(Pub. L. 93–638, title V, § 502, as added Pub. L. 106–568, title XIII, § 1302, Dec. 27, 2000, 114 Stat. 2938.)

CODIFICATION

Another section 502 of Pub. L. 93–638, as added by Pub. L. 106–260, § 4, Aug. 18, 2000, 114 Stat. 714, is classified to section 458aaa–1 of this title.

§ 458bbb–2. Definitions

For the purposes of this part—

(1) the term ''Bureau funded school'' has the meaning given that term in title XI of the Education Amendments of 1978 [25 U.S.C. 2000 et seq.];

(2) the term ''Foundation'' means the Foundation established by the Secretary pursuant to section 458bbb of this title; and

(3) the term ''Secretary'' means the Secretary of the Interior.

(Pub. L. 93–638, title V, § 503, as added Pub. L. 106–568, title XIII, § 1302, Dec. 27, 2000, 114 Stat. 2938.)

REFERENCES IN TEXT

The Education Amendments of 1978, referred to in par. (1), is Pub. L. 95–561, Nov. 1, 1978, 92 Stat. 2143, as amended. Title XI of the Act is classified principally to chapter 22 (§ 2000 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20, Education, and Tables.

CODIFICATION

Another section 503 of Pub. L. 93–638, as added by Pub. L. 106–260, § 4, Aug. 18, 2000, 114 Stat. 714, is classified to section 458aaa–2 of this title.

[SUBCHAPTER III—RESERVED]

SUBCHAPTER IV—CONVEYANCE OF SUBMARGINAL LAND

§ 459. Submarginal lands of United States held in trust for specified Indian tribes

(a) Declaration; addition to reservations

Except as hereinafter provided, all of the right, title, and interest of the United States of America in all of the land, and the improvements now thereon, that was acquired under 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), and section 55 of the Act of August 24, 1935 (49 Stat. 750, 781), and that are now administered by the Secretary of the Interior for the use or benefit of the Indian tribes identified in section 459a(a) of this title, together with all minerals underlying any such land whether acquired pursuant to such Acts or otherwise owned by the United States, are hereby declared to be held by the United States in trust for each of said tribes, and (except in the case of the Cherokee Nation) shall be a part of the reservations heretofore established for each of said tribes.

(b) Imposition of conditions on conveyed lands; lands excepted from conveying authority

The property conveyed by this subchapter shall be subject to the appropriation or disposition of any of the lands, or interests therein, within the Pine Ridge Indian Reservation, South Dakota, as authorized by sections 441j to 441*o* of title 16, and subject to a reservation in the United States of a right to prohibit or restrict improvements or structures on, and to continuously or intermittently inundate or otherwise use, lands in sections 25 and 26, township 48 north, range 3 west, at Odanah, Wisconsin, in connection with the Bad River flood control project as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311): *Provided*, That this subchapter shall not convey the title to any part of the lands or any interest therein that prior to October 17, 1975, have been included in the authorized water resources development projects in the Missouri River Basin as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311), as amended and supplemented: *Provided further*, That such lands included in Missouri River Basin projects shall be treated as former trust lands are treated.

(c) Additional lands held in trust for specified Indian tribes

The right, title, and interest of the United States of America in all of the lands, including the improvements now thereon (title to which is in the United States), acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and any subsequent Emergency Relief Appropriation Acts, including but not limited to section 5 of the Emergency Relief Appropriation Act of 1939 (53 Stat. 927, 930) and section 4 of the Emergency Relief Appropriation Act, fiscal year 1941 (54 Stat. 611, 617), together with all minerals underlying any such land whether acquired pursuant to such Acts or otherwise owned by the United States, and which lands are now administered by the Secretary of the Interior for the use or benefit of (1) Ramah Navajo Indians, are hereby declared to be held in trust for the Ramah Band of the Navajo Tribe, and (2) Choctaw Indians of Mississippi, except lands subject to the Act of June 21, 1939 (53 Stat. 851), are hereby declared to be held in trust for the Mississippi Band of Choctaw Indians; excepting valid rights-of-way of record.

(Pub. L. 94–114, § 1, Oct. 17, 1975, 89 Stat. 577; Pub. L. 97–434, § 1(a), Jan. 8, 1983, 96 Stat. 2280.)

REFERENCES IN TEXT

The National Industrial Recovery Act, referred to in subsecs. (a) and (c), 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.

Emergency Relief Appropriation Act of April 8, 1935, referred to in subsec. (a), is act Apr. 8, 1935, ch. 48, 49 Stat. 115, which was not classified to the Code but was listed in the Supplementary Legislation note under section 721 of Title 15, Commerce and Trade.

Section 55 of the Act of August 24, 1935, referred to in subsec. (a), is act Aug. 24, 1935, ch. 641, § 55, 49 Stat. 781, as amended, which was not classified to the Code but was listed in the Supplementary Legislation note under section 721 of Title 15.

Section 203 of the Act of July 3, 1958, referred to in subsec. (b), is section 203 of Pub. L. 85–500, July 3, 1958, 72 Stat. 311, which was not classified to the Code.

Section 5 of the Emergency Relief Appropriation Act of 1939, referred to in subsec. (c), is act June 30, 1939, ch. 252, § 5, 53 Stat. 930, which was not classified to the Code.

Section 4 of the Emergency Relief Appropriation Act, fiscal year 1941, referred to in subsec. (c), is act June 26, 1940, ch. 432, § 4, 54 Stat. 617, which was not classified to the Code.

