

(Pub. L. 92-467, §2, Oct. 6, 1972, 86 Stat. 781.)

§ 1300b-2. Approval of plans for use of money after submission to Congressional committees

The Secretary of the Interior shall approve no plans for the use of the money specified in section 1300b-1(b) of this title for the Kickapoo Tribes of Kansas and Oklahoma until at least thirty days after the plans have been submitted by the Secretary to the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

(Pub. L. 92-467, §3, Oct. 6, 1972, 86 Stat. 781.)

CHANGE OF NAME

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4, Ninety-fifth Congress (popularly cited as the "Committee System Reorganization Amendments of 1977"), approved Feb. 4, 1977. Section 105 of Senate Resolution No. 4 established a temporary Select Committee on Indian Affairs having jurisdiction over matters relating to Indian affairs (such matters previously having been within the jurisdiction of the Committee on Interior and Insular Affairs). Senate Resolution No. 127, June 6, 1984, Ninety-eighth Congress, established the Select Committee on Indian Affairs as a permanent committee of the Senate, and section 25 of Senate Resolution No. 71, Feb. 25, 1993, One Hundred Third Congress, redesignated the Select Committee on Indian Affairs as the Committee on Indian Affairs.

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 1300b-3. Per capita payments; trusts and other procedures for protection of minors and persons under legal disability

Any sums payable per capita to persons who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interests of such persons.

(Pub. L. 92-467, §4, Oct. 6, 1972, 86 Stat. 781.)

§ 1300b-4. Tax exemption

None of the funds distributed per capita under the provisions of this subchapter shall be subject to Federal or State income taxes.

(Pub. L. 92-467, §5, Oct. 6, 1972, 86 Stat. 781.)

§ 1300b-5. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this subchapter.

(Pub. L. 92-467, §6, Oct. 6, 1972, 86 Stat. 781.)

SUBCHAPTER LXXIII-A—TEXAS BAND OF KICKAPOO INDIANS

§ 1300b-11. Congressional findings and declaration of policy

(a) Findings

Congress finds that the Texas Band of Kickapoo Indians is a subgroup of the Kickapoo

Tribe of Oklahoma; that many years ago, the Band was forced to migrate from its ancestral lands to what is now the State of Texas and the nation of Mexico; that, although many members of the band¹ meet the requirements for United States citizenship, some of them cannot prove that they are United States citizens; that, although the Band resides in the State of Texas, it owns no land there; that, because the Band owns no land in Texas, members of the Band are considered ineligible for services which the United States provides to other Indians who are members of federally recognized tribes because of their status as Indians except when the members of the Band are on or near the reservation of the Kickapoo Tribe of Oklahoma; that members of the Band live under conditions that pose serious threats to their health; and that, because their culture is derived from three different cultures, they have unique needs including, especially, educational needs.

(b) Declarations

Congress therefore declares that the Band should be recognized by the United States; that the right of the members of the Band to pass and repass the borders of the United States should be clarified; that services which the United States provides to Indians because of their status as Indians should be provided to members of the Band in Maverick County, Texas; and, that land in the State of Texas should be taken in trust by the United States for the benefit of the Band.

(Pub. L. 97-429, §2, Jan. 8, 1983, 96 Stat. 2269.)

SHORT TITLE

Section 1 of Pub. L. 97-429 provided: "That this Act [enacting this subchapter] may be cited as the 'Texas Band of Kickapoo Act'."

§ 1300b-12. Definitions

For purposes of this subchapter—

(a) "Band" means the Texas Band of Kickapoo Indians, a subgroup of the Kickapoo Tribe of Oklahoma;

(b) "Tribe" means the Kickapoo Tribe of Oklahoma; and

(c) "Secretary" means the Secretary of the Interior.

(Pub. L. 97-429, §3, Jan. 8, 1983, 96 Stat. 2269.)

§ 1300b-13. Band roll

(a) Establishment; publication in Federal Register

Within one year of January 8, 1983, the Secretary shall, after consultation with the Tribe, compile a roll of those members of the Tribe who possess Kickapoo blood and who are also members of the Band. When said roll is complete, the Secretary shall immediately publish notice in the Federal Register stating that the roll has been completed. The Secretary shall ensure that the roll, once completed, is maintained and that it is current.

