

available to the Indian Nation for which the account was established for expenditure for purposes which may include construction or repair of health care facilities, law enforcement, cultural or other educational activities, economic development, social services, and land acquisition. Land acquisition using such funds shall be subject to the provisions of subsections (b) and (d).<sup>2</sup>

**(3) Disbursement of funds**

The Secretary shall disburse the funds from a trust account established under this section pursuant to a budget adopted by the Council or Legislature of the Indian Nation setting forth the amount and an intended use of such funds.

**(4) Additional restriction on use of funds**

None of the funds made available under this subchapter may be allocated or otherwise assigned to authorized purposes of the Arkansas River Multipurpose Project as authorized by the River and Harbor Act of 1946,<sup>1</sup> as amended by the Flood Control Act of 1948 and the Flood Control Act of 1950.

(Pub. L. 107-331, title VI, §606, Dec. 13, 2002, 116 Stat. 2851.)

REFERENCES IN TEXT

Section 1779c(c) and (d) of this title, referred to in subsec. (b)(1)(A), was in the original "sections 205(c) and (d)" and was translated as reading "section 605(c) and (d)", meaning section 605(c) and (d) of Pub. L. 107-331, to reflect the probable intent of Congress.

The River and Harbor Act of 1946, as amended by the Flood Control Act of 1948 and the Flood Control Act of 1950, referred to in subsec. (b)(4), probably means the act July 24, 1946, ch. 596, 60 Stat. 641, known as the Flood Control Act of 1946, as amended by act June 30, 1948, ch. 771, title II, 62 Stat. 1175, and act May 17, 1950, ch. 188, title II, 64 Stat. 170. For complete classification of these acts to the Code, see Tables.

**§ 1779e. Attorney fees**

**(a) Payment**

At the time the funds are paid to the Indian Nations, from funds authorized to be appropriated pursuant to section 1779c(c) of this title, the Secretary shall pay to the Indian Nations' attorneys those fees provided for in the individual tribal attorney fee contracts as approved by the respective Indian Nations.

**(b) Limitations**

Notwithstanding subsection (a) of this section, the total fees payable to attorneys under such contracts with an Indian Nation shall not exceed 10 percent of that Indian Nation's allocation of funds appropriated under section 1779c(c) of this title.

(Pub. L. 107-331, title VI, §607, Dec. 13, 2002, 116 Stat. 2852.)

**§ 1779f. Release of other tribal claims and filing of claims**

**(a) Extinguishment of other tribal claims**

**(1) In general**

As of December 13, 2002—

<sup>2</sup> So in original. This section does not contain a subsection (d).

(A) all right, title, and interest of any Indian nation or tribe other than any Indian Nation defined in section 1779b of this title (referred to in this section and section 1779g of this title as a "claimant tribe") in or to the Disclaimed Drybed Lands, and any such right, title, or interest held by the United States on behalf of such a claimant tribe, shall be considered to be extinguished in accordance with section 177 of title 25;

(B) if any party other than a claimant tribe holds transferred interests in or to the Disclaimed Drybed Lands in violation of section 177 of title 25, Congress approves and ratifies those transfers of interests to the extent that the transfers are in accordance with other applicable law; and

(C) the documents described in section 1779c(b)(1)(D) of this title shall serve to identify the geographic scope of the interests extinguished by subparagraph (A).

**(2) Quiet title actions**

**(A) In general**

Notwithstanding any other provision of law, after December 13, 2002, neither the United States (or any department or agency of the United States) nor any Indian Nation shall be included as a party to any civil action brought by any private person or private entity to quiet title to, or determine ownership of an interest in or to, the Disclaimed Drybed Lands.

**(B) Future actions**

As of December 13, 2002, the United States shall have no obligation to bring any civil action to quiet title to, or to recover any land or funds relating to, the Drybed Lands (including any lands that are Wetbed Lands as of December 13, 2002, but that are located at any time after that date above the mean high water mark of the Arkansas River).

**(C) No breach of trust**

The failure or declination by the United States to initiate any civil action to quiet title to or manage any Drybed Lands under this paragraph shall not—

- (i) constitute a breach of trust by the United States; or
- (ii) be compensable to a claimant tribe in any manner.

**(b) Claims of other Indian tribes**

**(1) Limited period for filing claims**

**(A) In general**

Not later than 180 days after December 13, 2002, any claimant tribe that claims that any title, interest, or entitlement held by the claimant tribe has been extinguished by operation of section 1779c(a) of this title or subsection (a) of this section may file a claim against the United States relating to the extinguishment in the United States Court of Federal Claims.

**(B) Failure to file**

After the date described in subparagraph (A), a claimant tribe described in that subparagraph shall be barred from filing any claim described in that subparagraph.