the Bureau of Indian Affairs, is authorized and
directed to conduct a study and investigation of
Indian education in the continental United
States and Alaska, including a study and inves-
tigation of (1) the education problems of Indian
children from non-English speaking homes, and
(2) the possibility of establishing a more orderly,
equitable, and acceptable program for transfer-
ing Indian children to public schools.

The Secretary, in carrying out the provisions
of this section, is authorized to enter into con-
tracts in accordance with the provisions of the

Not later than two years after funds are made
available to carry out the purposes of this sec-
tion, the Secretary shall submit to the Congress
a complete report of the results of such study
and investigation, together with such recom-
mendations as he deems desirable.

There are authorized to be appropriated such
sums as may be necessary for carrying out the
purposes of this section.

Reference in Text
The Johnson-O’Malley Act of June 4, 1936, referred to in
this section, probably means act Apr. 16, 1934, ch. 147, 48
Stat. 556, as amended generally by act June 4, 1936, ch.
490, 49 Stat. 1458, which is classified to sections 452 to
457 of this title. For complete classification of this Act
to the Code, see Short Title note set out under section
452 of this title and Tables.

Codification
Section is composed of sections 1 to 4 of joint resolu-
tion July 14, 1956.

Admission of Alaska as State
Admission of Alaska into the Union was accom-
3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections
1 and 8(c) of Pub. L. 85–508, July 7, 1958, 72 Stat. 339, set
out as notes preceding section 21 of Title 48, Territories
and Insular Possessions.

§ 304b. Deposits of funds of students and student
activity associations in Indian schools

The Secretary of the Interior may authorize
officers or employees of the Bureau of Indian
Affairs to accept and to disburse deposits of
funds of students and student activity associa-
tions in schools operated by the Bureau of In-
dian Affairs in accordance with the purposes of
such deposits. Such deposits and disbursements
shall be accounted for under rules and regula-
tions prescribed by the Secretary of the Inter-
ior.

(Pub. L. 86–16, Apr. 27, 1959, 73 Stat. 20.)

CHAPTER 7A—PROMOTION OF SOCIAL AND
ECONOMIC WELFARE

Sec.
305. Indian Arts and Crafts Board; creation and
composition; per diem payments.
305a. Promotion of economic welfare through
development of arts and crafts; powers of
Board.
305a–1. Additional powers of Board; admission fees,
rent, franchise fees and other fundraising
activities; volunteers; transfer of revenues
into special fund.

§ 305. Indian Arts and Crafts Board; creation and
composition; per diem payments

A board is created in the Department of the
Interior to be known as “Indian Arts and Crafts
Board”; and hereinafter referred to as the Board.
The Board shall be composed of five com-
missioners, who shall be appointed by the Sec-
retary of the Interior as soon as possible after
August 27, 1935 and shall continue in office, two
for a term of two years, one for a term of three
years, and two for a term of four years from the
date of their appointment, the term of each to
be designated by the Secretary of the Interior,
but their successors shall be appointed for a
term of four years except that any person cho-
sen to fill a vacancy shall be appointed for the
unexpired term of the commissioner whom he
succeeds. Both public officers and private citi-
zens shall be eligible for membership on the
Board. The Board shall elect one of the com-
missioners as chairman. One or two vacancies on
the Board shall not impair the right of the re-
main ing commissioners to exercise all the pow-
ers of the Board.

The commissioner shall serve without compen-
sation: Provided, That each Commissioner
shall be paid per diem in lieu of subsistence and
other expenses at a rate that does not exceed the
rate authorized by section 5703 of title 5 to be
paid to persons serving without compensation.

(Aug. 27, 1935, ch. 748, § 1, 49 Stat. 891; Pub. L.
87–23, § 1, Apr. 24, 1961, 75 Stat. 45.)

Codification
“Section 5703 of title 5” substituted in text for “the
Act of August 2, 1946 (60 Stat. 808) as heretofore or here-
after amended (5 U.S.C. 73b–2)” on authority of Pub. L.
89–554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section
of which enacted Title 5, Government Organization and
Employees.

