

L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

1986—Subsec. (c). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954” wherever appearing, which for purposes of codification was translated as “title 26” thus requiring no change in text.

§ 1755. State jurisdiction over reservation

Notwithstanding the provision relating to a special election in section 406 of the Act of April 11, 1968 (82 Stat. 80; 25 U.S.C. 1326), the reservation of the Tribe is declared to be Indian country subject to State jurisdiction to the maximum extent provided in title IV of such Act [25 U.S.C. 1321 et seq.].

(Pub. L. 98-134, §6, Oct. 18, 1983, 97 Stat. 855.)

REFERENCES IN TEXT

Act of April 11, 1968, referred to in text, is Pub. L. 90-284, Apr. 11, 1968, 82 Stat. 73, as amended, known as the Civil Rights Act of 1968. Title IV of Pub. L. 90-284 is classified generally to subchapter III (§1321 et seq.) of chapter 15 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3601 of Title 42, The Public Health and Welfare, and Tables.

§ 1756. Practice and procedure

(a) Constitutionality

Notwithstanding any other provision of law, the constitutionality of this subchapter may not be drawn into question in any action unless such question has been raised in—

(1) a pleading contained in a complaint filed before the end of the one-hundred-and-eighty-day period beginning on October 18, 1983, or

(2) an answer contained in a reply to a complaint before the end of such period.

(b) Jurisdiction

Notwithstanding any other provision of law, exclusive jurisdiction of any action in which the constitutionality of this subchapter is drawn into question is vested in the United States District Court for the District of Connecticut.

(c) Removal of actions

Any action to which subsection (a) of this section applies and which is brought in the court of any State may be removed by the defendant to the United States District Court for the District of Connecticut.

(d) Jurisdictional acts; implied consent to sue the United States

Except as provided in this subchapter, no provision of this subchapter shall be construed to constitute a jurisdictional act, to confer jurisdiction to sue, or to grant implied consent to any Indian, Indian nation, or tribe or band of Indians to sue the United States or any of its officers with respect to the claims extinguished by the operation of this subchapter.

(Pub. L. 98-134, §7, Oct. 18, 1983, 97 Stat. 855.)

CODIFICATION

In subsec. (a)(1), “October 18, 1983” substituted for “the date of the enactment of this Act”, meaning the date of approval of Pub. L. 98-134.

§ 1757. Restriction against alienation

(a) Subject to subsection (b) of this section, lands within the reservation which are held in trust by the Secretary for the benefit of the Tribe or which are subject to a Federal restraint against alienation at any time after October 18, 1983, shall be subject to the laws of the United States relating to Indian lands, including section 177 of this title.

(b) Notwithstanding subsection (a) of this section, the Tribe may lease lands for any term of years to the Mashantucket Pequot Housing Authority, or any successor in interest to such Authority.

(Pub. L. 98-134, §8, Oct. 18, 1983, 97 Stat. 855.)

CODIFICATION

In subsec. (a), “October 18, 1983” substituted for “the date of the enactment of this Act”, meaning the date of approval of Pub. L. 98-134.

§ 1757a. Extensions of leases of certain land by Mashantucket Pequot (Western) Tribe

(a) In general

Any lease of restricted land of the Mashantucket Pequot (Western) Tribe (referred to in this section as the “Tribe”) entered into on behalf of the Tribe by the tribal corporation of the Tribe chartered pursuant to section 477 of this title may include an option to renew the lease for not more than 2 additional terms, each of which shall not exceed 25 years, subject only to the approval of the tribal council of the Tribe.

(b) Liability of United States

The United States shall not be liable to any party for any loss resulting from a renewal of a lease entered into pursuant to subsection (a).

(c) Prohibition on gaming activities

No entity may conduct any gaming activity (within the meaning of section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)) pursuant to a claim of inherent authority or any Federal law (including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and any regulations promulgated by the Secretary of the Interior or the National Indian Gaming Commission pursuant to that Act) on any land that is leased with an option to renew the lease in accordance with this section.

(Pub. L. 110-228, §1, May 8, 2008, 122 Stat. 753.)

REFERENCES IN TEXT

The Indian Gaming Regulatory Act, referred to in subsec. (c), is Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467, which is classified principally to chapter 29 (§2701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of this title and Tables.

CODIFICATION

Section was not enacted as part of the Mashantucket Pequot Indian Claims Settlement Act which comprises this subchapter.

§ 1758. Extension of Federal recognition and privileges

(a) Applicability of United States laws and regulations

Notwithstanding any other provision of law, Federal recognition is extended to the Tribe. Ex-