

§ 2221. Annual notice and filing; current whereabouts of interest owners

On at least an annual basis, the Secretary shall include along with other regular reports to owners of trust or restricted interests in land and individual Indian money account owners a change of name and address form by means of which the owner may confirm or update the owner's name and address. The change of name and address form shall include a section in which the owner may confirm and update the owner's name and address.

(Pub. L. 97-459, title II, § 222, as added Pub. L. 108-374, § 7, Oct. 27, 2004, 118 Stat. 1809.)

CHAPTER 25—OLD AGE ASSISTANCE CLAIMS SETTLEMENT

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§ 2301. Definitions

For purposes of this chapter, the term—

(1) "Secretary" means the Secretary of the Interior;

(2) "unauthorized disbursement" means a disbursement made from the trust estate of a deceased Indian which was made by the Secretary to a State or a political subdivision of a State for the purpose of reimbursing the State or political subdivision for any old age assistance made to the deceased Indian before death in violation of Federal laws governing Indian trust property; *Provided*, That, except for purposes of section 2303 of this title, the term also includes the reimbursements for welfare payments identified in either the list published on April 17, 1985, at page 15290 of volume 50 of the Federal Register, as modified or amended on November 13, 1985, at page 46835 of volume 50 of the Federal Register, or the list published on March 31, 1983, at page 13698 of volume 48 of the Federal Register, as modified or amended on November 7, 1983, at page 51204 of volume 48 of the Federal Register; and

(3) "trust estate" means that portion of the estate that consists of real or personal property, title to which is held by the United States for the benefit of the Indian or which may not be alienated without the consent of the Secretary.

(Pub. L. 98-500, § 2, Oct. 19, 1984, 98 Stat. 2317; Pub. L. 100-153, § 5, Nov. 5, 1987, 101 Stat. 886.)

Editorial Notes

AMENDMENTS

1987—Par. (2). Pub. L. 100-153 inserted proviso that "unauthorized disbursement" includes specifically identified reimbursements for welfare payments.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 98-500, § 1, Oct. 19, 1984, 98 Stat. 2317, provided: "That this Act [enacting this chapter] may be cited as the 'Old Age Assistance Claims Settlement Act'."

§ 2302. Payment of claims

(a) Authority of Secretary

The Secretary is authorized and directed to determine the portion of any unauthorized disbursement to which any individual under this chapter is entitled, and to pay to such individual the amount which the Secretary determines such individual to be entitled. Any payment under this provision shall include interest at a rate of 5 per centum per annum, simple interest, from the date on which such disbursement was made from the trust estate of the deceased Indian.

(b) Minimum amount for payment

No payment shall be made to a person under subsection (a) with respect to any unauthorized disbursement from the trust estate of a deceased Indian if—

(1) the total amount of unauthorized disbursements from such trust estate was less than \$50; or

(2) the payment (not including interest) would be less than \$10.

(Pub. L. 98-500, § 3, Oct. 19, 1984, 98 Stat. 2317; Pub. L. 100-581, title II, § 201, Nov. 1, 1988, 102 Stat. 2939.)

Editorial Notes

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-581 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "No payment shall be made under subsection (a) with respect to any unauthorized disbursement from the trust estate of a deceased Indian if the total amount of unauthorized disbursement from such trust estate was less than \$50."

§ 2303. Notice

(a) Publication; list of trust estates; unauthorized disbursements; Federal Register

Within one hundred and eighty days after October 19, 1984, the Secretary shall publish in the Federal Register a list of all trust estates from which unauthorized disbursements are known to have been made, including the amount of the unauthorized disbursement made from each such trust estate.

(b) Secretary to provide information to affected tribes, bands, or groups

Within thirty days after the publication of this list, the Secretary shall provide a copy of this chapter and a copy of the Federal Register containing this list, or such parts as may be pertinent, to each Indian tribe, band, or group the rights of whose members may be affected by this chapter.

(c) Submission of additional unauthorized disbursement claims

Any tribe, band or group of Indians, or any individual Indian shall have one hundred and eighty days after the date of the publication in the Federal Register of the list provided for in subsection (b) of this section to submit to the Secretary any additional unauthorized disbursement claims not contained on the list.

(d) Publication of additional unauthorized disbursement claims

Not more than thirty days after the expiration of the one hundred and eighty day period pro-