Amendments
1961—Pub. L. 87–23 substituted authorization for pay-
ment of per diem to Board members at the rate author-
ized for other persons serving without compensation for
former provision reimbursing actual expenses, includ-
ing travel expenses, subsistence and office overhead, in-
curred incidental to performance of duties.

Short Title of 2010 Amendment
2258, provided that: “This title [amending sections 305d
and 305e of this title and section 1159 of Title 18, Crimes
and Criminal Procedure) may be cited as the 'Indian Arts and Crafts Amendments Act of 2010'.

### Short Title of 2000 Amendment

Pub. L. 106–497, § 1, Nov. 9, 2000, 114 Stat. 2219, provided that: “This Act [amending section 305e of this title] may be cited as the ‘Indian Arts and Crafts Enforcement Act of 2000’.

### Short Title of 1990 Amendment

Pub. L. 101–644, title I, § 101, Nov. 29, 1990, 104 Stat. 4662, provided that: “This title [enacting sections 305d and 305e of this title, amending section 305a of this title and sections 1158 and 1159 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 305e of this title] may be cited as the ‘Indian Arts and Crafts Act of 1990’.

### Transfer of Functions

For transfer of functions of other officers, employees, and agencies of the Department of the Interior, in certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1282, set out in Appendix to Title 5, Government Organization and Employees.

### § 305a. Promotion of economic welfare through development of arts and crafts; powers of Board

It shall be the function and the duty of the Secretary of the Interior through the Board to promote the economic welfare of the Indian tribes and Indian individuals through the development of Indian arts and crafts and the expansion of the market for the products of Indian art and craftsmanship. In the execution of this function the Board shall have the following powers: (a) To undertake market research to determine the best opportunity for the sale of various products; (b) to engage in technical research and give technical advice and assistance; (c) to engage in experimentation directly or through selected agencies; (d) to correlate and encourage the activities of the various governmental and private agencies in the field; (e) to offer assistance in the management of operating groups for the furtherance of specific projects; (f) to make recommendations to appropriate agencies for loans in furtherance of the production and sale of Indian products; (g)(1) to create for the Board, or for an individual Indian or Indian tribe or Indian arts and crafts organization, trademarks of genuineness and quality for Indian products and the products of an individual Indian or particular Indian tribe or Indian arts and crafts organization; (2) to establish standards and regulations for the use of Government-owned trademarks by corporations, associations, or individuals, and to charge for such use under such licenses; (3) to register any such trademark owned by the Government in the United States Patent and Trademark Office without charge and assign it and the goodwill associated with it to an individual Indian or Indian tribe without charge; and (4) to pursue or defend in the courts any appeal or proceeding with respect to any final determination of that office; (h) to employ executive officers, including a general manager, and such other permanent and temporary personnel as may be found necessary, and prescribe the authorities, duties, responsibilities, and tenure and fix the compensation of such officers and other employees: Provided, That chapter 51 and subchapter III of chapter 53 of title 5 shall be applicable to all permanent employees and that all employees shall be appointed in accordance with the civil service laws from lists of eligibles to be supplied by the Director of the Office of Personnel Management: (i) as a Government agency to negotiate and execute in its own name contracts with operating groups to supply management, personnel, and supervision at cost, and to negotiate and execute in its own name such other contracts and to carry on such other business as may be necessary for the accomplishment of the duties and purposes of the Board: Provided, That nothing in the foregoing enumeration of powers shall be construed to authorize the Board to borrow or lend money or to deal in Indian goods. For the purposes of this section, the term "Indian arts and crafts organization" means any legally established arts and crafts marketing organization composed of members of Indian tribes.


### Amendment

That this section may be cited as the "Indian Arts and Crafts Amendments Act of 2010.''.

