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COMMENTARY

# The Continuing Saga of Indian Land Claims

## *Concluding Commentary*

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There is little doubt that Indian communities, recognized and unrecognized, will continue to assert claims to traditional lands.[1] After all, this nation, whether begrudgingly or benignly, did open the door to tribal quests for restoration of and recompense for lost lands. Evidence indicates that not all aboriginal territory constitutes irredeemable America, despite decades of litigation. Moreover, decisions of the Indian Claims Commission (ICC) and the courts have not conclusively extinguished every acre of original or recognized title lands—for example, treaty rights to hunt and fish on so-called extinguished lands survive in various parts of Indian Country. As long as there is a public domain, many observers contend, it will represent territory that at least western tribes can look to for legitimate redress. Of the more than 500,000 acres that have been reconveyed—Blue Lake to the Taos and extensive plateau lands adjacent to Grand Canyon National Park to the Havasupai, to name a few—most acreage has come from the public domain. In fact, it would be well-founded to argue that there may be sufficient grounds to reopen some of the claims cases heard and decided by the ICC.

For some time now, Indians and their champions have addressed the issues surrounding land restorations. Kirke Kickingbird and Karen Ducheneaux reminded us in 1973 that the Trail of Broken Treaties, which took place in fall 1972, had advocated a permanent land base for Indian communities. They shared the contention that the tribes needed a total of 110 million acres—"simply a formula attempting to restore the ratio of Indians-to-

acreage that existed in 1887."[2] They contended that any acreage taken from tribes for various purposes be replaced by the same amount of acreage to insure that tribes do not suffer any further loss of land. They also supported the idea of making appropriations available so that non-federally recognized tribes lacking land could purchase it. Kickingbird and Ducheneaux also advocated making the ICC a permanent court that would adjudicate cases and controversies involving Indian lands and their use.[3] Unrealistic goals?—perhaps.

A decade later, Sakej Y. Henderson and Russel Barsh noted that the restoration of Blue Lake to the Taos Pueblo had been regarded as an "historic watershed," despite several laws reconveying lands to tribes.[4] They reported that Congress had some misgivings, for it "would set a dangerous precedent,"[5] because granting public lands would encourage other tribes to seek the same resolution. True, the Havasupai restoration did follow a route best characterized as political rather than judicial, and indeed the event expanded the "dangerous precedent." Henderson and Barsh stressed that, "it would seem that reconveyance of idle public domain would be far less costly than federal financial and administrative assistance as a strategy for reservation economic growth."[6] They also emphasized that, "federal transfer payments are not controversial, hence they are politically more attractive than land restoration."[7] The rejection of land transfers, they suggested, "amounts to refusing to rectify one injustice because that might result in having to rectify another injustice, a doctrine of expediency that has little place in a nation publicly committed to human rights."[8]

It is patent that public land reconveyances are superior to financial restorations because they will help assuage Indian anxieties on their home grounds and abet tribal economic options. "[I]f successful in restorating a measure of tribal self-sufficiency,...land restoration would obviate much of the present substantial cost of Indian administration." Henderson and Barsh's prognosis states that, "It remains to be seen whether future Congresses will have the courage to change course at the risk of necessitating re-negotiation of past settlements."[9]

As Henderson and Barsh were writing, however, Congress in 1982 was seeking to overcome the considerable difficulties of negotiating land claims and to protect private landowners by passing legislation that would have settled outstanding claims in New York and South Carolina[10] but perhaps would have ultimately embraced the entire field of Indian land claims. John J. Christie, Jr. noted in 1985 that such legislation "endeavored to provide the requisite congressional approval of ancient transfers while at the same time providing affected Indian tribes with alternative mechanisms...designed to ensure that the tribes would receive fair compensation for any lands transferred by them in the past."[11] Although most eastern tribes that have a long history of state involvement in trust-land matters opposed the legislation, they would seek to negotiate claims resolutions independent of the federal government. It was the American Land Title Association that brought pressure on Congress to prepare an extinguishment bill—the Ancient Indian Land Claims Settlement Act. Had it passed, the act would have allowed for the unilateral extinguishment of Indian legal rights. The National Lawyers Guild

compared the bill to termination legislation of the 1950s and focused on whether law or politics would determine the destinies of the tribes.[12] This bill would have established "a fair and consistent national policy for the resolution of claims based on purported lack of Congressional approval of ancient Indian land transfers and to clear the titles subject to such claims."[13] Had it passed, the law would have restricted tribes to suing only for monetary compensation. Keep in mind that monetary awards became the routine compensation ordered by the ICC and most of the courts. As such, this means of resolving ancient claims continues to embitter the tribes.

