

REFERENCES IN TEXT

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

Act of June 29, 1954, referred to in text, is act June 29, 1954, ch. 421, 68 Stat. 329, which was not classified to the Code.

SUBCHAPTER LXIII—TLINGIT AND HAIDA
INDIANS OF ALASKA**§ 1211. Distribution of fund; authorized spending; tax exemption**

The unexpended funds and interest thereon on deposit in the Treasury of the United States to the credit of and otherwise invested by the Secretary of the Interior for the account of the Tlingit and Haida Indians of Alaska which were appropriated by the Act of July 9, 1968 (82 Stat. 307), to pay the judgment of the Court of Claims in the case entitled, *The Tlingit and Haida Indians of Alaska, et al. versus The United States*, numbered 47900, after payment of attorney fees and expenses, may be advanced, expended, invested or used for any purpose and in any manner authorized by the Central Council of the Tlingit and Haida Indians of Alaska and approved by the Secretary of the Interior. Any of such funds that may be distributed under the provisions of this subchapter shall not be subject to Federal or State income taxes.

(Pub. L. 91-335, July 13, 1970, 84 Stat. 431.)

REFERENCES IN TEXT

Act of July 9, 1968, referred to in text, is act July 9, 1968, Pub. L. 90-392, 82 Stat. 307, known as the Second Supplemental Appropriation Act, 1968. That portion of the act which appropriated the funds referred to was not classified to the Code.

The Court of Claims, referred to in text, and the Court of Customs and Patent Appeals were merged effective Oct. 1, 1982, into a new United States Court of Appeals for the Federal Circuit by Pub. L. 97-164, Apr. 2, 1982, 96 Stat. 25, which also created a United States Claims Court [now United States Court of Federal Claims] that inherited the trial jurisdiction of the Court of Claims. See sections 48, 171 et seq., 791 et seq., and 1491 et seq. of Title 28, Judiciary and Judicial Procedure.

§ 1212. Findings

The Congress finds and declares that—

(1) the United States has acknowledged the Central Council of Tlingit and Haida Indian Tribes of Alaska pursuant to the Act of June 19, 1935 (49 Stat. 388, as amended, commonly referred to as the “Jurisdiction Act”), as a federally recognized Indian tribe;

(2) on October 21, 1993, the Secretary of the Interior published a list of federally recognized Indian tribes pursuant to part 83 of title 25 of the Code of Federal Regulations which omitted the Central Council of Tlingit and Haida Indian Tribes of Alaska;

(3) the Secretary does not have the authority to terminate the federally recognized status of an Indian tribe as determined by Congress;

(4) the Secretary may not administratively diminish the privileges and immunities of federally recognized Indian tribes without the consent of Congress; and

(5) the Central Council of Tlingit and Haida Indian Tribes of Alaska continues to be a federally recognized Indian tribe.

(Pub. L. 103-454, title II, §202, Nov. 2, 1994, 108 Stat. 4792.)

REFERENCES IN TEXT

Act of June 19, 1935, referred to in par. (1), is act June 19, 1935, ch. 275, 49 Stat. 388, as amended, which is not classified to the Code.

SHORT TITLE

Section 201 of title II of Pub. L. 103-454 provided that: “This title [enacting this section and sections 1213 to 1215 of this title] may be cited as the ‘Tlingit and Haida Status Clarification Act’.”

§ 1213. Reaffirmation of tribal status

The Congress reaffirms and acknowledges that the Central Council of Tlingit and Haida Indian Tribes of Alaska is a federally recognized Indian tribe.

(Pub. L. 103-454, title II, §203, Nov. 2, 1994, 108 Stat. 4792.)

§ 1214. Disclaimer**(a) In general**

Nothing in sections 1212 to 1215 of this title shall be interpreted to diminish or interfere with the government-to-government relationship between the United States and other federally recognized Alaska Native tribes, nor to vest any power, authority, or jurisdiction in the Central Council of Tlingit and Haida Indian Tribes of Alaska over other federally recognized Alaska Native tribes.

(b) Constitution of Central Council of Tlingit and Haida Indian Tribes of Alaska

Nothing in sections 1212 to 1215 of this title shall be construed as codifying the Constitution of the Central Council of the Tlingit and Haida Indian Tribes of Alaska into Federal law.

(Pub. L. 103-454, title II, §204, Nov. 2, 1994, 108 Stat. 4793.)

§ 1215. Prohibition against duplicative services

Other federally recognized tribes in Southeast Alaska shall have precedence over the Central Council of Tlingit and Haida Indian Tribes of Alaska in the award of a Federal compact, contract or grant to the extent that their service population overlaps with that of the Central Council of Tlingit and Haida Indian Tribes of Alaska. In no event shall dually enrolled members result in duplication of Federal service funding.

(Pub. L. 103-454, title II, §205, Nov. 2, 1994, 108 Stat. 4793; Pub. L. 104-109, §10, Feb. 12, 1996, 110 Stat. 765.)

AMENDMENTS

1996—Pub. L. 104-109 substituted “Indian Tribes of Alaska.” for “Indian tribes of Alaska.”