### Citation

The provisions of this chapter (except subchapter V thereof) are set out as a note under section 305e of this title.
follows: “to create Government trade marks of genu-
inleness and quality for Indian products and the prod-
ucts of particular Indian tribes or groups; to establish
standards and regulations for the use of such trade
marks; to license corporations, associations, or individ-
uals to use them; and to charge a fee for their use; to
register them in the United States Patent Office with-
out charge”.

Pub. L. 101–644, §102(3), inserted sentence at end def-
ining “Indian arts and crafts organization”.

1949—Act Oct. 28, 1949, substituted “Classification Act of
1949” for “Classification Act of 1923”.

TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” sub-
stituted for “Civil Service Commission” in cl. (h),
pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36377,
92 Stat. 3763, set out under section 1101 of Title 5, Gov-
ernment Organization and Employees, which trans-
ferred functions vested by statute in Civil Service Com-
mission to Director of Office of Personnel Management
(except as otherwise specified), effective Jan. 1, 1979, as
provided by section 1–362 of Ex. Ord. No. 12207, Dec. 28,
1978, 44 F.R. 10556, set out under section 1101 of Title 5.

For transfer of functions of other officers, employees,
and agencies of Department of the Interior, with cer-
tain exceptions, to Secretary of the Interior, with
power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2,
eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in
the Appendix to Title 5.

§ 305a–1. Additional powers of Board; admission
fees, rent, franchise fees and other fund-
raising activities; volunteers; transfer of
revenues into special fund

In fiscal year 1997 and thereafter, the Indian Arts
and Crafts Board may charge admission fees at its
museums; charge rent and/or fran-
chise fees for shops located in its museums; pub-
lish and sell publications; sell or rent or license
use of photographs or other images in hard copy
or other forms; license the use of designs, in
whole or in part, by others; charge for consult-
sing services provided to others; and may accept
the services of volunteers to carry out its mis-
sion: Provided, That all revenue derived from
such activities is covered into the special fund
established by section 305c of this title.


§ 305b. Rules and regulations; submission to Sec-
retary of the Interior

The Board shall prescribe from time to time rules and regulations governing the conduct of
its business and containing such provisions as it
may deem appropriate for the effective execu-
tion and administration of the powers conferred
upon it by this Act: Provided, That before pre-
scribing any procedure for the disbursement of
money the Board shall advise and consult with
the Government Accountability Office: Provided
further, That all rules and regulations proposed
by the Board shall be submitted to the Sec-
retary of the Interior and shall become effective
upon his approval.

(Aug. 27, 1935, ch. 748, §3, 49 Stat. 892; Pub. L.

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 27, 1935, ch.
748, 49 Stat. 891, as amended, which is classified gen-
erally to section 305 et seq. of this title. For complete
classification of this Act to the Code, see Tables.

AMENDMENTS

2004—Pub. L. 108–271 substituted “Government Ac-
countability Office” for “General Accounting Office”.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees,
and agencies of Department of the Interior, with cer-
tain exceptions, to Secretary of the Interior, with
power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2,
eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in
the Appendix to Title 5, Government Organization and
Employees.

Disbursement functions of all Government agencies,
except Departments of the Army, Navy, and Air Force
and Panama Canal, transferred to Division of Disburse-
ments, Department of the Treasury, by Ex. Ord. No.
6166, §4, June 10, 1933, and Ex. Ord. No. 6728, May 29,
1934. Division subsequently consolidated with other
agencies into the Fiscal Service in Department of the
Treasury by Reorg. Plan No. III of 1940, §1(a)(1), eff.
June 30, 1940, 5 F.R. 2107, 54 Stat. 1231. See section 306
of Title 31, Money and Finance.

§ 305c. Appropriation

There is authorized to be appropriated out of
any sums in the Treasury not otherwise appro-
priated such sums as may be necessary to defray
the expenses of the Board and carry out the pur-
poses and provisions of this Act. All income de-
erived by the Board from any source shall be cov-
ered into the Treasury of the United States and
shall constitute a special fund which is appro-
priated and made available until expended for
carrying out the purposes and provisions of this
Act. Out of the funds available to it at any time
the Board may authorize such expenditures,
consistent with the provisions of this Act, as it
may determine to be necessary for the accom-
plishment of the purposes and objectives of this
Act.


REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 27, 1935, ch.
748, 49 Stat. 891, which is classified generally to section
305 et seq. of this title. For complete classification of
this Act to the Code, see Tables.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees,
and agencies of Department of the Interior, with cer-
tain exceptions, to Secretary of the Interior, with
power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2,
eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in
the Appendix to Title 5, Government Organization and
Employees.

§ 305c–1. Repealed. Pub. L. 87–23, §2, Apr. 24,
1961, 75 Stat. 45

Section, act May 10, 1939, ch. 119, §1, 53 Stat. 699, pro-
vided for a limitation of $10 per diem in lieu of subsist-
ence on amount that may be paid to members of the In-
daian Arts and Crafts Board. See section 305 of this title.

§ 305d. Criminal proceedings; civil actions

(a) Definition of Federal law enforcement officer

In this section, the term “Federal law enforce-

ence officer” includes a Federal law enforce-
ment officer (as defined in section 115(c) of title 18).

(b) Authority to conduct investigations

Any Federal law enforcement officer shall have the authority to conduct an investigation relating to an alleged violation of this Act occurring within the jurisdiction of the United States.

(c) Criminal proceedings

(1) Investigation

(A) In general

The Board may refer an alleged violation of section 1159 of title 18 to any Federal law enforcement officer for appropriate investigation.

(B) Referral not required

A Federal law enforcement officer may investigate an alleged violation of section 1159 of that title regardless of whether the Federal law enforcement officer receives a referral under subparagraph (A).

(2) Findings

The findings of an investigation of an alleged violation of section 1159 of title 18 by any Federal department or agency under paragraph (1)(A) shall be submitted, as appropriate, to—

(A) a Federal or State prosecuting authority; or

(B) the Board.

(3) Recommendations

On receiving the findings of an investigation under paragraph (2), the Board may—

(A) recommend to the Attorney General that criminal proceedings be initiated under section 1159 of title 18; and

(B) provide such support to the Attorney General relating to the criminal proceedings as the Attorney General determines to be appropriate.

(d) Civil actions

In lieu of, or in addition to, any criminal proceeding under subsection (c), the Board may recommend that the Attorney General initiate a civil action under section 305e of this title.


§ 305e. Cause of action for misrepresentation of Indian produced goods

(a) Definitions

In this section:

(1) Indian

The term “Indian” means an individual that—

(A) is a member of an Indian tribe; or

(B) is certified as an Indian artisan by an Indian tribe.

(2) Indian product

The term “Indian product” has the meaning given the term in any regulation promulgated by the Secretary.

(3) Indian tribe

(A) In general

The term “Indian tribe” has the meaning given the term in section 450b of this title.

(B) Inclusion

The term “Indian tribe” includes, for purposes of this section only, an Indian group that has been formally recognized as an Indian tribe by—

(i) a State legislature;

(ii) a State commission; or

(iii) another similar organization vested with State legislative tribal recognition authority.

(4) Secretary

The term “Secretary” means the Secretary of the Interior.

(b) Injunctive or equitable relief; damages

A person specified in subsection (d) may, in a civil action in a court of competent jurisdiction, bring an action against a person who, directly or indirectly, offers or displays for sale or sells a good, with or without a Government trademark, in a manner that falsely suggests it is Indian produced, an Indian product, or the product of a particular Indian or Indian tribe or Indian arts and crafts organization, resident within the United States, to—

(1) obtain injunctive or other equitable relief; and

(2) recover the greater of—

(A) treble damages; or

(B) in the case of each aggrieved individual Indian, Indian tribe, or Indian arts and crafts organization, not less than $1,000 for each day on which the offer or display for sale or sale continues.

For purposes of paragraph (2)(B), damages shall include any and all gross profits accrued by the defendant as a result of the activities found to violate this subsection.

(c) Punitive damages; attorney’s fee

In addition to the relief specified in subsection (b), the court may award punitive damages and
the costs of the civil action and a reasonable attorney’s fee.

