

Editorial Notes

CODIFICATION

Section was formerly classified to section 459a of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1983—Subsec. (a). Pub. L. 97-434 substituted “section 5501(a) of this title” for “section 5501 of this title”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97-434 effective Jan. 8, 1983, see section 1(c) of Pub. L. 97-434, set out as a note under section 5501 of this title.

§ 5503. Submarginal lands of United States held in trust for Stockbridge Munsee Indian Community

All of the right, title, and interest of the United States in all the minerals including gas and oil underlying the submarginal lands declared to be held in trust for the Stockbridge Munsee Indian Community by the Act of October 9, 1972 (86 Stat. 795), are hereby declared to be held by the United States in trust for the Stockbridge Munsee Indian Community.

(Pub. L. 94-114, §3(a), Oct. 17, 1975, 89 Stat. 578.)

Editorial Notes

REFERENCES IN TEXT

Act of October 9, 1972, referred to in text, is Pub. L. 92-480, Oct. 9, 1972, 86 Stat. 795, which was not classified to the Code.

CODIFICATION

Section is comprised of section 3(a) of Pub. L. 94-114. Section 3(b) of Pub. L. 94-114 repealed section 2 of Pub. L. 92-480, which related to claims offset involving the Stockbridge Munsee Indian Community and was not classified to the Code. Section 3(c) of Pub. L. 94-114 amended section 5 of Pub. L. 92-488, which related to claims offset involving the Burns Indian Colony and was not classified to the Code.

Section was formerly classified to section 459b of this title prior to editorial reclassification and renumbering as this section.

§ 5504. Existing rights of possession, contract, interest, etc.**(a) Preservation; force and effect of mineral leases; rejection of pending applications for leases and return of advance rental payments**

Nothing in this chapter shall deprive any person of any existing valid right of possession, contract right, interest, or title he may have in the land involved, or of any existing right of access to public domain lands over and across the land involved, as determined by the Secretary of the Interior. All existing mineral leases, including oil and gas leases, which may have been issued or approved pursuant to section 5 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915) [30 U.S.C. 354], or the Mineral Leasing Act of 1920 (41 Stat. 437) [30 U.S.C. 181 et seq.], as amended prior to October 17, 1975, shall remain in force and effect in accordance with the provisions thereof. All appli-

cations for mineral leases, including oil and gas leases, pursuant to such Acts, pending on October 17, 1975, and covering any of the minerals conveyed by sections 5501 and 5503 of this title shall be rejected and the advance rental payments returned to the applicants.

(b) Administration of lands

Subject to the provisions of subsection (a) of this section, the property conveyed by this chapter shall hereafter be administered in accordance with the laws and regulations applicable to property held in trust by the United States for Indian tribes, including but not limited to sections 396a to 396g of this title.

(Pub. L. 94-114, §4, Oct. 17, 1975, 89 Stat. 578.)

Editorial Notes

REFERENCES IN TEXT

The Mineral Leasing Act of 1920, referred to in subsec. (a), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

CODIFICATION

Section was formerly classified to section 459c of this title prior to editorial reclassification and renumbering as this section.

§ 5505. Gross receipts from conveyed lands**(a) Deposit to credit of tribe; nonapplicability**

Any and all gross receipts derived from, or which relate to, the property conveyed by this chapter, the Act of July 20, 1956 (70 Stat. 581), the Act of August 2, 1956 (70 Stat. 941), the Act of October 9, 1972 (86 Stat. 795), and section 1 of the Act of October 13, 1972 (86 Stat. 806) which were received by the United States subsequent to its acquisition by the United States under the statutes cited in section 5501 of this title and prior to such conveyance, from whatever source and for whatever purpose, including but not limited to the receipts in the special fund of the Treasury as required by section 6 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915) [30 U.S.C. 355], shall as of October 17, 1975, be deposited to the credit of the Indian tribe receiving such land and may be expended by the tribe for such beneficial programs as the tribal governing body may determine: *Provided*, That this section shall not apply to any such receipts received prior to October 17, 1975, from the leasing of public domain minerals which were subject to the Mineral Leasing Act of 1920 (41 Stat. 437) [30 U.S.C. 181 et seq.], as amended and supplemented.

(b) Administration of gross receipts

All gross receipts (including but not limited to bonuses, rents, and royalties) hereafter derived by the United States from any contract, permit or lease referred to in section 5504(a) of this title, or otherwise, shall be administered in accordance with the laws and regulations applicable to receipts from property held in trust by the United States for Indian tribes.

