

Public Law 97-391
97th Congress

An Act

Dec. 29, 1982

[H.R. 6588]

To provide for Federal recognition of the Cow Creek Band of Umpqua Tribe of Indians, to institute for such tribe those Federal services provided to Indians who are recognized by the Federal Government and who receive such services because of the Federal trust responsibility, and for other purposes.

Cow Creek Band
of Umpqua Tribe
of Indians
Recognition Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

25 USC 712 note.

SECTION 1. This Act may be cited as the "Cow Creek Band of Umpqua Tribe of Indians Recognition Act".

DEFINITIONS

25 USC 712.

SEC. 2. For the purposes of this Act—

(1) the term "tribe" means the Cow Creek Band of Umpqua Tribe of Oregon; and

(2) the term "member", when used with respect to the tribe, means a person enrolled on the membership roll of the tribe in accordance with section 5 of this Act.

EXTENSION OF FEDERAL RECOGNITION, RIGHTS, AND PRIVILEGES

25 USC 712a.

SEC. 3. (a) **FEDERAL RECOGNITION.**—Notwithstanding any provision of the Act approved August 13, 1954 (25 U.S.C. 691 et seq.), or any other law, Federal recognition is extended to the Cow Creek Band of Umpqua Tribe of Oregon. Except as otherwise provided in this Act, all laws and regulations of the United States of general application to Indians or nations, tribes, or bands of Indians which are not inconsistent with any specific provision of this Act shall be applicable to the tribe.

(b) **RESTORATION OF RIGHTS AND PRIVILEGES.**—All rights and privileges of the tribe and the members of the tribe under any Federal treaty, Executive order, agreement, or statute, or under any other Federal authority, which may have been diminished or lost under the Act approved August 13, 1954 (25 U.S.C. 691 et seq.), are restored, and the provisions of such Act shall be inapplicable to the tribe and to members of the tribe after the date of enactment of this Act.

(c) **FEDERAL SERVICES AND BENEFITS.**—Notwithstanding any other provision of law, the tribe and members of the tribe shall be eligible for all Federal services and benefits furnished to federally recognized Indian tribes upon the date of enactment of this Act without regard to the existence of a reservation for the tribe or the residence of members of the tribe on a reservation.

(d) **EFFECT ON PROPERTY RIGHTS AND OTHER OBLIGATIONS.**—Except as otherwise specifically provided in this Act, no provision contained

in this Act shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes already levied.

ORGANIZATION OF TRIBE; CONSTITUTION AND BYLAWS

SEC. 4. The tribe may organize for its common welfare and adopt an appropriate instrument, in writing, to govern the affairs of the tribe when acting in its governmental capacity. The tribe shall file with the Secretary of the Interior a copy of its organic governing document and any amendments thereto.

25 USC 712b.

MEMBERSHIP ROLLS

SEC. 5. (a) IN GENERAL.—Membership in the tribe shall consist of every individual—

25 USC 712c.

(1) whose name appears on the tribal roll in effect on the date of enactment of this Act; or

(2) who is a descendant of any individual described in paragraph (1).

(b) LIMITATION.—Membership in the tribe pursuant to subsection (a) shall not entitle an individual, who is not otherwise entitled, to participate in any distribution of funds pursuant to a judgment under the Act approved May 26, 1980 (94 Stat. 372).

RULES

SEC. 6. The Secretary of the Interior may make such rules as are necessary to carry out the provisions of this Act.

25 USC 712d.

Approved December 29, 1982.

LEGISLATIVE HISTORY—H.R. 6588:

HOUSE REPORT No. 97-862 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 128 (1982):

Dec. 6, considered and passed House.

Dec. 16, considered and passed Senate.