

**§ 5108. Acquisition of lands, water rights or surface rights; appropriation; title to lands; tax exemption**

The Secretary of the Interior is authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians.

For the acquisition of such lands, interests in lands, water rights, and surface rights, and for expenses incident to such acquisition, there is authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed \$2,000,000 in any one fiscal year: *Provided*, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona, nor in New Mexico, in the event that legislation to define the exterior boundaries of the Navajo Indian Reservation in New Mexico, and for other purposes, or similar legislation, becomes law.

The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.

Title to any lands or rights acquired pursuant to this Act or the Act of July 28, 1955 (69 Stat. 392), as amended (25 U.S.C. 608 et seq.)<sup>1</sup> shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

(June 18, 1934, ch. 576, § 5, 48 Stat. 985; Pub. L. 100-581, title II, § 214, Nov. 1, 1988, 102 Stat. 2941.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

Act of July 28, 1955, referred to in text, is act July 28, 1955, ch. 423, 69 Stat. 392, which was classified to sections 608 to 608c of this title prior to omission from the Code as being of special and not general application.

CODIFICATION

Section was formerly classified to section 465 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1988—Pub. L. 100-581 inserted “or the Act of July 28, 1955 (69 Stat. 392), as amended (25 U.S.C. 608 et seq.)” after “this Act”.

**§ 5109. Indian forestry units; rules and regulations**

The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the

principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.

(June 18, 1934, ch. 576, § 6, 48 Stat. 986.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 466 of this title prior to editorial reclassification and renumbering as this section.

**§ 5110. New Indian reservations**

The Secretary of the Interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: *Provided*, That lands added to existing reservations shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

(June 18, 1934, ch. 576, § 7, 48 Stat. 986.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 467 of this title prior to editorial reclassification and renumbering as this section.

**§ 5111. Allotments or holdings outside of reservations**

Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reservation now existing or established hereafter.

(June 18, 1934, ch. 576, § 8, 48 Stat. 986.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 468 of this title prior to editorial reclassification and renumbering as this section.

**§ 5112. Indian corporations; appropriation for organizing**

There is authorized to be appropriated, out of any funds in the Treasury not otherwise appro-

<sup>1</sup> See References in Text note below.

riated, such sums as may be necessary, but not to exceed \$250,000 in any fiscal year, to be expended at the order of the Secretary of the Interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.

(June 18, 1934, ch. 576, § 9, 48 Stat. 986.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

##### CODIFICATION

Section was formerly classified to section 469 of this title prior to editorial reclassification and renumbering as this section.

#### § 5113. Revolving fund; appropriation for loans

There is authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$20,000,000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of administering such loans. Repayment of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established.

(June 18, 1934, ch. 576, § 10, 48 Stat. 986; Pub. L. 86-533, § 1(16), June 29, 1960, 74 Stat. 248; Pub. L. 87-250, Sept. 15, 1961, 75 Stat. 520.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 470 of this title prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

1961—Pub. L. 87-250 substituted “\$20,000,000” for “\$10,000,000”.

1960—Pub. L. 86-533 repealed provisions which required a report to be made annually to the Congress of transactions under the authorization.

#### Statutory Notes and Related Subsidiaries

##### ADMINISTRATION OF FUND

Funds from diverse sources to be administered as a single Indian Revolving Loan Fund after Apr. 12, 1974, see section 1461 of this title.

#### § 5114. Interest charges covered into revolving fund

Interest or other charges heretofore or hereafter collected on loans shall be credited to the revolving fund created by section 5113 of this title and shall be available for the establishment of a revolving fund for the purpose of making and administering loans to Indian-chartered corporations in accordance with the Act of June 18,

1934 (48 Stat. 986) [25 U.S.C. 5101 et seq.], and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967).

(June 28, 1941, ch. 259, § 1, 55 Stat. 316.)

#### Editorial Notes

##### REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

Act of June 26, 1936, referred to in text, is act June 26, 1936, ch. 831, 49 Stat. 1967, popularly known as the Oklahoma Welfare Act, which was classified generally to subchapter VIII (§ 501 et seq.) of chapter 14 of this title prior to editorial reclassification as chapter 45A (§ 5201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5201 of this title and Tables. Provisions of the Act relating to the revolving fund appear in section 5206 of this title.

##### CODIFICATION

Section was formerly classified to section 470a of this title prior to editorial reclassification and renumbering as this section.

#### § 5115. Vocational and trade schools; appropriation for tuition

There is authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, a sum not to exceed \$250,000 annually, together with any unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools: *Provided*, That not more than \$50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner of Indian Affairs.

(June 18, 1934, ch. 576, § 11, 48 Stat. 986.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 471 of this title prior to editorial reclassification and renumbering as this section.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with 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. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 5116. Standards for Indians appointed to Indian Office

The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil-serv-