

this Act [Dec. 2, 1991], shall be considered an employee as defined in section 2105 of title 5, United States Code.”

CONTINUATION OF RELOCATION COMMISSION AND RETENTION OF EXISTING COMMISSIONERS PENDING CONFIRMATION OF COMMISSIONER; TRANSFER OF EXISTING PERSONNEL; CHANGE OF NAME

Pub. L. 100-666, §4(c), Nov. 16, 1988, 102 Stat. 3930, provided that:

“(1) Notwithstanding any other provisions of law or any amendment made by this Act [see Short Title of 1988 Amendment note under section 640d of this title]—

“(A) the Navajo and Hopi Indian Relocation Commission shall—

“(i) continue to exist until the date on which the first Commissioner is confirmed by the Senate,

“(ii) have the same structure, powers and responsibilities such Commission had before the enactment of this Act [Nov. 16, 1988], and

“(iii) assume responsibility for the powers and duties transferred to such Commissioner under section 12(c)(2) of Public Law 93-531 [25 U.S.C. 640d-11(c)(2)], as amended by this Act, until the Commissioner is confirmed,

“(B) the existing Commissioners shall serve until the new Commissioner is confirmed by the Senate, and

“(C) the existing personnel of the Commission shall be transferred to the new Office of Navajo and Hopi Indian Relocation.

“(2) The Navajo and Hopi Relocation Commission shall become known as the Office of Navajo and Hopi Indian Relocation on the date on which the first Commissioner is confirmed by the Senate.”

§ 640d-12. Report concerning relocation of households and members of each tribe

(a) By no later than the date that is 6 months after the date on which the first Commissioner is confirmed by the Senate, the Commissioner shall prepare and submit to the Congress a report concerning the relocation of households and members thereof of each tribe and their personal property, including livestock, from lands partitioned to the other tribe pursuant to this subchapter.

(b) The report required under subsection (a) of this section shall contain, among other matters, the following:

(1) the names of all members of the Navajo Tribe who reside within the areas partitioned to the Hopi Tribe and the names of all members of the Hopi Tribe who reside within the areas partitioned to the Navajo Tribe;

(2) the names of all other members of the Navajo Tribe, and other members of the Hopi Tribe, who are eligible for benefits provided under this subchapter and who have not received all the benefits for which such members are eligible under this subchapter; and

(3) the fair market value of the habitations and improvements owned by the heads of households identified by the Commissioner is¹ being among the persons named in clause (1) of this subsection.

(Pub. L. 93-531, §13, Dec. 22, 1974, 88 Stat. 1717; Pub. L. 96-305, §6, July 8, 1980, 94 Stat. 932; Pub. L. 100-666, §4(d), Nov. 16, 1988, 102 Stat. 3931; Pub. L. 101-121, title I, §120, Oct. 23, 1989, 103 Stat. 722.)

¹ So in original. Probably should be “as”.

AMENDMENTS

1989—Subsec. (b)(4). Pub. L. 101-121 struck out cl. (4) which required a report on how funds in the Navajo Rehabilitation Trust Funds would be expended to carry out the purposes described in section 640d-30(d) of this title.

1988—Pub. L. 100-666 amended section generally, substituting subssecs. (a) and (b) for former subssecs. (a) to (c).

1980—Subsec. (c)(5). Pub. L. 96-305 substituted “ninety” for “thirty”.

§ 640d-13. Relocation of households and members

(a) Authorization; time of completion; prohibition of further settlement of nonmembers without written approval; limit on grazing of livestock

Consistent with section 640d-7 of this title and the order of the District Court issued pursuant to section 640d-2 or 640d-3 of this title, the Commissioner is authorized and directed to relocate pursuant to section 640d-7 of this title and such order all households and members thereof and their personal property, including livestock, from any lands partitioned to the tribe of which they are not members. The relocation shall take place in accordance with the relocation plan and shall be completed by the end of five years from the date on which the relocation plan takes effect. No further settlement of Navajo individuals on the lands partitioned to the Hopi Tribe pursuant to this subchapter or on the Hopi Reservation shall be permitted unless advance written approval of the Hopi Tribe is obtained. No further settlement of Hopi individuals on the lands partitioned to the Navajo Tribe pursuant to this subchapter or on the Navajo Reservation shall be permitted unless advance written approval of the Navajo Tribe is obtained. No individual shall hereafter be allowed to increase the number of livestock he grazes on any area partitioned pursuant to this subchapter to the tribe of which he is not a member, nor shall he retain any grazing rights in any such area subsequent to his relocation therefrom.

(b) Additional payments to heads of household; time

In addition to the payments made pursuant to section 640d-14 of this title, the Commissioner shall make payments to heads of households identified in the report prepared pursuant to section 640d-12 of this title upon the date of relocation of such households, as determined by the Commissioner, in accordance with the following schedule:

(1) the sum of \$5,000 to each head of a household who, prior to the expiration of one year after the effective date of the relocation plan, contracts with the Commissioner to relocate;

(2) the sum of \$4,000 to each head of a household who is not eligible for the payment provided for in clause (1) of this subsection but who, prior to the expiration of two years after the effective date of the relocation plan, contracts with the Commissioner to relocate;

(3) the sum of \$3,000 to each head of a household who is not eligible for the payments provided for in clause (1) or (2) of this subsection but who, prior to the expiration of three years after the effective date of the relocation plan,