

tion with the consent of the tribe under sections 1321 and 1322 of this title.

(Pub. L. 100-89, title II, § 206, Aug. 18, 1987, 101 Stat. 671.)

### § 737. Gaming activities

#### (a) In general

All gaming activities which are prohibited by the laws of the State of Texas are hereby prohibited on the reservation and on lands of the tribe. Any violation of the prohibition provided in this subsection shall be subject to the same civil and criminal penalties that are provided by the laws of the State of Texas. The provisions of this subsection are enacted in accordance with the tribe's request in Tribal Resolution No. T.C.-86-07 which was approved and certified on March 10, 1986.

#### (b) No State regulatory jurisdiction

Nothing in this section shall be construed as a grant of civil or criminal regulatory jurisdiction to the State of Texas.

#### (c) Jurisdiction over enforcement against members

Notwithstanding section 736(f) of this title, the courts of the United States shall have exclusive jurisdiction over any offense in violation of subsection (a) of this section that is committed by the tribe, or by any member of the tribe, on the reservation or on lands of the tribe. However, nothing in this section shall be construed as precluding the State of Texas from bringing an action in the courts of the United States to enjoin violations of the provisions of this section.

(Pub. L. 100-89, title II, § 207, Aug. 18, 1987, 101 Stat. 672.)

## SUBCHAPTER XXXII—PAIUTE INDIANS OF UTAH: TERMINATION OF FEDERAL SUPERVISION

### § 741. Purpose

The purpose of this subchapter is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in the State of Utah and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

(Sept. 1, 1954, ch. 1207, § 1, 68 Stat. 1099.)

#### REPEAL OF INCONSISTENT LAWS

Act Sept. 1, 1954, ch. 1207, § 20, 68 Stat. 1104, provided that: "All Acts or parts of Acts inconsistent with this Act [this subchapter] are repealed insofar as they affect the tribe or its members. The Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378) [section 461 et seq. of this title], shall not apply to the tribe and its members after the date of the proclamation provided for in section 17 of this Act [section 757 of this title]."

#### SEPARABILITY

Act Sept. 1, 1954, ch. 1207, § 21, 68 Stat. 1104, provided that: "If any provision of this Act [this subchapter], or the application thereof, to any person or circumstance

is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby."

### § 742. Definitions

For the purposes of this subchapter—

(a) "Tribe" means any of the following tribes or bands of Indians located in the State of Utah: Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of the Paiute Indian Tribe.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interests therein, or improvements thereon, and includes water rights.

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 743 of this title.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

(Sept. 1, 1954, ch. 1207, § 2, 68 Stat. 1100.)

### § 743. Membership roll; preparation and initial publication; appeal from inclusion or omission from roll; finality of determination; final publication

Each tribe shall have a period of six months from September 1, 1954, in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on September 1, 1954, which shall be published in the Federal Register. If a tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll<sup>1</sup> for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this subchapter.

(Sept. 1, 1954, ch. 1207, § 3, 68 Stat. 1100.)

### § 744. Personal property rights; restrictions

Upon publication in the Federal Register of the final roll as provided in section 743 of this title, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 745 of this title

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