Perhaps the "dangerous precedent" syndrome continues to send shivers up the congressional spine. In the 1990s even the courts did not always look favorably on tribal quests for land-related justice. To be sure, no one really expects to see the nation restore land in grant style. And perhaps the 110-million-acre goal is unrealistic. There is little doubt that the national map of Indian holdings in trust will see some minor additions in Maine or elsewhere in New England and in a few locations in the West. Perhaps in Alaska and Hawaii some other lands may also be transferred. However, gross acreage is not the whole story: many tribes seek restoration of specific and often finite cultural sites, even if such places lie outside the public domain and are today enclosed in privately owned lands.[14] True, non-recognized Indian communities want recognition along with certain services and some land. I have strongly supported this position in Southern California, recommending a modicum of acreage to those Indian communities denied trust lands because they were unfortunate to be living in developing areas of the coastal counties.[15] Perhaps it is not an unreasonable proposal across the nation.

As for the future, individual Indians and tribes will accord themselves all options in the quest to resolve land claims. Unless Congress attempts again to enact legislation that would bar Indian communities from further litigation leading to the restoration of some traditional lands—a very unlikely event—the door to the court remains open, but perhaps no longer as widely ajar as in the immediate past. Congress may choose to establish a time constraint on any and all future tribal claims, but it had done so for tribes that wanted to file grievances with the ICC. Yet the Zuni, with the blessings of Congress, managed to overcome the statute of limitation issue and advance their case subsequent to the commission's retirement. Other tribes may indeed reexamine how the Havasupai succeeded in regaining considerable traditional land and then may attempt to lobby Congress. I suspect that with changing congressional membership the Sioux might revisit the quest to secure some acreage in the Black Hills.

Whether or not some tribes might be able to retry their claims, even though adjudicated by the ICC and the Court of Claims, may also depend on judicial interpretations of what is called the *trust theory*. As Professor Nell Jessup Newton points out:

> Although many of the ancient claims filed in the Indian Claims Commission turned into breach of trust claims at the accounting stage, tribes had not been aware that they could base a claim against the Government on the trust relationship until the beginning of the

> 1970s. Tribes could be expected to take every advantage of this new theory of liability.[16]

However, statutes of limitation seem to bar even the dominant cases from applying this theory. It is unlikely that land per se directly enters into the application of this new theory of liability. But perhaps other litigation will determine the viability of this new idea.

Still, there are potentially other bases for litigation. Grievances over the allotment of reservation lands may yet find their way into future litigation, but such would become an uphill effort since the ICC ruled early on that it would not deal with the allotment controversy. As Nancy O. Lurie notes, "individualizing land ownership also left tribes with no redress for its loss under the first commissioners' construal of 'tribe, band or identifiable group.'"[17] Lurie, among others, questioned whether the ICC was right in asserting that cases dealing with an "aggregate of grievances rather than a group grievance was inherent in the act or only an artifact of construal."[18] Because of this ICC interpretation, grievances over lost allotments went unheard despite the fact that the allotment policy had greatly diminished the Indians' land base and all too often fragmented the remainder into units that were of no economic use. Grievances resulted soon after allotment was administered because tribes resented the fact that the laws governing allotment did not make a provision for tribal consent or consultation.[19] Indians also have long complained of "forced-fee patents"—taken before the expiration date of twenty-five years under the Dawes Act and without consent.[20]

Compounding the grievance over allotment are the disastrous consequences of encumbered heirship: the physical fragmentation of tribal lands into parcels too small to be worthy of economic exploitation. In subsequent times, the misguided yet encouraged alienation of allotments and the resultant entry onto reservations of countless non-Indian owners—all represent grievances to some Indian communities and individuals. As *recognized* title lands, one wonders if lost allotments for any and all reasons would be barred from further litigation because these lands lay within the larger adjudicated claims areas. However, such acreage as part of reservations was also counted in ascertaining offsets from the total acreage figure for the claims area.

