

Public Law 100-419
100th Congress

An Act

To provide for the establishment of an economic development plan for, and Federal services and assistance to, the Northwestern Band of the Shoshoni Nation, and for other purposes.

Sept. 8, 1988
[H.R. 2370]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Economic
Development
Plan for the
Northwestern
Band of the
Shoshoni Nation
Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Economic Development Plan for the Northwestern Band of the Shoshoni Nation Act".

SEC. 2. ECONOMIC DEVELOPMENT.

(a) **PLAN FOR ECONOMIC DEVELOPMENT.**—The Secretary shall—

(1)(A) enter into negotiations with the tribal council with respect to establishing a plan for economic development for the tribe, including (but not limited to) the provision of Federal services to the tribe; and

(B) in accordance with this section and not later than 2 years after the date of the enactment of this Act, develop such a plan; and

(2) upon the approval of such plan by the tribal council (and after consultation with the State and local officials pursuant to subsection (b)), the Secretary shall submit such plan to the Congress.

(b) **CONSULTATION WITH STATE AND LOCAL OFFICIALS REQUIRED.**—To assure that legitimate State and local interests are not prejudiced by the proposed economic development plan, the Secretary shall notify and consult with the appropriate officials of the State and all appropriate local governmental officials in the State. The Secretary shall provide complete information on the proposed plan to such officials, including the restrictions on such proposed plan imposed by subsection (c). During any consultation by the Secretary under this subsection, the Secretary shall provide such information as the Secretary may possess, and shall request comments and additional information on the extent of any State or local service to the tribe.

(c) **RESTRICTIONS TO BE CONTAINED IN PLAN.**—Any plan developed by the Secretary under subsection (a) shall provide that—

(1) any real property transferred by the tribe or any member to the Secretary shall be taken and held in the name of the United States in trust for the benefit of the tribe;

(2) any real property taken in trust by the Secretary pursuant to such plan shall be subject to—

(A) all legal rights and interests in such land existing at the time of the acquisition of such land by the Secretary, including any lien, mortgage, or previously levied and outstanding State or local tax; and

(B) foreclosure or sale in accordance with the laws of the State pursuant to the terms of any valid obligation in

Real property.

Taxes.

Taxes.

existence at the time of the acquisition of such land by the Secretary;

(3) any real property transferred pursuant to such plan shall be exempt from Federal, State, and local taxation of any kind; and

(4) the territorial jurisdiction of the tribe shall be limited to real property taken or held in trust by the Secretary for the tribe or individual members of the tribe.

(d) APPENDIX TO PLAN SUBMITTED TO THE CONGRESS.—The Secretary shall append to the plan submitted to the Congress under subsection (a) a detailed statement—

(1) naming each individual and official consulted in accordance with subsection (b);

(2) summarizing the testimony received by the Secretary pursuant to any such consultation; and

(3) including any written comments or reports submitted to the Secretary by any party named in paragraph (1).

SEC. 3. DEFINITIONS.

For the purposes of this Act the following definitions apply:

(1) The term "Constitution" means the Constitution and Bylaws of the Northwestern Band of the Shoshoni Nation in effect on the date of the enactment of this Act.

(2) The term "member" means those persons eligible for enrollment under the Constitution of the Northwestern Band of the Shoshoni Nation.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "State" means the State of Utah.

(5) The term "tribe" means the Northwestern Band of the Shoshoni Nation.

Approved September 8, 1988.

LEGISLATIVE HISTORY—H.R. 2370:

HOUSE REPORTS: No. 100-468 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 100-477 (Select Comm. on Indian Affairs).

CONGRESSIONAL RECORD:

Vol. 133 (1987): Dec. 14, considered and passed House.

Vol. 134 (1988): Aug. 11, considered and passed Senate.

