

into a contract with the Commissioner to provide services under this subchapter may engage in activities designed to influence Federal legislation on any issue relating to the relocation required under this subchapter.

(b) Subsection (a) of this section shall not apply to the Navajo Tribe or the Hopi Tribe, except that such tribes shall not spend any funds received from the Office in any activities designed to influence Federal legislation.

(Pub. L. 93-531, §31, as added Pub. L. 100-666, §5, Nov. 16, 1988, 102 Stat. 3931.)

§ 640d-30. Navajo Rehabilitation Trust Fund

(a) Establishment

There is hereby established in the Treasury of the United States a trust fund to be known as the "Navajo Rehabilitation Trust Fund", which shall consist of the funds transferred under subsection (b) of this section and of the funds appropriated pursuant to subsection (f) of this section and any interest or investment income accrued on such funds.

(b) Deposit of income into Fund

All of the net income derived by the Navajo Tribe from the surface and mineral estates of lands located in New Mexico that are acquired for the benefit of the Navajo Tribe under section 640d-10 of this title shall be deposited into the Navajo Rehabilitation Trust Fund.

(c) Secretary as trustee; investment of funds

The Secretary shall be the trustee of the Navajo Rehabilitation Trust Fund and shall be responsible for investment of the funds in such Trust Fund.

(d) Availability of funds; purposes

Funds in the Navajo Rehabilitation Trust Fund, including any interest or investment accruing thereon, shall be available to the Navajo Tribe, with the approval of the Secretary, solely for purposes which will contribute to the continuing rehabilitation and improvement of the economic, educational, and social condition of families, and Navajo communities, that have been affected by—

- (1) the decision¹ in the Healing case, or related proceedings,
- (2) the provision² of this subchapter, or
- (3) the establishment by the Secretary of the Interior of grazing district number 6 as land for the exclusive use of the Hopi Tribe.

(e) Conceptual framework for expenditure of funds

By December 1, 1989, the Secretary of the Interior, with the advice of the Navajo Tribe and the Office of Navajo and Hopi Indian Relocation, shall submit to the Congress a conceptual framework for the expenditure of the funds authorized for the Navajo Rehabilitation Trust Fund. Such framework is to be consistent with the purposes described in subsection (d) of this section.

(f) Termination of Trust Fund

The Navajo Rehabilitation Trust Fund shall terminate when, upon petition by the Navajo

Tribe, the Secretary determines that the goals of the Trust Fund have been met and the United States has been reimbursed for funds appropriated under subsection (f) of this section. All funds in the Trust Fund on such date shall be transferred to the general trust funds of the Navajo Tribe.

(g) Authorization of appropriations; reimbursement of General Fund

There is hereby authorized to be appropriated for the Navajo Rehabilitation Trust Fund not³ exceed \$10,000,000 in each of fiscal years 1990, 1991, 1992, 1993, 1994 and 1995. The income from the land referred to in subsection (b) of this section shall be used to reimburse the General Fund of the United States Treasury for amounts appropriated to the Fund.

(Pub. L. 93-531, §32, as added Pub. L. 100-666, §7, Nov. 16, 1988, 102 Stat. 3932; amended Pub. L. 101-121, title I, §120, Oct. 23, 1989, 103 Stat. 722.)

CODIFICATION

Another section 32 of Pub. L. 93-531 was enacted by Pub. L. 100-696, title IV, §407, Nov. 18, 1988, 102 Stat. 4593, and is classified to section 640d-31 of this title.

AMENDMENTS

1989—Subsecs. (e) to (g). Pub. L. 101-121 added subsec. (e) and redesignated former subsecs. (e) and (f) as (f) and (g), respectively.

§ 640d-31. Residence of families eligible for relocation assistance

Nothing in this subchapter prohibits the Commissioner from providing relocation assistance to families certified as eligible, regardless of their current place of residence, with funds appropriated to implement this subchapter.

(Pub. L. 93-531, §32, as added Pub. L. 100-696, title IV, §407, Nov. 18, 1988, 102 Stat. 4593.)

CODIFICATION

Another section 32 of Pub. L. 93-531 was enacted by Pub. L. 100-666, §7, Nov. 16, 1988, 102 Stat. 3932, and is classified to section 640d-30 of this title.

SUBCHAPTER XXIII—HOPI TRIBE: INDUSTRIAL PARK

§ 641. Congressional findings and declaration of purpose

For the purpose of assisting in the economic advancement and contributing to the general welfare of the Hopi Indian Tribe of Arizona, the Congress hereby finds it to be fitting and appropriate to provide the Hopi Tribal Council with certain powers of self-determination that are necessary to enable the Hopi people to carry out the effective development and operation of the Hopi Industrial Park, which is located in the counties of Navajo and Coconino in the State of Arizona.

(Pub. L. 91-264, §1, May 22, 1970, 84 Stat. 260.)

§ 642. Powers of Tribal Council

The Hopi Tribal Council shall have the following powers:

¹ So in original. Probably should be "decision".

