

SUBCHAPTER LXXVI—ASSINIBOINE TRIBES
OF MONTANA: DISTRIBUTION OF JUDG-
MENT FUND

**§ 1300e. Disposition of funds; percentage basis
for division; attorney fees and expenses**

The funds appropriated by the Act of January 8, 1971 (84 Stat. 1981), to pay a judgment to the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Montana, in Indian Claims Commission docket numbered 279-A, together with interest thereon, after payment of attorney fees and litigation expenses, shall be divided by the Secretary of the Interior on the basis of 50 per centum to the Assiniboine Tribe of the Fort Peck Reservation and 50 per centum to the Assiniboine Tribe of the Fort Belknap Reservation.

(Pub. L. 92-557, § 1, Oct. 25, 1972, 86 Stat. 1171.)

REFERENCES IN TEXT

Act of January 8, 1971, referred to in text, is act Jan. 8, 1971, Pub. L. 91-665, 84 Stat. 1981, known as the Supplemental Appropriations Act, 1971. 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.

**§ 1300e-1. Per capita shares to members of As-
siniboine Tribe of Fort Peck Reservation; de-
ductions; eligibility for payments**

The share of the Assiniboine Tribe of the Fort Peck Reservation, after deducting \$50,000 to be used as provided in section 1300e-2 of this title, and after deducting the estimated costs of distribution and all other appropriate expenses, shall be distributed per capita to each person born on or before, and living on, October 25, 1972, who is a citizen of the United States, is duly enrolled on the approved roll of the Assiniboine and Sioux Tribes of the Fort Peck Reservation, and is of Assiniboine lineal descent: *Provided*, That persons in the following categories shall not be eligible to receive a per capita payment: (a) persons who possess a greater degree of Fort Peck Sioux blood than Fort Peck Assiniboine blood, (b) persons who possess equal degrees of Fort Peck Assiniboine and Fort Peck Sioux blood and who elect to be enrolled as Sioux, and (c) persons who participated, or were eligible to participate, in the distribution of funds under the provisions of the Act of June 19, 1970 (84 Stat. 313) [25 U.S.C. 1201 et seq.], for the disposition of the judgment of the Sioux Tribe of the Fort Peck Reservation in docket numbered 279-A.

(Pub. L. 92-557, § 2, Oct. 25, 1972, 86 Stat. 1171.)

REFERENCES IN TEXT

Act June 19, 1970, referred to in text, is act June 19, 1970, Pub. L. 91-283, 84 Stat. 313, which is classified generally to subchapter LXII (§1201 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

**§ 1300e-2. Expenditure of withheld funds for cer-
tain salaries and expenses; additional per
capita distributions**

Upon agreement by the Fort Peck Assiniboine Tribe and the Fort Peck Sioux Tribe on the

amount each agrees to contribute from the award to each tribe in Indian Claims Commission docket numbered 279-A, the agreed contribution of the Fort Peck Assiniboine Tribe shall be withdrawn from the \$50,000, and interest thereon, withheld from per capita distribution pursuant to section 1300e-1 of this title, and shall be credited to the joint account for expenditure pursuant to the Act of June 29, 1954 (68 Stat. 329): *Provided*, That upon request of the Fort Peck Assiniboine Tribe the Secretary of the Interior in his discretion may distribute all or part of the aforesaid \$50,000 and interest thereon per capita to each person eligible under section 1300e-1 of this title.

(Pub. L. 92-557, § 3, Oct. 25, 1972, 86 Stat. 1171.)

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.

Act of June 29, 1954, referred to in text, is act June 29, 1954, ch. 421, 68 Stat. 329, which was not classified to the Code.

**§ 1300e-3. Per capita shares to members of As-
siniboine Tribe of Fort Belknap Reservation;
deductions; eligibility for payments**

The share of the Assiniboine Tribe of the Fort Belknap Reservation, after deducting \$100,000 to be used as provided in section 1300e-4 of this title, and after deducting the estimated costs of distribution and all other appropriate expenses, shall be distributed per capita to each person born on or before, and living on, October 25, 1972, who is a citizen of the United States, is duly enrolled on the approved roll of the organized Fort Belknap Community, and is of Assiniboine lineal descent: *Provided*, That persons in the following categories shall not be eligible to receive a per capita payment: (a) persons who possess a greater degree of Gros Ventre blood than Assiniboine blood, (b) persons who possess equal degrees of Fort Belknap Assiniboine and Fort Peck Gros Ventre blood and who elect to be enrolled as Gros Ventre, and (c) persons who participated, or were eligible to participate, in the distribution of funds under the Act of March 18, 1972 (Public Law 92-254) [25 U.S.C. 1261 et seq.], for the disposition of the judgment of the Black-foot Tribe and the Gros Ventre Tribe in Indian Claims Commission docket numbered 279-A.

(Pub. L. 92-557, § 4, Oct. 25, 1972, 86 Stat. 1171.)

REFERENCES IN TEXT

Act of March 18, 1972, referred to in text, is act Mar. 18, 1972, Pub. L. 92-254, 86 Stat. 64, which is classified generally to subchapter LXVIII (§1261 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

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.

