

(e) Establishment of local government bodies, etc., by Wisconsin to provide necessary governmental services in Menominee County

For the purpose of implementing subsection (d) of this section, the State of Wisconsin may establish such local government bodies, political subdivisions, and service arrangements as will best provide the State or local government services required by the people in the territory constituting, on December 22, 1973, the county of Menominee.

(Pub. L. 93-197, §6, Dec. 22, 1973, 87 Stat. 772.)

§ 903e. Rules and regulations

The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this subchapter.

(Pub. L. 93-197, §7, Dec. 22, 1973, 87 Stat. 773.)

§ 903f. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter.

(Pub. L. 93-197, §8, Dec. 22, 1973, 87 Stat. 773.)

§ 903g. Exemption from advertising requirement for contracts for labor or supplies

All contracts for labor or supplies necessary for the carrying on of operations on the Menominee Indian Reservation pursuant to the Act of March 28, 1908 (35 Stat. 51), as amended, shall be exempt from the requirements of section 6101 of title 41.

(Oct. 10, 1940, ch. 851, §3(c), 54 Stat. 1111.)

REFERENCES IN TEXT

Act of March 28, 1908, referred to in text, is act Mar. 28, 1908, ch. 111, 35 Stat. 51, which is not classified to the Code.

CODIFICATION

In text, "section 6101 of title 41" substituted for "section 3709 of the Revised Statutes" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was formerly classified to section 6b(c) of former Title 41, Public Contracts.

This section was not enacted as part of the Menominee Restoration Act which comprises this subchapter.

SUBCHAPTER XLII—QUAPAW TRIBE:
DISTRIBUTION OF JUDGMENT FUND

§ 911. Membership roll; preparation; eligibility for enrollment; applications for enrollment; protests; finality of determination

The Secretary of the Interior is authorized and directed to prepare a roll of the persons whose names appear on the Quapaw membership roll forwarded under date of January 4, 1890, and whose membership in the tribe was then based upon Quapaw blood rather than solely upon adoption, and the descendants of such persons, who are living on July 17, 1959. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed by the Secretary, within six months after July 17, 1959. For a period of three months thereafter, the Secretary

shall permit the examination of the applications by the Quapaw Tribal Business Committee or by persons having a material interest therein for the purpose of lodging protests against any application. The determination of the Secretary regarding the eligibility of an applicant shall be final.

(Pub. L. 86-97, §1, July 17, 1959, 73 Stat. 221.)

§ 912. Per capita payments to enrollees, heirs or legatees; tax exemption

The Secretary shall distribute on a pro rata basis to the persons whose names appear on the roll prepared pursuant to section 911 of this title, or their heirs or legatees, the balance of the funds on deposit in the Treasury of the United States to the credit of the Quapaw Indians that were appropriated by the Act of August 26, 1954 (68 Stat. 801), in satisfaction of a judgment against the United States that was obtained by the tribe in the Indian Claims Commission on May 7, 1954, and accrued interest thereon. The funds so distributed shall not be subject to Federal or State income tax.

(Pub. L. 86-97, §2, July 17, 1959, 73 Stat. 222.)

REFERENCES IN TEXT

Act of August 26, 1954, referred to in text, is act Aug. 26, 1954, ch. 935, 68 Stat. 801, known as the Supplemental Appropriation Act, 1955. That portion of the act which appropriated the funds referred to was not classified to the Code.

§ 913. Distribution of shares

(a) Payments to enrollees, next of kin, or legatees

Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) Payments to minors or persons under legal disability

A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with the laws applicable to such person in the place of his domicile, or in the discretion of the Secretary to the natural parent or guardian of such person.

(Pub. L. 86-97, §3, July 17, 1959, 73 Stat. 222.)

§ 914. Costs

All costs incurred by the Secretary in the preparation of the roll and in the payment of shares in accordance with the provisions of this subchapter shall be paid by appropriate withdrawals from the judgment fund, but the cost and expense of any litigation that may arise from the preparation of the roll or the payment of shares shall be paid by the United States.

(Pub. L. 86-97, §4, July 17, 1959, 73 Stat. 222.)

SUBCHAPTER XLIII—CATAWBA TRIBE OF
SOUTH CAROLINA: DIVISION OF ASSETS

**§§ 931 to 938. Repealed. Pub. L. 103-116, §4(c),
Oct. 27, 1993, 107 Stat. 1121**

Section 931, Pub. L. 86-322, §1, Sept. 21, 1959, 73 Stat. 592, related to publication of notice of agreement to division of assets, closure of roll, preparation of roll, protest against inclusion or omission from roll, finality of determinations, and final publication.

Section 932, Pub. L. 86-322, §2, Sept. 21, 1959, 73 Stat. 592, related to personal property rights of enrolled members and restrictions on alienation.

