

§ 1300d-24. Use of distributed funds**(a) Prohibition**

No funds allocated for a covered Indian tribe under section 1300d-23 of this title may be used to make per capita payments to members of the covered Indian tribe.

(b) Purposes

The funds allocated under section 1300d-23 of this title may be used, administered, and managed by a tribal governing body referred to in section 1300d-23(a)(2) of this title only for the purpose of making investments or expenditures that the tribal governing body determines to be reasonably related to—

(1) economic development that is beneficial to the covered Indian tribe;

(2) the development of resources of the covered Indian tribe;

(3) the development of programs that are beneficial to members of the covered Indian tribe, including educational and social welfare programs;

(4) the payment of any existing obligation or debt (existing as of the date of the distribution of the funds) arising out of any activity referred to in paragraph (1), (2), or (3);

(5)(A) the payment of attorneys' fees or expenses of any covered Indian tribe referred to in subparagraph (A) or (C) of section 1300d-23(a)(2) of this title for litigation or other representation for matters arising out of the enactment of part A of this subchapter; except that

(B) the amount of attorneys' fees paid by a covered Indian tribe under this paragraph with funds distributed under section 1300d-23 of this title shall not exceed 10 percent of the amount distributed to that Indian tribe under that section;

(6) the payment of attorneys' fees or expenses of the covered Indian tribe referred to in section 1300d-23(a)(2)(B) of this title for litigation and other representation for matters arising out of the enactment of part A of this subchapter, in accordance, as applicable, with the contracts numbered A00C14203382 and A00C14202991, that the Secretary approved on February 10, 1978 and August 16, 1988, respectively; or

(7) the payment of attorneys' fees or expenses of any covered Indian tribe referred to in section 1300d-23(a)(2) of this title for litigation or other representation with respect to matters arising out of this part.

(c) Management

Subject to subsections (a), (b), and (d) of this section, any funds distributed to a covered Indian tribe pursuant to sections 1300d-23 and 1300d-26 of this title may be managed and invested by that Indian tribe pursuant to the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(d) Withdrawal of funds by covered tribes**(1) In general**

Subject to paragraph (2), each covered Indian tribe may, at the discretion of that Indian tribe, withdraw all or any portion of the funds distributed to the Indian tribe under sec-

tions 1300d-23 and 1300d-26 of this title in accordance with the American Indian Trust Fund Management Reform Act¹ (25 U.S.C. 4001 et seq.).

(2) Exemption

For purposes of paragraph (1), the requirements under subsections (a) and (b) of section 202 of the American Indian Trust Fund Management Reform Act¹ (25 U.S.C. 4022(a) and (b)) and section 203 of such Act (25 U.S.C. 4023) shall not apply to a covered Indian tribe or the Secretary.

(3) Rule of construction

Nothing in paragraph (2) may be construed to limit the applicability of section 202(c) of the American Indian Trust Fund Management Reform Act¹ (25 U.S.C. 4022(c)).

(Pub. L. 105-387, § 5, Nov. 13, 1998, 112 Stat. 3472.)

REFERENCES IN TEXT

The American Indian Trust Fund Management Reform Act of 1994, referred to in subsecs. (c) and (d)(1), is Pub. L. 103-412, Oct. 25, 1994, 108 Stat. 4239, as amended, which is classified principally to chapter 42 (§ 4001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

§ 1300d-25. Effect of payments to covered Indian tribes on benefits

A payment made to a covered Indian tribe or an individual under this part shall not—

(1) for purposes of determining the eligibility for a Federal service or program of a covered Indian tribe, household, or individual, be treated as income or resources; or

(2) otherwise result in the reduction or denial of any service or program to which, pursuant to Federal law (including the Social Security Act (42 U.S.C. 301 et seq.)), the covered Indian tribe, household, or individual would otherwise be entitled.

(Pub. L. 105-387, § 6, Nov. 13, 1998, 112 Stat. 3473.)

REFERENCES IN TEXT

The Social Security Act, referred to in par. (2), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified principally to chapter 7 (§ 301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 1300d-26. Distribution of funds to lineal descendants**(a) In general**

Subject to section 1300d-27(e) of this title, the Secretary shall, in the manner prescribed in section 1300d-4(c) of this title, distribute to the lineal descendants of the Sisseton and Wahpeton Tribes of Sioux Indians an amount equal to 71.6005 percent of the funds described in section 1300d-22 of this title, subject to any reduction determined under subsection (b) of this section.

(b) Adjustments**(1) In general**

Subject to section 1300d-27(e) of this title, if the number of individuals on the final roll of

¹ So in original. Probably should be followed by "of 1994".