

**§ 756. Cancellation of indebtedness**

The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the tribe arising out of any loan made by the United States to such tribe, and any indebtedness, whether payable to the United States or to the tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

(Sept. 1, 1954, ch. 1207, §16, 68 Stat. 1103.)

**§ 757. Termination of Federal trust****(a) Publication; termination of Federal services; application of Federal and State laws**

Upon removal of Federal restrictions on the property of each tribe and individual members 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 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 the tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

(Sept. 1, 1954, ch. 1207, §17, 68 Stat. 1103.)

**§ 758. Status of Tribes****(a) Revocation of corporate charter**

Effective on the date of the proclamation provided for in section 757 of this title, the corporate charter issued pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended [25 U.S.C. 461 et seq.], to the Kanosh Band of Paiute Indians of the Kanosh Reservation, Utah, and ratified by the band on August 15, 1943, and to the Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah, and ratified by the band on August 30, 1941, are revoked.

**(b) Termination of Federal power**

Effective on the date of the proclamation provided for in section 757 of this title, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are terminated. Any powers conferred upon the tribe by such constitution which 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 bylaws that is consistent with this subchapter without the participation of the Secretary or other officer of the United States.

(Sept. 1, 1954, ch. 1207, §18, 68 Stat. 1104.)

## 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.

**§ 759. 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.

(Sept. 1, 1954, ch. 1207, §19, 68 Stat. 1104.)

**§ 760. 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 section 757 of this title, 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.

(Sept. 1, 1954, ch. 1207, §23, 68 Stat. 1104.)

## SUBCHAPTER XXXII-A—PAIUTE INDIANS OF UTAH: RESTORATION OF FEDERAL SUPERVISION

**§ 761. Definitions**

For the purposes of this subchapter—

(1) the term "tribe" means the Cedar, Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of Paiute Indians of Utah;

(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 764 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 763 of this title; and

(5) the term "final membership roll" means the final membership roll of the tribe published on April 15, 1955, on pages 2499 through 2503 of volume 20 of the Federal Register and on April 14, 1956, on pages 2453 through 2456 of volume 21 of the Federal Register.

(Pub. L. 96-227, §2, Apr. 3, 1980, 94 Stat. 317; Pub. L. 109-126, §4, Dec. 7, 2005, 119 Stat. 2547.)

## AMENDMENTS

2005—Par. (1). Pub. L. 109-126 substituted “Cedar” for “Cedar City”.

## SHORT TITLE

Pub. L. 96-227, §1, Apr. 3, 1980, 94 Stat. 317, provided: “That this act [enacting this subchapter] may be cited as the ‘Paiute Indian Tribe of Utah Restoration Act.’”

### § 762. Federal restoration of supervision

#### (a) Trust relationship restored or confirmed; statutory provisions applicable; eligibility for Federal services and benefits

The Federal trust relationship is restored to the Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of Paiute Indians of Utah and restored or confirmed with respect to the Cedar Band of Paiute Indians of Utah. 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 April 3, 1980, without regard to the existence of a reservation for the tribe or the residence of members of the tribe on a reservation. For the purpose of providing for Federal services and benefits, the service area shall be Iron, Millard, Sevier, and Washington Counties, Utah, except that should lands in any other county be added to the reservation pursuant to section 766(c) of this title, the service area shall also include the area on or near the additions to the 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 September 1, 1954 (68 Stat. 1099) [25 U.S.C. 741 et seq.], are hereby restored, and such Act shall be inapplicable to the tribe and to members of the tribe after April 3, 1980.

#### (c) Hunting, fishing, or trapping rights 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.

#### (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 obligations, or any obligation for taxes already levied.

(Pub. L. 96-227, §3, Apr. 3, 1980, 94 Stat. 317; Pub. L. 109-126, §4, Dec. 7, 2005, 119 Stat. 2547.)

## 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 September 1, 1954, referred to in subsec. (b), is act Sept. 1, 1954, ch. 1207, 68 Stat. 1099, which is classified generally to subchapter XXXII (§741 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

## AMENDMENTS

2005—Subsec. (a). Pub. L. 109-126 substituted “Cedar” for “Cedar City”.

### § 763. Membership roll

#### (a) Opening; establishment of accuracy

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 September 1, 1954, to be on the final membership roll but his name was not listed on that roll;

(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 Paiute Indian ancestors;

(D) his name is listed on the roll established pursuant to the Act of October 17, 1968 (82 Stat. 1147), for the disposition of judgment funds, as a member of the Cedar Band of Paiute Indians;

(E) he was entitled on October 17, 1968, to be on the judgment distribution roll as a member of the Cedar Band as specified in subparagraph (D) but his name was not listed on that roll; or

(F) he is a descendant of a person specified in subparagraph (D) or (E) and possesses at least one-fourth degree of blood of members of the tribe or their Paiute 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; procedures applicable

(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