

the trust or restricted interests in a parcel of land have been approved by the Secretary pursuant to subsection (d), each such interest shall continue in owner-managed status under this section notwithstanding any subsequent conveyance of the interest in trust or restricted status to another person or the subsequent descent of the interest in trust or restricted status by testate or intestate succession to 1 or more heirs.

(2) Revocation

Owner-managed status of an interest may be revoked upon written request of the owners (including the parents or legal guardians of minors or incompetent owners) of all trust or restricted interests in the parcel, submitted to the Secretary in accordance with regulations adopted under subsection (l).¹ The revocation shall become effective as of the date on which the last of all such requests has been delivered to the Secretary.

(3) Effect of revocation

Revocation of owner-managed status under paragraph (2) shall not affect the validity of any lease made in accordance with the provisions of this section prior to the effective date of the revocation, provided that, after such revocation becomes effective, the Secretary shall be responsible for the collection of, and accounting for, all future lease revenues accruing to the trust or restricted interests in the parcel from and after such effective date.

(i) Defined terms

(1) For purposes of subsection (d)(1), the term “qualified applicant” means—

- (A) a person over the age of 18 who owns a trust or restricted interest in a parcel of land; and
- (B) the parent or legal guardian of a minor or incompetent person who owns a trust or restricted interest in a parcel of land.

(2) For purposes of this section, the term “owner-managed status” means, with respect to a trust or restricted interest, that—

- (A) the interest is a trust or restricted interest in a parcel of land for which applications covering all trust or restricted interests in such parcel have been submitted to and approved by the Secretary pursuant to subsection (d);
- (B) the interest may be leased without approval of the Secretary pursuant to, and in a manner that is consistent with, the requirements of this section; and
- (C) no revocation has occurred under subsection (h)(2).

(j) Secretarial approval of other transactions

Except with respect to the specific lease transaction described in paragraph (1) of subsection (c), interests that acquire owner-managed status under the provisions of this section shall continue to be subject to all Federal laws requiring the Secretary to approve transactions involving trust or restricted land (including leases with terms of a duration in excess of 10 years) that would otherwise apply to such interests if the

interests had not acquired owner-managed status under this section.

(k) Effect of section

Subject to subsections (c), (f), and (h), nothing in this section diminishes or otherwise affects any authority or responsibility of the Secretary with respect to an interest in trust or restricted land.

(Pub. L. 97-459, title II, §221, as added Pub. L. 108-374, §5, Oct. 27, 2004, 118 Stat. 1795; amended Pub. L. 110-453, title II, §207(e), Dec. 2, 2008, 122 Stat. 5033.)

REFERENCES IN TEXT

Section 8(a)(4) of the American Indian Probate Reform Act of 2004, referred to in subsec. (d)(1), is section 8(a)(4) of Pub. L. 108-374, which is set out as a note under section 2201 of this title.

Subsection (l), referred to in subsec. (h)(2), probably should be a reference to section 10 of Pub. L. 108-374, which is set out as a note under section 2201 of this title and relates to the adoption of regulations. This section does not contain a subsec. (l).

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-453 inserted “owner or” before “co-owners”.

§ 2221. Annual notice and filing; current whereabouts of interest owners

On at least an annual basis, the Secretary shall include along with other regular reports to owners of trust or restricted interests in land and individual Indian money account owners a change of name and address form by means of which the owner may confirm or update the owner’s name and address. The change of name and address form shall include a section in which the owner may confirm and update the owner’s name and address.

(Pub. L. 97-459, title II, §222, as added Pub. L. 108-374, §7, Oct. 27, 2004, 118 Stat. 1809.)

CHAPTER 25—OLD AGE ASSISTANCE CLAIMS SETTLEMENT

Sec. 2301.	Definitions.
2302.	Payment of claims.
2303.	Notice.
2304.	Identification of right to payment and expedited claim payment.
2305.	Discharge and barring of claims.
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2307.	Treatment of funds.

§ 2301. Definitions

- For purposes of this chapter, the term—
- (1) “Secretary” means the Secretary of the Interior;
 - (2) “unauthorized disbursement” means a disbursement made from the trust estate of a deceased Indian which was made by the Secretary to a State or a political subdivision of a State for the purpose of reimbursing the State or political subdivision for any old age assistance made to the deceased Indian before death in violation of Federal laws governing Indian trust property: *Provided*, That, except for purposes of section 2303 of this title, the term also includes the reimbursements for welfare payments identified in either the list

¹ See References in Text note below.