

cational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship, and on the job training, for periods that do not exceed twenty-four months, and, for nurses' training, for periods that do not exceed thirty-six months, transportation to the place of training, and subsistence during the course of training. The program shall be available primarily to Indians who are not less than eighteen and not more than thirty-five years of age and who reside on or near an Indian reservation, and the program shall be conducted under such rules and regulations as the Secretary may prescribe. For the purposes of this program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment, or with any school of nursing offering a three-year course of study leading to a diploma in nursing which is accredited by a recognized body or bodies approved for such purpose by the Secretary.

(Aug. 3, 1956, ch. 930, §1, 70 Stat. 986; Pub. L. 88-230, §1(a), Dec. 23, 1963, 77 Stat. 471.)

#### Editorial Notes

##### AMENDMENTS

1963—Pub. L. 88-230 authorized Secretary of the Interior to undertake a program for nurses' training for periods not exceeding 36 months and to enter into contracts with accredited schools of nursing offering a 3-year course of study leading to a diploma in nursing.

#### § 309a. Authorization of appropriations

There is authorized to be appropriated for the purposes of sections 309 and 309a of this title the sum of \$25,000,000 for each fiscal year, and not to exceed \$1,500,000 of such sum shall be available for administrative purposes.

(Aug. 3, 1956, ch. 930, §2, 70 Stat. 986; Pub. L. 87-273, Sept. 22, 1961, 75 Stat. 571; Pub. L. 88-230, §1(b), Dec. 23, 1963, 77 Stat. 471; Pub. L. 89-14, Apr. 22, 1965, 79 Stat. 74; Pub. L. 90-252, Feb. 3, 1968, 82 Stat. 4.)

#### Editorial Notes

##### AMENDMENTS

1968—Pub. L. 90-252 increased appropriation from \$15,000,000 to \$25,000,000.

1965—Pub. L. 89-14 increased appropriation from \$12,000,000 to \$15,000,000.

1963—Pub. L. 88-230 increased appropriation from \$7,500,000 to \$12,000,000 and amount available for administrative purposes from \$1,000,000 to \$1,500,000.

1961—Pub. L. 87-273 increased appropriation to \$7,500,000 and amount available for administrative purposes to \$1,000,000.

#### § 309b. Vocational education funds

Notwithstanding any other provision of law, funds provided by the Bureau for adult vocational education to any vocational school (as de-

finer for purposes of any program of assistance to students under the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.]) may be treated as non-Federal, private funds of such school for purposes of any provision of Federal law which requires that non-Federal or private funds of such school be used in a project or for a specific purpose.

(Pub. L. 100-297, title V, §5403(c), Apr. 28, 1988, 102 Stat. 416.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in text, is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, which is classified generally to chapter 28 (§1001 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

For effective date and applicability of section, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of Title 20, Education.

#### § 310. Institute of American Indian and Alaska Native Culture and Arts Development

(a)(1) To the extent of the availability of funds for such purpose, the Secretary of the Interior shall:

(A) enter into a thirty-year agreement with the College of Santa Fe, Santa Fe, New Mexico, to provide educational facilities for the use of, and to develop cooperative educational/arts programs to be carried out with the post-secondary fine arts and museum services programs of, the Institute of American Indian and Alaska Native Culture and Arts Development administered by the Bureau of Indian Affairs; and

(B) conduct such activities as are necessary to improve the facilities used by the Institute 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 con-

tain 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.)

#### Editorial Notes

##### 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.

#### Statutory Notes and Related Subsidiaries

##### 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

Sec.	
311.	Opening highways.
312.	Rights-of-way for railway, telegraph, and telephone lines; town-site stations.
313.	Width of rights-of-way.
314.	Survey; maps; compensation.
315.	Time for completion of road; forfeiture.
316.	Rights of several roads through canyons.
317.	Regulations.
318.	Amendment or repeal of sections.
318a.	Roads on Indian reservations; appropriation.
318b.	Repealed.
319.	Rights-of-way for telephone and telegraph lines.
320.	Acquisition of lands for reservoirs or materials.
321.	Rights-of-way for pipe lines.
322.	Applicability of certain provisions to Pueblo Indians.
322a.	Renewal of rights-of-way without consent of Pueblo Tribes; authority of Secretary; compensation, etc.
323.	Rights-of-way for all purposes across any Indian lands.
324.	Consent of certain tribes; consent of individual Indians.
325.	Payment and disposition of compensation.
326.	Laws unaffected.
327.	Application for grant by department or agency.
328.	Rules and regulations.

#### § 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 width on each side of the road, and may include grounds adjacent thereto for station buildings, depots, machine shops, sidetracks, turn-outs, and water stations, not to exceed two hundred feet in width by a length of three thousand feet, and not more than one station to be located within any one continuous length of ten miles of road.

(Mar. 2, 1899, ch. 374, §2, 30 Stat. 990; June 21, 1906, ch. 3504, 34 Stat. 330.)

#### § 314. Survey; maps; compensation

The line of route of said road may be surveyed and located through and across any of said lands at any time, upon permission therefor being obtained from the Secretary of the Interior; but before the grant of such right of way shall become effective a map of the survey of the line or route of said road must be filed with and approved by the Secretary of the Interior, and the company must make payment to the Secretary of the Interior for the benefit of the tribe or nation, of full compensation for such right of way, including all damage to improvements and adjacent lands, which compensation shall be deter-