

1 All rights of exclusive occupancy of, and all physical
2 improvements lawfully erected on, tribal or community
3 lands, shall descend according to rules of descent and dis-
4 tribution to be prescribed by the Secretary of the Interior.

5 SEC. 10. Wherever the Secretary shall find that exist-
6 ing State laws governing the determination of heirs, so far
7 as made applicable to any restricted Indian lands by con-
8 gressional enactment, are not adapted to Indian needs and
9 circumstances, he may promulgate independent rules gov-
10 erning such determination, including such rules as may
11 be necessary to prevent any subdivision of rights to lands
12 or improvements thereon which is likely to impair their
13 beneficial use.

14 The Secretary may delegate to a chartered Indian
15 community the authority conferred by this section.

16 SEC. 11. On and after the effective date of the passage
17 of this Act, and beginning with the death of the person
18 presently entitled, all right, interest, and title in restricted
19 allotted lands, but not including any proportionate interest
20 acquired pursuant to section 8 of this title or any improve-
21 ments lawfully erected, shall pass to the chartered com-
22 munity within whose territorial limits such lands are located
23 or, if no community has been chartered, to the tribe from
24 whose lands the allotment was made: *Provided, however,*