

(2) Consolidation of actions

After the filing of a first action under subsection (a) of this section, all other actions subsequently filed under that subsection shall be consolidated with that first action.

(3) Jurisdiction by the United States Court of Federal Claims

If appropriate, the United States Court of Federal Claims shall have jurisdiction over an action referred to in subsection (a) of this section.

(c) Notice to covered tribes

In an action brought under this section, not later than 30 days after the service of a summons and complaint on the Secretary that raises a claim identified in subsection (a) of this section, the Secretary shall send a copy of that summons and complaint, together with any responsive pleading, to each covered Indian tribe by certified mail with return receipt requested.

(d) Statute of limitations

No action raising a claim referred to in subsection (a) of this section may be filed after the date that is 365 days after November 13, 1998.

(e) Special rule**(1) Final judgment for lineal descendants****(A) In general**

If an action that raises a claim referred to in subsection (a) of this section is brought, and a final judgment is entered in favor of 1 or more lineal descendants referred to in that subsection, section 1300d-23(a) of this title and subsections (a) and (b) of section 1300d-26 of this title shall not apply to the distribution of the funds described in subparagraph (B).

(B) Distribution of funds

Upon the issuance of a final judgment referred to in subparagraph (A) the Secretary shall distribute 100 percent of the funds described in section 1300d-22 of this title to the lineal descendants in a manner consistent with—

- (i) section 202(c) of Public Law 92-555 (25 U.S.C. 1300d-4(c)); and
- (ii) section 202(a) of Public Law 92-555 [25 U.S.C. 1300d-4(a)], as in effect on the day before November 13, 1998.

(2) Final judgment for covered Indian tribes**(A) In general**

If an action that raises a claim referred to in subsection (a) of this section is brought, and a final judgment is entered in favor of 1 or more covered Indian tribes that invalidates the distributions made under this part to lineal descendants, section 1300d-23(a) of this title, other than the percentages under section 1300d-23(a)(2) of this title, and subsections (a) and (b) of section 1300d-26 of this title shall not apply.

(B) Distribution of funds

Not later than 180 days after the date of the issuance of a final judgment referred to in subparagraph (A), the Secretary shall distribute 100 percent of the funds described in

section 1300d-22 of this title to each covered Indian tribe in accordance with the judgment and the percentages for distribution contained in section 1300d-23(a)(2) of this title.

(f) Limitation on claims by a covered Indian tribe**(1) In general**

If any covered Indian tribe receives any portion of the aggregate amounts transferred by the Secretary to a Fund Account or any other account under section 1300d-23 of this title, no action may be brought by that covered Indian tribe in any court for a claim arising from the distribution of funds under part A of this subchapter.

(2) Rule of construction

Nothing in this subsection shall be construed to limit the right of a covered Indian tribe to—

- (A) intervene in an action that raises a claim referred to in subsection (a) of this section; or
- (B) limit the jurisdiction of any court referred to in subsection (b) of this section, to hear and determine any such claims.

(Pub. L. 105-387, § 8, Nov. 13, 1998, 112 Stat. 3475.)

SUBCHAPTER LXXVI—ASSINIBOINE TRIBES OF MONTANA: DISTRIBUTION OF JUDGMENT FUND

§ 1300e. Disposition of funds; percentage basis for division; attorney fees and expenses

The funds appropriated by the Act of January 8, 1971 (84 Stat. 1981), to pay a judgment to the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Montana, in Indian Claims Commission docket numbered 279-A, together with interest thereon, after payment of attorney fees and litigation expenses, shall be divided by the Secretary of the Interior on the basis of 50 per centum to the Assiniboine Tribe of the Fort Peck Reservation and 50 per centum to the Assiniboine Tribe of the Fort Belknap Reservation.

(Pub. L. 92-557, § 1, Oct. 25, 1972, 86 Stat. 1171.)

REFERENCES IN TEXT

Act of January 8, 1971, referred to in text, is act Jan. 8, 1971, Pub. L. 91-665, 84 Stat. 1981, known as the Supplemental Appropriations Act, 1971. That portion of the act which appropriated the funds referred to was not classified to the Code.

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

§ 1300e-1. Per capita shares to members of Assiniboine Tribe of Fort Peck Reservation; deductions; eligibility for payments

The share of the Assiniboine Tribe of the Fort Peck Reservation, after deducting \$50,000 to be used as provided in section 1300e-2 of this title, and after deducting the estimated costs of distribution and all other appropriate expenses, shall be distributed per capita to each person born on or before, and living on, October 25, 1972, who is a citizen of the United States, is duly en-