

(4) the effectiveness of the entity or organization described in subsection (d)(1) based on the metrics developed under subsection (d)(4).  
(Pub. L. 114-221, §4, Sept. 23, 2016, 130 Stat. 848.)

**§ 4354. Native American tourism and branding enhancement**

**(a) In general**

The head of each agency shall—

(1) take actions that help empower Indian tribes, tribal organizations, and Native Hawaiian organizations to showcase the heritage, foods, traditions, history, and continuing vitality of Native American communities;

(2) support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify and enhance or maintain traditions and cultural features that are important to sustain the distinctiveness of the local Native American community; and

(B) to provide visitor experiences that are authentic and respectful;

(3) provide assistance to interpret the connections between the indigenous peoples of the United States and the national identity of the United States;

(4) enhance efforts to promote understanding and respect for diverse cultures and subcultures in the United States and the relevance of those cultures to the national brand of the United States; and

(5) enter into appropriate memoranda of understanding and establish public-private partnerships to ensure that arriving domestic travelers at airports and arriving international visitors at ports of entry are welcomed in a manner that both showcases and respects the diversity of Native American communities.

**(b) Grants**

To the extent practicable, grant programs relating to travel, recreation, or tourism administered by the Commissioner of the Administration for Native Americans, Chairman of the National Endowment for the Arts, Chairman of the National Endowment for the Humanities, or the head of an agency with assets or resources relating to travel, recreation, or tourism promotion or branding enhancement for which Indian tribes, tribal organizations, or Native Hawaiian organizations are eligible may be used—

(1) to support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations to tell the story of Native Americans as the First Peoples of the United States;

(2) to use the arts and humanities to help revitalize Native communities, promote economic development, increase livability, and present the uniqueness of the United States to visitors in a way that celebrates the diversity of the United States; and

(3) to carry out this section.

**(c) Smithsonian**

The Advisory Council and the Board of Regents of the Smithsonian Institution shall work with Indian tribes, tribal organizations, Native Hawaiian organizations, and nonprofit organiza-

tions to establish long-term partnerships with non-Smithsonian museums and educational and cultural organizations—

(1) to share collections, exhibitions, interpretive materials, and educational strategies; and

(2) to conduct joint research and collaborative projects that would support tourism efforts for Indian tribes, tribal organizations, and Native Hawaiian organizations and carry out the intent of this section.

(Pub. L. 114-221, §5, Sept. 23, 2016, 130 Stat. 850.)

**§ 4355. Effect**

Nothing in this chapter alters, or demonstrates congressional support for the alteration of, the legal relationship between the United States and any American Indian, Alaska Native, or Native Hawaiian individual, group, organization, or entity.

(Pub. L. 114-221, §6, Sept. 23, 2016, 130 Stat. 851.)

**CHAPTER 45—PROTECTION OF INDIANS AND CONSERVATION OF RESOURCES**

Sec.	
5101.	Allotment of land on Indian reservations.
5102.	Existing periods of trust and restrictions on alienation extended.
5103.	Restoration of lands to tribal ownership.
5104.	Exchanges of land.
5105.	Title to lands.
5106.	Use of funds appropriated under section 5108.
5107.	Transfer and exchange of restricted Indian lands and shares of Indian tribes and corporations.
5108.	Acquisition of lands, water rights or surface rights; appropriation; title to lands; tax exemption.
5109.	Indian forestry units; rules and regulations.
5110.	New Indian reservations.
5111.	Allotments or holdings outside of reservations.
5112.	Indian corporations; appropriation for organizing.
5113.	Revolving fund; appropriation for loans.
5114.	Interest charges covered into revolving fund.
5115.	Vocational and trade schools; appropriation for tuition.
5116.	Standards for Indians appointed to Indian Office.
5117.	Indian preference laws applicable to Bureau of Indian Affairs and Indian Health Service positions.
5118.	Application generally.
5119.	Application to Alaska.
5120.	Continuation of allowances.
5121.	Claims or suits of Indian tribes against United States; rights unimpaired.
5122.	Offsets of gratuities.
5123.	Organization of Indian tribes; constitution and bylaws and amendment thereof; special election.
5124.	Incorporation of Indian tribes; charter; ratification by election.
5125.	Acceptance optional.
5126.	Mandatory application of sections 5102 and 5124.
5127.	Procedure.
5128.	Application of laws and treaties.
5129.	Definitions.
5130.	Definitions.

