Public Law 92-467

AN ACT

October 6, 1972
[H. R. 6797]

To provide for the disposition of funds appropriated to pay judgments in favor of the Kickapoo Indians of Kansas and Oklahoma in Indian Claims Commission dockets numbered 316, 316-A, 317, 145, 193, and 318.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the funds on deposit in the Treasury of the United States to the credit of the Kickapoo Indians of Kansas and Oklahoma to pay judgments by the Indian Claims Commission in dockets 316, 316-A, 317, 145, and 193, together with interest thereon, after payment of attorney fees and litigation expenses, shall be divided on the basis of membership of the respective tribes current as of the date of this Act. For the purpose of adjusting the offsets allowed in docket 316, the Secretary of the Interior shall use the gross award (land value) as a basis for his computation, deduct therefrom the consideration paid, the offsets expended for the Kickapoo Tribe prior to its separation into two tribal entities, attorney fees and litigation expenses, and, after making the division of the balance as provided herein, shall deduct $44,759.45 from the proportionate share of the Kickapoo Tribe of Kansas and $118,661.24 from the proportionate share of the Kickapoo Tribe of Oklahoma. The balances remaining shall be the net amount to be placed to the credit of the respective tribes.

Kickapoo Indians, Kans.-Okla. Judgment funds, disposition.

SEC. 2. (a) The funds divided and credited under section 1 of this Act, and the funds appropriated to pay a judgment recovered by the Kickapoo Indians of Oklahoma in docket numbered 318, including the interest thereon, after the payment of attorney fees and other litigation expenses, shall be used as follows: 75 per centum shall be distributed in equal per capita shares to each person whose name appears on or is entitled to appear on the membership roll of the Kickapoo Tribe of Oklahoma and 90 per centum shall be distributed in equal per capita shares to each person whose name appears on or is entitled to appear on the membership roll of the Kickapoo Tribe of Kansas if such person was born on or prior to and is living on the date of this Act.

Per capita shares.

(b) The balance of each tribe's share of the funds may be advanced, expended, invested, or reinvested for any purposes that are authorized by the tribal governing bodies and approved by the Secretary of the Interior.

SEC. 3. The Secretary of the Interior shall approve no plans for the use of the money specified in section 2(b) for the Kickapoo Tribes of Kansas and Oklahoma until at least thirty days after the plans have been submitted by the Secretary to the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

SEC. 4. Any sums payable per capita to persons who are less than twenty-one years of age 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 interests of such persons.

SEC. 5. None of the funds distributed per capita under the provisions of this Act shall be subject to Federal or State income taxes.

Tax exemption.

SEC. 6. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Rules and regulations.

Approved October 6, 1972.

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