

TITLE 25 - INDIANS**CHAPTER 14 - MISCELLANEOUS****SUBCHAPTER XXII - NAVAJO AND HOPI TRIBES: SETTLEMENT OF RIGHTS AND INTERESTS****§ 640d-4. Authorized recommendations for facilitation of agreement or report to District Court; discretionary nature of recommendations**

(a) For the purpose of facilitating an agreement pursuant to section 640d-2 of this title or preparing a report pursuant to section 640d-3 of this title, the Mediator is authorized—

- (1) notwithstanding the provisions of section 211 of this title, to recommend that, subject to the consent of the Secretary, there be purchased or otherwise acquired additional lands for the benefit of either tribe from the funds of either tribe or funds under any other authority of law;
- (2) to recommend that, subject to the consent of the Secretary, there be undertaken a program of restoration of lands lying within the joint use area, employing for such purpose funds authorized by this subchapter, funds of either tribe, or funds under any other authority of law;
- (3) to recommend that, subject to the consent of the Secretary, there be undertaken a program for relocation of members of one tribe from lands which may be partitioned to the other tribe in the joint use area;
- (4) Repealed. Pub. L. 93-531, § 30(a), as added Pub. L. 96-305, § 11, July 8, 1980, 94 Stat. 934.
- (5) to make any other recommendations as are in conformity with this subchapter and the Healing case to facilitate a settlement.

(b) The authorizations contained in subsection (a) of this section shall be discretionary and shall not be construed to represent any directive of the Congress.

(Pub. L. 93-531, § 5, Dec. 22, 1974, 88 Stat. 1714; Pub. L. 93-531, § 30(a), as added Pub. L. 96-305, § 11, July 8, 1980, 94 Stat. 934.)

Amendments

1980—Subsec. (a)(4). Pub. L. 96-305 struck out par. (4) which authorized the Mediator to recommend, in exceptional cases where necessary to prevent hardship, a limited tenure for residential use, not exceeding a life estate, and a phased relocation of members of one tribe from lands which may be partitioned to the other tribe in the joint use area.