

to acquire more than one hundred and sixty acres in any one tract: *Provided*, That the proceeds of all such sales shall be deposited in the Treasury of the United States to the credit of the Indians to whom said lands belong, to be disposed of in accordance with existing law.

(Feb. 14, 1920, ch. 75, §1, 41 Stat. 415.)

§ 295. Supervision of expenditure of appropriations for school purposes

All expenditure of money herein or after April 30, 1908, appropriated for school purposes among the Indians, shall be at all times under the supervision and direction of the Commissioner of Indian Affairs, and in all respects in conformity with such conditions, rules, and regulations as to the conduct and methods of instruction and expenditure of money as may be from time to time prescribed by him, subject to the supervision of the Secretary of the Interior.

(Apr. 30, 1908, ch. 153, 35 Stat. 72.)

CODIFICATION

Act Apr. 30, 1908, embodied restrictions as to the amount which might be expended for the annual support and education of any one pupil and specified the method for determining the number of pupils in any school entitled to the per capita allowance provided for by the act.

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.

SCHOOL AND EMPLOYMENT TRANSPORTATION

Separate appropriations for collection and transportation of pupils to and from Indian schools, etc., with a proviso that a specified part of the amount so appropriated may be used in placing Indian youths in employment in industrial pursuits were made by the following appropriation acts:

Mar. 3, 1925, ch. 462, 43 Stat. 1155.

May 24, 1922, ch. 199, 42 Stat. 562.

§ 296. Repealed. Mar. 2, 1929, ch. 576, 45 Stat. 1534

Section, acts Apr. 30, 1908, ch. 153, 35 Stat. 72; June 30, 1919, ch. 4, §1, 41 Stat. 6; Feb. 21, 1925, ch. 280, 43 Stat. 958, placed a limitation on per capita expenditure for school purposes.

§ 297. Repealed. Pub. L. 99-228, § 3(3), Dec. 28, 1985, 99 Stat. 1748

Section, act May 25, 1918, ch. 86, §1, 40 Stat. 564, provided for expenditures for education of children with less than one-fourth Indian blood. See section 2007 of this title.

§ 298. Omitted

CODIFICATION

Section, act July 4, 1884, ch. 180, §9, 23 Stat. 98, which required Indian agents to submit a census of the Indians at the agency in their annual report, was omitted as obsolete since there have been no Indian agents since 1908. See note set out under section 64 of this title.

§§ 299 to 301. Repealed. May 29, 1928, ch. 901, § 1, 45 Stat. 990, 991

Section 299, act Mar. 2, 1887, ch. 320, §1, 24 Stat. 465, related to report of expenditures of Indian education fund.

Section 300, act Mar. 3, 1911, ch. 210, §1, 36 Stat. 1060, related to report of expenditures of Indian school and agency.

Section 301, act Mar. 3, 1911, ch. 210, §1, 36 Stat. 1061, related to appropriations for experiments on Indian schools or agency farms.

§ 302. Indian Reform School; rules and regulations; consent of parents to placing youth in reform school

The Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, is authorized and directed to select and designate some one of the schools or other institution herein specifically provided for as an "Indian Reform School", and to make all needful rules and regulations for its conduct, and the placing of Indian youth therein: *Provided*, That the appropriation for collection and transportation, and so forth, of pupils, and the specific appropriation for such school so selected shall be available for its support and maintenance: *Provided further*, That the consent of parents, guardians, or next of kin shall not be required to place Indian youth in said school.

(June 21, 1906, ch. 3504, 34 Stat. 328.)

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.

§ 303. Omitted

CODIFICATION

Section, act Oct. 12, 1949, ch. 680, title I, 63 Stat. 776, which related to education loans to worthy youths, was from Department of the Interior Appropriation Act, 1950, and was not repeated in Department of the Interior Appropriation Act, 1951, act Sept. 6, 1950, ch. 896, ch. VII, title I, 64 Stat. 679.

§ 304. South Dakota Indians; State course of study

On and after July 1, 1950, the course of study taught in any school operated and maintained by the Bureau of Indian Affairs on any Indian reservation in the State of South Dakota shall, upon a majority decision of the parents of children enrolled therein voting at a meeting called for that purpose by the superintendent of the reservation, meet the minimum education requirements prescribed by the department of public instruction for the public schools of that State.

(Sept. 7, 1949, ch. 566, 63 Stat. 694.)