(b) Report to Congress

If the Secretary does not compile the roll within the period prescribed in subsection (a) of

¹ So in original. Probably should be capitalized.

this section, he shall submit a report to Congress setting forth the reasons he did not do so.

(c) Citizenship for applicants

For a period of five years after the publication of the Federal Register notice required under subsection (a) of this section, any member of the Band whose name appears on the roll compiled by the Secretary, may, at his option, apply for United States citizenship. Such application shall be made to the Immigration and Naturalization Service and, upon receipt of the application, citizenship shall promptly be granted to the applicant.

(d) Border crossing, living and working rights

Notwithstanding the Immigration and Nationality Act [8 U.S.C. 1101 et seq.], all members of the Band shall be entitled to freely pass and re-pass the borders of the United States and to live and work in the United States.

(Pub. L. 97-429, § 4, Jan. 8, 1983, 96 Stat. 2269.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (d), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

§ 1300b-14. Land acquisition

(a) Statutory provisions applicable

The Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 461 et seq.], is hereby made applicable to the Band: *Provided, however,* That the Secretary is only authorized to exercise his authority under section 5 of that Act [25 U.S.C. 465] with respect to lands located in Maverick County, Texas.

(b) Authority of Secretary

The Secretary is authorized and directed to accept no more than one hundred acres of land in Maverick County, Texas which shall be offered for the benefit of the Band with the approval of the Tribe. Nothing in this subsection shall be construed as limiting the authority of the Secretary under section 5 of the Act of June 18, 1934 (48 Stat. 985) [25 U.S.C. 465].

(Pub. L. 97-429, § 5, Jan. 8, 1983, 96 Stat. 2270.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 1300b-15. Jurisdiction

The State of Texas shall exercise jurisdiction over civil causes of action and criminal offenses arising on the Band's trust lands in accordance with section 1360 of title 28 and section 1162 of

title 18 as if it had assumed jurisdiction pursuant to sections 1321 and 1322 of this title. The provisions of section 1323 of this title, shall be applicable and available to the State of Texas.

(Pub. L. 97-429, § 6, Jan. 8, 1983, 96 Stat. 2270.)

§ 1300b-16. Provision of Federal Indian services

(a) Eligibility for Federal Indian services

Notwithstanding any other provision of law authorizing the provision of special programs and services by the United States to Indians because of their status as Indians, the Band and its members in Maverick County, Texas shall be eligible for such programs and services without regard to the existence of a reservation, the residence of members of the Band on or near a reservation, or the compilation of the roll pursuant to section 1300b-13(a) of this title.

(b) Cooperation with Mexican Government and joint funding agreements for meeting special agricultural needs of the Band

In providing services pursuant to subsection (a) of this section, the Secretary and the head of each department and agency shall consult and cooperate with appropriate officials or agencies of the Mexican Government to the greatest extent possible to ensure that such services meet the special tricultural needs of the Band and its members. Such consultation and cooperation may include, whenever practicable, joint funding agreements between such agency or department of the United States and the appropriate agencies and officials of the Mexican Government.

(Pub. L. 97-429, § 7, Jan. 8, 1983, 96 Stat. 2270.)

SUBCHAPTER LXXIV—YANKTON SIOUX TRIBE: DISTRIBUTION OF JUDGMENT FUND

§ 1300c. Distribution of funds; attorney fees and expenses

The funds appropriated by the Act of July 22, 1969 (83 Stat. 49), to pay a judgment to the Yankton Sioux Tribe in Indian Claims Commission docket numbered 332-A, together with the interest thereon, after payment of attorney fees and litigation expenses, and such other expenses as may be necessary in effecting the provisions of this subchapter, shall be distributed as provided herein.

(Pub. L. 92-468, § 1, Oct. 6, 1972, 86 Stat. 782.)

REFERENCES IN TEXT

Act of July 22, 1969, referred to in text, is act July 22, 1969, Pub. L. 91-47, 83 Stat. 49, known as the Second Supplemental Appropriation Act, 1969. That portion of the act which appropriated the funds referred to was not classified to the Code.

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

Herein, referred to in text, means in Pub. L. 92-468, Oct. 6, 1972, 86 Stat. 782, which comprises this subchapter. For complete classification of this Act to the Code, see Tables.

§ 1300c-1. Funds for expert witnesses and programming needs

The Secretary of the Interior shall withhold from distribution a sum not to exceed \$150,000,