Let me return momentarily to the issue of non-Indians owning and residing on formerly allotted lands. The ultimate alienation of so many allotments, for which tribal efforts to consolidate encumbered holdings could never keep pace, has long been responsible for a changing political geography in Indian Country. Several cases—most recently the 1993 decision *Devils Lake Sioux Tribe* v. *North Dakota Public Services Commission*[21]—demonstrate that the courts today are less receptive to tribal complaints involving formerly allotted lands, for they have essentially disallowed tribal planning and zoning to be the final word in jurisdiction over non-Indian land use within the borders of reservations. Tribes seeking holistic environmental management are not only discouraged by such judicial interpretations, but also are disarmed by them because non-Indians, now aware that the courts have in a sense sided with them, can turn their backs on tribal efforts to create a holistic environmental

plan for the reservation. In fact, some observers interpret the courts to infer that non-Indian holdings are no longer legally part of a reservation. And despite the availability of funds so that some tribes may purchase land, recent court decisions have denied certain tribal efforts to consolidate allotments. Certainly this works against holistic management. Thus, non-Indian land tenure within reservation borders now more than in the past aggravates a sensitive issue over what the allotment policy ultimately created—non-Indian legal and political enclaves within Indian reservations.

If all of the difficulties cited above are not enough, environmentalists have withheld support for and even opposed tribal claims to lands now within various public lands, especially the national parks or forests.[22] Some environmental groups assert that the tribes have less experience and interest in the management and preservation of scenic lands, wilderness, and the like. The changes in policy now being implemented by the National Parks Service (NPS) suggest that negotiated and legislated means will likely yield only little return of land to some tribes, but perhaps will lead to a greater Indian presence within some parks. The recent invited participation of the Northern Cheyenne and Northern Arapaho on a committee established by the NPS is some indication of how a policy change might interact with the tribes. In this instance, the tribes have been asked to assist in determining the exact site of the 1864 Sand Creek Massacre on the plains of Colorado.[23] The NPS intends to recommend the creation of a national park surrounding the site and the purchase of land. Laudable perhaps, but not the same as acquiring the land and turning it over to the Indians as a tribal monument.

The tribes should and do expect shifts in policy and practice from all three branches of government. A few more Indian communities can expect to be recognized; they and others may see the return of a modicum of acreage or receive funding to establish or increase a land base. But the era of litigation over the vast square miles of aboriginal territory is now part of history. An updated map of adjudicated lands would emphasize now more than ever that the "judicially established" areas represent those regions in which title clouds have been almost entirely lifted. Little of these lands can ever again be contested. Right or wrong, there is an irredeemable America beyond the reach of the tribes. Yet some Indian communities may see a small number of acres restored or purchased and boundaries adjusted. The continuing conflicts and litigation over land and land-related resources that tribes must endure lie well within Indian Country and deal more with the present and future than the past.

## NOTES

1. I should point out that parallel to tribal land claims is current litigation involving the loss of billions of dollars in tribal and individual Indian trust funds; see Robert I. Jackson, "Suit Stands to Repay Billions to U.S. Indians," *Los Angeles Times*, 21 August 1999, A1, 20. This symposium has not attempted to examine monetary claims.

2. Kicke Kickingbird and Karen Ducheneaux, *One Hundred Million Acres* (New York: Macmillan Publishing Company, 1973), 226–228.

3. Ibid., 229–231.

4. Sakej Y. Henderson and Russel L. Barsh, "Indian Land Claims Policy in the United States," (unpublished manuscript shared by R. L. Barsh with the author, 1981), 56; later published as Russel L. Barsh, "Indian Land Claims Policy in the United States," *North Dakota Law Review* 58 (1982):1–82.

5. Ibid., citing Senate Report 91-1345, 91st Cong., 2nd sess., 1970, Taos Indian Land Act, 6–7.

6. Henderson and Barsh, "Indian Land Claims," 58.

7. Ibid., 59.

8. Ibid., 60.

9. Ibid., 61.

10. National Lawyers Guild, *Rethinking Indian Law* (New York: National Lawyers Guild, 1982), 121.

11. John C. Christie, Jr., "Indian Land Claims Involving Private Owners of Land: A Lawyer's Perspective," in *Irredeemable America: The Indians' Estate and Land Claims,* ed. Imre Sutton (Albuquerque: University of New Mexico Press, 1985), 243.

12. National Lawyers Guild, *Rethinking Indian Law,* 121–126; see also Sutton, *Irredeemable America,* 269.

13. Senate 2084, 28 June 1982, quoted by Jack Campisi, "The Trade and Intercourse Acts: Land Claims on the Eastern Seaboard," in Sutton, *Irredeemable America,* 360.

