

(Pub. L. 105-83, title VII, §702, Nov. 14, 1997, 111 Stat. 1624.)

SHORT TITLE

Pub. L. 105-83, title VII, §701, Nov. 14, 1997, 111 Stat. 1624, provided that: "This title [enacting this part] may be cited as the 'Miccosukee Settlement Act of 1997.'"

§ 1750a. Definitions

In this part:

(1) Board of Trustees of the Internal Improvements Trust Fund

The term "Board of Trustees of the Internal Improvements Trust Fund" means the agency of the State of Florida holding legal title to and responsible for trust administration of certain lands of the State of Florida, consisting of the Governor, Attorney General, Commissioner of Agriculture, Commissioner of Education, Controller, Secretary of State, and Treasurer of the State of Florida, who are Trustees of the Board.

(2) Florida Department of Transportation

The term "Florida Department of Transportation" means the executive branch department and agency of the State of Florida that—

(A) is responsible for the construction and maintenance of surface vehicle roads, existing pursuant to section 20.23, Florida Statutes; and

(B) has the authority to execute the Settlement Agreement pursuant to section 334.044, Florida Statutes.

(3) Lawsuit

The term "lawsuit" means the action in the United States District Court for the Southern District of Florida, entitled *Miccosukee Tribe of Indians of Florida v. State of Florida and Florida Department of Transportation, et al.*, docket No. 6285-Civ-Paine.

(4) Miccosukee lands

The term "Miccosukee lands" means lands that are—

(A) held in trust by the United States for the use and benefit of the Miccosukee Tribe as Miccosukee Indian Reservation lands; and

(B) identified pursuant to the Settlement Agreement for transfer to the Florida Department of Transportation.

(5) Miccosukee Tribe; Tribe

The terms "Miccosukee Tribe" and "Tribe" mean the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 476 of this title and recognized by the State of Florida pursuant to chapter 285, Florida Statutes.

(6) Secretary

The term "Secretary" means the Secretary of the Interior.

(7) Settlement Agreement; Agreement

The terms "Settlement Agreement" and "Agreement" mean the assemblage of documents entitled "Settlement Agreement" (with incorporated exhibits) that—

(A) addresses the lawsuit; and

(B)(i) was signed on August 28, 1996, by Ben G. Watts (Secretary of the Florida Department of Transportation) and Billy Cypress (Chairman of the Miccosukee Tribe); and

(ii) after being signed, as described in clause (i), was concurred in by the Board of Trustees of the Internal Improvements Trust Fund of the State of Florida.

(8) State of Florida

The term "State of Florida" means—

(A) all agencies or departments of the State of Florida, including the Florida Department of Transportation and the Board of Trustees of the Internal Improvements Trust Fund; and

(B) the State of Florida as a governmental entity.

(Pub. L. 105-83, title VII, §703, Nov. 14, 1997, 111 Stat. 1624.)

§ 1750b. Ratification

The United States approves, ratifies, and confirms the Settlement Agreement.

(Pub. L. 105-83, title VII, §704, Nov. 14, 1997, 111 Stat. 1625.)

§ 1750c. Authority of Secretary

As Trustee for the Miccosukee Tribe, the Secretary shall—

(1)(A) aid and assist in the fulfillment of the Settlement Agreement at all times and in a reasonable manner; and

(B) to accomplish the fulfillment of the Settlement Agreement in accordance with subparagraph (A), cooperate with and assist the Miccosukee Tribe;

(2) upon finding that the Settlement Agreement is legally sufficient and that the State of Florida has the necessary authority to fulfill the Agreement—

(A) sign the Settlement Agreement on behalf of the United States; and

(B) ensure that an individual other than the Secretary who is a representative of the Bureau of Indian Affairs also signs the Settlement Agreement;

(3) upon finding that all necessary conditions precedent to the transfer of Miccosukee land to the Florida Department of Transportation as provided in the Settlement Agreement have been or will be met so that the Agreement has been or will be fulfilled, but for the execution of that land transfer and related land transfers—

(A) transfer ownership of the Miccosukee land to the Florida Department of Transportation in accordance with the Settlement Agreement, including in the transfer solely and exclusively that Miccosukee land identified in the Settlement Agreement for transfer to the Florida Department of Transportation; and

(B) in conjunction with the land transfer referred to in subparagraph (A), transfer no land other than the land referred to in that subparagraph to the Florida Department of Transportation; and

(4) upon finding that all necessary conditions precedent to the transfer of Florida