

Supplemental Appropriation Act, 1969. Chapter XIII of the act, set out at 83 Stat. 62, appropriated the funds referred to and 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.

**§ 1300a. Percentage of funds for Payson Indian Band**

The Secretary of the Interior shall set aside for the benefit of the Payson Indian Band, at Payson, Arizona, 3.5 per centum of the net judgment funds described in section 1300 of this title, which shall be disposed of pursuant to section 1300a-2 of this title.

(Pub. L. 92-461, § 2, Oct. 6, 1972, 86 Stat. 769.)

**§ 1300a-1. Membership roll; preparation; eligibility for enrollment; verification; approval**

For the purposes of apportioning the funds, the Yavapai Apache Indian Community of the Camp Verde Reservation, the Fort McDowell Mohave-Apache Community, and the Yavapai-Prescott Community shall prepare rolls of all persons who were born on or prior to and living on October 6, 1972, and who are enrolled or entitled to be enrolled in accordance with the respective tribal constitutions or articles of association, as the case may be, in effect on April 1, 1972. The Secretary of the Interior shall verify and approve the rolls.

(Pub. L. 92-461, § 3, Oct. 6, 1972, 86 Stat. 769.)

**§ 1300a-2. Apportionment of funds; advances, expenditures, investments, or reinvestments; utilization of funds for Payson Band**

Upon completion and approval of the rolls as provided in section 1300a-1 of this title, the balance of the funds not set aside pursuant to section 1300a of this title shall be apportioned among the cited groups in section 1300a-1 of this title on the basis of the number of enrollees in each group. The funds so apportioned shall be redeposited in the Treasury of the United States to the credit of the respective groups and may be advanced, expended, invested, or reinvested in any manner authorized by the governing bodies and approved by the Secretary. All funds so accruing to the Payson Band pursuant to section 1300a of this title shall be utilized pursuant to a plan agreed upon between the governing body elected by the Payson Indian community or by the members thereof at a meeting called in accordance with the rules prescribed by the Secretary of the Interior.

(Pub. L. 92-461, § 4, Oct. 6, 1972, 86 Stat. 769.)

**§ 1300a-3. Tax exemption; trusts and other procedures for protection of minors and persons under legal disability**

None of the funds distributed per capita under the provisions of this subchapter shall be subject to Federal or State income taxes. Sums payable to enrollees or heirs or legatees who are less than eighteen 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 determines appropriate to protect the best interests of such persons.

(Pub. L. 92-461, § 5, Oct. 6, 1972, 86 Stat. 769.)

**§ 1300a-4. Rules and regulations**

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

(Pub. L. 92-461, § 6, Oct. 6, 1972, 86 Stat. 769.)

**SUBCHAPTER LXXIII—KICKAPOO INDIANS OF KANSAS AND OKLAHOMA: DISTRIBUTION OF JUDGMENT FUND**

**§ 1300b. Disposition of judgment funds; division of funds on basis of tribal membership rolls; net tribal credits**

The funds on deposit in the Treasury of the United States to the credit of the Kickapoo Indians of Kansas and Oklahoma to pay judgments by the Indian Claims Commission in dockets 316, 316-A, 317, 145, and 193, together with interest thereon, after payment of attorney fees and litigation expenses, shall be divided on the basis of membership of the respective tribes current as of October 6, 1972. For the purpose of adjusting the offsets allowed in docket 316, the Secretary of the Interior shall use the gross award (land value) as a basis for his computation, deduct therefrom the consideration paid, the offsets expended for the Kickapoo Tribe prior to its separation into two tribal entities, attorney fees and litigation expenses, and, after making the division of the balance as provided herein, shall deduct \$44,759.45 from the proportionate share of the Kickapoo Tribe of Kansas and \$118,661.24 from the proportionate share of the Kickapoo Tribe of Oklahoma. The balances remaining shall be the net amount to be placed to the credit of the respective tribes.

(Pub. L. 92-467, § 1, Oct. 6, 1972, 86 Stat. 781.)

**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.

**§ 1300b-1. Distribution of shares**

**(a) Per capita shares to tribal members**

The funds divided and credited under section 1300b of this title, and the funds appropriated to pay a judgment recovered by the Kickapoo Indians of Oklahoma in docket numbered 318, including the interest thereon, after the payment of attorney fees and other litigation expenses, shall be used as follows: 75 per centum shall be distributed in equal per capita shares to each person whose name appears on or is entitled to appear on the membership roll of the Kickapoo Tribe of Oklahoma and 90 per centum shall be distributed in equal per capita shares to each person whose name appears on or is entitled to appear on the membership roll of the Kickapoo Tribe of Kansas if such person was born on or prior to and is living on October 6, 1972.

**(b) Use of balance for advances, etc.**

The balance of each tribe's share of the funds may be advanced, expended, invested, or reinvested for any purposes that are authorized by the tribal governing bodies and approved by the Secretary of the Interior.

(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 band<sup>1</sup> 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

Pub. L. 97-429, §1, Jan. 8, 1983, 96 Stat. 2269, 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

<sup>1</sup> So in original. Probably should be capitalized.