

**TITLE 25 - INDIANS**

**CHAPTER 19 - INDIAN LAND CLAIMS SETTLEMENTS**

**SUBCHAPTER V - MASSACHUSETTS INDIAN LAND CLAIMS SETTLEMENT**

**§ 1771. Congressional findings and declaration of policy**

The Congress hereby finds and declares that—

- (1) there is pending before the United States District Court for the District of Massachusetts a lawsuit that involves Indian claims to certain public lands within the town of Gay Head, Massachusetts;
- (2) the pendency of this lawsuit has resulted in severe economic hardships for the residents of the town of Gay Head by clouding the titles to much of the land in the town, including land not involved in the lawsuit;
- (3) the Congress shares with the Commonwealth of Massachusetts and the parties to the lawsuit a desire to remove all clouds on titles resulting from such Indian land claim;<sup>1</sup>
- (4) the parties to the lawsuit and others interested in settlement of Indian land claims within the Commonwealth of Massachusetts executed a Settlement Agreement which, to become effective, requires implementing legislation by the Congress of the United States and the General Court of the Commonwealth of Massachusetts;
- (5) the town of Gay Head has agreed to contribute approximately 50 percent of the land involved in this settlement;
- (6) the State of Massachusetts has agreed to provide up to \$2,250,000 to be used for the purchase of land to be held in trust by the Secretary for the use and benefit of the Wampanoag Tribal Council of Gay Head, Inc.; and
- (7) the Secretary has acknowledged the existence of the Wampanoag Tribal Council of Gay Head, Inc. as an Indian tribe and Congress hereby ratifies and confirms that existence as an Indian tribe with a government to government relationship with the United States.

**Footnotes**

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

(Pub. L. 100–95, § 2, Aug. 18, 1987, 101 Stat. 704.)

**Effective Date**

Section 11 of Pub. L. 100–95 provided that:

“(a) In General.—Except as provided in subsection (b), this Act [enacting this subchapter] shall take effect upon the date of enactment [Aug. 18, 1987].

“(b) Exception.—Section 4 [25 U.S.C. 1771b] shall take effect upon the date on which the title of all of the private settlement lands provided for in this Act to the Wampanoag Tribal Council of Gay Head, Inc. is transferred. The fact of such transfer, and the date thereof, shall be certified and recorded by the Secretary of the Commonwealth of Massachusetts.”

**Short Title**

Section 1 of Pub. L. 100–95 provided that: “This Act [enacting this subchapter] may be cited as the ‘Wampanoag Tribal Council of Gay Head, Inc., Indian Claims Settlement Act of 1987’.”