

proval of the Secretary of the Interior, may contract with the State of Arizona or its political subdivisions for the furnishing of water, sewerage, law enforcement, or other public services on terms and conditions deemed advantageous to the tribe and individual Indian landowners.

(Pub. L. 89-715, §8, Nov. 2, 1966, 80 Stat. 1113.)

§ 416h. Zoning, building, and sanitary regulations

The Papago Council and the Salt River Pima-Maricopa Community Council, with the consent of the Secretary of the Interior, are hereby authorized, for their respective reservations, to enact zoning, building, and sanitary regulations covering the lands on their reservations for which leasing authority is granted by sections 416 to 416j of this title in the absence of State civil and criminal jurisdiction over such particular lands, and said councils may contract with local municipalities for assistance in preparing such regulations.

(Pub. L. 89-715, §9, Nov. 2, 1966, 80 Stat. 1113.)

§ 416i. Restrictions

Nothing contained in sections 416 to 416j of this title shall—

(a) authorize the alienation, encumbrance, or taxation of any interest in real or personal property, including water rights, held in trust by the United States or held by an individual Indian, the Papago Tribe or the Salt River Pima-Maricopa Community subject to a restriction against alienation imposed by the United States, or any income therefrom: *Provided*, That the foregoing shall not affect the power to lease as provided in section 416 of this title or the power to dedicate as provided in section 416f of this title and shall not affect or abridge any right of the State of Arizona or its political subdivisions to tax non-Indian leasehold and possessory interests, buildings, improvements and personal property located on the San Xavier and Salt River Pima-Maricopa Reservations and not owned by Papago or Pima-Maricopa Indians residing thereon;

(b) confer jurisdiction on the State of Arizona to adjudicate in probate proceedings or otherwise the ownership or right to possession of trust or restricted property or any interests therein;

(c) alter or abridge in any way the authority of public school districts to include areas within the San Xavier and Salt River Pima-Maricopa Reservation;

(d) be construed to repeal any authority to lease or mortgage trust or restricted Indian lands conferred by or pursuant to any other provision of law.

(Pub. L. 89-715, §10, Nov. 2, 1966, 80 Stat. 1113.)

§ 416j. Mission San Xavier del Bac

Nothing in sections 416 to 416j of this title shall authorize the Secretary to approve any development which would detract from the scenic, historic, and religious values of the Mission San Xavier del Bac owned by the Franciscan Order of Friars Minor and located on the San Xavier Reservation.

(Pub. L. 89-715, §11, Nov. 2, 1966, 80 Stat. 1114.)

CHAPTER 13—CEDED INDIAN LANDS

Sec.

421 to 423. Transferred.

424. Negotiations for cession of lands.

425. Classification and appraisal of unallotted and unreserved lands.

426. Agreements with Indians not affected.

427. Transferred.

§ 421. Transferred

Editorial Notes

CODIFICATION

Section 421, act May 17, 1900, ch. 479, §1, 31 Stat. 179, which provided for free homesteads to settlers, commutation rights, and payments to Indians, was transferred to section 179 of Title 43, Public Lands.

§ 422. Transferred

Editorial Notes

CODIFICATION

Section 422, act Jan. 26, 1901, ch. 180, 31 Stat. 740, which related to right of settlers to commute entry, was transferred to section 180 of Title 43, Public Lands.

§ 423. Transferred

Editorial Notes

CODIFICATION

Section 423, act May 22, 1902, ch. 821, §2, 32 Stat. 203, which related to second homestead entry by certain settlers, was transferred to section 187b of Title 43, Public Lands.

§ 424. Negotiations for cession of lands

The Secretary of the Interior is authorized, in his discretion, to negotiate, through any United States Indian inspector, agreements with any Indians for the cession to the United States of portions of their respective reservations or surplus unallotted lands, any agreements thus negotiated to be subject to subsequent ratification by Congress.

(Mar. 3, 1901, ch. 832, §1, 31 Stat. 1077.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1195 of Title 43, Public Lands, prior to editorial reclassification and renumbering as this section, where it had originally appeared prior to transfer to Title 43.

§ 425. Classification and appraisal of unallotted and unreserved lands

The Secretary of the Interior is authorized to cause to be classified or reclassified and appraised or reappraised, in such manner as he may deem advisable, the unallotted or otherwise unreserved lands within any Indian reservation opened to settlement and entry but not classified and appraised in the manner provided for in the Act or Acts opening such reservations to settlement and entry, or where the existing classification or appraisal is, in the opinion of the Secretary of the Interior, erroneous.

(June 6, 1912, ch. 155, 37 Stat. 125.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1196 of Title 43, Public Lands, prior to editorial reclassification and renumbering as this section, where it had originally appeared prior to transfer to Title 43.

§ 426. Agreements with Indians not affected

Nothing in this act shall change, repeal, or modify any agreements or treaties made with any Indian tribes for the disposal of their lands, or of land ceded to the United States to be disposed of for the benefit of such tribes, and the proceeds thereof to be placed in the Treasury of the United States; and the disposition of such lands shall continue in accordance with the provisions of such treaties or agreements; except as provided in sections 161 and 162¹ of title 43.

