

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 show-

ing 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 erro-

neously 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 deter-

mined 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 not less than two years from the date of decedent's death.

**(c) Interest of surviving spouse**

When a person who is prohibited by subsection (a) of this section from acquiring any interest by devise or inheritance is a surviving spouse of the decedent, a life estate in one-half of the interest acquired by the Yakima Tribes shall, on the request of such spouse, be reserved for that spouse and the value of such life estate so reserved shall be reflected in the Secretary's appraisal under subsection (a) of this section.

(Aug. 9, 1946, ch. 933, §7, 60 Stat. 969; Pub. L. 91-627, §1, Dec. 31, 1970, 84 Stat. 1874.)

AMENDMENTS

1970—Pub. L. 91-627 designated existing provisions as subsec. (a), substituted provisions authorizing the Yakima Tribes to pay to Secretary of the Interior the fair market value, as determined by the Secretary after appraisal, of any interest in trust or restricted land within the specified areas which a person not an enrolled member of the Yakima Tribes with one-fourth degree or more blood of such tribes was to receive by devise or inheritance, for provisions limiting the inheritance of trust land on the Yakima Reservation to enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes and to surviving spouses who are enrolled members but possess less than one-fourth degree of Yakima blood, with such surviving spouses authorized to inherit a life estate in not more than one-half the property, and added subsecs. (b) and (c).

EFFECTIVE DATE OF 1970 AMENDMENT

Pub. L. 91-627, §2, Dec. 31, 1970, 84 Stat. 1874, provided that: "The provisions of section 7 of the Act of August 9, 1946, as amended by this Act [this section], shall apply to all estates pending before the Examiner of Inheritance on the date of this Act [Dec. 31, 1970], and to all future estates, but shall not apply to any estate heretofore closed."

**§ 608. Purchase, sale, and exchange of land**

**(a) Authority of Secretary; manner and place**

The Secretary of the Interior is authorized in his discretion, to—

(1) purchase for the Yakima Tribes, with any funds of such tribes, and to otherwise acquire by gift, exchange, or relinquishment, any lands or interest in lands or improvements thereon within the Yakima Indian Reservation or within the area ceded to the United States by the Treaty of June 9, 1855;

(2) sell or approve sales of any tribal trust lands, any interest therein or improvements thereon, such sales being limited to agencies of the Federal, State, or local governments for recreational, educational, civic, or other public purposes, and to individual members of the tribes;

(3) exchange any tribal trust lands, including interests therein or improvements thereon, for any lands situated within such reservation or the area ceded to the United States by the treaty of June 9, 1855; and