

further, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the business council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of the survey undertaken by the Secretary after the amendment of this section on July 25, 1956 (70 Stat. 642): *Provided further*, That quarterly per capita payments under this subchapter shall continue without interruption until the monthly per capita payments are put into effect on or before January 1, 1959.

(May 19, 1947, ch. 80, §3, 61 Stat. 102; Aug. 30, 1951, ch. 367, §2, 65 Stat. 209; July 17, 1953, ch. 223, 67 Stat. 179; Aug. 9, 1955, ch. 638, 69 Stat. 557; July 25, 1956, ch. 723, §1, 70 Stat. 642; Pub. L. 85-610, §2, Aug. 8, 1958, 72 Stat. 541.)

AMENDMENTS

1958—Pub. L. 85-610 substituted "business council" for "tribal council", to authorize \$7,500 for emergency and educational loans, permitted monthly payments instead of quarterly payments and allowed for payments at more frequent intervals if the tribes so request, required the Secretary to determine the amount of monthly payments during any calendar year on the basis of estimated anticipated income for that calendar year, provided for increases and decreases in monthly payments and omitted provisions which related to authority of the Secretary to protect and conserve funds payable to minors and incompetents.

1956—Act July 25, 1956, increased per capita payments from 80 to 85 percent, extended period of payments from May 19, 1957, to May 19, 1959, subjected per capita payments to irrigation charges with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of a survey, and inserted provisions relating to authority of the Secretary to protect and conserve funds payable to minors and incompetents.

1955—Act Aug. 9, 1955, permitted quarterly per capita payments instead of semiannual payments.

1953—Act July 17, 1953, increased per capita distribution from two-thirds to 80 per centum.

1951—Act Aug. 30, 1951, substituted "ten" for "five" before "years" in first proviso.

PER CAPITA PAYMENTS AFTER MAY 19, 1959

Section 2 of act July 25, 1956, directed Secretary of the Interior to report to Congress before Jan. 1, 1958, in order to determine the conditions under which per capita payments could be authorized after May 19, 1959, (1) recommendations regarding any new authority, if any, needed to protect adequately the interests of minors and incompetent Indians, (2) results of a survey and reclassification of the lands that should be removed from the irrigation project, and (3) adequacy of tribal contribution to cost of administering the reservation.

SUBCHAPTER XX—PUEBLO AND CANONCITO NAVAJO INDIANS

§ 621. Portions of tribal lands to be held in trust by the United States; remainder to become part of the public domain

Title to the lands and the improvements thereon, lying and situated within the State of

New Mexico, which have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), section 55 of title I of the Act of August 24, 1935 (49 Stat. 750, 781), the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525) and subsequent emergency relief appropriation Acts administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior, to be administered through the Commissioner of Indian Affairs for the benefit of the Indians, by Executive Orders Numbered 7792, 7975, 8255, 8471, 8696, and 8472 and that title to the public domain lands and improvements thereon, lying and situated within the State of New Mexico, which were withdrawn in aid of proposed legislation by the Secretary of the Interior on December 23, 1938, and May 31, 1939, and now in use by Pueblo or Canoncito Navajo Indians, excepting those portions thereof used by the United States for administrative purposes, is declared to be in the United States of America in trust for the respective tribes, bands, or groups of Indians occupying and using same as a part of their respective existing reservations, subject to valid existing rights. The remainder of the aforesaid land is declared to be a part of the public domain of the United States and shall be transferred by the Secretary of the Interior to the Bureau of Land Management for administration under the provisions of the Act of Congress of June 28, 1934, generally known as Taylor Grazing Act [43 U.S.C. 315 et seq.] (48 Stat. 1269, as amended). The boundaries and descriptions of the areas to become Indian lands and those which are to be transferred to the Bureau of Land Management are set out in sections III and IV, respectively, of the memorandum of information which is attached to and a part of the report of the Secretary of the Interior to the Senate Committee on Interior and Insular Affairs on this subchapter, and such boundaries and descriptions are adopted as part of this subchapter and shall be published in the Federal Register: *Provided*, That before said boundaries and descriptions are published in the Federal Register as herein provided, the Secretary of the Interior may correct any clerical errors in section III of said memorandum of information and shall revise the same so as to define the areas on that portion of the lands conveyed by this subchapter and known as Bell Rock Mesa used and occupied respectively by the Laguna Pueblo Indians and the Canoncito Navajo Indians.

(Aug. 13, 1949, ch. 425, §1, 63 Stat. 604.)

REFERENCES IN TEXT

The National Industrial Recovery Act, referred to in text, is act June 16, 1933, ch. 90, 48 Stat. 195, as amended. Title II of the Act was classified principally to subchapter I (§401 et seq.) of chapter 8 of former Title 40, Public Buildings, Property, and Works, and was terminated June 30, 1943, by act June 27, 1942, ch. 450, §1, 56 Stat. 410. Provisions of title II of the Act which were classified to former Title 40 were repealed by Pub. L. 107-217, §6(b), Aug. 21, 2002, 116 Stat. 1304. For complete classification of this Act to the Code, see Tables.

The Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), referred to in text, is act Apr. 8, 1935,

ch. 48, 49 Stat. 115, which was set out as a note under section 728 of Title 15, Commerce and Trade.

Section 55 of title I of the Act of August 24, 1935 (49 Stat. 750, 781), referred to in text, is section 5 of act Aug. 24, 1935, ch. 641, title I, 49 Stat. 781, which was not classified to the Code but was listed in the Supplementary Legislation note under section 721 of Title 15.

The Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), referred to in text, is act July 22, 1937, ch. 517, 50 Stat. 522, as amended, which is classified generally to chapter 33 (§1000 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 1000 of Title 7 and Tables.

The Taylor Grazing Act, referred to in text, is act June 28, 1934, ch. 865, 48 Stat. 1269, as amended, which is classified principally to subchapter I (§315 et seq.) of chapter 8A of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 315 of Title 43 and Tables.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, Effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4, Ninety-fifth Congress (popularly cited as the "Committee System Reorganization Amendments of 1977"), approved Feb. 4, 1977. Section 105 of Senate Resolution No. 4 established a temporary Select Committee on Indian Affairs having jurisdiction over matters relating to Indian affairs (such matters previously having been within the jurisdiction of the Committee on Interior Ninety-eighth Congress, established the Select Committee on Indian Affairs as a permanent committee of the Senate, and section 25 of Senate Resolution No. 71, Feb. 25, 1993. One Hundred Third Congress, redesignated the Select Committee on Indian Affairs as the Committee on Indian Affairs.

§ 622. Exchange of tribal lands; title to lands

For the purpose of consolidation of Indian lands the Secretary of the Interior is authorized, under such regulations as he may prescribe, to exchange any lands or interests therein, including improvements and water rights with the consent of the Pueblo or Navajo tribal authorities for other lands, water rights, and improvements of similar value in the area set apart for the Pueblos and Canoncito Navajos or in the areas declared to be public domain or within any public domain within New Mexico. Title to all lands acquired under the provisions of this subchapter shall be taken in the name of the United States in trust for the respective Pueblo Indians and the Navajo Canoncito group.

(Aug. 13, 1949, ch. 425, § 2, 63 Stat. 605.)

§ 623. Disbursement of deposits in the United Pueblos Agency

The funds now on deposit in the United Pueblos Agency in "special deposits" which have accrued from issuance of livestock-crossing permits and fees collected for grazing permits on the lands which have been under the jurisdiction of the Department of the Interior shall be expended or disbursed for the benefit of the Indians under such rules and regulations as the Secretary of the Interior may prescribe.

(Aug. 13, 1949, ch. 425, § 3, 63 Stat. 605.)

§ 624. Exchange of lands

(a) Authorization of Secretary; manner and place

For the purpose of improving the land tenure pattern and consolidating Pueblo Indian lands,

the Secretary of the Interior is authorized, under such regulations as he may prescribe, to acquire by exchange any lands or interests therein, including improvements and water rights, within the Pueblo land consolidation areas, and to convey in exchange therefor not to exceed an equal value of unappropriated public lands within the State of New Mexico, or, with the consent of the Pueblo authorities any Pueblo tribal lands or interest therein, including improvements and water rights.

(b) Reservation of minerals, easements, or rights of use

Either party to an exchange under this section may reserve minerals, easements, or rights of use.

(c) Execution of title documents

The Secretary may execute any title documents necessary to effect the exchanges authorized by this section.

(d) Title to lands

Title to all lands acquired under the provisions of this section shall be taken in the name of the United States in trust for the respective Pueblo Indian tribes.

(Pub. L. 87-231, § 10, Sept. 14, 1961, 75 Stat. 505.)

CODIFICATION

Section was not enacted as part of act Aug. 13, 1949, ch. 425, 63 Stat. 604, which comprises this subchapter.

SUBCHAPTER XXI—NAVAJO AND HOPI TRIBES: REHABILITATION

§ 631. Basic program for conservation and development of resources; projects; appropriations

In order to further the purposes of existing treaties with the Navajo Indians, to provide facilities, employment, and services essential in combating hunger, disease, poverty, and demoralization among the members of the Navajo and Hopi Tribes, to make available the resources of their reservations for use in promoting a self-supporting economy and self-reliant communities, and to lay a stable foundation on which these Indians can engage in diversified economic activities and ultimately attain standards of living comparable with those enjoyed by other citizens, the Secretary of the Interior is authorized and directed to undertake, within the limits of the funds from time to time appropriated pursuant to this subchapter, a program of basic improvements for the conservation and development of the resources of the Navajo and Hopi Indians, the more productive employment of their manpower, and the supplying of means to be used in their rehabilitation, whether on or off the Navajo and Hopi Indian Reservations. Such program shall include the following projects for which capital expenditures in the amount shown after each project listed in the following subsections and totaling \$108,570,000 are authorized to be appropriated:

(1) Soil and water conservation and range improvement work, \$10,000,000.

(2) Completion and extension of existing irrigation projects, and completion of the investigation to determine the feasibility of the proposed San Juan-Shiprock irrigation project, \$9,000,000.