

(Pub. L. 101-42, § 8, June 28, 1989, 103 Stat. 93.)

### § 715g. Tribal constitution

#### (a) Election; time and procedure

Upon the completion of the tribal membership roll 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 for the Tribe. Absentee balloting shall be permitted regardless of voter residence. In every other regard, the election shall be held according to section 476 of this title.

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

Not later than one hundred and twenty days after the Tribe adopts a constitution and by-laws, the Secretary shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in the tribal constitution. Said election shall be conducted according to the procedures stated in paragraph<sup>1</sup> (a) of this section except to the extent that said procedures conflict with the tribal constitution.

(Pub. L. 101-42, § 9, June 28, 1989, 103 Stat. 93.)

### § 715h. Land and interests of Coquille Indian Tribe, Oregon

#### (a) In general

Subject to subsections (b), (c), and (d) notwithstanding any other provision of law (including regulations), the Coquille Indian Tribe of the State of Oregon (including any agent or instrumentality of the Tribe) (referred to in this section as the "Tribe"), may transfer, lease, encumber, or otherwise convey, without further authorization or approval, all or any part of the Tribe's interest in any real property that is not held in trust by the United States for the benefit of the Tribe.

#### (b) Nonapplicability to certain conveyances

Subsection (a) shall not apply with respect to any transfer, encumbrance, lease, or other conveyance of any land or interest in land of the Tribe that occurred before January 1, 2007.

#### (c) Effect of section

Nothing in this section is intended to authorize the Tribe to transfer, lease, encumber, or otherwise convey, any lands, or any interest in any lands, that are held in trust by the United States for the benefit of the Tribe.

#### (d) Liability

The United States shall not be held liable to any party (including the Tribe or any agent or instrumentality of the Tribe) for any term of, or any loss resulting from the term of any transfer, lease, encumbrance, or conveyance of land made pursuant to this section unless the United States or an agent or instrumentality of the United States is a party to the transaction or the United States would be liable pursuant to any other provision of law. This subsection shall not apply to land transferred or conveyed by the Tribe to the United States to be held in trust for the benefit of the Tribe.

(Pub. L. 110-75, § 1, Aug. 13, 2007, 121 Stat. 724.)

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

### CODIFICATION

Section was not enacted as part of the Coquille Restoration Act, which comprises this subchapter.

## SUBCHAPTER XXXI—ALABAMA AND COUSHATTA INDIANS OF TEXAS: TERMINATION OF FEDERAL SUPERVISION

### § 721. Transfer of property to Texas

The Secretary of the Interior is authorized to convey to the State of Texas the lands held in trust by the United States for the tribe of Indians organized and known as the Alabama and Coushatta Tribes of Texas, located in Polk County, Texas; and such tribe is authorized to convey to the State of Texas the lands purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854, located in Polk County, Texas. All of the lands so conveyed shall be held by the State of Texas in trust for the benefit of the Indians of the Alabama and Coushatta Tribes of Texas, subject to such conditions regarding management and use as the State of Texas may prescribe and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas.

(Aug. 23, 1954, ch. 831, § 1, 68 Stat. 768.)

### § 722. Termination of Federal trust; publication; termination of Federal services; admission to hospitals and schools

Upon the conveyance to the State of Texas of the lands held in trust by the United States for the Alabama and Coushatta Tribes of Texas, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter such tribe and its members shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians: *Provided*, That after August 21, 1954 such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States.

(Aug. 23, 1954, ch. 831, § 2, 68 Stat. 769.)

### § 723. Termination of Federal powers over tribe

Effective on the date of the proclamation provided for in section 722 of this title, all powers of the Secretary of the Interior or any other officer of the United States to take, review, or approve any action under the constitution and by-laws of the Alabama and Coushatta Tribes of Texas approved on August 19, 1938, pursuant to the Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 461 et seq.], are terminated. Any powers conferred upon the tribe by its constitution and by-laws that are inconsistent with the provisions of this subchapter are terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and by-laws that is consistent with this subchapter without the participation of the Secretary or other officer of the United States in such action.

(Aug. 23, 1954, ch. 831, § 3, 68 Stat. 769.)