

§ 592. Withdrawal of tribal funds to reimburse United States; consent of Minnesota Chippewa Tribe; disposition of receipts

The Secretary of the Interior is hereby authorized to withdraw from the Minnesota Chippewa tribal fund now held in trust in the Treasury of the United States a sufficient sum to reimburse the United States for the land and timber thereon, the value of the land to be calculated at \$1.25 per acre, and the value of the timber to be ascertained by the Secretary of Agriculture after the same has been examined and appraised under his supervision: *Provided, however,* That the transaction contemplated in this section and section 591 of this title shall be effected only with the consent of the Minnesota Chippewa Tribe expressed through the body authorized to represent it: *And provided further,* That all money received by the United States under the authority of this subchapter shall be deposited in the Treasury of the United States, and the same is hereby appropriated for the acquisition of forest land within the Chippewa National Forest under the provisions of the Act approved March 1, 1911, as amended (U.S.C., title 16 secs. 513, 519, 521).

(June 8, 1940, ch. 285, §2, 54 Stat. 254.)

REFERENCES IN TEXT

Act approved March 1, 1911, referred to in text, is act Mar. 1, 1911, ch. 186, 36 Stat. 961, as amended, popularly known as the Weeks Law, which is classified to sections 480, 500, 513 to 519, 521, 552, and 563 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 552 of Title 16 and Tables.

§ 593. Exchanges of allotted, restricted, and tribal lands for Chippewa National Forest lands

Exchanges of Indian allotted, restricted, and tribal lands for lands in the Chippewa National Forest are hereby authorized. In order to consummate exchanges involving allotted and restricted Indian lands, the Secretary of the Interior is hereby authorized to accept relinquishments or conveyances of Indian lands, which lands shall thereupon become a part of the Chippewa National Forest, and to issue trust patents to the Indians for the lands received by them in exchange: *Provided,* That with the consent of the Indians involved title to the lands received in any such exchange may be taken in the name of the tribe, in which case the transfer of title shall be evidenced by an order of the Secretary of Agriculture transferring the lands to the Secretary of the Interior in trust for the Minnesota Chippewa Tribe: *Provided further,* That exchanges involving tribal lands shall be made only with the consent of the Indians and shall be evidenced by appropriate orders of transfer executed by the Secretary of Agriculture and the Secretary of the Interior: *And provided further,* That the land exchanges authorized herein shall be made on the basis of lands of equal value, and no exchange shall be made unless it is first approved by the Secretary of Agriculture.

(June 8, 1940, ch. 285, §3, 54 Stat. 255.)

§ 594. Distribution of judgment funds; Mississippi Bands; Pillager and Lake Winnibigoshish Bands

The funds on deposit in the Treasury of the United States to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians that were appropriated by the Act of October 31, 1965, to pay a judgment by the Indian Claims Commission in docket 18-B, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing bodies of the Minnesota Chippewa Tribe and the White Earth, Leech Lake, and Mille Lacs Reservations with whom the members of the Mississippi Bands and Pillager and Lake Winnibigoshish Bands of Chippewa Indians are affiliated, and approved by the Secretary of the Interior. Only those persons who are descendants of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians who were born on or prior to and living on September 27, 1967 and who meet the requirements for membership in the Minnesota Chippewa Tribe shall be entitled to share in the use or distribution of the funds. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

(Pub. L. 90-94, §1, Sept. 27, 1967, 81 Stat. 230.)

REFERENCES IN TEXT

Act of October 31, 1965, referred to in text, is Pub. L. 89-309, Oct. 31, 1965, 79 Stat. 1133. That portion of the act which appropriated the funds referred to was not classified to the Code.

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

CODIFICATION

Section was not enacted as part of act June 8, 1940, ch. 285, 54 Stat. 254, which comprises this subchapter.

§ 594a. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this section and section 594 of this title.

(Pub. L. 90-94, §2, Sept. 27, 1967, 81 Stat. 230.)

CODIFICATION

Section was not enacted as part of act June 8, 1940, ch. 285, 54 Stat. 254, which comprises this subchapter.

SUBCHAPTER XVII—YAKIMA TRIBES

§ 601. Membership roll; preparation; persons entitled to enrollment

The Secretary of the Interior is authorized and directed, with the advice and consent of the Yakima Tribal Council, to prepare a roll showing the members of the Yakima Tribes living on August 9, 1946, which roll shall be kept current and shall constitute the official membership roll of the Yakima Tribes for all purposes. No person who is enrolled with any other tribe of Indians or who has received an allotment of land on any

other reservation shall be enrolled under the provisions of this subchapter. The following shall be placed on the roll:

(a) All living persons who received allotments on the Yakima Reservation, except by fraud.

(b) All living persons who are of the blood of the fourteen original Yakima Tribes, parties to the treaty of June 9, 1855 (12 Stat. 951), and who have received allotments on the public domain within the area ceded to the United States by the Yakima Tribes by the treaty of 1855.

