

§ 941b. Restoration of Federal trust relationship**(a) Restoration of Federal trust relationship and approval, ratification, and confirmation of Settlement Agreement**

On the effective date of this subchapter—

(1) the trust relationship between the Tribe and the United States is restored; and

(2) the Settlement Agreement and the State Act are approved, ratified, and confirmed by the United States to effectuate the purposes of this subchapter, and shall be complied with in the same manner and to the same extent as if they had been enacted into Federal law.

(b) Eligibility for Federal benefits and services

Notwithstanding any other provision of law, on the effective date of this subchapter, the Tribe and the Members shall be eligible for all benefits and services furnished to federally recognized Indian tribes and their members because of their status as Indians. On the effective date of this subchapter, the Secretary shall enter the Tribe on the list of federally recognized bands and tribes maintained by the Department of the Interior; and its members shall be eligible to special services, educational benefits, medical care, and welfare assistance provided by the United States to Indians because of their status as Indians, and the Tribe shall be eligible to the special services performed by the United States for tribes because of their status as Indian tribes. For the purpose of eligibility for Federal services made available to members of federally recognized Indian tribes because of their status as Indian tribal members, Members of the Tribe in the Tribe's service area shall be deemed to be residing on or near a reservation.

(c) Repeal of Termination Act

The Termination Act is repealed.

(d) Effect on property rights and other obligations

Except as otherwise specifically provided in this subchapter, this subchapter shall not affect any property right or obligation or any contractual right or obligation in existence before the effective date of this subchapter, or any obligation for taxes levied before that date.

(e) Extent of jurisdiction

This subchapter shall not be construed to empower the Tribe with special jurisdiction or to deprive the State of jurisdiction other than as expressly provided by this subchapter or by the State Act. The jurisdiction and governmental powers of the Tribe shall be solely those set forth in this subchapter and the State Act.

(Pub. L. 103-116, § 4, Oct. 27, 1993, 107 Stat. 1121.)

REFERENCES IN TEXT

For the effective date of this subchapter, referred to in subsecs. (a), (b), and (d), see Effective Date note set out under section 941 of this title.

§ 941c. Settlement funds**(a) Authorization for appropriation**

There is hereby authorized to be appropriated \$32,000,000 for the Federal share which shall be deposited in the trust funds established pursuant to section 941i of this title or paid pursuant to section 941d(g) of this title.

(b) Disbursement in accordance with Settlement Agreement

The Federal funds appropriated pursuant to this subchapter shall be disbursed in four equal annual installments of \$8,000,000 beginning in the fiscal year following October 27, 1993. Funds transferred to the Secretary from other sources shall be deposited in the trust funds established pursuant to section 941i of this title or paid pursuant to section 941d(g) of this title within 30 days of receipt by the Secretary.

(c) Federal, State, local and private contributions held in trust by Secretary

The Secretary shall, on behalf of the Tribe, collect those contributions toward settlement appropriated or received by the State pursuant to section 5.2 of the Settlement Agreement and shall either hold such funds totalling \$18,000,000, together with the Federal funds appropriated pursuant to this subchapter, in trust for the Tribe pursuant to the provisions of section 941i of this title or pay such funds pursuant to section 941d(g) of this title.

(d) Nonpayment of State, local, or private contributions

The Secretary shall not be accountable or incur any liability for the collection, deposit, or management of the non-Federal contributions made pursuant to section 5.2 of the Settlement Agreement, or payment of such funds pursuant to section 941d(g) of this title, until such time as such funds are received by the Secretary.

(Pub. L. 103-116, § 5, Oct. 27, 1993, 107 Stat. 1122.)

§ 941d. Ratification of prior transfers; extinguishment of aboriginal title, rights and claims**(a) Ratification of transfers**

Any transfer of land or natural resources located anywhere within the United States from, by, or on behalf of the Tribe, any one or more of its Members, or anyone purporting to be a Member, including but without limitation any transfer pursuant to any treaty, compact, or statute of any State, shall be deemed to have been made in accordance with the Constitution and all laws of the United States, and Congress hereby approves and ratifies any such transfer effective as of the date of such transfer. Nothing in this section shall be construed to affect, eliminate, or revive the personal claim of any individual Member (except for any Federal common law fraud claim) which is pursued under any law of general applicability that protects non-Indians as well as Indians.

(b) Aboriginal title

To the extent that any transfer of land or natural resources described in subsection (a) of this section may involve land or natural resources to which the Tribe, any of its Members, or anyone purporting to be a Member, or any other Indian, Indian nation, or Tribe or band of Indians had aboriginal title, subsection (a) of this section shall be regarded as an extinguishment of aboriginal title as of the date of such transfer.

(c) Extinguishment of claims

By virtue of the approval and ratification of any transfer of land or natural resources ef-