

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.

SUBCHAPTER XXX—WESTERN OREGON INDIANS: TERMINATION OF FEDERAL SUPERVISION

§ 691. Purpose

The purpose of this subchapter is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

(Aug. 13, 1954, ch. 733, § 1, 68 Stat. 724.)

REPEAL OF INCONSISTENT LAWS

Act Aug. 13, 1954, ch. 733, § 19, 68 Stat. 728, provided that: "All Acts or parts of Acts inconsistent with this Act [this subchapter] are hereby repealed insofar as they affect a tribe or its members. The Act of June 18, 1934 (48 Stat. 948), as amended by the Act of June 15, 1935 (49 Stat. 378) [section 461 et seq. of this title], shall not apply to a tribe and its members after the date of the proclamation provided for in section 13 of this Act [section 703 of this title]."

SEPARABILITY

Act Aug. 13, 1954, ch. 733, § 20, 68 Stat. 728, provided that: "If any provision of this Act [this subchapter], or the application thereof to any person or circumstance, is held invalid, the remainder of the Act [this subchapter] and the application of such provision to other persons or circumstances shall not be affected thereby."

RESTORATION OF FEDERAL SUPERVISION

Federal supervision over certain tribes and bands of Indians has been restored as follows:

Confederated Tribes of Siletz Indians of Oregon, see section 711 et seq. of this title.

Cow Creek Band of Umpqua Tribe of Oregon, see section 712 et seq. of this title.

Confederated Tribes of the Grand Ronde Community of Oregon, see section 713 et seq. of this title.

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, see section 714 et seq. of this title.

Coquille Indian Tribe of Oregon, see section 715 et seq. of this title.

§ 692. Definitions

For the purposes of this subchapter:

(a) "Tribe" means any of the tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon, including the following: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapooya, Chaftan, Chempho, Chetco, Chetlesington, Chinook, Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Eucheas, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta,

Shasta Costa, Siletz, Siuslaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina, and Yoncalla;

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interest therein, or improvements thereon, and includes water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

(Aug. 13, 1954, ch. 733, § 2, 68 Stat. 724.)

§ 693. Membership roll; preparation and initial publication; eligibility for enrollment; appeal from inclusion or omission from roll; finality of determination; final publication

Within ninety days after August 13, 1954, the Secretary shall publish in the Federal Register (1) a list of those tribes for which membership rolls will be required for the purposes of this subchapter, and (2) a list of those tribes for which no membership rolls will be required for the purposes of this subchapter. Each tribe on each list shall have a period of six months from the date of publication of the notice in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on August 13, 1954, which shall be published in the Federal Register. In the absence of applicable law, or eligibility requirements in an approved constitution, bylaws, or membership ordinance, eligibility for enrollment shall be determined under such rules and regulations as the Secretary may prescribe. No person shall be enrolled on more than one tribal roll prepared pursuant to this subchapter. If a tribe on list one fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within ninety days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals the roll of the tribe shall be published in the Federal Register and such roll shall be final for the purposes of this subchapter.

(Aug. 13, 1954, ch. 733, § 3, 68 Stat. 724.)

§ 694. Personal property rights; restrictions

Upon publication in the Federal Register of the final roll as provided in section 693 of this title, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encum-