(c) All living persons who have maintained a domicile continuously from January 1, 1941, until August 9, 1946, on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, (12 Stat. 951), and who are (1) descendants of persons who received allotments on the Yakima Reservation, except by fraud, or (2) descendants of persons of the blood of the fourteen original Yakima Tribes who received allotments on the public domain within the area ceded by the said treaty of 1855. All living children born after January 1, 1941, but prior to August 9, 1946, to a person entitled to enrollment under this subsection shall likewise be entitled to enrollment under this subsection.

(d) All children of one-fourth or more blood of the Yakima Tribes born after August 9, 1946, to a parent who is an enrolled member and maintains a domicile on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, at the time of the birth of the child.

(Aug. 9, 1946, ch. 933, §1, 60 Stat. 968.)

REDESIGNATION OF YAKIMA INDIAN NATION TO YAKAMA INDIAN NATION

Pub. L. 103-435, §17, Nov. 2, 1994, 108 Stat. 4573, provided that:

“(a) REDESIGNATION.—The Confederated Tribes and Bands of the Yakima Indian Nation shall be known and designated as the ‘Confederated Tribes and Bands of the Yakama Indian Nation’.

“(b) REFERENCES.—Any reference in a law (including any regulation), map, document, paper, or other record of the United States to Confederated Tribes and Bands of the Yakima Indian Nation referred to in subsection (a) shall be deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Indian Nation’.”

§ 602. Application to Tribal Council on exclusion from roll; minors and incompetent persons

Any person of one-fourth or more of the blood of the Yakima Tribes who may be excluded from enrollment under the provisions of section 601 of this title may apply for membership at any time and be enrolled upon the approval of the application by a two-thirds vote of the Yakima Tribal Council. Applications for enrollment under this section on behalf of minors and persons mentally incompetent may be filed by any enrolled member of the Yakima Tribes.

(Aug. 9, 1946, ch. 933, §2, 60 Stat. 969.)

§ 603. Correction of membership roll

Corrections in the roll prepared hereunder, by striking therefrom the name of any person erroneously placed on the roll or by adding to the roll the name of any person erroneously omitted therefrom, may be made at any time by the Yakima Tribal Council.

(Aug. 9, 1946, ch. 933, §3, 60 Stat. 969.)

REFERENCES IN TEXT

Hereunder, referred to in text, means act Aug. 9, 1946, ch. 933, 60 Stat. 968, which comprises this subchapter. For complete classification of this Act to the Code, see Tables.

§ 604. Loss of membership and removal from roll

Every person whose name appears on the roll prepared hereunder who holds no vested right, title, or interest in or to any restricted or trust land on the Yakima Reservation or within the area ceded by the treaty of June 9, 1855, and who has failed to maintain any tribal affiliations or a residence on the reservation or within the ceded area for a period of five consecutive years, shall no longer be considered a member of the Yakima Tribes, and his name shall be removed from the rolls. It shall be the duty of the Yakima Tribal Council to determine, subject to review by the Secretary of the Interior, loss of membership in each case.

(Aug. 9, 1946, ch. 933, §4, 60 Stat. 969.)

REFERENCES IN TEXT

Hereunder, referred to in text, means act Aug. 9, 1946, ch. 933, 60 Stat. 968, which comprises this subchapter. For complete classification of this Act to the Code, see Tables.

§ 605. Expulsion of members; review by Secretary

The Yakima Tribal Council may adopt and enforce ordinances, subject to review by the Secretary of the Interior, governing the expulsion of members for any cause deemed by the council to be sufficient.

(Aug. 9, 1946, ch. 933, §5, 60 Stat. 969.)

§ 606. Back pay and annuities on enrollment of new members

No person whose name shall after August 9, 1946, be placed on the roll of the Yakima Tribes shall be entitled to any back annuities or per capita payments made to the members of the tribes out of tribal funds which were authorized to be paid to the members of the tribes before such person's name shall have been placed upon such roll.

(Aug. 9, 1946, ch. 933, §6, 60 Stat. 969.)

§ 607. Divestment of inheritance of non-members

(a) Procedure

A person who is not an enrolled member of the Yakima Tribes with one-fourth degree or more blood of such tribes shall not be entitled to receive by devise or inheritance any interest in trust or restricted land within the Yakima Reservation or within the area ceded by the Treaty of June 9, 1855 (12 Stat. 1951), if, while the decedent's estate is pending before the Examiner of Inheritance, the Yakima Tribes pay to the Secretary of the Interior, on behalf of such person, the fair market value of such interest as determined by the Secretary of the Interior after appraisal. The interest for which payment is made shall be held by the Secretary in Trust for the Yakima Tribes.

(b) Time of election

On request of the Yakima Tribes the Examiner of Inheritance shall keep an estate pending for