Pub. L. 105–294, § 3, Oct. 27, 1998, 112 Stat. 2818, provided for the establishment of Advisory Council on California Indian Policy, consisting of 18 members, to develop list of tribes, to conduct a study of policies and programs affecting California Indians, to submit a report on the study no later than 36 months after first meeting of the Council, and to work with Congress, the Secretary, the Secretary of Health and Human Services, and the California Indian tribes, to implement the Council's proposals and recommendations, authorized the Council to appoint staff, hold hearings, establish task forces, accept funding from sources other than Federal government, and secure information from other Federal agencies, provided for termination of the Council on Mar. 31, 2000, and authorized $700,000 in appropriations to carry out the provisions of this Act.

REPORT TO CONGRESS

Act June 8, 1954, ch. 271, § 2, 68 Stat. 240, directed Secretary of the Interior to transmit to Congress on or before Aug. 31, 1955, a full and complete report of funds used and purposes accomplished to carry out provisions of this Act [amending section 657 of this title] and act approved May 18, 1928 (45 Stat. 602), as amended by acts of April 29, 1930 (46 Stat. 259); and June 30, 1948 (62 Stat. 1166); and May 24, 1950 (64 Stat. 189) [this subchapter].

§ 652. Claims against United States for appropriated lands; submission to United States Court of Federal Claims; appeal; grounds for relief

All claims of whatsoever nature the Indians of California as defined in section 651 of this title may have against the United States by reason of lands taken from them in the State of California by the United States without compensation, or for the failure or refusal of the United States to compensate them for their interest in lands in said State which the United States appropriated to its own purposes without the consent of said Indians, may be submitted to the United States Court of Federal Claims by the attorney general of the State of California acting for and on behalf of said Indians for determination of the equitable amount due said Indians from the United States; and jurisdiction is conferred upon the United States Court of Federal Claims,[1] to hear and determine all such equitable claims of said Indians against the United States and to render final decree thereon.

It is declared that the loss to the said Indians on account of their failure to secure the lands and compensation provided for in the eighteen unratified treaties is sufficient ground for equitable relief.

(May 18, 1928, ch. 624, § 2, 45 Stat. 602; Pub. L. 97–164, title I, § 150, Apr. 2, 1982, 96 Stat. 46; Pub. L. 100–352, § 6(b), June 27, 1988, 102 Stat. 663; Pub. L. 102–572, title IX, § 902(b)(1), Oct. 29, 1992, 106 Stat. 4516.)

AMENDMENTS

1992—Pub. L. 102–572 substituted "United States Court of Federal Claims" for "United States Claims Court" in two places.

1988—Pub. L. 100–352 struck out ", with the right of either party to appeal to the United States Court of Appeals for the Federal Circuit" before ", to hear and determine".

1982—Pub. L. 97–164 substituted "United States Claims Court" for "Court of Claims" and for "Court of Claims of the United States" and substituted "United States Court of Appeals for the Federal Circuit" for "Supreme Court of the United States".

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102–572 effective Oct. 29, 1992, see section 911 of Pub. L. 102–572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–352 effective ninety days after June 27, 1988, except that such amendment not to apply to cases pending in Supreme Court on such effective date or affect right to review or manner of reviewing judgment or decree of court which was entered before such effective date, see section 7 of Pub. L. 100–352, set out as a note under section 1254 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97–164 effective Oct. 1, 1982, see section 402 of Pub. L. 97–164, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

§ 653. Statutes of limitations unavailable against claims; amount of decree; set-off

If any claim or claims be submitted to said courts, they shall settle the equitable rights therein, notwithstanding lapse of time or statutes of limitation or the fact that the said claim or claims have not been presented to any other tribunal, including the commission created by the Act of March 3, 1851 (Ninth Statutes at Large, page 631): *Provided*, That any decree for said Indians shall be for an amount equal to the just value of the compensation provided or proposed for the Indians in those certain eighteen unratified treaties executed by the chiefs and head men of the several tribes and bands of Indians of California and submitted to the Senate of the United States by the President of the United States for ratification on the 1st day of June, 1852, including the lands described therein at $1.25 per acre. Any payment which may have been made by the United States or moneys heretofore or hereafter expended to date of award for the benefit of the Indians of California, made under specific appropriations for the support, education, health, and civilization of Indians in California, including purchases of land, shall not be pleaded as an estoppel but may be pleaded by way of set-off.

(May 18, 1928, ch. 624, § 3, 45 Stat. 602.)

REFERENCES IN TEXT

Act of March 3, 1851, referred to in text, is act Mar. 3, 1851, ch. 41, 9 Stat. 631, which was not classified to the Code.

§ 654. Claims presented by petition; filing date; amendment; signature and verification; official letters, documents, etc., furnished

The claims of the Indians of California under the provisions of this subchapter shall be presented by petition, which shall be filed within three years after May 18, 1928. Said petition shall be subject to amendment. The petition shall be signed and verified by the attorney general of the State of California. Verification may be upon information and belief as to the facts alleged. Official letters, papers, documents, and

[1] So in original. The comma probably should not appear.