

SUBCHAPTER XXX-E—COQUILLE INDIAN TRIBE OF OREGON: RESTORATION OF FEDERAL SUPERVISION

§ 715. Definitions

For the purposes of this subchapter—

(1) “Tribe” means the Coquille Indian Tribe consisting of the Upper Coquille and the Lower Coquille Tribes of Indians;

(2) “Secretary” means the Secretary of the Interior or his designated representative;

(3) “Interim Council” means the governing body of the Coquille Tribe which serves pursuant to section 715f of this title;

(4) “Member” means those persons eligible for enrollment under section 715e of this title and after the adoption of a tribal constitution, those persons added to the roll pursuant to such constitution;

(5) “service area” means the area composed of Coos, Curry, Douglas, Jackson, and Lane Counties in the State of Oregon;

(6) “State” means the State of Oregon; and

(7) “Reservation” means those lands subsequently acquired and held in trust by the Secretary for the benefit of the Tribe.

(Pub. L. 101-42, § 2, June 28, 1989, 103 Stat. 91.)

SHORT TITLE

Pub. L. 101-42, § 1, June 28, 1989, 103 Stat. 91, provided that: “This Act [enacting this subchapter] may be cited as the ‘Coquille Restoration Act.’”

§ 715a. Restoration of Federal recognition, rights, and privileges

(a) Federal recognition

Notwithstanding any provision of law, Federal recognition is hereby extended to the Coquille Indian Tribe. Except as otherwise provided herein, all laws and regulations of general application to Indians or nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this subchapter shall be applicable to the Tribe and its Members.

(b) Restoration of rights and privileges

Except as provided in subsection (d) of this section, all rights and privileges of this Tribe and of its Members under any Federal treaty, Executive order, agreement or statute or under any other authority, which were diminished or lost under the Act of August 13, 1954 (68 Stat. 724) [25 U.S.C. 691 et seq.], are hereby restored and provisions of said Act shall be inapplicable to the Tribe and its Members after June 28, 1989.

(c) Federal services and benefits

Notwithstanding any other provision of law and without regard to the existence of a reservation, the Tribe and its Members shall be eligible, on and after June 28, 1989, for all Federal services and benefits furnished to federally recognized Indian tribes or their members. In the case of Federal services available to members of federally recognized tribes residing on a reservation, Members of the Tribe in the Tribe’s service area shall be deemed to be residing on a reservation. Notwithstanding any other provision of law, the Tribe shall be considered an Indian tribe for the purpose of the Indian Tribal Government Tax Status Act (26 U.S.C. 7871).

(d) Hunting, fishing, trapping, and water rights

Nothing in this subchapter shall expand, reduce, or affect in any manner any hunting, fishing, trapping, gathering, or water right of the Tribe and its Members.

(e) Indian Reorganization Act applicability

The Act of June 18, 1934 (48 Stat. 984), as amended [25 U.S.C. 461 et seq.], shall be applicable to the Tribe and its Members.

(f) Certain rights not altered

Except as specifically provided in this subchapter, nothing in this subchapter shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes levied.

(Pub. L. 101-42, § 3, June 28, 1989, 103 Stat. 91.)

REFERENCES IN TEXT

Act of August 13, 1954, referred to in subsec. (b), is act Aug. 13, 1954, ch. 733, 68 Stat. 724, which is classified generally to subchapter XXX (§ 691 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

The Indian Tribal Government Tax Status Act, referred to in subsec. (c), probably means the Indian Tribal Governmental Tax Status Act of 1982, title II of Pub. L. 97-473, Jan. 14, 1983, 96 Stat. 2607, as amended, which is classified principally to subchapter C (§ 7871) of chapter 80 of Title 26, Internal Revenue Code. For complete classification of this Act to the Code, see Short Title of 1983 Amendments note set out under section 1 of Title 26 and Tables.

Act of June 18, 1934, referred to in subsec. (e), popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§ 461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 715b. Economic development

(a) Plan for economic development

The Secretary shall—

(1) enter into negotiations with the governing body of the Tribe with respect to establishing a plan for economic development for this Tribe;

(2) in accordance with this section and not later than two years after the adoption of a tribal constitution as provided in section 715g of this title, develop such a plan; and

(3) upon the approval of such plan by the governing body of the Tribe, submit such plan to the Congress.

(b) Restrictions to be contained in plan

Any proposed transfer of real property contained in the plan developed by the Secretary under subsection (a) of this section shall be consistent with the requirements of section 715c of this title.

(Pub. L. 101-42, § 4, June 28, 1989, 103 Stat. 92.)

§ 715c. Transfer of land to be held in trust

(a) Lands to be taken in trust

The Secretary shall accept any real property located in Coos and Curry Counties not to exceed one thousand acres for the benefit of the Tribe if conveyed or otherwise transferred to the Secretary: *Provided*, That, at the time of such acceptance, there are no adverse legal claims on