

that contains any provision that will prevent or delay a termination of Federal trust responsibilities with respect to the land during the term of the lease.

(Pub. L. 89-715, §6, Nov. 2, 1966, 80 Stat. 1113.)

**§ 416f. Dedication of land for public purposes**

Individual or tribal owners of trust or restricted Indian land on the San Xavier and Salt River Pima-Maricopa Reservations may, with the approval of the Secretary, dedicate land to the public for streets, alleys, or other public purposes under those laws of the State of Arizona that are applicable to the dedication of land for public purposes.

(Pub. L. 89-715, §7, Nov. 2, 1966, 80 Stat. 1113.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 416i of this title.

**§ 416g. Contract for water, sewerage, law enforcement, or other public services**

The Papago Council and the Salt River Pima-Maricopa Community Council, with the approval of the Secretary of the Interior, may contract with the State of Arizona or its political subdivisions for the furnishing of water, sewerage, law enforcement, or other public services on terms and conditions deemed advantageous to the tribe and individual Indian landowners.

(Pub. L. 89-715, §8, Nov. 2, 1966, 80 Stat. 1113.)

**§ 416h. Zoning, building, and sanitary regulations**

The Papago Council and the Salt River Pima-Maricopa Community Council, with the consent of the Secretary of the Interior, are hereby authorized, for their respective reservations, to enact zoning, building, and sanitary regulations covering the lands on their reservations for which leasing authority is granted by sections 416 to 416j of this title in the absence of State civil and criminal jurisdiction over such particular lands, and said councils may contract with local municipalities for assistance in preparing such regulations.

(Pub. L. 89-715, §9, Nov. 2, 1966, 80 Stat. 1113.)

**§ 416i. Restrictions**

Nothing contained in sections 416 to 416j of this title shall—

(a) authorize the alienation, encumbrance, or taxation of any interest in real or personal property, including water rights, held in trust by the United States or held by an individual Indian, the Papago Tribe or the Salt River Pima-Maricopa Community subject to a restriction against alienation imposed by the United States, or any income therefrom: *Provided*, That the foregoing shall not affect the power to lease as provided in section 416 of this title or the power to dedicate as provided in section 416f of this title and shall not affect or abridge any right of the State of Arizona or its political subdivisions to tax non-Indian leasehold and possessory interests, buildings, improvements and personal property located on the San Xavier and Salt River Pima-Maricopa Reservations and not owned by Papago or Pima-Maricopa Indians residing thereon;

(b) confer jurisdiction on the State of Arizona to adjudicate in probate proceedings or otherwise the ownership or right to possession of trust or restricted property or any interests therein;

(c) alter or abridge in any way the authority of public school districts to include areas within the San Xavier and Salt River Pima-Maricopa Reservation;

(d) be construed to repeal any authority to lease or mortgage trust or restricted Indian lands conferred by or pursuant to any other provision of law.

(Pub. L. 89-715, §10, Nov. 2, 1966, 80 Stat. 1113.)

**§ 416j. Mission San Xavier del Bac**

Nothing in sections 416 to 416j of this title shall authorize the Secretary to approve any development which would detract from the scenic, historic, and religious values of the Mission San Xavier del Bac owned by the Franciscan Order of Friars Minor and located on the San Xavier Reservation.

(Pub. L. 89-715, §11, Nov. 2, 1966, 80 Stat. 1114.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 416, 416a, 416b, 416c, 416d, 416e, 416h, 416i of this title.

**CHAPTER 13—CEDED INDIAN LANDS**

**§§ 421 to 427. Transferred**

CODIFICATION

Section 421, act May 17, 1900, ch. 479, §1, 31 Stat. 179, which provided for free homesteads to settlers, commutation rights, and payments to Indians, was transferred to section 179 of Title 43, Public Lands.

Section 422, act Jan. 26, 1901, ch. 180, 31 Stat. 740, which related to right of settlers to commute entry, was transferred to section 180 of Title 43.

Section 423, act May 22, 1902, ch. 821, §2, 32 Stat. 203, which related to second homestead entry by certain settlers, was transferred to section 187b of Title 43.

Section 424, act Mar. 3, 1901, ch. 832, §1, 31 Stat. 1077, which related to negotiations for cession of lands, was transferred to section 1195 of Title 43.

Section 425, act June 6, 1912, ch. 155, 37 Stat. 125, which related to classification and appraisal of unallotted and unreserved lands, was transferred to section 1196 of Title 43.

Section 426, act Mar. 3, 1891, ch. 561, §10, 26 Stat. 1099, which provided that act Mar. 3, 1891, ch. 561, not affect agreements with any Indian tribe to dispose of land, was transferred to section 1197 of Title 43.

Section 427, act Feb. 9, 1903, ch. 531, 32 Stat. 820, which extended town-site laws to ceded lands in Minnesota, was transferred to section 731 of Title 43.