(d) Persons that may initiate civil actions

(1) In general

A civil action under subsection (b) may be initiated by—

(A) the Attorney General, at the request of the Secretary acting on behalf of—
   (i) an Indian tribe;
   (ii) an Indian; or
   (iii) an Indian arts and crafts organization;

(B) an Indian tribe, acting on behalf of—
   (i) the Indian tribe;
   (ii) a member of that Indian tribe; or
   (iii) an Indian arts and crafts organization;

(C) an Indian; or

(D) an Indian arts and crafts organization.

(2) Disposition of amounts recovered

(A) In general

Except as provided in subparagraph (B), an amount recovered in a civil action under this section shall be paid to the Indian tribe, the Indian, or the Indian arts and crafts organization on the behalf of which the civil action was initiated.

(B) Exceptions

(i) Attorney General

In the case of a civil action initiated under paragraph (1)(A), the Attorney General may deduct from the amount—

(I) the amount of the cost of the civil action and reasonable attorney’s fees awarded under subsection (c), to be deposited in the Treasury and credited to appropriations available to the Attorney General on the date on which the amount is recovered; and

(II) the amount of the costs of investigation awarded under subsection (c), to reimburse the Board for the activities of the Board relating to the civil action.

(ii) Indian tribe

In the case of a civil action initiated under paragraph (1)(B), the Indian tribe may deduct from the amount—

(I) the amount of the cost of the civil action; and

(II) reasonable attorney’s fees.

(e) Savings provision

If any provision of this section is held invalid, it is the intent of Congress that the remaining provisions of this section shall continue in full force and effect.

(f) Regulations

Not later than 180 days after November 9, 2000, the Board shall promulgate regulations to include in the definition of the term “Indian product” specific examples of such product to provide guidance to Indian artisans as well as to purveyors and consumers of Indian arts and crafts, as defined under this Act.


REFERENCES IN TEXT


PRIOR PROVISIONS


AMENDMENTS


Subsec. (b). Pub. L. 111–211, §102(b)(2), (4), redesignated subsec. (a) as (b) and substituted “subsection (d)” for “subsection (c)” in introductory provisions. Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 111–211, §102(b)(2), (5), redesignated subsec. (b) as (c) and substituted “subsection (b)” for “subsection (a)” and “the civil action” for “suit”.

Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 111–211, §102(b)(6), added subsec. (d) and struck out former subsec. (d) relating to persons who may initiate civil actions.

Pub. L. 111–211, §102(b)(1), (2), redesignated subsec. (c) as (d) and struck out former subsec. (d) relating to definitions.

Subsec. (e). Pub. L. 111–211, §102(b)(7), inserted heading and substituted “If” for “in the event that”.

2000—Subsec. (a). Pub. L. 106–497, §2(1), inserted “directly or indirectly,” after “against a person who” in introductory provisions and inserted at end “For purposes of paragraph (2)(A), damages shall include any and all gross profits accrued by the defendant as a result of the activities found to violate this subsection.”


Subsec. (d)(2). Pub. L. 106–497, §2(3), inserted “subject to subsection (f) of this section,” before “the terms”.


CERTIFICATION OF INDIAN ARTISANS

Pub. L. 101–644, title I, §107, Nov. 29, 1990, 104 Stat. 4665, provided that: “For the purposes of section 1159 of title 18, United States Code, and section 6 of the Act entitled ‘An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes’ (25 U.S.C. 305 et seq.) [25 U.S.C. 305e] an Indian tribe may not impose a fee in certifying an individual as an Indian artisan. For the purposes of this section, the term ‘Indian tribe’ has the same meaning given such term in section 1159(c)(3) of title 18, United States Code.”