14. See my "Indian Cultural, Historical and Sacred Resources: How the Tribes, Trustees and Citizenry Have Invoked Conservation," in *Indian Affairs and the Environmental Movement: Essays on Conservation in Trust,* eds. Richmond L. Clow and Imre Sutton (forthcoming).

15. Sutton, "Indian Land, Whiteman's Law: Southern California Revisited," *American Indian Culture and Research Journal* 18:3 (1994): 265–272.

16. Nell Jessup Newton, "Indian Claims in the Courts of the Conqueror," *American University Law Review* 41 (1992): 753–854, 793 (quote).

17. Nancy O. Lurie, "Epilogue," in Sutton, *Irredeemable America,* 363–382, 372–273 (quote).

18. Id., "The Indian Claims Commission," *Annals of the American Academy of Political and Social Science* 436 (March 1978): 97–110, 107 (quote).

19. See David H. Getches, Charles F. Wilkinson, and Robert A. Williams, Jr., *Cases and Materials on Federal Indian Law,* 3rd ed. (St. Paul: West Publishing Company, 1993): 198–199.

20. 25 USCA §357.

21. US District Court, District of North Dakota—Southwestern Division, 3 February 1993, A1–90–179; see David J. Wishart and Oliver Froehling, "Land Ownership, Population, and Jurisdiction: The Case of the *Devils Lake Sioux Tribe* v. *North Dakota Public Service Commission,*" *American Indian Culture and Research Journal* 20:2 (1996): 33–58; see also *Brendale* v *Confederated Tribes of the Yakima Nation,* 109 S. Ct. 2994 (1989).

22. See Robert H. Keller and Michael F. Turek, *American Indians and National Parks* (Tucson: University of Arizona Press, 1998); and Theodore Catton, *Inhabited Wilderness: Indians, Eskimos and National Parks in Alaska* (Albuquerque: University of New Mexico Press, 1997).

23. Anon., "Question Hinders Tribute to Indian Massacre," *Los Angeles Times,* 27

February 1999. A map showing generalized sites may be found in Thomas J. Noel, Paul F. Mahoney, and Richard E. Stevens, *Historical Atlas of Colorado* (Norman: University of Oklahoma Press, 1994), 45c.

## APPENDIX A:

## SOME RECENT LITERATURE ON LAND CLAIMS

Several studies, found in books, articles, or chapters focus on claims litigation of one tribe or a group of tribes. Eastern Indian claims have received much attention: Christopher Vecsey and William A. Starna, eds., *Iroquois Land Claims* (Syracuse: Syracuse University Press, 1988); George C. Shattuck, *The Oneida Land Claims: A Legal History* (Syracuse: Syracuse University Press, 1991); Paul Brodeur, *Restitution: The Land Claims of the Mashpee, Passamaquoddy and Penobscot of New England* (Boston: Northeastern University Press, 1985); Jack Campisi, *The Mashpee Indians: Tribe on Trial* (Syracuse: Syracuse University Press, 1991).

For other parts of Indian Country, see Edward Lazarus, *Black Hills, White Justice: The Sioux Nation Versus the United States, 1975 to the Present* (New York: HarperCollins, 1991); Michael Lieder and Jake Page, *Wild Justice: The People of Geronimo v. the U.S.* (New York: Random House, 1997); E. Richard Hart, *Zuni and the Courts* (Lawrence: University Press of Kansas, 1995); Florence C. Shipek, "Mission Indians and Indians of California Land Claims," *American Indian Quarterly* 13:4 (1989): 407–420; and ibid., *Pushed into the Rocks: Southern California Indian Land Tenure, 1769–1986* (Lincoln: University of Nebraska Press, 1987).