Section 933, Pub. L. 86-322, §3, Sept. 21, 1959, 73 Stat. 592, related to distribution of tribal assets.

Section 934, Pub. L. 86-322, §4, Sept. 21, 1959, 73 Stat. 593, related to land surveys and execution of conveyances by Secretary and title of grantees.

Section 935, Pub. L. 86-322, §5, Sept. 21, 1959, 73 Stat. 593, related to revocation of tribal constitution, termination of Federal services, application of Federal and State laws, and effect on citizenship status.

Section 936, Pub. L. 86-322, §6, Sept. 21, 1959, 73 Stat. 593, provided that rights, privileges, and obligations under South Carolina laws would be unaffected.

Section 937, Pub. L. 86-322, §7, Sept. 21, 1959, 73 Stat. 593, related to applicability of Federal or State income taxes on distributed property.

Section 938, Pub. L. 86-322, §8, Sept. 21, 1959, 73 Stat. 594, related to education and training program, purposes, subjects, transportation, subsistence, contracts, and other education programs.

EFFECTIVE DATE OF REPEAL

For effective date of repeal, see section 17 of Pub. L. 103-116, set out as an Effective Date note under section 941 of this title.

SUBCHAPTER XLIII-A—CATAWBA INDIAN
TRIBE OF SOUTH CAROLINA; RESTORA-
TION OF FEDERAL TRUST RELATIONSHIP

**§ 941. Declaration of policy, Congressional find-
ings and purpose**

(a) Findings

The Congress declares and finds that:

(1) It is the policy of the United States to promote tribal self-determination and economic self-sufficiency and to support the resolution of disputes over historical claims through settlements mutually agreed to by Indian and non-Indian parties.

(2) There is pending before the United States District Court for the District of South Carolina a lawsuit disputing ownership of approximately 140,000 acres of land in the State of South Carolina and other rights of the Catawba Indian Tribe under Federal law.

(3) The Catawba Indian Tribe initiated a related lawsuit against the United States in the United States Court of Federal Claims seeking monetary damages.

(4) Some of the significant historical events which have led to the present situation include:

(A) In treaties with the Crown in 1760 and 1763, the Tribe ceded vast portions of its aboriginal territory in the present States of North and South Carolina in return for guarantees of being quietly settled on a 144,000-acre reservation.

(B) The Tribe's district court suit contended that in 1840 the Tribe and the State

entered into an agreement without Federal approval or participation whereby the Tribe ceded its treaty reservation to the State, thereby giving rise to the Tribe's claim that it was dispossessed of its lands in violation of Federal law.

(C) In 1943, the United States entered into an agreement with the Tribe and the State to provide services to the Tribe and its members. The State purchased 3,434 acres of land and conveyed it to the Secretary in trust for the Tribe and the Tribe organized under the Indian Reorganization Act [25 U.S.C. 461 et seq.].

(D) In 1959, when Congress enacted the Catawba Tribe of South Carolina Division of Assets Act (25 U.S.C. 931-938), Federal agents assured the Tribe that if the Tribe would release the Government from its obligation under the 1943 agreement and agree to Federal legislation terminating the Federal trust relationship and liquidating the 1943 reservation, the status of the Tribe's land claim would not be jeopardized by termination.

(E) In 1980, the Tribe initiated Federal court litigation to regain possession of its treaty lands and in 1986, the United States Supreme Court ruled in South Carolina against Catawba Indian Tribe that the 1959 Act resulted in the application of State statutes of limitations to the Tribe's land claim. Two subsequent decisions of the United States Court of Appeals for the Fourth Circuit have held that some portion of the Tribe's claim is barred by State statutes of limitations and that some portion is not barred.

(5) The pendency of these lawsuits has led to substantial economic and social hardship for a large number of landowners, citizens and communities in the State of South Carolina, including the Catawba Indian Tribe. Congress recognizes that if these claims are not resolved, further litigation against tens of thousands of landowners would be likely; that any final resolution of pending disputes through a process of litigation would take many years and entail great expenses to all parties; continue economically and socially damaging controversies; prolong uncertainty as to the ownership of property; and seriously impair long-term economic planning and development for all parties.

(6) The 102d Congress has enacted legislation suspending until October 1, 1993, the running of any unexpired statute of limitation applicable to the Tribe's land claim in order to provide additional time to negotiate settlement of these claims.

(7) It is recognized that both Indian and non-Indian parties enter into this settlement to resolve the disputes raised in these lawsuits and to derive certain benefits. The parties' Settlement Agreement constitutes a good faith effort to resolve these lawsuits and other claims and requires implementing legislation by the Congress of the United States, the General Assembly of the State of South Carolina, and the governing bodies of the South Carolina counties of York and Lancaster.