

thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians, excluding statutes that specifically refer to the tribe and its members, shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Citizenship status unaffected

Nothing in this subchapter shall affect the status of the members of a tribe as citizens of the United States.

(c) Education and training program; purposes; subjects; transportation; subsistence; contracts; other education programs

Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

(Aug. 13, 1954, ch. 733, § 13, 68 Stat. 727.)

§ 704. Omitted

CODIFICATION

Section, act Aug. 13, 1954, ch. 733, § 14, 68 Stat. 727, which revoked corporate charter of Confederated Tribes of Grand Ronde Community of Oregon and provided for termination of Federal power with regard to tribe, was omitted in view of Federal recognition and restoration of corporate charter of Confederated Tribes of Grand Ronde Community of Oregon by section 713b of this title.

§ 705. Offset of individual indebtedness; credit

The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this subchapter and to deposit the amount set off to the credit of the tribe or the United States as the case may be.

(Aug. 13, 1954, ch. 733, § 15, 68 Stat. 727.)

§ 706. Indian claims unaffected

Nothing in this subchapter shall affect any claim heretofore filed against the United States by any tribe.

(Aug. 13, 1954, ch. 733, § 16, 68 Stat. 727.)

§ 707. Valid leases, permits, liens, etc., unaffected

Nothing in this subchapter shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency.

(Aug. 13, 1954, ch. 733, § 17, 68 Stat. 728.)

§ 708. Rules and regulations; tribal referenda

The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this subchapter, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

(Aug. 13, 1954, ch. 733, § 18, 68 Stat. 728.)

SUBCHAPTER XXX-A—SILETZ INDIAN TRIBE: RESTORATION OF FEDERAL SUPERVISION

§ 711. Definitions

For the purposes of this subchapter—

(1) the term “tribe” means the Confederated Tribes of Siletz Indians of Oregon;

(2) the term “Secretary” means the Secretary of the Interior or his authorized representative;

(3) the term “Interim Council” means the council elected pursuant to section 711c of this title;

(4) the term “member”, when used with respect to the tribe, means a person enrolled on the membership roll of the tribe, as provided in section 711b of this title; and

(5) the term “final membership roll” means the final membership roll of the tribe published on July 20, 1956, on pages 5454–5462 of volume 21 of the Federal Register.

(Pub. L. 95–195, § 2, Nov. 18, 1977, 91 Stat. 1415.)

SHORT TITLE

Pub. L. 95–195, § 1, Nov. 18, 1977, 91 Stat. 1415, provided: “That this Act [enacting this subchapter] may be cited as the ‘Siletz Indian Tribe Restoration Act’.”

§ 711a. Federal recognition

(a) Extension; laws applicable; eligibility for Federal services and benefits

Federal recognition is hereby extended to the tribe, and the provisions of the Act of June 18, 1934 (48 Stat. 984) as amended [25 U.S.C. 461 et seq.], except as inconsistent with specific provisions of this subchapter, are made applicable to the tribe and the members of the tribe. The tribe and the members of the tribe shall be eligible for all Federal services and benefits furnished to federally recognized Indian tribes.

Notwithstanding any provision to the contrary in any law establishing such services or benefits, eligibility of the tribe and its members for such Federal services and benefits shall become effective upon November 18, 1977, without regard to the existence of a reservation for the tribe or the residence of members of the tribe on a reservation.

(b) Restoration of rights and privileges

Except as provided in subsection (c) of this section, all rights and privileges of the tribe and of members of the tribe under any Federal treaty, Executive order, agreement, or statute, or under any other authority, which were diminished or lost under the Act of August 13, 1954 (68 Stat. 724) [25 U.S.C. 691 et seq.], are hereby restored, and such Act shall be inapplicable to the tribe and to members of the tribe after November 18, 1977.

(c) Hunting, fishing or trapping rights and tribal reservations not restored

This subchapter shall not grant or restore any hunting, fishing, or trapping right of any nature, including any indirect or procedural right or advantage, to the tribe or any member of the tribe, nor shall it be construed as granting, establishing, or restoring a reservation for the tribe.

(d) Effect on property rights or obligations, contractual rights or obligations, or obligations for taxes

Except as specifically provided in this subchapter, nothing in this subchapter shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes already levied.

(Pub. L. 95-195, § 3, Nov. 18, 1977, 91 Stat. 1415.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in subsec. (a), popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§ 461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

Act of August 13, 1954, referred to in subsec. (b), is act Aug. 13, 1954, ch. 733, 68 Stat. 724, which is classified generally to subchapter XXX (§ 691 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

§ 711b. Membership roll

(a) Opening; duty of Secretary, Interim Council, and tribal officials

The final membership roll is declared open. The Secretary, the Interim Council, and tribal officials under the tribal constitution and bylaws shall take such measures as will insure the continuing accuracy of the membership roll.

(b) Prerequisites for inclusion

(1) Until after the initial election of tribal officers under the tribal constitution and bylaws, a person shall be a member of the tribe and his name shall be placed on the membership roll if he is living and if—

(A) his name is listed on the final membership roll;

(B) he was entitled on August 13, 1954, to be on the final membership roll but his name was not listed on that roll; or

(C) he is a descendant of a person specified in subparagraph (A) or (B) and possesses at least one-fourth degree of blood of members of the tribe or their Siletz Indian ancestors.

(2) After the initial election of tribal officials under the tribal constitution and bylaws, the provisions of the tribal constitution and bylaws shall govern membership in the tribe.

(c) Verification of descendancy, age, and blood; appeal; finality of determination; possession of enrollment records and materials

(1) Before election of the Interim Council, verification of descendancy, age, and blood shall be made upon oath before the Secretary and his determination thereon shall be final.

(2) After election of the Interim Council and before the initial election of the tribal officials, verification of descendancy, age, and blood shall be made upon oath before the Interim Council, or its authorized representative. A member of the tribe, with respect to the inclusion of any name, and any person, with respect to the exclusion of his name, may appeal to the Secretary, who shall make a final determination of each such appeal within ninety days after an appeal has been filed with him. The determination of the Secretary with respect to an appeal under this paragraph shall be final.

(3) After the initial election of tribal officials, the provisions of the tribal constitution and bylaws shall govern the verification of any requirements for membership in the tribe, and the Secretary and the Interim Council shall deliver their records and files, and any other material relating to enrollment matters, to the tribal governing body.

(d) Franchisement

For purposes of sections 711c and 711d of this title, a member who is eighteen years of age or older is entitled and eligible to be given notice of, attend, participate in, and vote at, general council meetings and to nominate candidates for, to run for any office in, and to vote in, elections of members to the Interim Council and to other tribal councils.

(Pub. L. 95-195, § 4, Nov. 18, 1977, 91 Stat. 1416.)

§ 711c. Interim Council

(a) Nomination and election of members; notice; meetings; ballot requirements; approval by Secretary

Within forty-five days after November 18, 1977, the Secretary shall announce the date of a general council meeting of the tribe to nominate candidates for election to the Interim Council. Such general council meeting shall be held within sixty days after November 18, 1977. Within forty-five days after such general council meeting the Secretary shall hold an election by secret ballot, absentee balloting to be permitted, to elect nine members of the tribe to the Interim Council from among the nominees submitted to him from such general council meeting. The Secretary shall assure that notice of the time, place, and purpose of such meeting and election shall be provided to members described in section 711b(d) of this title at least fifteen days before such general meeting and election.