**CHAPTER 14—MISCELLANEOUS**

**SUBCHAPTER I—GENERAL PROVISIONS**

Sec.	
441.	Repealed.
442.	Livestock loans; cash settlements.
443.	Disposition of cash settlements.
443a.	Conveyance to Indian tribes of federally owned buildings, improvements, or facilities; disposition of property by Indians; forfeiture; "Indian" defined.
443b.	Indian goods and supplies.
444 to 449.	Repealed.

**SUBCHAPTER II—INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE**

450.	Congressional statement of findings.
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| Sec.    |   | Sec.  |  |
|         | (a) Findings respecting historical and special legal relationship, and resultant responsibilities.  | 450i. | Retention of Federal employee coverage, rights and benefits by employees of tribal organizations.  |
|         | (b) Further findings.   |       | (a) to (d) Omitted.  |
| 450a.   | Congressional declaration of policy.  |       | (e) Eligible employees; Federal employee programs subject to retention.  |
|         | (a) Recognition of obligation of United States.   |       | (f) Deposit by tribal organization of employee deductions and agency contributions in appropriate funds.   |
|         | (b) Declaration of commitment.  |       | (g) Election for retention by employee and tribal organization before date of employment by tribal organization; transfer of employee to another tribal organization.    |
| 450a-1. | Tribal and Federal advisory committees.   |       | (h) "Employee" defined.  |
| 450b.   | Definitions.  |       | (i) Promulgation of implementation regulations by President.   |
| 450c.   | Reporting and audit requirements for recipients of Federal financial assistance.  |       | (j) Additional employee employment rights.   |
|         | (a) Maintenance of records.   |       | (k), (l) Omitted.  |
|         | (b) Access to books, documents, papers, and records for audit and examination by Comptroller General, etc.  |       | (m) Conversion to career appointment.  |
|         | (c) Availability by recipient of required reports and information to Indian people served or represented.   | 450j. | Contract or grant provisions and administration.   |
|         | (d) Repayment to Treasury by recipient of unexpended or unused funds.   |       | (a) Applicability of Federal contracting laws and regulations; waiver of requirements.   |
|         | (e) Annual report to tribes.  |       | (b) Payments; transfer of funds by Treasury for disbursement by tribal organization; accountability for interest accrued prior to disbursement.                          |
|         | (f) Single-agency audit report; additional information; declination criteria and procedures.  |       | (c) Term of self-determination contracts; annual renegotiation.  |
| 450d.   | Criminal activities involving grants, contracts, etc.; penalties.   |       | (d) Calendar year basis for contracts.   |
| 450e.   | Wage and labor standards.   |       | (e) Effective date for retrocession of contract.   |
|         | (a) Similar construction in locality.   |       | (f) Use of existing school buildings, hospitals, and other facilities and equipment therein; acquisition and donation of excess or surplus Government personal property. |
|         | (b) Preference requirements for wages and grants.   |       | (g) Performance of personal services.  |
|         | (c) Self-determination contracts.   |       | (h) Fair and uniform provision by tribal organization of services and assistance to covered Indians.   |
| 450e-1. | Grant and cooperative agreements.   |       | (i) Division of administration of program.   |
| 450e-2. | Use of excess funds.  |       | (j) Proposal to redesign program, activity, function, or service.  |
|         | PART A—INDIAN SELF-DETERMINATION  |       | (k) Access to Federal sources of supply.   |
| 450f.   | Self-determination contracts.   |       | (l) Lease of facility used for administration and delivery of services.  |
|         | (a) Request by tribe; authorized programs.  |       | (m) Statutory requirements; technical assistance; precontract negotiation phase; fixed price construction contract.  |
|         | (b) Procedure upon refusal of request to contract.  |       | (n) Rental rates for housing for Government employees in Alaska.   |
|         | (c) Liability insurance; waiver of defense.   |       | 450j-1.  |
|         | (d) Tribal organizations and Indian contractors deemed part of Public Health Service.   |       | Contract funding and indirect costs.   |
|         | (e) Burden of proof at hearing or appeal declining contract; final agency action.   |       | (a) Amount of funds provided.  |
| 450g.   | Repealed or Transferred.  |       | (b) Reductions and increases in amount of funds provided.  |
| 450h.   | Grants to tribal organizations or tribes.   |       | (c) Treatment of shortfalls in indirect cost recoveries.   |
|         | (a) Request by tribe for contract or grant by Secretary of the Interior for improving, etc., tribal governmental, contracting, and program planning activities.   |       | (d) Liability for indebtedness incurred before fiscal year 1992.   |
|         | (b) Grants by Secretary of Health and Human Services for development, maintenance, etc., of health facilities or services and improvement of contract capabilities implementing hospital and health facility functions. |       |  |
|         | (c) Use as matching shares for other similar Federal grant programs.  |       |  |
|         | (d) Technical assistance.   |       |  |
|         | (e) Grants for technical assistance and for planning, etc., Federal programs for tribe.   |       |  |