

dian tribes and the Native American community to identify appropriate levels of inclusion of the Indian tribes and Native Americans in Federal tourism activities, public records and publications, including Native American tourism information available on Web sites.

**(d) Technical assistance**

**(1) In general**

The Secretary of the Interior, in consultation with the Secretary of Commerce, shall enter into a memorandum of understanding or cooperative agreement with an entity or organization with a demonstrated record in tribal communities of defining, introducing, developing, and sustaining American Indian, Alaska Native, and Native Hawaiian tourism and related activities in a manner that respects and honors native traditions and values.

**(2) Coordination**

The memorandum of understanding or cooperative agreement described in paragraph (1) shall formalize a role for the organization or entity to serve as a facilitator between the Secretary of the Interior and the Secretary of Commerce and the Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify areas where technical assistance is needed through consultations with Indian tribes, tribal organizations, and Native Hawaiian organizations to empower the Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(B) to provide a means for the delivery of technical assistance and coordinate the delivery of the assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations in collaboration with the Secretary of the Interior, the Secretary of Commerce, and other entities with distinctive experience, as appropriate.

**(3) Funding**

Subject to the availability of appropriations, the head of each Federal agency, including the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Secretary of Labor shall obligate any funds made available to the head of the agency to cover any administrative expenses incurred by the organization or entity described in paragraph (1) in carrying out programs or activities of the agency.

**(4) Metrics**

The Secretary of the Interior and the Secretary of Commerce shall coordinate with the organization or entity described in paragraph (1) to develop metrics to measure the effectiveness of the entity or organization in strengthening tourism opportunities for Indian tribes, tribal organizations, and Native Hawaiian organizations.

**(e) Reports**

Not later than 1 year after September 23, 2016, and occasionally thereafter, the Secretary of the Interior and the Secretary of Commerce shall

each submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the manner in which the Secretary of the Interior or the Secretary of Commerce, as applicable, is including Indian tribes, tribal organizations, and Native Hawaiian organizations in management plans;

(2) the efforts of the Secretary of the Interior or the Secretary of Commerce, as applicable, to develop departmental and agency tourism plans to support tourism programs of Indian tribes, tribal organizations, and Native Hawaiian organizations;

(3) the manner in which the entity or organization described in subsection (d)(1) is working to promote tourism to empower Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(4) the effectiveness of the entity or organization described in subsection (d)(1) based on the metrics developed under subsection (d)(4).

(Pub. L. 114–221, § 4, Sept. 23, 2016, 130 Stat. 848.)

**§ 4354. Native American tourism and branding enhancement**

**(a) In general**

The head of each agency shall—

(1) take actions that help empower Indian tribes, tribal organizations, and Native Hawaiian organizations to showcase the heritage, foods, traditions, history, and continuing vitality of Native American communities;

(2) support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify and enhance or maintain traditions and cultural features that are important to sustain the distinctiveness of the local Native American community; and

(B) to provide visitor experiences that are authentic and respectful;

(3) provide assistance to interpret the connections between the indigenous peoples of the United States and the national identity of the United States;

(4) enhance efforts to promote understanding and respect for diverse cultures and subcultures in the United States and the relevance of those cultures to the national brand of the United States; and

(5) enter into appropriate memoranda of understanding and establish public-private partnerships to ensure that arriving domestic travelers at airports and arriving international visitors at ports of entry are welcomed in a manner that both showcases and respects the diversity of Native American communities.

**(b) Grants**

To the extent practicable, grant programs relating to travel, recreation, or tourism administered by the Commissioner of the Administration for Native Americans, Chairman of the National Endowment for the Arts, Chairman of the National Endowment for the Humanities, or the head of an agency with assets or resources relat-

ing to travel, recreation, or tourism promotion or branding enhancement for which Indian tribes, tribal organizations, or Native Hawaiian organizations are eligible may be used—

- (1) to support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations to tell the story of Native Americans as the First Peoples of the United States;
- (2) to use the arts and humanities to help revitalize Native communities, promote economic development, increase livability, and present the uniqueness of the United States to visitors in a way that celebrates the diversity of the United States; and
- (3) to carry out this section.