Act of June 21, 1939, referred to in subsec. (c), is act June 21, 1939, ch. 235, 53 Stat. 851, which was not classified to the Code.

AMENDMENTS

1983—Subsec. (c). Pub. L. 97–434 added subsec. (c).

EFFECTIVE DATE OF 1983 AMENDMENT

Section 1(c) of Pub. L. 97–434 provided that: ''The amendments made by this Act [amending this section and section 459a of this title] shall be effective upon enactment of this Act [Jan. 8, 1983].''

§ 459a. Designation of tribes

(a) Description of lands

The lands, declared by section 459(a) of this title to be held in trust by the United States for the benefit of the Indian tribes named in this section, are generally described as follows:

Tribe	Reservation	Submarginal land project donated to said tribe or group	Approximate acreage
1. Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin.	Bad River	Bad River LI–WI–8	13,148.81
2. Blackfeet Tribe	Blackfeet	Blackfeet LI–MT–9	9,036.73
3. Cherokee Nation of Oklahoma		Delaware LI–OK–4	18,749.19
		Adair LI–OK–5	
4. Cheyenne River Sioux Tribe	Cheyenne River	Cheyenne Indian LI–SD–13	3,738.47
5. Crow Creek Sioux Tribe	Crow Creek	Crow Creek LI–SD–10	19,169.89
6. Lower Brule Sioux Tribe	Lower Brule	Lower Brule LI–SD–10	13,209.22
7. Devils Lake Sioux Tribe	Fort Totten	Fort Totten LI–ND–11	1,424.45
8. Fort Belknap Indian Community	Fort Belknap	Fort Belknap LI–MT–8	25,530.10
9. Assiniboine and Sioux Tribes	Fort Peck	Fort Peck LI–MT–6	85,835.52
10. Lac Courte Oreilles Band of Lake Superior Chippewa Indians	Lac Courte Oreilles	Lac Courte LI–WI–9	13,184.65
11. Keweenaw Bay Indian Community	L'Anse	L'Anse LI–MI–8	4,016.49
12. Minnesota Chippewa Tribe	White Earth	Twin Lakes LI–MN–6	28,544.80
		Flat Lake LI–MN–15	
13. Navajo Tribe	Navajo	Gallup-Two Wells LI–NM–18	69,947.24
14. Oglala Sioux Tribe	Pine Ridge	Pine Ridge LI–SD–7	18,064.48
15. Rosebud Sioux Tribe	Rosebud	Cutmeat LI–SD–8	28,734.59
		Antelope LI–SD–9	
16. Shoshone-Bannock Tribes	Fort Hall	Fort Hall LI–ID–2	8,711.00
17. Standing Rock Sioux Tribe	Standing Rock	Standing Rock LI–ND–10	10,255.50
		Standing Rock LI–SD–10	

(b) Publication in Federal Register of boundaries, etc.; estimation of acreages

The Secretary of the Interior shall cause to be published in the Federal Register the boundaries and descriptions of the lands conveyed by this subchapter. The acreages set out in the preceding subsection are estimates and shall not be construed as expanding or limiting the grant of the United States as defined in section 459 of this title.

(Pub. L. 94–114, § 2, Oct. 17, 1975, 89 Stat. 578; Pub. L. 97–434, § 1(b), Jan. 8, 1983, 96 Stat. 2280.)

AMENDMENTS

1983—Subsec. (a). Pub. L. 97–434 substituted ''section 459(a) of this title'' for ''section 459 of this title''.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97–434 effective Jan. 8, 1983, see section 1(c) of Pub. L. 97–434, set out as a note under section 459 of this title.

§ 459b. Submarginal lands of United States held in trust for Stockbridge Munsee Indian Community

All of the right, title, and interest of the United States in all the minerals including gas and oil underlying the submarginal lands declared to be held in trust for the Stockbridge Munsee Indian Community by the Act of October 9, 1972 (86 Stat. 795), are hereby declared to be held by the United States in trust for the Stockbridge Munsee Indian Community.

(Pub. L. 94–114, § 3(a), Oct. 17, 1975, 89 Stat. 578.)

REFERENCES IN TEXT

Act of October 9, 1972, referred to in text, is Pub. L. 92–480, Oct. 9, 1972, 86 Stat. 795, which was not classified to the Code.

CODIFICATION

Section is comprised of section 3(a) of Pub. L. 94–114. Section 3(b) of Pub. L. 94–114 repealed section 2 of Pub. L. 92–480, which related to claims offset involving the Stockbridge Munsee Indian Community and was not classified to the Code. Section 3(c) of Pub. L. 94–114 amended section 5 of Pub. L. 92–488, which related to claims offset involving the Burns Indian Colony and was not classified to the Code.

§ 459c. Existing rights of possession, contract, interest, etc.

(a) Preservation; force and effect of mineral leases; rejection of pending applications for leases and return of advance rental payments

Nothing in this subchapter shall deprive any person of any existing valid right of possession, contract right, interest, or title he may have in the land involved, or of any existing right of access to public domain lands over and across the land involved, as determined by the Secretary of the Interior. All existing mineral leases, including oil and gas leases, which may have been issued or approved pursuant to section 5 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915) [30 U.S.C. 354], or the Mineral Leasing Act of 1920 (41 Stat. 437) [30 U.S.C. 181 et seq.], as amended prior to October 17, 1975, shall remain in force and effect in accordance with the provisions thereof. All applications for mineral leases, including oil and gas leases, pursuant to such Acts, pending on October 17, 1975, and covering any of the minerals conveyed by sections 459 and 459b of this title shall be rejected and the advance rental payments returned to the applicants.