

**§ 1300L-5. Tribal constitution****(a) Election; time and procedure**

Upon the completion of the tribal membership roll under section 1300L-3(a) of this title and upon the written request of the Interim Council, the Secretary shall conduct, by secret ballot, an election for the purpose of adopting a constitution and bylaws for the Tribe. The election shall be held according to section 476 of this title, except that absentee balloting shall be permitted regardless of voter residence.

**(b) Election of tribal officials; procedures**

Not later than 120 days after the Tribe adopts a constitution and bylaws under subsection (a) of this section, the Secretary shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in such tribal constitution. Such election shall be conducted according to the procedures specified in subsection (a) of this section except to the extent that such procedures conflict with the tribal constitution.

(Pub. L. 103-434, title II, §207, Oct. 31, 1994, 108 Stat. 4535.)

**§ 1300L-6. Definitions**

For purposes of this subchapter:

(1) The term "Tribe" means the United Auburn Indian Community of the Auburn Rancheria of California.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Interim Council" means the governing body of the Tribe specified in section 1300L-4 of this title.

(4) The term "member" means those persons meeting the enrollment criteria under section 1300L-3(b) of this title.

(5) The term "State" means the State of California.

(6) The term "reservation" means those lands acquired and held in trust by the Secretary for the benefit of the Tribe pursuant to section 1300L-2 of this title.

(7) The term "service area" means the counties of Placer, Nevada, Yuba, Sutter, El Dorado, and Sacramento, in the State of California.

(Pub. L. 103-434, title II, §208, Oct. 31, 1994, 108 Stat. 4535.)

**§ 1300L-7. Regulations**

The Secretary may promulgate such regulations as may be necessary to carry out the provisions of this subchapter.

(Pub. L. 103-434, title II, §209, Oct. 31, 1994, 108 Stat. 4536.)

SUBCHAPTER LXXXIV—PASKENTA BAND  
OF NOMLAKI INDIANS OF CALIFORNIA

**§ 1300m. Definitions**

For purposes of this subchapter:

(1) The term "Tribe" means the Paskenta Band of Nomlaki Indians of the Paskenta Rancheria of California.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Interim Council" means the governing body of the Tribe specified in section 1300m-5 of this title.

(4) The term "member" means an individual who meets the membership criteria under section 1300m-4(b) of this title.

(5) The term "State" means the State of California.

(6) The term "reservation" means those lands acquired and held in trust by the Secretary for the benefit of the Tribe pursuant to section 1300m-3 of this title.

(7) The term "service area" means the counties of Tehama and Glenn, in the State of California.

(Pub. L. 103-454, title III, §302, Nov. 2, 1994, 108 Stat. 4793.)

## SHORT TITLE

Pub. L. 103-454, title III, §301, Nov. 2, 1994, 108 Stat. 4793, provided that: "This title [enacting this subchapter] may be cited as the 'Paskenta Band Restoration Act'."

**§ 1300m-1. Restoration of Federal recognition, rights, and privileges****(a) Federal recognition**

Federal recognition is hereby extended to the Tribe. Except as otherwise provided in this subchapter, all laws and regulations of general application to Indians and nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this subchapter shall be applicable to the Tribe and its members.

**(b) Restoration of rights and privileges**

Except as provided in subsection (d) of this section, all rights and privileges of the Tribe and its members under any Federal treaty, Executive order, agreement, or statute, or under any other authority which were diminished or lost under the Act of August 18, 1958 (Public Law 85-671; 72 Stat. 619), are hereby restored and the provisions of such Act shall be inapplicable to the Tribe and its members after November 2, 1994.

**(c) Federal services and benefits**

Without regard to the existence of a reservation, the Tribe and its members shall be eligible, on and after November 2, 1994, for all Federal services and benefits furnished to federally recognized Indian tribes or their members. In the case of Federal services available to members of federally recognized Indian tribes residing on a reservation, members of the Tribe residing in the Tribe's service area shall be deemed to be residing on a reservation.

**(d) Hunting, fishing, trapping, and water rights**

Nothing in this subchapter shall expand, reduce, or affect in any manner any hunting, fishing, trapping, gathering, or water right of the Tribe and its members.

**(e) Indian Reorganization Act applicability**

The Act of June 18, 1934 (25 U.S.C. 461 et seq.), shall be applicable to the Tribe and its members.

**(f) Certain rights not altered**

Except as specifically provided in this subchapter, nothing in this subchapter shall alter