

AMENDMENTS

1948—Act June 25, 1948, struck out provisions relating to procedure for removal.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1948 AMENDMENT

Act June 25, 1948, ch. 646, §38, 62 Stat. 992, provided that the amendment made by that act is effective Sept 1, 1948.

§ 5206. Loans to individuals and groups; appropriation

The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this chapter. For the making of such loans and for expenses of the cooperative associations organized pursuant to this chapter there shall be appropriated, out of the Treasury of the United States, the sum of \$2,000,000.

(June 26, 1936, ch. 831, §6, 49 Stat. 1968.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 506 of this title prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

ADMINISTRATION OF FUNDS IN REVOLVING FUND

Funds authorized by act June 26, 1936, to be administered as a single Indian Revolving Loan Fund after Apr. 12, 1974, see section 1461 of this title.

§ 5207. Availability and allocation of funds; royalties from mineral deposits

All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 5101 et seq.], are hereby made available for use under the provisions of this chapter, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds appropriated after June 26, 1936, under the authorization herein set forth: *Provided*, That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this chapter, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are made available for expenditure by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this chapter and by the Act of June 18, 1934 (48 Stat. 984).

(June 26, 1936, ch. 831, §7, 49 Stat. 1968.)

Editorial Notes

REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, popularly known as the Indian Reorganization Act, is classified generally to chapter 45 (§5101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 507 of this title prior to editorial reclassification and renumbering as this section.

§ 5208. Application of provisions to Osage County

This chapter shall not relate to or affect Osage County, Oklahoma.

(June 26, 1936, ch. 831, §8, 49 Stat. 1968.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 508 of this title prior to editorial reclassification and renumbering as this section.

§ 5209. Rules and regulations; repeals

The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this chapter. All Acts or parts of Acts inconsistent with this chapter are repealed.

(June 26, 1936, ch. 831, §9, 49 Stat. 1968.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 509 of this title prior to editorial reclassification and renumbering as this section.

§ 5210. Payment of gross production taxes; method

Whenever restricted Indian lands in the State of Oklahoma are subject to gross production tax on minerals, including oil and gas, the Secretary of the Interior, in his discretion, may cause such tax or taxes due the State of Oklahoma to be paid in the manner provided for by the statutes of the State of Oklahoma.

(Aug. 25, 1937, ch. 772, 50 Stat. 806.)

Editorial Notes

CODIFICATION

This section was not enacted as part of act June 26, 1936, ch. 831, 49 Stat. 1967, which comprises this chapter.

Section was formerly classified to section 510 of this title prior to editorial reclassification and renumbering as this section.

CHAPTER 46—INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE

Sec.	
5301.	Congressional statement of findings.
5302.	Congressional declaration of policy.
5303.	Tribal and Federal advisory committees.
5304.	Definitions.
5305.	Reporting and audit requirements for recipients of Federal financial assistance.
5306.	Criminal activities involving grants, contracts, etc.; penalties.
5307.	Wage and labor standards.
5308.	Grant and cooperative agreements.
5309.	Use of excess funds.
5310.	Investment of advance payments; restrictions.

SUBCHAPTER I—INDIAN SELF-DETERMINATION

5321.	Self-determination contracts.
5322.	Grants to tribal organizations or tribes.
5323.	Retention of Federal employee coverage, rights and benefits by employees of tribal organizations.
5324.	Contract or grant provisions and administration.

Sec.	
5325.	Contract funding and indirect costs.
5326.	Indian Health Service: availability of funds for Indian self-determination or self-governance contract or grant support costs.
5327.	Department of the Interior: availability of funds for Indian self-determination or self-governance contract or grant support costs.
5328.	Rules and regulations.
5329.	Contract or grant specifications.
5330.	Rescission of contract or grant and assumption of control of program, etc.; authority; grounds; procedure; correction of violation as prerequisite to new contract or grant agreement; construction with occupational safety and health requirements.
5331.	Contract disputes and claims.
5332.	Sovereign immunity and trusteeship rights unaffected.

SUBCHAPTER II—CONTRACTS WITH STATES

5341.	Donations for Indians; use of gifts; annual report to Congress.
5342.	Contracts for education, medical attention, relief and social welfare of Indians.
5343.	Use of Government property by States and Territories.
5344.	Rules and regulations; minimum standards of service.
5345.	Contracts for education in public schools; submission of education plan by contractor as prerequisite; criteria for approval of plan by Secretary of the Interior; participation by non-Indian students.
5346.	Local committee of Indian parents in school districts having school boards composed of non-Indian majority.
5347.	Reimbursement to school districts for educating non-resident students.
5348.	Computation of student count.

SUBCHAPTER III—INDIAN EDUCATION ASSISTANCE

5351.	School construction, acquisition, or renovation contracts.
5352.	General education contract and grant provisions and requirements; school district quality and standards of excellence.
5353.	Availability of funds to agencies, institutions, and organizations.
5354.	Rules and regulations.
5355.	Eligibility for funds of tribe or tribal organization controlling or managing private schools.
5356.	Supplemental assistance to funds provided to local educational agencies.

SUBCHAPTER IV—TRIBAL SELF-GOVERNANCE—DEPARTMENT OF THE INTERIOR

5361.	Definitions.
5362.	Tribal Self-Governance Program.
5363.	Funding agreements.
5364.	Compacts.
5365.	General provisions.
5366.	Provisions relating to the Secretary.
5367.	Construction programs and projects.
5368.	Payment.
5369.	Facilitation.
5370.	Discretionary application of other sections.
5371.	Annual budget list.
5372.	Reports.
5373.	Regulations.
5374.	Effect of circulars, policies, manuals, guidance, and rules.

Sec.	
5375.	Appeals.
5376.	Application of other provisions.
5377.	Authorization of appropriations.

SUBCHAPTER V—TRIBAL SELF-GOVERNANCE—INDIAN HEALTH SERVICE

5381.	Definitions.
5382.	Establishment.
5383.	Selection of participating Indian tribes.
5384.	Compacts.
5385.	Funding agreements.
5386.	General provisions.
5387.	Provisions relating to the Secretary.
5388.	Transfer of funds.
5389.	Construction projects.
5390.	Federal procurement laws and regulations.
5391.	Civil actions.
5392.	Facilitation.
5393.	Budget request.
5394.	Reports.
5395.	Disclaimers.
5396.	Application of other sections of this chapter.
5397.	Regulations.
5398.	Appeals.
5399.	Authorization of appropriations.

SUBCHAPTER VI—INDIAN LAW ENFORCEMENT FOUNDATION

5411.	Definitions.
5412.	Indian Law Enforcement Foundation.
5413.	Administrative services and support.

SUBCHAPTER VII—NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION

5421.	National Fund for Excellence in American Indian Education.
5422.	Administrative services and support.
5423.	Definitions.

§ 5301. Congressional statement of findings

(a) Findings respecting historical and special legal relationship, and resultant responsibilities

The Congress, after careful review of the Federal Government's historical and special legal relationship with, and resulting responsibilities to, American Indian people, finds that—

(1) the prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self-government, and has denied to the Indian people an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities; and

(2) the Indian people will never surrender their desire to control their relationships both among themselves and with non-Indian governments, organizations, and persons.

(b) Further findings

The Congress further finds that—

(1) true self-determination in any society of people is dependent upon an educational process which will insure the development of qualified people to fulfill meaningful leadership roles;

(2) the Federal responsibility for and assistance to education of Indian children has not