

any property right or obligation, any contractual right or obligation, or any obligation for taxes levied.

(Pub. L. 103-434, title II, §202, Oct. 31, 1994, 108 Stat. 4533.)

#### REFERENCES IN TEXT

Act of August 18, 1958, referred to in subsec. (b), is Pub. L. 85-671, Aug. 18, 1958, 72 Stat. 619, which is not classified to the Code.

Act of June 18, 1934, referred to in subsec. (e), 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.

#### SHORT TITLE

Pub. L. 103-434, title II, §201, Oct. 31, 1994, 108 Stat. 4533, provided that: "This title [enacting this subchapter] may be cited as the 'Auburn Indian Restoration Act'."

### § 1300I-1. Economic development

#### (a) Plan for economic development

The Secretary shall—

(1) enter into negotiations with the governing body of the Tribe with respect to establishing a plan for economic development for the Tribe;

(2) in accordance with this section and not later than 2 years after the adoption of a tribal constitution as provided in section 1300I-5 of this title, develop such a plan; and

(3) upon the approval of such plan by the governing body of the Tribe, submit such plan to the Congress.

#### (b) Restrictions

Any proposed transfer of real property contained in the plan developed by the Secretary under subsection (a) of this section shall be consistent with the requirements of section 1300I-2 of this title.

(Pub. L. 103-434, title II, §203, Oct. 31, 1994, 108 Stat. 4533; Pub. L. 104-109, §8(a), Feb. 12, 1996, 110 Stat. 764.)

#### AMENDMENTS

1996—Subsec. (a)(2). Pub. L. 104-109, §8(a)(1), made technical amendment to reference to section 1300I-5 of this title, to correct reference to corresponding section of original act.

Subsec. (b). Pub. L. 104-109, §8(a)(2), made technical amendment to reference to section 1300I-2 of this title, to correct reference to corresponding section of original act.

### § 1300I-2. Transfer of land to be held in trust

#### (a) Lands to be taken in trust

The Secretary may accept any real property located in Placer County, California, for the benefit of the Tribe if conveyed or otherwise transferred to the Secretary if, at the time of such conveyance or transfer, there are no adverse legal claims on such property, including outstanding liens, mortgages, or taxes owed. The Secretary may accept any additional acreage in the Tribe's service area pursuant to the authority of the Secretary under the Act of June 18, 1934 (25 U.S.C. 461 et seq.).

#### (b) Former trust lands of Auburn Rancheria

Subject to the conditions specified in this section, real property eligible for trust status under this section shall include fee land held by the White Oak Ridge Association, Indian owned fee land held communally pursuant to the distribution plan prepared and approved by the Bureau of Indian Affairs on August 13, 1959, and Indian owned fee land held by persons listed as distributees or dependent members in such distribution plan or such distributees' or dependent members' Indian heirs or successors in interest.

#### (c) Lands to be part of reservation

Subject to the conditions imposed by this section, any real property conveyed or transferred under this section shall be taken in the name of the United States in trust for the Tribe or, as applicable, an individual member of the Tribe, and shall be part of the Tribe's reservation.

(Pub. L. 103-434, title II, §204, Oct. 31, 1994, 108 Stat. 4534; Pub. L. 104-122, Mar. 29, 1996, 110 Stat. 876.)

#### 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.

#### AMENDMENTS

1996—Subsec. (a). Pub. L. 104-122 substituted "may" for "shall" in first sentence.

### § 1300I-3. Membership rolls

#### (a) Compilation of tribal membership roll

Within 1 year after October 31, 1994, the Secretary shall, after consultation with the Tribe, compile a membership roll of the Tribe.

#### (b) Criteria for enrollments

(1) Until a tribal constitution is adopted pursuant to section 1300I-5 of this title, an individual shall be placed on the membership roll if the individual is living, is not an enrolled member of another federally recognized Indian tribe, is of United Auburn Indian Community ancestry, possesses at least one-eighth or more of Indian blood quantum, and if—

(A) the individual's name was listed on the Auburn Indian Rancheria distribution roll compiled and approved by the Bureau of Indian Affairs on August 13, 1959, pursuant to Public Law 85-671;

(B) the individual was not listed on, but met the requirements that had to be met to be listed on, the Auburn Indian Rancheria distribution list compiled and approved by the Bureau of Indian Affairs on August 13, 1959, pursuant to Public Law 85-671; or

(C) the individual is a lineal descendant of an individual, living or dead, identified in subparagraph (A) or (B).

(2) After adoption of a tribal constitution pursuant to section 1300I-5 of this title, such tribal constitution shall govern membership in the Tribe, except that in addition to meeting any other criteria imposed in such tribal constitution, any person added to the membership roll