

nism to resolve the complex litigation and other special circumstances of the Hoopa Valley Reservation and the tribes of the reservation, and shall not be construed or treated as a precedent for any future legislation.

(3) Any person making an election to receive, and having received, a lump sum payment under this subsection shall not thereafter have any interest or right whatsoever in the tribal, communal, or unallotted land, property, resources, or rights within, or appertaining to, the Hoopa Valley Reservation, the Hoopa Valley Tribe, the Yurok Reservation, or the Yurok Tribe or, except authorized by paragraph (1), in the Settlement Fund.

(Pub. L. 100-580, §6, Oct. 31, 1988, 102 Stat. 2929.)

**§ 1300i-6. Division of Settlement Fund remainder**

(a) Any funds remaining in the Settlement Fund after the payments authorized to be made therefrom by subsections (c) and (d) of section 1300i-5 of this title and any payments made to successful appellants pursuant to section 1300i-4(d) of this title shall be paid to the Yurok Tribe and shall be held by the Secretary in trust for such tribe.

(b) Funds divided pursuant to this section and any funds apportioned to the Hoopa Valley Tribe and the Yurok Tribe pursuant to subsections (c) and (d) of section 1300i-3 of this title shall not be distributed per capita to any individual before the date which is 10 years after the date on which the division is made under this section: *Provided, however,* That if the Hoopa Valley Business Council shall decide to do so it may distribute from the funds apportioned to it a per capita payment of \$5,000 per member, pursuant to the Act of August 2, 1983 (25 U.S.C. 117a et seq.).

(Pub. L. 100-580, §7, Oct. 31, 1988, 102 Stat. 2931.)

REFERENCES IN TEXT

Act of August 2, 1983, referred to in subsec. (b), is Pub. L. 98-64, Aug. 2, 1983, 97 Stat. 365, known as the "Per Capita Act", which enacted sections 117a to 117c of this title and repealed section 117 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 117a of this title and Tables.

**§ 1300i-7. Hoopa Valley Tribe; confirmation of status**

The existing governing<sup>1</sup> documents of the Hoopa Valley Tribe and the governing body established and elected thereunder, as heretofore recognized by the Secretary, are hereby ratified and confirmed.

(Pub. L. 100-580, §8, Oct. 31, 1988, 102 Stat. 2932.)

**§ 1300i-8. Recognition and organization of the Yurok Tribe**

**(a) Yurok Tribe**

(1) Those persons on the Settlement Roll who made a valid election pursuant to subsection (c) of section 1300i-5 of this title shall constitute the base membership roll for the Yurok Tribe whose status as an Indian tribe, subject to the

adoption of the Interim Council resolution as required by subsection (d)(2) of this section, is hereby ratified and confirmed.

(2) The Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.), as amended, is hereby made applicable to the Yurok Tribe and the tribe may organize under such Act as provided in this section.

(3) Within thirty days (30) after October 31, 1988, the Secretary, after consultation with the appropriate committees of Congress, shall appoint five (5) individuals who shall comprise the Yurok Transition Team which, pursuant to a budget approved by the Secretary, shall provide counseling and assistance, shall promote communication with potential members of the Yurok Tribe concerning the provisions of this subchapter, and shall study and investigate programs, resources, and facilities for consideration by the Interim Council. The Yurok Transition Team may receive grants and enter into contracts for the purpose of carrying out this section and section 1300i-9(a) of this title. Such grants and contracts shall be transferred to the Yurok Interim Council upon its organization. Any property acquired for or on behalf of the Yurok Transition Team shall be held in the name of the Yurok Tribe.

**(b) Interim Council; establishment**

There shall be established an Interim Council of the Yurok Tribe to be composed of five members. The Interim Council shall represent the Yurok Tribe in the implementation of provisions of this subchapter, including the organizational provisions of this section, and subject to subsection (d) of this section shall be the governing body of the tribe until such time as a tribal council is elected under a constitution adopted pursuant to subsection (e) of this section.

**(c) General council; election of Interim Council**

(1) Within 30 days after the date established pursuant to section 1300i-5(a)(4) of this title, the Secretary shall prepare a list of all persons eighteen years of age or older who have elected the Yurok Tribal Membership Option pursuant to section 1300i-5(c) of this title, which persons shall constitute the eligible voters of the Yurok Tribe for the purposes of this section, and shall provide written notice to such persons of the date, time, purpose, and order of procedure for the general council meeting to be scheduled pursuant to paragraph (2) for the consideration of the nomination of candidates for election to the Interim Council.

(2) Not earlier than 30 days before, nor later than 45 days after, the notice provided pursuant to paragraph (1), the Secretary shall convene a general council meeting of the eligible voters of the Yurok Tribe on or near the Yurok Reservation, to be conducted under such order of procedures as the Secretary determines appropriate, for the nomination of candidates for election of members of the Interim Council. No person shall be eligible for nomination who is not on the list prepared pursuant to this section.

(3) Within 45 days after the general council meeting held pursuant to paragraph (2), the Secretary shall hold an election by secret ballot, with absentee balloting and write-in voting to

<sup>1</sup> So in original. Probably should be "governing".