Programming

Twenty percent (20%) of the Band's share shall be invested by the Secretary and utilized by the governing body on a budgetary basis for purposes which may include, but not be limited to, water system expansion, water system repairs, water system services and aquifer recharge.

Pechanga Band

The Pechanga Band of Mission Indians share of the award in Docket 80–A–2 shall be used in the following manner.

The Band's share will be invested by the Secretary for tribal program and investment purposes, until such time as the General Council determines the use of the funds, through the normal administrative process. The Band's share will be used for activities which may include, but not be limited to: land acquisition, fire department, cemetery burial fund, recreation and youth programs, Pechanga Creek embankment improvements, a convalescent home for the elderly, tribal administration and operations.

If at any future date the Pechanga Band presents an investment plan to the Secretary for approval, the Secretary shall determine that the investment plan contains and is subject to the requirements of sound investments, responsible accounting and adequate controls, to obtain maximum benefit for the Pechanga Band. Upon the Secretary's approval of the investment plan, the invested funds will be transferred to the Pechanga Band, at a mutually agreed upon time. All responsibility of the United States for the judgment funds or the investment or use of the funds so transferred shall cease at the time the funds are transferred.

No part of these funds shall be used for a per capita payment distribution.

Santa Rosa

The Santa Rosa Band of Mission Indians share of the award in Docket 80–A–2 shall be used in the following manner.

Investment Aspect

Twenty percent (20%) of the Band's share shall be invested by the Secretary in a permanent investment program. The funds invested under this aspect shall be subject to review periodically by the governing body of the Santa Rosa Band to determine whether continued investment is in the best interest of the tribe. The governing body shall submit a proposal to the Secretary for use of the investment, interest and investment income accrued.

Programming

Eighty percent (80%) of the Band's share of the funds, shall be invested by the Secretary, to be used by the tribal governing body on a budgetary basis for programming purposes, which may include, but are not limited to: land acquisition, sewage facilities, fire department needs, an alcoholism treatment fund, a youth day care center, the tribal cemetery, and tribal recreation facilities.

San Luis Rey

The share of the award in Docket 80– A–2 made to the San Luis Rey Band of Mission Indians shall be invested by the Secretary, until such time as a specific plan for the use of the funds is approved by Congress.

General Provisions

The per capita shares of living competent adults shall be paid directly to them. The per capita shares of deceased individual beneficiaries shall be determined and distributed in accordance with 43 CFR, part 4, subpart D. Per capita shares of legal incompetents and minors shall be handled pursuant to 25 CFR 115.4 and 115.5, as appropriate, as provided in the Act of October 19, 1973, 87 Stat. 466, as amended January 12, 1983, 96 Stat. 2512.

None of the funds made available under this plan for programming or per capita distribution shall be subject to Federal or State income taxes, nor shall such funds nor their availability be considered as income or resources, nor 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 under the Social Security Act or, except for any per capita shares in excess of \$2,000, any Federal or federally assisted programs.

Dated: May 23, 1995.

Ada E. Deer,

Assistant Secretary - Indian Affairs. [FR Doc. 95–14360 Filed 6–9–95; 8:45 am] BILLING CODE 4310–02–P