

al Council of Gay Head, Inc., and such Indians of Gay Head ancestry as may be added from time to time by the governing body of the Wampanoag Tribal Council of Gay Head, Inc.: *Provided*, That nothing in this section shall prevent the voluntary withdrawal from membership in the Wampanoag Tribal Council of Gay Head, Inc., pursuant to procedures established by the Tribe. The governing body of the Wampanoag Tribal Council of Gay Head, Inc. is hereby authorized to act on behalf of and bind the Wampanoag Tribal Council of Gay Head, Inc., in all matters related to carrying out this subchapter.

**(3) Fund**

The term “fund” means the Wampanoag Tribal Council of Gay Head, Inc. Claims Settlement Fund established under section 1771a of this title.

**(4) Land or natural resources**

The term “land or natural resources” means any real property or natural resources or any interest in or right involving any real property or natural resource, including but not limited to, minerals and mineral rights, timber and timber rights, water and water rights, and rights to hunt and fish.

**(5) Lawsuit**

The term “lawsuit” means the action entitled Wampanoag Tribal Council of Gay Head, and others versus Town of Gay Head, and others (C.A. No. 74-5826-McN (D. Mass.)).

**(6) Private settlement lands**

The term “private settlement lands” means approximately 177 acres of privately held land described in paragraph 6 of the Settlement Agreement.

**(7) Public settlement lands**

The term “public settlement lands” means the lands described in paragraph (4) of the Settlement Agreement.

**(8) Settlement lands**

The term “settlement lands” means the private settlement lands and the public settlement lands.

**(9) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(10) Settlement Agreement**

The term “Settlement Agreement” means the document entitled “Joint Memorandum of Understanding Concerning Settlement of the Gay Head, Massachusetts, Indian Land Claims,” executed as of November 22, 1983, and renewed thereafter by representatives of the parties to the lawsuit, and as filed with the Secretary of the Commonwealth of Massachusetts.

**(11) State implementing act**

The term “State implementing act” means legislation enacted by the Commonwealth of Massachusetts conforming to the requirements of this subchapter and the requirements of the Massachusetts Constitution.

**(12) Transfer**

The term “transfer” includes—

(A) any sale, grant, lease, allotment, partition, or conveyance,

(B) any transaction the purpose of which is to effect a sale, grant, lease, allotment, partition, or conveyance, or

(C) any event or events that resulted in a change of possession or control of land or natural resources.

**(13) West Basin Strip**

The term “West Basin Strip” means a strip of land along the West Basin which the Wampanoag Tribal Council is authorized to convey, under paragraph (11) of the Settlement Agreement, to the town of Gay Head.

(Pub. L. 100-95, § 8, Aug. 18, 1987, 101 Stat. 708.)

REFERENCES IN TEXT

The Trade and Intercourse Act of 1790, Act of July 22, 1790 (ch. 33, sec. 4, 1 Stat. 137), referred to in par. (2), is not classified to the Code. See sections 177, 179, 180, 193, 194, 201, 229, 230, 251, 263, and 264 of this title.

**§ 1771g. Applicability of State law**

Except as otherwise expressly provided in this subchapter or in the State Implementing Act, the settlement lands and any other land that may now or hereafter be owned by or held in trust for any Indian tribe or entity in the town of Gay Head, Massachusetts, shall be subject to the civil and criminal laws, ordinances, and jurisdiction of the Commonwealth of Massachusetts and the town of Gay Head, Massachusetts (including those laws and regulations which prohibit or regulate the conduct of bingo or any other game of chance).

(Pub. L. 100-95, § 9, Aug. 18, 1987, 101 Stat. 709.)

**§ 1771h. Limitations of action; jurisdiction**

Notwithstanding any other provision of law, any action to contest the constitutionality or validity under law of this subchapter shall be barred unless the complaint is filed within thirty days after August 18, 1987. Exclusive original jurisdiction over any such action and any proceedings under section 1771d(e) of this title is hereby vested in the United States District Court of<sup>1</sup> the District of Massachusetts.

(Pub. L. 100-95, § 10, Aug. 18, 1987, 101 Stat. 710.)

**§ 1771i. Eligibility**

For the purpose of eligibility for Federal services made available to members of federally recognized Indian tribes, because of their status as Indians, members of this tribe residing on Martha’s Vineyard, Massachusetts, shall be deemed to be living on or near an Indian reservation.

(Pub. L. 100-95, § 12, Aug. 18, 1987, 101 Stat. 710.)

SUBCHAPTER VI—FLORIDA INDIAN  
(SEMINOLE) LAND CLAIMS SETTLEMENT

**§ 1772. Findings and policy**

Congress finds and declares that—

(1) there is pending before the United States District Court for the southern district of Florida a lawsuit by the Seminole Tribe which

<sup>1</sup> So in original. Probably should be “for”.