

TITLE 25 - INDIANS**CHAPTER 14 - MISCELLANEOUS****SUBCHAPTER IV - CONVEYANCE OF SUBMARGINAL LAND****§ 459. Submarginal lands of United States held in trust for specified Indian tribes****(a) Declaration; addition to reservations**

Except as hereinafter provided, all of the right, title, and interest of the United States of America in all of the land, and the improvements now thereon, that was acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of the Act of August 24, 1935 (49 Stat. 750, 781), and that are now administered by the Secretary of the Interior for the use or benefit of the Indian tribes identified in section 459a (a) of this title, together with all minerals underlying any such land whether acquired pursuant to such Acts or otherwise owned by the United States, are hereby declared to be held by the United States in trust for each of said tribes, and (except in the case of the Cherokee Nation) shall be a part of the reservations heretofore established for each of said tribes.

(b) Imposition of conditions on conveyed lands; lands excepted from conveying authority

The property conveyed by this subchapter shall be subject to the appropriation or disposition of any of the lands, or interests therein, within the Pine Ridge Indian Reservation, South Dakota, as authorized by sections 441j to 441o of title 16, and subject to a reservation in the United States of a right to prohibit or restrict improvements or structures on, and to continuously or intermittently inundate or otherwise use, lands in sections 25 and 26, township 48 north, range 3 west, at Odanah, Wisconsin, in connection with the Bad River flood control project as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311): Provided, That this subchapter shall not convey the title to any part of the lands or any interest therein that prior to October 17, 1975, have been included in the authorized water resources development projects in the Missouri River Basin as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311), as amended and supplemented: Provided further, That such lands included in Missouri River Basin projects shall be treated as former trust lands are treated.

(c) Additional lands held in trust for specified Indian tribes

The right, title, and interest of the United States of America in all of the lands, including the improvements now thereon (title to which is in the United States), acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and any subsequent Emergency Relief Appropriation Acts, including but not limited to section 5 of the Emergency Relief Appropriation Act of 1939 (53 Stat. 927, 930) and section 4 of the Emergency Relief Appropriation Act, fiscal year 1941 (54 Stat. 611, 617), together with all minerals underlying any such land whether acquired pursuant to such Acts or otherwise owned by the United States, and which lands are now administered by the Secretary of the Interior for the use or benefit of

- (1) Ramah Navajo Indians, are hereby declared to be held in trust for the Ramah Band of the Navajo Tribe, and
- (2) Choctaw Indians of Mississippi, except lands subject to the Act of June 21, 1939 (53 Stat. 851), are hereby declared to be held in trust for the Mississippi Band of Choctaw Indians; excepting valid rights-of-way of record.

(Pub. L. 94–114, § 1, Oct. 17, 1975, 89 Stat. 577; Pub. L. 97–434, § 1(a), Jan. 8, 1983, 96 Stat. 2280.)

References in Text

The National Industrial Recovery Act, referred to in subsecs. (a) and (c), is act June 16, 1933, ch. 90, 48 Stat. 195, as amended. Title II of the Act was classified principally to subchapter I (§ 401 et seq.) of chapter 8 of former Title 40, Public Buildings, Property, and Works, and was terminated June 30, 1943 by act June 27, 1942, ch. 450, § 1, 56

NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

Stat. 410. Provisions of title II of the Act which were classified to former Title 40 were repealed by Pub. L. 107–217, § 6(b), Aug. 21, 2002, 116 Stat. 1304. For complete classification of this Act to the Code, see Tables.

Emergency Relief Appropriation Act of April 8, 1935, referred to in subsec. (a), is act Apr. 8, 1935, ch. 48, 49 Stat. 115, which was not classified to the Code but was listed in the Supplementary Legislation note under section 721 of Title 15, Commerce and Trade.

Section 55 of the Act of August 24, 1935, referred to in subsec. (a), is act Aug. 24, 1935, ch. 641, § 55, 49 Stat. 781, as amended, which was not classified to the Code but was listed in the Supplementary Legislation note under section 721 of Title 15.

Section 203 of the Act of July 3, 1958, referred to in subsec. (b), is section 203 of Pub. L. 85–500, July 3, 1958, 72 Stat. 311, which was not classified to the Code.

Section 5 of the Emergency Relief Appropriation Act of 1939, referred to in subsec. (c), is act June 30, 1939, ch. 252, § 5, 53 Stat. 930, which was not classified to the Code.

Section 4 of the Emergency Relief Appropriation Act, fiscal year 1941, referred to in subsec. (c), is act June 26, 1940, ch. 432, § 4, 54 Stat. 617, which was not classified to the Code.

Act of June 21, 1939, referred to in subsec. (c), is act June 21, 1939, ch. 235, 53 Stat. 851, which was not classified to the Code.

Amendments

1983—Subsec. (c). Pub. L. 97–434 added subsec. (c).

Effective Date of 1983 Amendment

Section 1(c) of Pub. L. 97–434 provided that: “The amendments made by this Act [amending this section and section 459a of this title] shall be effective upon enactment of this Act [Jan. 8, 1983].”