On the Indian Claims Commission (ICC) and litigation in general: Harvey D. Rosenthal, *Their Day in Court: A History of the Indian Claims Commission* (New York: Garland Publications Company, 1990). Other surveys include Arrell M. Gibson, "Indian Land Transfers," in *The History of Indian-White Relations*, ed. Wilcomb E. Washburn, vol. 4 of *Handbook of North American Indians* (Washington, DC: Smithsonian Institution, 1988), 211–229; Imre Sutton, "Land Claims," in *Native America in the Twentieth Century: An Encyclopedia*, ed. Mary Davis (New York: Garland Publications Company, 1994): 303–310 (note that a considerable number of entries in Davis and in Duane Champagne, ed., *The Native North American Almanac* [Detroit: Gale Research Incorporated, 1994] include discussions, however brief, on tribal claims); Nell J. Newton, "Indian Claims in the Courts of the Conqueror," *American University Law Review* 41 (1992): 753–854; Ward Churchill, "The Earth is Our Mother: Struggles for American Indian Land and Liberation in the Contemporary United States," in *The State of Native America: Genocide, Colonization, and Resistance*, ed. M. Annette Jaimes (Boston: South End Press, 1992): 139–188. Note also that Lieder and Page, *Wild Justice*, while focusing on the claims of the Chiricahua Apache, might be perceived as only dealing with territorial claims and those of wrongful imprisonment. However, it expressly explores Chiricahua claims within the broader context of land-claims politics, legislation, and litigation and reexamines the role of the ICC. See reviews of the book: Richard Ansson, Jr., "The Indian Claims Commission: Did the American Indians *Really* Have Their Day in Court?" *American Indian Law Review* 23:1 (1998–1999): 207–215 and John A. Turcheneske, Jr., review

of *Wild Justice,* by Lieder and Page, *American Indian Culture and Research Journal* 22:3 (1998): 289–298. Just as *Wild Justice* focuses on legal questions, another raises an ethical question: see David J. Wishart, "Indian Dispossession and Land Claims: The Issue of Fairness," in *Human Geography in North America: New Perspectives and Trends in Research,* ed. Klaus Frantz, Innssbrucker Geographische Studien 26 (Innsbruck, Austria: Instituts für Geographie der Universität Innsbruck, 1996): 181–194.

On treaties: Vine Deloria, Jr. and Raymond J. DeMallie, *Documents of American Indian Diplomacy: Treaties, Agreements and Conventions, 1775–1979* (Norman: University of Oklahoma Press, 1999); Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1994). On the vital issue of sacred sites: Christopher Vecsey, ed., *Handbook of American Indian Religious Freedom* (New York: The Crossroad Publishing Company, 1991), 100–115; Klara B. Kelley and Harris Francis, *Navajo Sacred Places* (Bloomington: Indiana University Press, 1994); Robert S. Michaelsen, "Dirt in the Court Room: Indian Land Claims and American Property Rights," in *American Sacred Space,* eds. David Chidester and Edward T. Linenthal (Bloomington: Indiana University Press, 1995), 43–96.

Depredation claims have been explored with greater emphasis on white claims: Martha H. Rising, "White Claims for Indian Depredations: Illinois-Missouri-Arkansas Frontier, 1802–32," *National Genealogical Society Quarterly* 84 (December 1996): 275–304; Larry C. Skogen, *Indian Depredation Claims, 1796–1920* (Norman: University of Oklahoma Press, 1996).

## APPENDIX B:

## THE DOCUMENTARY RECORD

The prime sources of the documentary record continue to be the microfiche published by Clearwater Publishing Company, New York (acquired by Congressional Information Service, Washington, DC), and in book-form by Garland Publications in New York. In an earlier review of the publication of claims documents—see Imre Sutton, ed., *Irredeemable America: The Indians' Estate and Land Claims* (Albuquerque: University of New Mexico Press, 1985): xvii–xviii and 399—I failed to stress that Clearwater pioneered the publication of the briefs as well as the findings, decisions, and testimony in microfiche. While it is true that Garland published in book-form, these volumes focus only on randomly selected decisions and findings as seen through expert witness reports. To date, the microfiche collections constitute the almost complete reproduction of Indian land-claims litigation presented and decided up to the time Clearwater ceased publication. In research terms both sets of publications should be examined by scholars. Garland has gone on to publish other books relevant to Indian claims, including Rosenthal, *Their Day in Court* and Davis, *Native America* (see Appendix A). There is no up-to-date compilation of claims adjudications before the Court of Claims, but see E. B. Smith, comp., *Indian Tribal Claims: Decided in the Court of Claims of the United States, Briefed and Compiled to June 30, 1947* (Washington, DC: University Publications of America, 1976).

Aside from the map of judicially established claims areas in ICC, *Final Report* (Washington, DC: Government Printing Office, 1979), map in pocket, and the various maps published in either series—Clearwater and Garland—to date, there is no comprehensive publication of the cartographic record of Indian land claims. Both Davis, *Native America* and Champagne, *The Native North American Almanac* have printed a number of redrawn relevant maps.

