

thereto, all funds which were appropriated by the Act of September 30, 1961 (75 Stat. 733), in satisfaction of a judgment that was obtained by the Cherokee Tribe in the Indian Claims Commission against the United States in docket numbered 173, together with the interest accrued thereon, except \$1,432,084.17 which by stipulation of the parties has been set aside for the payments of any offsets that are finally determined to be due the United States, and except the amount allowed for attorney fees and expenses.

(Pub. L. 87-775, §1, Oct. 9, 1962, 76 Stat. 776.)

#### REFERENCES IN TEXT

Act of April 26, 1906, referred to in text, is act Apr. 26, 1906, ch. 1876, 34 Stat. 137, which is set out as a note under section 355 of this title.

Act of September 30, 1961, referred to in text, is act Sept. 30, 1961, Pub. L. 87-322, 75 Stat. 733. That portion of the act which appropriated the funds referred to was not classified to the Code.

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

### § 992. Payments to adults, heirs or legatees; shares under certain amounts to revert to tribe; protection of minors and persons under legal disability

(a) Except as provided in subsections (b) and (c) of this section, a share or proportional share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided*, That proportional shares of deceased heirs amounting to \$10 or less shall not be distributed, and no inherited share amounting to \$5 or less shall be paid, and the money shall revert to the tribe; (c) a share or proportional share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

(Pub. L. 87-775, §2, Oct. 9, 1962, 76 Stat. 776.)

### § 993. Claims

#### (a) Time for filing; reversion of funds upon failure to file

All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, not later than three years from October 9, 1962. Thereafter, all claims and the right to file same shall be forever barred and the unclaimed shares shall revert to the tribe.

#### (b) Use of reverted funds

Tribal funds that revert to the tribe pursuant to this subchapter, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the principal chief of the Cherokee Nation and approved by the Secretary of the Interior.

(Pub. L. 87-775, §3, Oct. 9, 1962, 76 Stat. 776.)

### § 994. Tax exemption

No part of any funds which may be distributed in accordance with the provisions of this subchapter shall be subject to Federal or State income tax.

(Pub. L. 87-775, §4, Oct. 9, 1962, 76 Stat. 776.)

### § 995. Payments not subject to liens, debts, or claims; exception

No part of any of the funds which may be so distributed shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States, or owed by individual Indians to the tribe or to the United States.

(Pub. L. 87-775, §5, Oct. 9, 1962, 76 Stat. 776.)

### § 996. Payments not "other income and resources"

Payments made under this subchapter shall not be held to be "other income and resources", as that term is used in sections 302(a)(10)(A), 602(a)(7),<sup>1</sup> 1202(a)(8), and 1352(a)(8) of title 42.

(Pub. L. 87-775, §6, Oct. 9, 1962, 76 Stat. 776.)

#### REFERENCES IN TEXT

Section 602 of title 42, referred to in text, was repealed and a new section 602 enacted by Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2112, and, as so enacted, subsec. (a)(7) no longer contains the term "other income and resources".

### § 997. Costs

All costs incident to making the payments authorized by this subchapter shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first.

(Pub. L. 87-775, §7, Oct. 9, 1962, 76 Stat. 777.)

### § 998. Rules and regulations

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

(Pub. L. 87-775, §8, Oct. 9, 1962, 76 Stat. 777.)

## SUBCHAPTER XLVIII—SNAKE OR PAIUTE INDIANS OF OREGON: DISTRIBUTION OF JUDGMENT FUND

### § 1011. Membership roll; preparation; eligibility for enrollment; time for filing application; finality of Secretary's determination

The Secretary of the Interior shall prepare a roll of the persons of Snake or Paiute Indian ancestry who meet the following requirements for eligibility: (1) They were born on or prior to and living on August 20, 1964; and (2) they were members of or are lineal descendants of members of the bands whose chiefs and headmen We-you-we-wa (Wewa), Gaha-nee, E-hi-gant (Egan), Po-nee, Chaw-wat-na-nee, Owits (Oits), and Tash-e-go,

<sup>1</sup> See References in Text note below.