

(b) Federal services and benefits**(1) In general**

The Bands and their members shall be eligible for all services and benefits provided by the Federal Government to Indians because of their status as federally recognized Indians, and notwithstanding any other provision of law, such services and benefits shall be provided after September 21, 1994, to the Bands and their members without regard to the existence of a reservation or the location of the residence of any member on or near any Indian reservation.

(2) Service areas**(A) Little Traverse Bay Bands**

For purposes of the delivery of Federal services to the enrolled members of the Little Traverse Bay Bands of Odawa Indians, the area of the State of Michigan within 70 miles of the boundaries of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs "third" and "fourth" of the Treaty of 1855, 11 Stat. 621, shall be deemed to be within or near a reservation, notwithstanding the establishment of a reservation for the tribe after September 21, 1994. Services may be provided to members outside the named service area unless prohibited by law or program regulations.

(B) Little River Band

For purposes of the delivery of Federal services to enrolled members of the Little River Band of Ottawa Indians, the Counties of Manistee, Mason, Wexford and Lake, in the State of Michigan, shall be deemed to be within or near a reservation, notwithstanding the establishment of a reservation for the tribe after September 21, 1994. Services may be provided to members outside the named Counties unless prohibited by law or program regulations.

(Pub. L. 103-324, § 4, Sept. 21, 1994, 108 Stat. 2157.)

REFERENCES IN TEXT

The Indian Reorganization Act, referred to in subsec. (a), is act June 18, 1934, ch. 576, 48 Stat. 984, as amended, which is classified generally to subchapter V (§461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 1300k-3. Reaffirmation of rights**(a) In general**

All rights and privileges of the Bands, and their members thereof, which may have been abrogated or diminished before September 21, 1994, are hereby reaffirmed.

(b) Existing rights of Bands

Nothing in this subchapter shall be construed to diminish any right or privilege of the Bands, or of their members, that existed prior to September 21, 1994. Except as otherwise specifically provided in any other provision of this subchapter, nothing in this subchapter shall be construed as altering or affecting any legal or equitable claim the Bands might have to enforce any right or privilege reserved by or granted to the

Bands which were wrongfully denied to or taken from the Bands prior to September 21, 1994.

(Pub. L. 103-324, § 5, Sept. 21, 1994, 108 Stat. 2158; Pub. L. 104-109, §2(a), Feb. 12, 1996, 110 Stat. 763.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-109 substituted "Bands" for "Tribe" in heading.

§ 1300k-4. Transfer of land for benefit of Bands**(a) Little Traverse Bay Bands**

The Secretary shall acquire real property in Emmet and Charlevoix Counties for the benefit of the Little Traverse Bay Bands. The Secretary shall also accept any real property located in those Counties for the benefit of the Little Traverse Bay Bands if conveyed or otherwise transferred to the Secretary, if at the time of such acceptance, there are no adverse legal claims on such property including outstanding liens, mortgages or taxes owed.

(b) Little River Band

The Secretary shall acquire real property in Manistee and Mason Counties for the benefit of the Little River Band. The Secretary shall also accept any real property located in those Counties for the benefit of the Little River Band if conveyed or otherwise transferred to the Secretary, if at the time of such acceptance, there are no adverse legal claims on such property including outstanding liens, mortgages or taxes owed.

(c) Additional lands

The Secretary may accept any additional acreage in each of the Bands' service area specified by section 1300k-2(b) of this title pursuant to his authority under the Act of June 18, 1934 (25 U.S.C. 461 et seq.; commonly referred to as the "Indian Reorganization Act").

(d) Reservation

Subject to the conditions imposed by this section, the land acquired by or transferred to the Secretary under or pursuant to this section shall be taken in the name of the United States in trust for the Bands and shall be a part of the respective Bands' reservation.

(Pub. L. 103-324, § 6, Sept. 21, 1994, 108 Stat. 2158.)

REFERENCES IN TEXT

The Indian Reorganization Act, referred to in subsec. (c), is act June 18, 1934, ch. 576, 48 Stat. 984, as amended, which is classified generally to subchapter V (§461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 1300k-5. Membership

Not later than 18 months after September 21, 1994, the Bands shall submit to the Secretary membership rolls consisting of all individuals currently enrolled for membership in such Bands. The qualifications for inclusion on the membership rolls of the Bands shall be determined by the membership clauses in such Bands' respective governing documents, in consultation with the Secretary. Upon completion of the rolls, the Secretary shall immediately publish notice of such in the Federal Register. The