§305f. Indian Arts and Crafts Board art collection

(a) Transfer of art collection and costs

Notwithstanding any other provision of law, the Secretary of the Interior is directed to transfer all right, title and interest in that portion of the Indian Arts and Crafts Board art collection maintained permanently by the Indian Arts and Crafts Board in Washington, District of Columbia, to the Secretary of the Smithsonian Institution to be a part of the collection of the National Museum of the American Indian, sub-
ject to subsection (b) of this section. Transfer of the collection and costs thereof shall be carried out in accordance with terms, conditions, and standards mutually agreed upon by the Secretary of the Interior and the Secretary of the Smithsonian Institution.

(b) Rejection of permanent license to use of images

The Indian Arts and Crafts Board shall retain a permanent license to the use of images of the collection for promotional, economic development, educational, and related nonprofit purposes. The Indian Arts and Crafts Board shall not be required to pay any royalty or fee for such license.


§ 306. Expenditures for encouragement of industry and self-support; repayment

On and after May 9, 1938, the expenditures for the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before the expiration of five years, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior.

(May 9, 1938, ch. 187, § 1, 52 Stat. 302.)

§ 306a. Advances for support of old, disabled, or indigent allottees; lien against land

On and after May 9, 1938, the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid; such advances for the fiscal year 1939 to be made from the appropriations in this paragraph and those for fiscal years thereafter to be made from appropriations specifically available for such purposes.

(May 9, 1938, ch. 187, § 1, 52 Stat. 302.)

REFERENCES IN TEXT

This paragraph, referred to in text, means the first undesignated paragraph contained at 52 Stat. 302, and the appropriations for advances for the fiscal year 1939, referred to in text, were contained in such part of the undesignated paragraph which was not classified to the Code.

§§ 307, 308. Omitted

CODIFICATION

Section 307, acts Mar. 17, 1949, ch. 22, § 1, 63 Stat. 14; June 30, 1949, ch. 266, title I, § 105, 63 Stat. 381, directed Administrator of General Services to transfer to Secretary of the Interior property known as Bushnell General Hospital, Brigham City, Utah, for use of Bureau of Indian Affairs as a vocational school for children and housing and training center for adults, Pub. L. 98–401, Aug. 27, 1984, 98 Stat. 1477, provided that when the Secretary ceases to use the property for school purposes, he shall publish the legal description of the property in the Federal Register and convey the property without consideration to Brigham City, Utah. The property was conveyed and notice was published in 50 F.R. 1636, Jan. 11, 1985.

Section 308, act Mar. 17, 1949, ch. 22, § 2, 63 Stat. 14, directed Secretary of the Interior to take over the property as soon as Congress appropriated funds for alterations, maintenance, and operation.

§ 309. Vocational training program; eligibility; contracts or agreements

In order to help adult Indians who reside on or near Indian reservations to obtain reasonable and satisfactory employment, the Secretary of the Interior is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship, and on the job training, for periods that do not exceed twenty-four months, and, for nurses’ training, for periods that do not exceed thirty-six months, transportation to the place of training, and subsistence during the course of training. The program shall be available primarily to Indians who are not less than eighteen and not more than thirty-five years of age and who reside on or near an Indian reservation, and the program shall be conducted under such rules and regulations as the Secretary may prescribe. For the purposes of this program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment, or with any school of nursing offering a three-year course of study leading to a diploma in nursing which is accredited by a recognized body or bodies approved for such purpose by the Secretary.


AMENDMENTS

1963—Pub. L. 88–230 authorized Secretary of the Interior to undertake a program for nurses’ training for periods not exceeding thirty-six months and to enter into contracts with accredited schools of nursing offering a three-year course of study leading to a diploma in nursing.

§ 309a. Authorization of appropriations

There is authorized to be appropriated for the purposes of sections 309 and 309a of this title the sum of $25,000,000 for each fiscal year, and not to exceed $1,500,000 of such sum shall be available for administrative purposes.


AMENDMENTS

1968—Pub. L. 90–252 increased appropriation from $15,000,000 to $25,000,000.
1965—Pub. L. 89–14 increased appropriation from $12,000,000 to $15,000,000.
1965—Pub. L. 89–230 increased appropriation from $7,500,000 to $12,000,000 and amount available for administrative purposes from $1,000,000 to $1,500,000.
1961—Pub. L. 87–273 increased appropriation to $7,500,000 and amount available for administrative purposes to $1,000,000.

