

chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1300d of this title and Tables.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-387, §7(d)(1)(B), in table struck out at end item which had apportioned 25.0225 percent of funds to all other Sisseton and Wahpeton Sioux.

Pub. L. 105-387, §7(d)(1)(A)(ii), which directed amendment of introductory provisions by inserting “plus interest received (other than funds otherwise distributed to the Sisseton and Wahpeton Tribes of Sioux Indians in accordance with the Mississippi Sioux Tribes Judgment Fund Distribution Act of 1998),” after “docket numbered 359,” was executed by making the insertion after “docket numbered 359”, to reflect the probable intent of Congress and the amendment by Pub. L. 105-387, §7(d)(1)(A)(i). See below.

Pub. L. 105-387, §7(d)(1)(A)(i), struck out “, plus accrued interest,” after “docket numbered 359” in introductory provisions.

§ 1300d-5. Citizenship requirement

No person shall be eligible to be enrolled under this part who is not a citizen of the United States.

(Pub. L. 92-555, title III, §301, Oct. 25, 1972, 86 Stat. 1170.)

§ 1300d-6. Election of group for enrollment

Any person qualifying for enrollment with more than one group shall elect the group with which he shall be enrolled for the purpose of this part.

(Pub. L. 92-555, title III, §302, Oct. 25, 1972, 86 Stat. 1170.)

§ 1300d-7. Protection of minors and persons under legal disability

The sums payable to enrollees or their heirs or legatees who are minors 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 interest of such persons after considering the recommendations of the governing bodies of the groups involved.

(Pub. L. 92-555, title III, §303, Oct. 25, 1972, 86 Stat. 1170.)

§ 1300d-8. Income tax exemption

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

(Pub. L. 92-555, title III, §304, Oct. 25, 1972, 86 Stat. 1170.)

§ 1300d-9. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this part, including the establishment of deadlines.

(Pub. L. 92-555, title III, §305, Oct. 25, 1972, 86 Stat. 1170.)

§ 1300d-10. Authority to settle action

Notwithstanding any provision of this part or any other provision of law, the Attorney Gen-

eral is authorized to negotiate and settle any action that may be or has been brought to contest the constitutionality or validity under law of the distribution to all other Sisseton and Wahpeton Sioux provided for in section 1300d-4 of this title.

(Pub. L. 92-555, title III, §306, as added Pub. L. 102-497, §17, Oct. 24, 1992, 106 Stat. 3261.)

PART B—1998 DISTRIBUTION AUTHORITY

§ 1300d-21. Definitions

In this part:

(1) Covered Indian tribe

The term “covered Indian tribe” means an Indian tribe listed in section 1300d-23(a) of this title.

(2) Fund Account

The term “Fund Account” means the consolidated account for tribal trust funds in the Treasury of the United States that is managed by the Secretary—

(A) through the Office of Trust Fund Management of the Department of the Interior; and

(B) in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(3) Secretary

The term “Secretary” means the Secretary of the Interior.

(4) Tribal governing body

The term “tribal governing body” means the duly elected governing body of a covered Indian tribe.

(Pub. L. 105-387, §2, Nov. 13, 1998, 112 Stat. 3471.)

REFERENCES IN TEXT

This part, referred to in text, was in the original “this Act”, meaning Pub. L. 105-387, Nov. 13, 1998, 112 Stat. 3471, which is classified principally to this part. For complete classification of this Act to the Code, see Short Title note set out under section 1300d of this title and Tables.

The American Indian Trust Fund Management Reform Act of 1994, referred to in par. (2)(B), 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-22. Distribution to, and use of certain funds by, the Sisseton and Wahpeton Tribes of Sioux Indians

Notwithstanding any other provision of law, including part A of this subchapter, any funds made available by appropriations under chapter II of Public Law 90-352 (82 Stat. 239) to the Sisseton and Wahpeton Tribes of Sioux Indians to pay a judgment in favor of those Indian tribes in Indian Claims Commission dockets numbered 142 and 359, including interest, that, as of November 13, 1998, have not been distributed, shall be distributed and used in accordance with this part.

(Pub. L. 105-387, §3, Nov. 13, 1998, 112 Stat. 3471.)

REFERENCES IN TEXT

Chapter II of Public Law 90-352, referred to in text, is chapter II of Pub. L. 90-352, June 19, 1968, 82 Stat. 239,