

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,

pending a decision by the Yankton Sioux Tribal Business and Claims Committee regarding the needs of the tribe for expert witnesses in the Yankton Sioux claims in Indian Claims Commission dockets numbered 332-B, 332-C, and 74. The sum withheld may be used for such purpose or for other programming needs, subject to the approval of the Secretary.

(Pub. L. 92-468, §2, Oct. 6, 1972, 86 Stat. 782.)

#### REFERENCES IN TEXT

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.

### § 1300c-2. Membership roll; preparation; tribal constitutional requirements

The Secretary of the Interior, in cooperation with the Tribal Council, shall prepare a roll of all persons born on or prior to and living on October 6, 1972, who meet the requirements for membership of the Yankton Sioux tribal constitution approved on October 5, 1932, as amended.

(Pub. L. 92-468, §3, Oct. 6, 1972, 86 Stat. 782.)

### § 1300c-3. Per capita distributions to tribal members; advances, expenditures, investments, or reinvestments for authorized purposes; trusts and other procedures for protection of minors and persons under legal disability

The judgment fund, less funds otherwise provided in section 1300c-1 of this title, shall be used as follows: 75 per centum thereof shall be distributed in equal per capita shares to each person who is enrolled or entitled to be enrolled on October 6, 1972; the remainder may be advanced, expended, invested, or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior. Sums payable to adult living enrollees or to adult heirs or legatees of deceased enrollees shall be paid directly to such persons. Sums payable to enrollees or their heirs or legatees who are less than eighteen years of age or who are under 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. 92-468, §4, Oct. 6, 1972, 86 Stat. 782.)

### § 1300c-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. 92-468, §5, Oct. 6, 1972, 86 Stat. 782.)

### § 1300c-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. 92-468, §6, Oct. 6, 1972, 86 Stat. 782.)

## SUBCHAPTER LXXV—MISSISSIPPI SIOUX TRIBES: DISTRIBUTION OF JUDGMENT FUND

### PART A—1972 DISTRIBUTION AUTHORITY

#### § 1300d. Distribution of funds; attorney fees and expenses

The funds appropriated by the Act of June 19, 1968 (82 Stat. 239), to pay compromise judgments to the Mdewakanton and Wahpakoota Tribe of Sioux Indians, and the Sisseton and Wahpeton Tribes of Sioux Indians, in Indian Claims Commission dockets numbered 142, 359, 360, 361, 362, and 363, together with interest thereon, after payment of attorney fees and litigation expenses and the costs of carrying out the provisions of this part, shall be distributed as provided in this part.

(Pub. L. 92-555, §1, Oct. 25, 1972, 86 Stat. 1168.)

#### REFERENCES IN TEXT

Act of June 19, 1968, referred to in text, is act June 19, 1968, Pub. L. 90-352, 82 Stat. 239. 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.

#### SHORT TITLE

Pub. L. 105-387, §1, Nov. 13, 1998, 112 Stat. 3471, provided that: "This Act [enacting part B of this subchapter and amending sections 1300d-3 and 1300d-4 of this title] may be cited as the 'Mississippi Sioux Tribes Judgment Fund Distribution Act of 1998'."

#### § 1300d-1. Lower Council Sioux

##### (a) Membership rolls; applications

The Flandreau Santee Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska shall bring current their membership rolls as of October 25, 1972. The Lower Sioux Indian Community at Morton, Minnesota, the Prairie Island Indian Community at Welch, Minnesota, and the Shakopee Mdewakanton Sioux Community of Minnesota shall prepare rolls of their members who are lineal descendants of the Mdewakanton and Wahpakoota Tribes, and who were born on or prior to and are living on October 25, 1972, using available records and rolls at the local agency and area offices, and any other available records and rolls. Applications for enrollment must be filed with each group named in this section and such rolls shall be subject to approval of the Secretary of the Interior. The Secretary's determination on all applications shall be final.

##### (b) Roll of lineal descendants; applications

The Secretary of the Interior shall prepare a roll of the lineal descendants of the Mdewakanton and Wahpakoota Tribe who were born on or prior to and are living on October 25, 1972, whose names or the names of a lineal ancestor appears on any available records and rolls acceptable to the Secretary, and who are not members of any of the organized groups listed in subsection (a) of this section. Applications for enrollment must be filed with the Area Director, Bureau of Indian Affairs, Aberdeen, South Dakota. The Secretary's determination on all applications for enrollment shall be final.