

constitution or charter adopted by such tribe pursuant to that Act [25 U.S.C. 461 et seq.] (Pub. L. 97-382, §9, Dec. 22, 1982, 96 Stat. 1940.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§461 et seq.) of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

CHAPTER 24—INDIAN LAND CONSOLIDATION

- Sec. 2201. Definitions.
- 2202. Other applicable provisions.
- 2203. Adoption of land consolidation plan with approval of Secretary.
 - (a) Statement of purpose; sales or exchanges: terms and conditions.
 - (b) Conveyancing requirement; specific findings for nonexecution.
 - (c) Below market value conveyance of Cherokee Nation of Oklahoma homesites.
- 2204. Purchase of trust or restricted or controlled lands at no less than fair market value; requisite conditions.
 - (a) In general.
 - (b) Conditions applicable to purchase.
- 2205. Tribal probate codes; acquisitions of fractional interests by tribes.
 - (a) Tribal probate codes.
 - (b) Secretarial approval.
 - (c) Authority available to Indian tribes.
 - (d) Use of proposed findings by tribal justice systems.
- 2206. Descent and distribution.
 - (a) Testamentary disposition.
 - (b) Intestate succession.
 - (c) Joint tenancy; right of survivorship.
 - (d) Descent of off-reservation lands.
 - (e) Approval of agreements.
 - (f) Estate planning assistance.
 - (g) Notification to Indian tribes and owners of trust or restricted lands.
- 2207. Full faith and credit to tribal actions under tribal ordinances limiting descent and distribution of trust or restricted or controlled lands.
- 2208. Conveyancing authority upon sale or exchange of tribal lands; removal of trust status of individually owned lands.
- 2209. Trusteeship title of United States for any Indian or Indian tribe.
- 2210. Tax exemption.
- 2211. Governing body of tribe; construction of chapter as not vesting with authority not authorized by tribal constitution or by-laws.
- 2212. Pilot program for the acquisition of fractional interests.
 - (a) Acquisition by Secretary.
 - (b) Requirements.
 - (c) Sale of interest to Indian landowners.
- 2213. Administration of acquired fractional interests; disposition of proceeds.
 - (a) In general.
 - (b) Conditions.
 - (c) Tribe not treated as party to lease; no effect on tribal sovereignty, immunitiy.
- 2214. Establishing fair market value.
- 2215. Acquisition Fund.
 - (a) In general.
 - (b) Deposits; use.
- 2216. Trust and restricted land transactions.

- Sec. (a) Policy.
- (b) Sales, exchanges and gift deeds between Indians and between Indians and Indian tribes.
- (c) Acquisition of interest by Secretary.
- (d) Status of lands.
- (e) Land ownership information.
- (f) Notice to Indian tribe.
- 2217. Reports to Congress.
 - (a) In general.
 - (b) Report.
- 2218. Approval of leases, rights-of-way, and sales of natural resources.
 - (a) Approval by the Secretary.
 - (b) Applicable percentage.
 - (c) Authority of Secretary to sign lease or agreement on behalf of certain owners.
 - (d) Effect of approval.
 - (e) Distribution of proceeds.
 - (f) Rule of construction.
- 2219. Application to Alaska.
 - (a) Findings.
 - (b) Application of chapter to Alaska.
 - (c) Rule of construction.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 348, 372, 373, 464 of this title.

§ 2201. Definitions

For the purpose of this chapter—

- (1) "Indian tribe" or "tribe" means any Indian tribe, band, group, pueblo, or community for which, or for the members of which, the United States holds lands in trust;
- (2) "Indian" means any person who is a member of any Indian tribe or is eligible to become a member of any Indian tribe, or any person who has been found to meet the definition of "Indian" under a provision of Federal law if the Secretary determines that using such law's definition of Indian is consistent with the purposes of this chapter;
- (3) "Secretary" means the Secretary of the Interior;
- (4) "trust or restricted lands" means lands, title to which is held by the United States in trust for an Indian or an Indian tribe or lands title to which is held by Indians or an Indian tribe subject to a restriction by the United States against alienation; and
- (5) "heirs of the first or second degree" means parents, children, grandchildren, grandparents, brothers and sisters of a decedent.

(Pub. L. 97-459, title II, §202, Jan. 12, 1983, 96 Stat. 2517; Pub. L. 106-462, title I, §103(1), Nov. 7, 2000, 114 Stat. 1992.)

REFERENCES IN TEXT

This chapter, referred to in par. (2), was in the original "this Act", which was translated as reading "this title", meaning title II of Pub. L. 97-459, to reflect the probable intent of Congress.

AMENDMENTS

- 2000—Par. (1). Pub. L. 106-462, §103(1)(A), substituted "(1) 'Indian tribe' or 'tribe'" for "(1) 'tribe'".
- Par. (2). Pub. L. 106-462, §103(1)(B), added par. (2) and struck out former par. (2) which read as follows: "'Indian' means any person who is a member of a tribe or any person who is recognized as an Indian by the Secretary of the Interior;".
- Par. (5). Pub. L. 106-462, §103(1)(C)-(E), added par. (5).