(Pub. L. 94-114, §5, Oct. 17, 1975, 89 Stat. 579.)

Editorial Notes

REFERENCES IN TEXT

Act of July 20, 1956, referred to in subsec. (a), is act July 20, 1956, ch. 645, 70 Stat. 581, which was set out as a note under former section 465 of this title and was omitted from the Code as being of special and not general application.

Act of August 2, 1956, referred to in subsec. (a), is act Aug. 2, 1956, ch. 886, 70 Stat. 941, which was not classified to the Code.

Act of October 9, 1972, referred to in subsec. (a), is Pub. L. 92-480, Oct. 9, 1972, 86 Stat. 795, which was not classified to the Code.

Section 1 of the Act of October 13, 1972, referred to in subsec. (a), is section 1 of Pub. L. 92-488, Oct. 13, 1972, 86 Stat. 806, which was not classified to the Code.

The Mineral Leasing Act of 1920, referred to in subsec. (a), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

CODIFICATION

Section was formerly classified to section 459d of this title prior to editorial reclassification and renumbering as this section.

§ 5506. Tax exemption for conveyed lands and gross receipts; distribution of gross receipts to tribal members

All property conveyed to tribes pursuant to this chapter and all the receipts therefrom referred to in section 5505 of this title, shall be exempt from Federal, State, and local taxation so long as such property is held in trust by the United States. Any distribution of such receipts to tribal members shall neither be considered as income or resources of such members for purposes of any such taxation nor as income, resources, or otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such member or his household would otherwise be entitled to under the Social Security Act [42 U.S.C. 301 et seq.] or any other Federal or federally assisted program. (Pub. L. 94-114, §6, Oct. 17, 1975, 89 Stat. 579.)

Editorial Notes

REFERENCES IN TEXT

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

CODIFICATION

Section was formerly classified to section 459e of this title prior to editorial reclassification and renumbering as this section.

CHAPTER 48—INDIAN TRUST ASSET REFORM

SUBCHAPTER I—RECOGNITION OF TRUST RESPONSIBILITY

Sec.	
5601.	Findings.
5602.	Reaffirmation of policy.

SUBCHAPTER II—INDIAN TRUST ASSET MANAGEMENT DEMONSTRATION PROJECT

5611.	Definitions.
-------	--------------

Sec.	
5612.	Establishment of demonstration project; selection of participating Indian tribes.
5613.	Indian trust asset management plan.
5614.	Forest land management and surface leasing activities.
5615.	Effect of subchapter.

SUBCHAPTER III—IMPROVING EFFICIENCY AND STREAMLINING PROCESSES

5631.	Purpose.
5632.	Definitions.
5633.	Under Secretary for Indian Affairs.
5634.	Office of Special Trustee for American Indians.
5635.	Appraisals and valuations.
5636.	Cost savings.

SUBCHAPTER I—RECOGNITION OF TRUST RESPONSIBILITY

§ 5601. Findings

Congress finds that—

(1) there exists a unique relationship between the Government of the United States and the governments of Indian tribes;

(2) there exists a unique Federal responsibility to Indians;

(3) through treaties, statutes, and historical relations with Indian tribes, the United States has undertaken a unique trust responsibility to protect and support Indian tribes and Indians;

(4) the fiduciary responsibilities of the United States to Indians also are founded in part on specific commitments made through written treaties and agreements securing peace, in exchange for which Indians have surrendered claims to vast tracts of land, which provided legal consideration for permanent, ongoing performance of Federal trust duties; and

(5) the foregoing historic Federal-tribal relations and understandings have benefitted the people of the United States as a whole for centuries and have established enduring and enforceable Federal obligations to which the national honor has been committed.

(Pub. L. 114-178, title I, §101, June 22, 2016, 130 Stat. 432.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 114-178, §1(a), June 22, 2016, 130 Stat. 432, provided that: "This Act [enacting this chapter] may be cited as the 'Indian Trust Asset Reform Act'."

Pub. L. 114-178, title II, §201, June 22, 2016, 130 Stat. 433, provided that: "This title [enacting subchapter II of this chapter] may be cited as the 'Indian Trust Asset Management Demonstration Project Act of 2016'."

§ 5602. Reaffirmation of policy

Pursuant to the constitutionally vested authority of Congress over Indian affairs, Congress reaffirms that the responsibility of the United States to Indian tribes includes a duty to promote tribal self-determination regarding governmental authority and economic development.

(Pub. L. 114-178, title I, §102, June 22, 2016, 130 Stat. 433.)