

**(2) Application of lease**

The lease or agreement described in paragraph (1) shall apply to the portion of the undivided interest in allotted land described in such paragraph (including entitlement of the Indian tribe to payment under the lease or agreement), and the Indian tribe shall not be treated as being a party to the lease or agreement. Nothing in this section (or in the lease or agreement) shall be construed to affect the sovereignty of the Indian tribe.

(Pub. L. 97-459, title II, § 214, as added Pub. L. 106-462, title I, § 103(6), Nov. 7, 2000, 114 Stat. 2000; amended Pub. L. 108-374, § 6(a)(6), Oct. 27, 2004, 118 Stat. 1801.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 2215 of this title, referred to in the original in subsec. (b)(4), probably should have been “section 216”, meaning section 216 of Pub. L. 97-459, which is classified to section 2215 of this title and relates to the establishment of an Acquisition Fund. Pub. L. 97-459 does not contain a section 2215.

## AMENDMENTS

2004—Subsec. (b). Pub. L. 108-374 added subsec. (b) and struck out heading and text of former subsec. (b) which related to conditions applicable to the administration by Indian tribes of acquired fractional interests in trust or restricted lands.

**§ 2214. Establishing fair market value**

For purposes of this chapter, the Secretary may develop a system for establishing the fair market value of various types of lands and improvements. Such a system may include determinations of fair market value based on appropriate geographic units as determined by the Secretary. Such a system may govern the amounts offered for the purchase of interests in trust or restricted land under this chapter.

(Pub. L. 97-459, title II, § 215, as added Pub. L. 106-462, title I, § 103(6), Nov. 7, 2000, 114 Stat. 2002; amended Pub. L. 108-374, § 6(a)(7), Oct. 27, 2004, 118 Stat. 1802; Pub. L. 109-157, § 6, Dec. 30, 2005, 119 Stat. 2952.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, which was translated as reading “this title”, meaning title II of Pub. L. 97-459, to reflect the probable intent of Congress.

## AMENDMENTS

2005—Pub. L. 109-157 substituted “Such a system may govern the amounts offered for the purchase of interests in trust or restricted land under this chapter.” for “Such system may govern the amounts offered for the purchase of interests in trust or restricted lands under this chapter.”

2004—Pub. L. 108-374, which directed substitution of “this Act” for “section 2212 of this title” in last sentence, was executed by substituting “this chapter” for “section 213”, meaning section 213 of Pub. L. 97-459, which is classified to section 2212 of this title, to reflect the probable intent of Congress.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-157 effective as if included in Pub. L. 108-374, see section 9 of Pub. L. 109-157, set out as a note under section 5107 of this title.

**§ 2215. Acquisition Fund****(a) In general**

The Secretary shall establish an Acquisition Fund to—

(1) disburse appropriations authorized to accomplish the purposes of section 2212 of this title; and

(2) collect all revenues received from the lease, permit, or sale of resources from interests acquired under section 2212 of this title or paid by Indian landowners under section 2212 of this title.

**(b) Deposits; use****(1) In general**

All proceeds from leases, permits, or resource sales derived from an interest in trust or restricted lands described in subsection (a)(2) shall—

(A) be deposited in the Acquisition Fund;

(B) as specified in advance in appropriations Acts, be available for the purpose of acquiring additional fractional interests in trust or restricted lands; and

(C) be used to acquire undivided interests on the reservation from which the income was derived.

**(2) Use of funds**

The Secretary may use the revenue deposited in the Acquisition Fund under paragraph (1) to acquire some or all of the undivided interests in any parcels of land in accordance with section 2204 of this title.

(Pub. L. 97-459, title II, § 216, as added Pub. L. 106-462, title I, § 103(6), Nov. 7, 2000, 114 Stat. 2002; amended Pub. L. 108-374, § 6(a)(8), Oct. 27, 2004, 118 Stat. 1802.)

**Editorial Notes**

## AMENDMENTS

2004—Subsec. (a)(2). Pub. L. 108-374, § 6(a)(8)(A), added par. (2) and struck out former par. (2) which read as follows: “collect all revenues received from the lease, permit, or sale of resources from interests in trust or restricted lands transferred to Indian tribes by the Secretary under section 2212 of this title or paid by Indian landowners under section 2212(c) of this title.”

Subsec. (b)(1). Pub. L. 108-374, § 6(a)(8)(B)(i), substituted “All” for “Subject to paragraph (2), all” in introductory provisions and added subpar. (C).

Subsec. (b)(2). Pub. L. 108-374, § 6(a)(8)(B)(ii), added par. (2) and struck out heading and text of former par. (2). Text read as follows: “With respect to the deposit of proceeds derived from an interest under paragraph (1), the aggregate amount deposited under that paragraph shall not exceed the purchase price of that interest under section 2212 of this title.”

**§ 2216. Trust and restricted land transactions****(a) Policy**

It is the policy of the United States to encourage and assist the consolidation of land ownership through transactions—