

of American Indian and Alaska Native Culture and Arts Development at the College of Santa Fe.

(2) The provisions of this subsection shall take effect on October 1, 1984.

(b)(1) The Secretary of the Interior, acting through the Bureau of Indian Affairs, is directed to conduct a study for the purpose of determining the need, if any, for a museum facility to be established for the benefit of the Institute of American Indian and Alaska Native Culture and Arts Development, the feasibility of establishing such museum, and the need or desirability, if any, to establish any such museum in close proximity to the facilities currently being used by such Institute at the College of Santa Fe.

(2) On or before February 1, 1985, the Secretary of the Interior shall report the results of such study, together with his recommendations, to the Congress.

(3) Should the study recommend establishment of a museum, and should the College of Santa Fe be selected as the best site, any agreement entered into by the Secretary of the Interior for construction of such museum shall contain assurances, satisfactory to the Secretary, that appropriate lands at the College of Santa Fe will be available at no cost to the Federal Government for the establishment of a museum facility.

(Pub. L. 98-306, §14, May 31, 1984, 98 Stat. 226; Pub. L. 99-498, title XV, §1514(c), Oct. 17, 1986, 100 Stat. 1608.)

#### AMENDMENTS

1986—Subsecs. (a)(1), (b)(1). Pub. L. 99-498 substituted “Institute of American Indian and Alaska Native Culture and Arts Development” for “Institute of American Indian Arts” wherever appearing.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-498, title XV, §1514(f), Oct. 17, 1986, 100 Stat. 1608, provided that amendment made by Pub. L. 99-498 is effective Oct. 1, 1986.

### CHAPTER 8—RIGHTS-OF-WAY THROUGH INDIAN LANDS

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#### § 311. Opening highways

The Secretary of the Interior is authorized to grant permission, upon compliance with such requirements as he may deem necessary, to the proper State or local authorities for the opening and establishment of public highways, in accordance with the laws of the State or Territory in which the lands are situated, through any Indian reservation or through any lands which have been allotted in severalty to any individual Indian under any laws or treaties but which have not been conveyed to the allottee with full power of alienation.

(Mar. 3, 1901, ch. 832, §4, 31 Stat. 1084.)

#### § 312. Rights-of-way for railway, telegraph, and telephone lines; town-site stations

A right of way for a railway, telegraph, and telephone line through any Indian reservation in any State or Territory, except Oklahoma, or through any lands reserved for an Indian agency or for other purposes in connection with the Indian service, or through any lands which have been allotted in severalty to any individual Indian under any law or treaty, but which have not been conveyed to the allottee with full power of alienation, is granted to any railroad company organized under the laws of the United States, or of any State or Territory, which shall comply with the provisions of sections 312 to 318 of this title and such rules and regulations as may be prescribed thereunder: *Provided*, That no right of way shall be granted under said sections until the Secretary of the Interior is satisfied that the company applying has made said application in good faith and with intent and ability to construct said road, and in case objection to the granting of such right of way shall be made, said Secretary shall afford the parties so objecting a full opportunity to be heard: *Provided further*, That where a railroad has heretofore been constructed, or is in actual course of construction, no parallel right of way within ten miles on either side shall be granted by the Secretary of the Interior unless, in his opinion, public interest will be promoted thereby: *Provided, also*, That as a condition precedent to each and every grant of a right of way under authority of said sections, each and every railway company applying for such grant shall stipulate that it will construct and permanently maintain suitable passenger and freight stations for the convenience of each and every town site established by the Government along said right of way.

(Mar. 2, 1899, ch. 374, §1, 30 Stat. 990; Feb. 28, 1902, ch. 134, §23, 32 Stat. 50; June 25, 1910, ch. 431, §16, 36 Stat. 859.)

#### § 313. Width of rights-of-way

Such right of way shall not exceed fifty feet in width on each side of the center line of the road, except where there are heavy cuts and fills, when it shall not exceed one hundred feet in