§ 309b. Vocational education funds

Notwithstanding any other provision of law, funds provided by the Bureau for adult vocational education to any vocational school (as defined for purposes of any program of assistance to students under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq., 42 U.S.C. 2751 et seq.)) may be treated as non-Federal, private funds of such school for purposes of any provision of Federal law which requires that non-Federal or private funds of such school be used in a project or for a specific purpose.

(Pub. L. 100–297, title V, § 5403(c), Apr. 28, 1988, 102 Stat. 416.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in text, is Pub. L. 89–329, Nov. 8, 1965, 79 Stat. 1219, which is classified generally to chapter 34 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20, Education, and part C (§ 2751 et seq.) of subchapter II of chapter 34 of Title 42, The Public Health and Welfare. For effective date and applicability of section, see section 6303 of Pub. L. 100–297, set out as an Effective Date note under section 1071 of Title 20, Education.

§ 310. Institute of American Indian and Alaska Native Culture and Arts Development

(a)(1) To the extent of the availability of funds for such purpose, the Secretary of the Interior shall:

(A) enter into a thirty-year agreement with the College of Santa Fe, Santa Fe, New Mexico, to provide educational facilities for the use of, and to develop cooperative educational/arts programs to be carried out with the post-secondary fine arts and museum services programs of, the Institute of American Indian and Alaska Native Culture and Arts Development administered by the Bureau of Indian Affairs; and

(B) conduct such activities as are necessary to improve the facilities used by the Institute of American Indian and Alaska Native Culture and Arts Development at the College of Santa Fe.

(2) The provisions of this subsection shall take effect on October 1, 1984.

(b)(1) The Secretary of the Interior, acting through the Bureau of Indian Affairs, is directed to conduct a study for the purpose of determining the need, if any, for a museum facility to be established for the benefit of the Institute of American Indian and Alaska Native Culture and Arts Development, the feasibility of establishing such museum, and the need or desirability, if any, to establish any such museum in close proximity to the facilities currently being used by such Institute at the College of Santa Fe.

(2) On or before February 1, 1985, the Secretary of the Interior shall report the results of such study, together with his recommendations, to the Congress.

(3) Should the study recommend establishment of a museum, and should the College of Santa Fe be selected as the best site, any agreement entered into by the Secretary of the Interior for construction of such museum shall contain assurances, satisfactory to the Secretary, that appropriate lands at the College of Santa Fe will be available at no cost to the Federal Government for the establishment of a museum facility.


AMENDMENTS


EFFECTIVE DATE OF 1986 AMENDMENT


CHAPTER 8—RIGHTS-OF-WAY THROUGH INDIAN LANDS

Sec.

311. Opening highways.

312. Rights-of-way for railway, telegraph, and telephone lines; town-site stations.

313. Width of rights-of-way.

314. Survey; maps; compensation.

315. Time for completion of road; forfeiture.

316. Rights of several roads through canyons.

317. Regulations.

318. Amendment or repeal of sections.

319. Rights-of-way for telephone and telegraph lines.

320. Acquisition of lands for reservoirs or materials.


322. Applicability of certain provisions to Pueblo Indians.

322a. Renewal of rights-of-way without consent of Pueblo Tribes; authority of Secretary; compensation, etc.

323. Rights-of-way for all purposes across any Indian lands.

324. Consent of certain tribes; consent of individual Indians.

325. Payments and disposition of compensation.

326. Laws unaffected.

327. Application for grant by department or agency.

328. Rules and regulations.

§ 311. Opening highways

The Secretary of the Interior is authorized to grant permission, upon compliance with such requirements as he may deem necessary, to the proper State or local authorities for the opening and establishment of public highways, in accordance with the laws of the State or Territory in which the lands are situated, through any Indian reservation or through any lands which have been allotted in severalty to any individual Indian under any laws or treaties but which