reservation and the San Ildefonso Indian Reservation.

Requires trust lands to be used only for traditional or customary uses or stewardship conservation. Prohibits trust lands from being used for any new commercial developments.

(Sec. 207) Prohibits use of land taken into trust under this Act for gaming.

**Title III: Distribution of Quinault Permanent Fisheries Funds** - (Sec. 301) Specifies the distribution and use of funds appropriated on September 19, 1989, in satisfaction of an award granted to the Quinault Indian Nation under Dockets 772-71, 773-71, 774-71, and 775-71 before the United States Claims Court. Requires distribution and deposit of such

funds into three accounts (for Principal Amount, for Investment Income, and for Income on Judgment Funds), to be established by the Tribe, maintained separately, and audited annually. Requires use of the Account for Principal Amount to establish a Permanent Fisheries Fund.

(Sec. 302) Exempts the United States from any trust responsibility or liability for funds upon their disbursement to the Tribe.

## Actions Timeline

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- **Mar 2, 2004:** Signed by President.
- **Mar 2, 2004:** Became Public Law No: 108-204.
- **Feb 23, 2004:** Presented to President.
- **Feb 11, 2004:** Mr. Pombo moved to suspend the rules and pass the bill.
- **Feb 11, 2004:** Considered under suspension of the rules. (Consideration: CR H473-477)
- **Feb 11, 2004:** DEBATE - The House proceeded with forty minutes of debate on S. 523.
- **Feb 11, 2004:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H473-476)
- **Feb 11, 2004:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H473-476)
- **Feb 11, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jan 31, 2004:** Committee on Agriculture discharged.
- **Jan 31, 2004:** Placed on the Union Calendar, Calendar No. 235.
- **Dec 18, 2003:** Referred to the Subcommittee on Conservation, Credit, Rural Development and Research.
- **Nov 21, 2003:** House Committee on Agriculture Granted an extension for further consideration ending not later than Jan. 31, 2004.
- **Nov 17, 2003:** Reported by the Committee on Resources. H. Rept. 108-374, Part I.
- **Nov 17, 2003:** Referred sequentially to the House Committee on Agriculture for a period ending not later than Nov. 21, 2003 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(a), rule X.
- **Oct 29, 2003:** Committee Consideration and Mark-up Session Held.
- **Oct 29, 2003:** Ordered to be Reported by Unanimous Consent.
- **Sep 10, 2003:** Executive Comment Requested from Interior.
- **Sep 3, 2003:** Message on Senate action sent to the House.
- **Sep 3, 2003:** Received in the House.
- **Sep 3, 2003:** Referred to the House Committee on Resources.
- **Jul 30, 2003:** Measure laid before Senate by unanimous consent. (consideration: CR 7/31/2003 S10441-10449; text of measure as reported in Senate: CR 7/31/2003 S10441-10447)
- **Jul 30, 2003:** The committee substitute withdrawn by Unanimous Consent.
- **Jul 30, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text as passed Senate: CR 7/31/2003 S10447-10449)
- **Jul 30, 2003:** Passed Senate with an amendment by Unanimous Consent. (text as passed Senate: CR 7/31/2003 S10447-10449)
- **May 15, 2003:** Committee on Indian Affairs. Reported by Senator Campbell with an amendment in the nature of a substitute. With written report No. 108-49.
- **May 15, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 100.
- **Apr 10, 2003:** Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 5, 2003:** Introduced in Senate
- **Mar 5, 2003:** Sponsor introductory remarks on measure. (CR S3175)
- **Mar 5, 2003:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S3175-3178)

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