

Public Law 98-74  
98th Congress

An Act

To authorize the Secretary of the Interior to set aside certain judgment funds of the Three Affiliated Tribes of Fort Berthold Reservation in North Dakota, and for other purposes.

Aug. 11, 1983  
[S. 727]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of this Act shall apply notwithstanding any provision of the Act of October 19, 1973 (87 Stat. 466; 25 U.S.C. 1401 et seq.), or any other law, regulation, or plan promulgated pursuant thereto.

Judgment funds for Three Affiliated Tribes of Fort Berthold Reservation, N. Dak. Deposited funds.

SEC. 2. (a) Contingent upon availability of funds, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall deposit into a separate account—

(1) \$113,777.10 of the funds appropriated in satisfaction of the judgments awarded the Three Affiliated Tribes of Fort Berthold Reservation in dockets numbered 350-G and 54-81 L of the United States Court of Claims, plus

(2) all interest and investment income accrued on the funds described in clause (1) from the date on which the transcript of such judgment was filed with the Comptroller General of the United States, to the date of deposit described in clause (1).

Interest and investment income.

The initial payment of \$113,777.10 shall be deposited when funds equal to this amount are released from the new member per capita escrow account. Thereafter, as any new membership application is denied, the funds thereby released shall be deposited in the account until such time as the sum described in clause (2) is fully satisfied or there are no further membership applications to be processed. Any funds so deposited shall be distributed and used only as provided in this Act.

(b) Any funds deposited by the Secretary in a separate account under subsection (a) shall be held and invested by the Secretary in accordance with the first section of the Act of June 24, 1938 (52 Stat. 1037).

25 USC 162a.

(c) Any funds deposited by the Secretary in a separate account under subsection (a), including any interest or investment income accrued thereon, may be distributed, with the approval of the Secretary, to the governing body of the Three Affiliated Tribes of Fort Berthold Reservation for use in the planning and development of a hospital or a health care facility to serve the needs of such tribes.

Hospital or health care facility.

(d) Any funds deposited by the Secretary in a separate account under subsection (a), including any interest or investment income accrued thereon, which have not been distributed by the Secretary under subsection (c) prior to the date which is five years after the date of enactment of this Act may be distributed to the governing body of the Three Affiliated Tribes of Fort Berthold Reservation for use in any tribal program which is authorized by such governing body and approved by the Secretary.

SEC. 3. (a) The Secretary shall distribute to each eligible individual out of funds appropriated in satisfaction of the judgments awarded

Judgment awards, distribution.

the Three Affiliated Tribes of Fort Berthold Reservation in dockets numbered 350-G and 54-81 L of the United States Court of Claims the sum of—

(1) \$4,000, and all interest and investment income accrued thereon since August 5, 1982, plus

(2) \$45.16, and all interest and investment income accrued thereon since December 13, 1982.

“Eligible individual.”

(b) For purposes of this section, the term “eligible individual” means any individual—

(1) who filed an application for membership with the Three Affiliated Tribes of Fort Berthold Reservation before July 10, 1982,

(2) whom the Secretary determines to be eligible to share in such judgment awards, and

(3) who has not received any distribution from the Secretary with respect to such judgment awards at any time prior to the date of enactment of this Act.

Uncommitted funds.

SEC. 4. Any funds appropriated in satisfaction of the judgments described in section 3(a) which remain uncommitted after the deposit described in section 2 and the distribution described in section 3 are made by the Secretary shall be distributed and used in accordance with the programing aspect of the plan for the use and distribution of the funds appropriated in satisfaction of such judgments which became effective on May 26, 1982, pursuant to section 5 of the Act of October 19, 1973 (87 Stat. 468; 25 U.S.C. 1405).

Approved August 11, 1983.

LEGISLATIVE HISTORY—S. 727:

HOUSE REPORT No. 98-300 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 98-126 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD, Vol. 129 (1983):

May 25, considered and passed Senate.

Aug. 1, considered and passed House.