§ 304a. Study and investigation of Indian education in United States and Alaska; contracts; report to Congress; appropriations

The Secretary of the Interior (hereinafter referred to as the "Secretary"), acting through

the Bureau of Indian Affairs, is authorized and directed to conduct a study and investigation of Indian education in the continental United States and Alaska, including a study and investigation of (1) the education problems of Indian children from non-English speaking homes, and (2) the possibility of establishing a more orderly, equitable, and acceptable program for transferring Indian children to public schools.

The Secretary, in carrying out the provisions of this section, is authorized to enter into contracts in accordance with the provisions of the Johnson-O'Malley Act of June 4, 1936 (49 Stat. 1458; 25 U.S.C. 452).

Not later than two years after funds are made available to carry out the purposes of this section, the Secretary shall submit to the Congress a complete report of the results of such study and investigation, together with such recommendations as he deems desirable.

There are authorized to be appropriated such sums as may be necessary for carrying out the purposes of this section.

(July 14, 1956, ch. 588, 70 Stat. 531.)

REFERENCES IN TEXT

The Johnson-O'Malley Act of June 4, 1936, referred to in text, probably means act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended generally by act June 4, 1936, ch. 490, 49 Stat. 1458, which is classified to sections 452 to 457 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 452 of this title and Tables.

CODIFICATION

Section is composed of sections 1 to 4 of joint resolution July 14, 1956.

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

§ 304b. Deposits of funds of students and student activity associations in Indian schools

The Secretary of the Interior may authorize officials or employees of the Bureau of Indian Affairs to accept and to disburse deposits of funds of students and student activity associations in schools operated by the Bureau of Indian Affairs in accordance with the purposes of such deposits. Such deposits and disbursements shall be accounted for under rules and regulations prescribed by the Secretary of the Interior.

(Pub. L. 86-16, Apr. 27, 1959, 73 Stat. 20.)

CHAPTER 7A—PROMOTION OF SOCIAL AND ECONOMIC WELFARE

Sec.	
305.	Indian Arts and Crafts Board; creation and composition; per diem payments.
305a.	Promotion of economic welfare through development of arts and crafts; powers of Board.
305a-1.	Additional powers of Board; admission fees, rent, franchise fees and other fundraising activities; volunteers; transfer of revenues into special fund.

Sec.	
305b.	Rules and regulations; submission to Secretary of the Interior.
305c.	Appropriation.
305c-1.	Repealed.
305d.	Criminal proceedings; civil actions.
305e.	Cause of action for misrepresentation of Indian produced goods.
305f.	Indian Arts and Crafts Board art collection.
306.	Expenditures for encouragement of industry and self-support; repayment.
306a.	Advances for support of old, disabled, or indigent allottees; lien against land.
307, 308.	Omitted.
309.	Vocational training program; eligibility; contracts or agreements.
309a.	Authorization of appropriations.
309b.	Vocational education funds.
310.	Institute of American Indian and Alaska Native Culture and Arts Development.

§ 305. Indian Arts and Crafts Board; creation and composition; per diem payments

A board is created in the Department of the Interior to be known as "Indian Arts and Crafts Board", and hereinafter referred to as the Board. The Board shall be composed of five commissioners, who shall be appointed by the Secretary of the Interior as soon as possible after August 27, 1935 and shall continue in office, two for a term of two years, one for a term of three years, and two for a term of four years from the date of their appointment, the term of each to be designated by the Secretary of the Interior, but their successors shall be appointed for a term of four years except that any person chosen to fill a vacancy shall be appointed for the unexpired term of the commissioner whom he succeeds. Both public officers and private citizens shall be eligible for membership on the Board. The Board shall elect one of the commissioners as chairman. One or two vacancies on the Board shall not impair the right of the remaining commissioners to exercise all the powers of the Board.

The commissioner shall serve without compensation: *Provided*, That each Commissioner shall be paid per diem in lieu of subsistence and other expenses at a rate that does not exceed the rate authorized by section 5703 of title 5 to be paid to persons serving without compensation.

(Aug. 27, 1935, ch. 748, §1, 49 Stat. 891; Pub. L. 87-23, §1, Apr. 24, 1961, 75 Stat. 45.)

CODIFICATION

"Section 5703 of title 5" substituted in text for "the Act of August 2, 1946 (60 Stat. 808) as heretofore or hereafter amended (5 U.S.C. 73b-2)" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1961—Pub. L. 87-23 substituted authorization for payment of per diem to Board members at the rate authorized for other persons serving without compensation for former provision reimbursing actual expenses, including travel expenses, subsistence and office overhead, incurred incidental to performance of duties.

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-211, title I, §101(a), July 29, 2010, 124 Stat. 2258, provided that: "This title [amending sections 305d and 305e of this title and section 1159 of Title 18, Crimes