**§ 1300e-4. Expenditure of withheld funds for au-
thorized purposes; community projects; addi-
tional per capita distributions**

The \$100,000 withheld from distribution under section 1300e-3 of this title, and interest thereon, may be used for any purpose authorized by the Assiniboine Treaty Committee of the Fort

Belknap Assiniboine Tribe and approved by the Secretary of the Interior, including contributions to Reservation community projects and further per capita distribution.

(Pub. L. 92-557, § 5, Oct. 25, 1972, 86 Stat. 1172.)

§ 1300e-5. Per capita shares; reversion to tribe

The per capita shares shall be determined on the basis of the number of persons eligible for per capitas and the number of persons rejected for per capitas who have taken a timely appeal. The shares of those persons whose appeals are denied shall revert to the tribe from whose share the per capita would have been paid, to be expended for any purpose designated by such tribe and approved by the Secretary.

(Pub. L. 92-557, § 6, Oct. 25, 1972, 86 Stat. 1172.)

§ 1300e-6. Income tax exemption; 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 persons under eighteen years of age or under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines will protect the best interests of such persons.

(Pub. L. 92-557, § 7, Oct. 25, 1972, 86 Stat. 1172.)

§ 1300e-7. Rules and regulations

The Secretary is authorized to prescribe rules and regulations to effect the provisions of this subchapter, including the establishment of deadlines.

(Pub. L. 92-557, § 8, Oct. 25, 1972, 86 Stat. 1172.)

SUBCHAPTER LXXVII—PASCUA YAQUI TRIBE

§ 1300f. Status of Pascua Yaqui Indian people

(a) Eligibility for services and assistance

The Pascua Yaqui Indian people who are members of the Pascua Yaqui Association, Incorporated, an Arizona corporation, or who hereafter become members of the Pascua Yaqui Tribe in accordance with section 1300f-2 of this title, are recognized as, and declared to be, eligible, on and after September 18, 1978, for the services and assistance provided to Indians because of their status as Indians by or through any department, agency, or instrumentality of the United States, or under any statute of the United States. The Pascua Yaqui Tribe, a historic Indian tribe, is acknowledged as a federally recognized Indian tribe possessing all the attributes of inherent sovereignty which have not been specifically taken away by Acts of Congress and which are not inconsistent with such tribal status. For the purposes of section 2005a of title 42, the Pascua Yaqui Indians are to be considered as if they were being provided hospital and medical care by or at the expense of the Public Health Service on August 16, 1957.

(b) Administration of lands; application of other laws

The provisions of the Act of June 18, 1934 (48 Stat. 484¹), as amended [25 U.S.C. 461 et seq.], are extended to such members described in subsection (a) of this section.

(c) Receipt in trust by United States of land for Pascua Yaqui Tribe; criminal and civil jurisdiction

The Secretary of the Interior is directed, upon request of the Pascua Yaqui Association, Incorporated, and without monetary consideration, to accept on behalf of the United States and in trust for the Pascua Yaqui Tribe, the title to the real property conveyed by the United States to such association under the Act of October 8, 1964 (78 Stat. 1197), and such lands shall be held as Indian lands are held: *Provided*, That the State of Arizona shall exercise criminal and civil jurisdiction over such lands as if it had assumed jurisdiction pursuant to the Act of August 15, 1953 (67 Stat. 588), as amended by the Act of April 11, 1968 (82 Stat. 79).

(Pub. L. 95-375, § 1, Sept. 18, 1978, 92 Stat. 712; Pub. L. 103-357, § 1(a), Oct. 14, 1994, 108 Stat. 3418.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in subsec. (b), 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.

Act of October 8, 1964, referred to in subsec. (c), is act Oct. 8, 1964, Private Law 88-350, 78 Stat. 1196, which conveyed all right, title and interest of the United States in certain lands to the Pascua Yaqui Association, Inc., and was not classified to the Code.

Act of August 15, 1953, as amended by the Act of April 11, 1968, referred to in subsec. (c), is act Aug. 15, 1953, ch. 505, 67 Stat. 588, as amended, which enacted section 1162 of Title 18, Crimes and Criminal Procedure, section 1360 of Title 28, Judiciary and Judicial Procedure, and provisions set out as notes under section 1360 of Title 28. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of section 1 of Pub. L. 95-375. Subsec. (d) of section 1 of Pub. L. 95-375, which repealed section 4 of Private Law 88-350, Oct. 8, 1964, 78 Stat. 1197, is not classified to the Code.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-357 inserted after first sentence “The Pascua Yaqui Tribe, a historic Indian tribe, is acknowledged as a federally recognized Indian tribe possessing all the attributes of inherent sovereignty which have not been specifically taken away by Acts of Congress and which are not inconsistent with such tribal status.”

§ 1300f-1. Tribal constitution and bylaws; review by Secretary; publication of documents and membership roll in Federal Register

Within thirty months after September 18, 1978, the Pascua Yaqui Tribe shall adopt a constitution and bylaws or other governing documents and a membership roll. The Secretary of the In-

¹ So in original. Probably should be “984”.