## APPENDIX C:

## CASES AND STATUTES

*It is possible to list only a sampling of cases and statutes here. Only a few of these listed have been discussed in this symposium.*

### Some Recent Cases

*Alabama-Coushatta Tribe of Texas* v *United States,* 28 Fed. Cl. 95 (1993).

*Babbitt* v *Youpee,* 67 F 3d 194 (9th Cir. 1995), aff'd sub nom *Babbitt* v *Youpee* 117 S. Ct., 727 (1997).

*Bear Claw Tribe, Inc.* v *United States,* 36 Feb. Cl. 181, aff'd 37 Fed. Cl. 633 (1996).

*Catawba Indian Tribe of South Carolina* v *State of South Carolina,* 978 F 2d 1334 (1992).

*Cayuga Indian Nation of New York* v *Cuomo,* 58 F. Supp. 107 (ND, NY, 1991).

*Cherokee Nation* v *United States,* 948 F 2d 635 (10th Cir. 1991); 937 F 2d 1539 (10th Cir. 1991).

*Cherokee Nation* v *United States,* 26 Cl. Ct. 215 (1992).

*Choctaw Nation* v *United States,* 25 Cl. Ct. 363 (1992).

*Fluent* v *Salamanca Indian Land Authority,* 928 F 2nd 542 (2nd Cir.), cert. denied 112 S. Ct. 74 (1991).

*Havasupai Tribe et al* v *United States,* 752 F. Supp. 1471 (D. Ariz., 1990).

*Havasupai Tribe* v *Robertson,* 943 F 2d 32 (9th Cir., 1991); cert. denied 503 US 959 (1992).

*Hodel* v *Irving,* 481 US 704 (1987).

*Idaho* v *Coeur d'Alene Tribe of Idaho,* No. 94-1474, 1997 WL338603 (US, 23 June 1997).

*Jones* v *United States,* 801 F 2nd 1334 (Fed. Cir. 1886), cert. denied 481 US 1013 (1987).

*Lyng* v *Northwest Indian Cemetery Protective Association,*108 S. Ct. 1219 (1988).

*Menominee Indian Tribe* v *Thompson,* 922 F Supp. 184, modified, 943 F Supp. 99 (D. Wis. 1996).

*Narragansett Indian Tribe of Rhode Island* v *Narragansett Electric Company,* 89 F 3rd 908 (1st Cir. 1996).

*South Carolina* v *Catawba Indian Tribe of South Carolina,* 476 US 498 (1986).

*State of Rhode Island* v *Narragansett Indian Tribe,* 19 F 3d 685 (1994), cert. denied 115 S. Ct. 298 (1995).

*State [Vermont]* v *Elliott,* 616 *A2nd* 219 (Vermont 1992), cert. denied 113 S. Ct. 1258 (1993).

*Uintah Ute Indians of Utah* v *United States,* 28 Fed Cl. 768 (1993).

*United States* v *Cherokee Nation,* 480 US 700 (1987).
*Youpee* v *Babbitt,* 67 F 3rd 194 (9th Cir. 1995).

**Some Recent Statutes**

*Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993,* PL 103-116,107 Stat. 1118.
*Florida Indians (Seminole) Land Claims Settlement Act of 1987,* PL 100-228, 101 Stat. 1556.
*Houlton Band of Maliseet Indian Supplemental Claims, 1986,* PL 99-566, 100 Stat. 3184.
*Aroostook Band of Micmacs Settlement Act,1991,* PL 102-171,105 Stat. 1143.
*Mohegan Nation (Connecticut) Land Claims Settlement Act,1994,* PL 103-377, 108 Stat. 3501.
*Rhode Island [Narragansett] Indian Claims Settlement Act, 1987,* PL 100-95.
*The Saddleback Mountain, Arizona, Settlement Act of 1995,* PL 104-102, 110 Stat. 50 (1996).
*Seneca Nation Settlement Act of 1990,* PL 101-503, 104 Stat. 1292.
*Wampanoag Tribal Council of Gay Head, Inc., Indian Claims Settlement Act of 1987,* PL 100-95; 25 USCA §1701 et seq.
*Washington Indians [Puyallup Tribe of Indians] Settlement Act of 1989,* PL 101-41, 103 Stat. 83.
*The Zuni Land Conservation Act of 1990,* PL 101-486.