Sec.	
5131.	Publication of list of recognized tribes.
5132.	Indians eligible for loans.
5133.	Revolving fund; loans; regulations.
5134.	Sale of land by individual Indian owners.
5135.	Mortgages and deeds of trust by individual Indian owners; removal from trust or restricted status; application to Secretary.
5136.	Loans to purchasers of highly fractioned land.
5137.	Removal of duplicative appraisals.
5138.	Title in trust to United States.
5139.	Tribal rights and privileges in connection with loans.
5140.	Mortgaged property governed by State law.
5141.	Interest rates and taxes.
5142.	Reduction of unpaid principal.
5143.	Authorization of appropriations.
5144.	Certification of rental proceeds.

### § 5101. Allotment of land on Indian reservations

On and after June 18, 1934, no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

(June 18, 1934, ch. 576, § 1, 48 Stat. 984.)

#### CODIFICATION

Section was formerly classified to section 461 of this title prior to editorial reclassification and renumbering as this section.

#### SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-204, § 1(a), Mar. 2, 2004, 118 Stat. 542, provided that: "This Act [amending section 5123 of this title and former sections 640d-24 and 712e of this title and provisions set out as notes under section 301 of Title 7, Agriculture, section 7420 of Title 10, Armed Forces, and section 431 of Title 16, Conservation] may be cited as the 'Native American Technical Corrections Act of 2004'."

#### SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-454, title I, § 101, Nov. 2, 1994, 108 Stat. 4791, provided that: "This title [enacting sections 5130 and 5131 of this title and provisions set out as a note under section 5130 of this title] may be cited as the 'Federally Recognized Indian Tribe List Act of 1994'."

#### SHORT TITLE

Act June 18, 1934, ch. 576, 48 Stat. 984, which enacted this section and sections 5102, 5103, 5107 to 5113, 5115, 5116, 5118, 5120, 5121, 5123 to 5125, and 5129 of this title, is popularly known as the "Indian Reorganization Act".

### § 5102. Existing periods of trust and restrictions on alienation extended

The existing periods of trust placed upon any Indian lands and any restriction on alienation thereof are extended and continued until otherwise directed by Congress.

(June 18, 1934, ch. 576, § 2, 48 Stat. 984.)

#### CODIFICATION

Section was formerly classified to section 462 of this title prior to editorial reclassification and renumbering as this section.

### § 5103. Restoration of lands to tribal ownership

#### (a) Protection of existing rights

The Secretary of the Interior, if he shall find it to be in the public interest, is authorized to

restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however*, That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: *Provided further*, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation.

#### (b) Papago Indians; permits for easements, etc.

(1), (2) Repealed. May 27, 1955, ch. 106, § 1, 69 Stat. 67.

(3) Water reservoirs, charcos, water holes, springs, wells, or any other form of water development by the United States or the Papago Indians shall not be used for mining purposes under the terms of this Act, except under permit from the Secretary of the Interior approved by the Papago Indian Council: *Provided*, That nothing herein shall be construed as interfering with or affecting the validity of the water rights of the Indians of this reservation: *Provided further*, That the appropriation of living water heretofore or hereafter affected, by the Papago Indians is recognized and validated subject to all the laws applicable thereto.

(4) Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes.

(June 18, 1934, ch. 576, § 3, 48 Stat. 984; Aug. 28, 1937, ch. 866, 50 Stat. 862; May 27, 1955, ch. 106, § 1, 69 Stat. 67.)

#### REFERENCES IN TEXT

"Heretofore", referred to in subsec. (a), means before June 18, 1934.

This Act, referred to in subsecs. (a) and (b)(3), is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

#### CODIFICATION

Section was formerly classified to section 463 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1955—Subsec. (b)(1). Act May 27, 1955, repealed par. (1) which restored lands of Papago Indian Reservation to exploration and location.

Subsec. (b)(2). Act May 27, 1955, repealed par. (2) which required person desiring a mineral patent to pay \$1 per acre in lieu of annual rental.

Subsec. (b)(4). Act May 27, 1955, struck out provisions relating to authority to issue or promulgate rules or regulations in conflict with Executive Order of Feb. 1, 1917 or act of Feb. 21, 1931 (46 Stat. 1202).

1937—Subsec. (a). Act Aug. 28, 1937, designated existing provisions of first par. as subsec. (a).

Subsec. (b)(1). Act Aug. 28, 1937, designated existing provisions of first par. as par. (1), substituted "damages shall be paid to the superintendent or other officer in charge of the reservation for the credit of the owner thereof" for "damages shall be paid to the Papago Tribe" and "to be the fair and reasonable value of such improvement" for "but not to exceed the cost of said improvements" and struck out "and payments derived