(Mar. 3, 1891, ch. 561, §10, 26 Stat. 1099.)

Editorial Notes

REFERENCES IN TEXT

This act, referred to in text, means act Mar. 3, 1891, ch. 561, 26 Stat. 1095, which enacted this section and former section 495 of this title, sections 471, 607, 611, 611a, and 613 of Title 16, Conservation, sections 30, 36, 44, 45, 48, and 52 of Title 30, Mineral Lands and Mining, sections 161, 162, 173, 174, 185, 202, 212, 321, 323, 325, 327 to 329, 663, 671, 687a-6, 718, 728, 732, 893, 946 to 949, 989, 2505, and 2506 of Title 43, Public Lands, and former section 1181 of Title 43. For complete classification of this Act to the Code, see Tables.

Sections 161 and 162 of title 43, referred to in text, were repealed by Pub. L. 94-579, title VII, §702, Oct. 21, 1976, 90 Stat. 2787.

CODIFICATION

Section was formerly classified to section 1197 of Title 43, Public Lands, prior to editorial reclassification and renumbering as this section, where it had originally appeared prior to transfer to Title 43.

§ 427. Transferred**Editorial Notes**

CODIFICATION

Section, act Feb. 9, 1903, ch. 531, 32 Stat. 820, which extended town-site laws to ceded lands in Minnesota, was transferred to section 731 of Title 43, Public Lands.

CHAPTER 14—MISCELLANEOUS

SUBCHAPTER I—GENERAL PROVISIONS

Sec.

441 to 449. Repealed or Transferred.

SUBCHAPTER II—INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE

450 to 458ddd-2. Repealed or Transferred.

[SUBCHAPTER III—RESERVED]

SUBCHAPTER IV—CONVEYANCE OF SUBMARGINAL LAND

459 to 459e. Transferred.

SUBCHAPTER V—PROTECTION OF INDIANS AND CONSERVATION OF RESOURCES

461 to 494a. Transferred or Omitted.

SUBCHAPTER VI—INDIANS OF ALASKA

495 to 497. Repealed or Omitted.

Sec.

SUBCHAPTER VII—REINDEER INDUSTRY

500 to 500n. Omitted.

SUBCHAPTER VIII—INDIANS IN OKLAHOMA: PROMOTION OF WELFARE

501 to 510. Transferred.

SUBCHAPTER IX—KLAMATH TRIBE: CAPITAL RESERVE FUND

530 to 535. Repealed or Omitted.

SUBCHAPTER X—KLAMATH TRIBE: DISPOSITION OF CERTAIN TRIBAL FUNDS

541 to 545. Omitted.

SUBCHAPTER XI—KLAMATH TRIBE: PAYMENTS IN LIEU OF ALLOTMENTS; INHERITANCE OF RESTRICTED PROPERTY

551 to 556. Repealed or Omitted.

SUBCHAPTER XII—KLAMATH TRIBE: FEES AND CHARGES

561 to 563. Omitted.

SUBCHAPTER XIII—KLAMATH TRIBE: TERMINATION OF FEDERAL SUPERVISION

564 to 564x. Omitted.

SUBCHAPTER XIV—KLAMATH TRIBE: DISTRIBUTION OF JUDGMENT FUND

565 to 565g. Omitted.

SUBCHAPTER XIV-A—KLAMATH TRIBE: RESTORATION OF FEDERAL SUPERVISION

566 to 566h. Omitted.

SUBCHAPTER XV—SHOSHONE TRIBE: DISTRIBUTION OF JUDGMENT FUND

571 to 590c. Omitted.

SUBCHAPTER XVI—CHIPPEWA TRIBE OF MINNESOTA

591 to 594a. Omitted.

SUBCHAPTER XVII—YAKIMA TRIBES

601 to 609c-1. Omitted.

SUBCHAPTER XVIII—SWINOMISH TRIBE

610 to 610e. Omitted.

SUBCHAPTER XIX—SHOSHONE AND ARAPAHO TRIBES OF WYOMING

611 to 613. Omitted.

SUBCHAPTER XX—PUEBLO AND CANONCITO NAVAJO INDIANS

621 to 624. Omitted.

SUBCHAPTER XXI—NAVAJO AND HOPI TRIBES: REHABILITATION

631 to 640c-3. Repealed or Omitted.

SUBCHAPTER XXII—NAVAJO AND HOPI TRIBES: SETTLEMENT OF RIGHTS AND INTERESTS

640d to 640d-31. Omitted.

SUBCHAPTER XXIII—HOPI TRIBE: INDUSTRIAL PARK

641 to 646. Omitted.

SUBCHAPTER XXIV—HUALAPAI TRIBE

647 to 649. Omitted.

SUBCHAPTER XXV—INDIANS OF CALIFORNIA

651 to 663. Omitted.

SUBCHAPTER XXVI—SOUTHERN UTE INDIAN TRIBE OF COLORADO

668 to 670. Omitted.

¹ See References in Text note below.