

§ 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

Pub. L. 103-454, title II, §201, Nov. 2, 1994, 108 Stat. 4792, 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.”

SUBCHAPTER LXIV — CONFEDERATED TRIBES OF WEAS, PIANKASHAWS, PEORIAS, AND KASKASKIAS: DISTRIBUTION OF JUDGMENT FUND

§ 1221. Membership roll**(a) Preparation; eligibility for enrollment**

The Secretary of the Interior shall prepare a roll of all persons who meet the following requirements: (1) they were born on or prior to and were living on July 31, 1970; (2) their names or the name of a lineal ancestor from whom they claim eligibility appears on (a) the final roll of the Peoria Tribe of Indians of Oklahoma, pursuant to the Act of August 2, 1956 (70 Stat. 937) [25 U.S.C. 821 et seq.], or (b) the January 1, 1937, census of the Peoria Tribe, or (c) the 1920 census of the Peoria Tribe, or (d) the Indian or Citizen Class lists pursuant to the Treaty of February 23, 1867 (15 Stat. 520), or (e) the Schedule of Persons or Families composing the United Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, annexed to the Treaty of May 30, 1854.

(b) Applications; finality of determination

Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner and within the time limits prescribed for that purpose by the Secretary of the Interior. The determination of the Secretary regarding the eligibility of an applicant shall be final.

(Pub. L. 91-364, §1, July 31, 1970, 84 Stat. 688.)

REFERENCES IN TEXT

Act of August 2, 1956, referred to in subsec. (a), is act Aug. 2, 1956, ch. 881, 70 Stat. 937, which was classified generally to subchapter XXXVI (§821 et seq.) of this title and was repealed by Pub. L. 95-281, §1(b)(2), May 15, 1978, 92 Stat. 246.

§ 1222. Disposition of funds: improvement and maintenance of Peoria Indian Cemetery; distribution of balance in equal shares

After the deduction of attorneys’ fees and expenses and the administrative costs involved in the preparation of the roll and the distribution of the individual shares, the remaining funds on deposit in the United States Treasury to the credit of the Peoria Tribe on behalf of the Wea Nation that were appropriated by the Acts of May 13, 1966 (80 Stat. 141, 150), and June 19, 1968 (82 Stat. 239), in satisfaction of judgments that were obtained by the Peoria Tribe on behalf of