**(c) Smithsonian**

The Advisory Council and the Board of Regents of the Smithsonian Institution shall work with Indian tribes, tribal organizations, Native Hawaiian organizations, and nonprofit organizations to establish long-term partnerships with non-Smithsonian museums and educational and cultural organizations—

- (1) to share collections, exhibitions, interpretive materials, and educational strategies; and
- (2) to conduct joint research and collaborative projects that would support tourism efforts for Indian tribes, tribal organizations, and Native Hawaiian organizations and carry out the intent of this section.

(Pub. L. 114-221, § 5, Sept. 23, 2016, 130 Stat. 850.)

**§ 4355. Effect**

Nothing in this chapter alters, or demonstrates congressional support for the alteration of, the legal relationship between the United States and any American Indian, Alaska Native, or Native Hawaiian individual, group, organization, or entity.

(Pub. L. 114-221, § 6, Sept. 23, 2016, 130 Stat. 851.)

**CHAPTER 45—PROTECTION OF INDIANS AND CONSERVATION OF RESOURCES**

<p>Sec. 5101. 5102. 5103. 5104. 5105. 5106. 5107. 5108. 5109. 5110. 5111. 5112. 5113. 5114. 5115.</p>	<p>Allotment of land on Indian reservations. Existing periods of trust and restrictions on alienation extended. Restoration of lands to tribal ownership. Exchanges of land. Title to lands. Use of funds appropriated under section 5108. Transfer and exchange of restricted Indian lands and shares of Indian tribes and corporations. Acquisition of lands, water rights or surface rights; appropriation; title to lands; tax exemption. Indian forestry units; rules and regulations. New Indian reservations. Allotments or holdings outside of reservations. Indian corporations; appropriation for organizing. Revolving fund; appropriation for loans. Interest charges covered into revolving fund. Vocational and trade schools; appropriation for tuition.</p>
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<p>Sec. 5116. 5117. 5118. 5119. 5120. 5121. 5122. 5123. 5124. 5125. 5126. 5127. 5128. 5129. 5130. 5131. 5132. 5133. 5134. 5135. 5136. 5137. 5138. 5139. 5140. 5141. 5142. 5143. 5144.</p>	<p>Standards for Indians appointed to Indian Office. Indian preference laws applicable to Bureau of Indian Affairs and Indian Health Service positions. Application generally. Application to Alaska. Continuation of allowances. Claims or suits of Indian tribes against United States; rights unimpaired. Offsets of gratuities. Organization of Indian tribes; constitution and bylaws and amendment thereof; special election. Incorporation of Indian tribes; charter; ratification by election. Acceptance optional. Mandatory application of sections 5102 and 5124. Procedure. Application of laws and treaties. Definitions. Definitions. Publication of list of recognized tribes. Indians eligible for loans. Revolving fund; loans; regulations. Sale of land by individual Indian owners. Mortgages and deeds of trust by individual Indian owners; removal from trust or restricted status; application to Secretary. Loans to purchasers of highly fractioned land. Removal of duplicative appraisals. Title in trust to United States. Tribal rights and privileges in connection with loans. Mortgaged property governed by State law. Interest rates and taxes. Reduction of unpaid principal. Authorization of appropriations. Certification of rental proceeds.</p>
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**§ 5101. Allotment of land on Indian reservations**

On and after June 18, 1934, no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

(June 18, 1934, ch. 576, § 1, 48 Stat. 984.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 461 of this title prior to editorial reclassification and renumbering as this section.

**Statutory Notes and Related Subsidiaries**

**SHORT TITLE OF 2004 AMENDMENT**

Pub. L. 108-204, §1(a), Mar. 2, 2004, 118 Stat. 542, provided that: “This Act [amending section 5123 of this title and former sections 640d-24 and 712e of this title and provisions set out as notes under section 301 of Title 7, Agriculture, section 7420 of Title 10, Armed Forces, and section 431 of Title 16, Conservation] may be cited as the ‘Native American Technical Corrections Act of 2004.’”

**SHORT TITLE OF 1994 AMENDMENT**

Pub. L. 103-454, title I, §101, Nov. 2, 1994, 108 Stat. 4791, provided that: “This title [enacting sections 5130 and 5131 of this title and provisions set out as a note under section 5130 of this title] may be cited as the ‘Federally Recognized Indian Tribe List Act of 1994.’”