² So in original. Probably should be "provisions".

³ So in original. Probably should be "not to".

(a) Sale of lands

To sell any part of the lands within the Hopi Industrial Park.

(b) Mortgages or deeds of trust; law governing mortgage foreclosure or sale; United States as party; removal of cases; appeals

To execute mortgages upon, or deeds of trust to, the lands within said Hopi Industrial Park. Such lands shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of the State of Arizona. The United States shall be an indispensable party to, and may be joined in, any such proceeding involving said lands with the right to remove the action to the United States district court for the district in which the land is situated, according to the procedure in section 1446 of title 28, and the United States shall have the right to appeal from any order of remand entered in such action.

(c) Pledge of revenue or other income to secure indebtedness for development of park; law governing action to enforce pledge; United States as party

To pledge any revenue or other income from lands within said Hopi Industrial Park, and the improvements situated thereon, and any other revenue or income that may be available to the Hopi Tribe without regard to source, to secure any indebtedness of the Hopi Tribe incurred in the development of said Hopi Industrial Park, and any action to enforce said pledge shall be in accordance with the laws of the State of Arizona, and the United States shall be an indispensable party thereto to the same extent and under the same conditions as hereinbefore provided in the case of mortgage foreclosures.

(d) Issuance of bonds and payment of costs thereof; sale of bonds at public or private sale

To issue bonds for and on behalf of the Hopi Tribe, and pay the costs thereof, to accomplish the purposes of this subchapter, in one or more series, in such denomination or denominations, maturing at such time or times, and in such amount or amounts, bearing interest at such rate or rates, in such form either coupon or registered, to be executed in such manner, payable in such medium of payment, at such place or places, subject to such terms of redemption, with or without premium, and containing such other restrictive terms as may be provided by tribal ordinance. Such bonds may be sold at not less than par at either public or private sale and shall be fully negotiable.

(e) Appointment of bank or trust company as trustee for purposes of authorization and creation of issue of bonds; authority to commence action to enforce obligations to tribe without joining United States as party

To appoint a bank or trust company with its home office in the State of Arizona having an officially reported combined capital, surplus, undivided profits and reserves aggregating not less than \$10,000,000 as trustee for all of the purposes provided in the ordinance authorizing and creating any issue of bonds. Any trustee so appointed may be authorized to commence an action for

and on behalf of, or on relation of, the Hopi Tribe to enforce any obligation to the tribe pledged to secure payment of the bonds without joining the United States as a party thereto.

(f) Entering business ventures as shareholder, or as limited partner with corporation, firm or person operating within park

To enter into any business venture as a shareholder of a corporation issuing nonassessable stock, or as a limited partner with any corporation, firm or person operating within said Hopi Industrial Park.

(g) Lease of lands and improvements thereon

To lease lands within the Hopi Industrial Park, any other tribal lands, and the improvements thereon, in accordance with the provisions of Federal laws.

(Pub. L. 91-264, § 2, May 22, 1970, 84 Stat. 260.)

§ 643. Council's powers subject to approval by Secretary

The exercise of all powers granted the Hopi Tribal Council by this subchapter shall be subject to the approval of the Secretary of the Interior, or his duly authorized representatives.

(Pub. L. 91-264, § 3, May 22, 1970, 84 Stat. 261.)

§ 644. Bonds as valid and binding obligations

Bonds issued by authority of this subchapter and bearing the signatures of tribal officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all of the persons whose signatures appear thereon have ceased to be officers of the Hopi Tribal Council.

(Pub. L. 91-264, § 4, May 22, 1970, 84 Stat. 261.)

§ 645. Exemption from taxation

All bonds issued by the Hopi Tribal Council for and on behalf of the Hopi Tribe and the interest provided in said bonds shall be exempt from taxation to the same extent they would have been exempt if the bonds had been issued by the State of Arizona or a political subdivision thereof.

(Pub. L. 91-264, § 5, May 22, 1970, 84 Stat. 261.)

§ 646. Exempted securities

Any securities issued by the Hopi Tribal Council (including any guarantee by such council), and any securities guaranteed by the council as to both principal and interest, shall be deemed to be exempted securities within the meaning of sections 77c(a)(2) and 78e(a)(12) of title 15, and shall be exempt from all registration requirements of Acts of May 27, 1933, and June 6, 1934.

(Pub. L. 91-264, § 6, May 22, 1970, 84 Stat. 261.)

REFERENCES IN TEXT

Acts of May 27, 1933, and June 6, 1934, referred to in text, were in the original "said Acts", meaning act May 27, 1933, ch. 38, 48 Stat. 74, as amended, and act June 6, 1934, ch. 404, 48 Stat. 881, as amended, which are known as the Securities Act of 1933 and the Securities Exchange Act of 1934, respectively. Act May 27, 1933, is classified generally to chapter 2A (§ 77a et seq.) of Title 15, Commerce and Trade, and act June 6, 1934, is classi-