

the tribe, and that continued controversy over this should be settled by agreement; and

(7) the State, the district, and the tribe have entered into a compact which, if approved by Congress and the Florida Legislature, creates specifically defined water rights in lieu of the undefined water rights claimed by the tribe.

(Pub. L. 100-228, § 2, Dec. 31, 1987, 101 Stat. 1556.)

EFFECTIVE DATE

Pub. L. 100-228, § 10, Dec. 31, 1987, 101 Stat. 1561, provided that: "This Act [enacting this subchapter] shall take effect upon the date of its enactment [Dec. 31, 1987]."

SHORT TITLE

Pub. L. 100-228, § 1, Dec. 31, 1987, 101 Stat. 1556, provided that: "This Act [enacting this subchapter] may be cited as the 'Seminole Indian Land Claims Settlement Act of 1987.'"

§ 1772a. Definitions

For purposes of this subchapter—

(1) The term "tribe" means the Seminole Tribe of Indians of Florida or Seminole Tribe of Florida, a tribe of American Indians recognized by the United States and organized under section 476 of this title and recognized by the State of Florida pursuant to chapter 285, Florida Statutes, and its successors.

(2) The term "State" means the State of Florida and its agencies, political subdivisions, constitutional officers, officials of its agencies and subdivisions and their successors.

(3) The term "district" means the South Florida Water Management District, the agency of the State of Florida created by chapter 25270, laws of Florida (1949) to operate pursuant to chapter 373 Florida Statutes, and its successors.

(4) The term "Secretary" means the Secretary of the Interior.

(5) The term "lands or natural resources" means any real property or natural resources, or any interest in or right involving any real property or natural resources, including minerals and mineral rights, timber and timber rights, water and water rights, and rights to hunt and fish.

(6) The term "Settlement Agreement" means the instrument—

(A) executed by the Seminole Tribe, the State of Florida, and the South Florida Water Management District; and

(B) which will be presented for approval by all three parties to the United States District Court for the southern district of Florida for the purpose of terminating the lawsuit entitled *Seminole Tribe of Indians of Florida*,¹ v. *State of Florida, et al.*, (Docket No. 78-6116-CIV), and for the extinguishment of rights to all potential or unsettled claims which the tribe may have to lands or natural resources in the State and the purchase of certain tribal interests in real property.

(7) The term "settlement funds" means those funds which the State of Florida and the South Florida Water Management District have agreed to pay to the tribe under the Settlement Agreement.

(8) The term "compact" means the Compact incorporated in the Settlement Agreement between the tribe, the State, and the district, which specifically defines the nature and extent of Seminole water rights and the manner of their use within the confines of the area of the district.

(Pub. L. 100-228, § 3, Dec. 31, 1987, 101 Stat. 1557.)

§ 1772b. Findings by Secretary

(a) Section 1772c of this title shall not take effect until 180 days after December 31, 1987, or the date the last of the events described in subsection (b) have occurred and the Secretary so finds, whichever date occurs later.

(b) The events referred to in subsection (a) are—

(1) the State and district pay settlement funds pursuant to the terms of the Settlement Agreement for the case captioned *Seminole Tribe of Indians of Florida v. State of Florida et al.*, or equivalent consideration by land exchange to the tribe; and

(2) the State enacts appropriate legislation to carry out the commitments under the Settlement Agreement including the compact between the State, the district and the tribe, and the State and the district have given the waiver specified in paragraph 5c of such agreement.

(Pub. L. 100-228, § 4, Dec. 31, 1987, 101 Stat. 1557.)

§ 1772c. Approval of prior transfers and extinguishment of claims and aboriginal title involving Florida Indians

(a) Approval of Settlement Agreement; effect of approval

(1) Effective on December 31, 1987, the Congress does hereby approve the Settlement Agreement, including the compact, and any exhibits attached thereto.

(2) Subject to the provisions of section 1772b of this title, the Secretary shall publish findings required by section 1772b of this title and the Settlement Agreement in the Federal Register, and upon such publication—

(A) the transfers, waivers, releases, relinquishments and other commitments made by the tribe in the Settlement Agreement with the State and the district, including the compact provided for in the Settlement Agreement, shall be in full force and effect on the terms and conditions stated in such settlement, and

(B) the transfers, waivers, releases, relinquishments and other commitments validated by subparagraph (A) and the transfers and extinguishments approved and validated by paragraphs (1) and (2) of subsection (b) shall be deemed to have been made in accordance with the Constitution and all laws of the United States that are specifically applicable to transfers of lands or natural resources from, by, or on behalf of any Indian, Indian nation, or tribe of Indians including but not limited to the Trade and Intercourse Act of 1790, Act of July 22, 1790 (25 U.S.C. 177, ch. 33, sec. 4, 1 Stat. 137).

¹ So in original. The comma probably should not appear.