Public Law 94–189
94th Congress

An Act

To provide for the disposition of funds appropriated to pay certain Indian Claims Commission judgments in favor of the Sac and Fox Indians, and for other purposes.

Dec. 31, 1975
[H.R. 4016]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following funds:

Indians.
Sac and Fox Indians.
Judgement funds.

(1) the funds appropriated by the Act of October 21, 1968 (82 Stat. 1190, 1198), to pay a judgment to the Sac and Fox Tribe of Oklahoma and the Sac and Fox Tribe of Mississippi in Iowa in Indian Claims Commission docket 219;

(2) the funds appropriated by the Acts of July 6, 1970 (84 Stat. 376), and March 21, 1972 (86 Stat. 86), to pay judgments to the Sac and Fox Nation in Indian Claims Commission dockets 153 and 135, respectively;

(3) any funds which are now or which may hereafter be appropriated to satisfy any final award of the Indian Claims Commission to the Sac and Fox Nation in dockets 158, 231, and 83; and

(4) the amount of $20,421.78 from funds appropriated by the Act of June 12, 1975 (89 Stat. 193, 194), to pay a judgment to the Sac and Fox Nation in Indian Claims Commission docket 95,

shall, together with interest earned thereon and after the payment of attorney fees and other litigation expenses, be distributed as hereinafter provided.

Distribution.

SEC. 2. (a) The funds in docket 219 shall be divided between the Sac and Fox Tribe of Oklahoma and the Sac and Fox Tribe of the Mississippi in Iowa, and the funds in dockets 153 and 135, 158, 231, 83 and that portion of docket 95 as provided in paragraph (4) of section 1 hereof, shall be divided among the Sac and Fox Tribe of Oklahoma, the Sac and Fox Tribe of the Mississippi in Iowa, and the Sac and Fox Tribe of the Missouri in Kansas and Nebraska, on the basis of the relative numbers of members of each tribe who were enrolled on or who were entitled to be enrolled on the census rolls of each tribe as of January 1, 1937.

Ninety-day identification period.

(b) For the purpose of carrying out the provisions of section 2(a) of this Act, each Sac and Fox Tribe shall have not to exceed ninety days from the date of this Act in which to identify those persons, living or deceased, who were inadvertently omitted from the January 1, 1937, census roll of the tribe.

(c) The provisions of section 2(a) of this Act shall apply only to the division of the judgment funds described in section 1 of this Act, between or among the respective Sac and Fox Tribes, as appropriate, and nothing in this section shall be construed as applicable to the payment per capita of any portion of the share of any Sac and Fox Tribe that may be so distributed.

SEC. 3. After the judgment funds are divided as provided in section 2(a) of this Act, the sum of $5,000, together with appropriate interest thereon for not less than one day, shall be deducted from the share of the judgment funds that is due the Sac and Fox Tribe of Kansas and Nebraska from the judgment in docket 153, and shall be divided between the Sac and Fox Tribes of Iowa and of Oklahoma

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO
57-194 O - 77 - 73

according to the formula for division of the judgment funds as provided in section 2(a).

SEC. 4. (a) The funds, as divided under the provisions of this Act, may be utilized for any purposes that are authorized by the respective tribal governing bodies and approved by the Secretary of the Interior: *Provided*, That not less than 20 per centum, together with accrued interest thereon, of the share of each Sac and Fox Tribe shall be used for programing purposes.

(b) Any portion of the share of the judgment funds accruing to any Sac and Fox Tribe that may be distributed in individual shares shall be paid to persons whose names appear on the membership roll of said tribe compiled in accordance with the membership criteria of the tribe's constitution, made current as of the date of this Act.

SEC. 5. Sums payable to enrollees or their heirs or legatees who are less than eighteen 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.

Tax exemption.

SEC. 6. None of the funds distributed per capita or held in trust under the provisions of this Act shall be subject to Federal or State income taxes, nor shall such funds or their availability be considered as income or resources or otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or member would otherwise be entitled to under the Social Security Act or any other Federal or federally assisted program.

42 USC 1305.

Rules and regulations.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved December 31, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94–712 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 94–555 accompanying S. 1823 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 121 (1975):
Dec. 16, considered and passed House.
Dec. 19, considered and passed Senate, in lieu of S. 1823.