

signed the unratified Treaty of December 10, 1868; and (3) they do not elect to participate as beneficiaries of any awards granted in the docket numbered 87 claim of the Northern Paiute Nation. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within nine months after August 20, 1964 on forms prescribed for that purpose. The determination of the Secretary regarding utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

(Pub. L. 88-464, § 1, Aug. 20, 1964, 78 Stat. 563.)

§ 1012. Authorization to withdraw, prorate and distribute funds

The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the Snake or Paiute Tribe that were appropriated by the Act of April 13, 1960 (74 Stat. 42), in satisfaction of a judgment that was obtained by the tribe in the Indian Claims Commission against the United States in docket numbered 17 together with the interest accrued thereon, after payment of attorney fees and expenses, as well as all other expenses, and to prorate such funds among those persons whose names appear on the roll prepared pursuant to section 1011 of this title for distribution as hereinafter provided.

(Pub. L. 88-464, § 2, Aug. 20, 1964, 78 Stat. 563.)

REFERENCES IN TEXT

Act of April 13, 1960, referred to in text, is Pub. L. 86-424, Apr. 13, 1960, 74 Stat. 42. 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.

§ 1013. Distribution; persons entitled; considerations; tax exemption

The Secretary shall distribute shares payable to living persons enrolled pursuant to section 1011 of this title and shares payable to the heirs or legatees of deceased persons enrolled pursuant to section 1011 of this title according to rules and regulations which he shall prescribe, taking into account that in some instances a planned individual or group program for the use of shares may more properly serve the long-term interest of the enrollees than would direct, unsupervised per capita payment. The funds so distributed shall not be subject to Federal or State income tax.

(Pub. L. 88-464, § 3, Aug. 20, 1964, 78 Stat. 563.)

§ 1014. Costs

All costs incurred by the Secretary in the preparation of the rolls and in the distribution of payment of pro rata shares in accordance with the provisions of this subchapter shall be paid by appropriate withdrawals from the judgment fund.

(Pub. L. 88-464, § 4, Aug. 20, 1964, 78 Stat. 563.)

§ 1015. 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. 88-464, § 5, Aug. 20, 1964, 78 Stat. 563.)

SUBCHAPTER XLIX—SHAWNEE TRIBE OR NATION: DISTRIBUTION OF JUDGMENT FUND

§ 1031. Disposition of funds

The funds on deposit in the Treasury of the United States to the credit of the Shawnee Tribe or Nation that were appropriated by the Act of September 30, 1961 (75 Stat. 733), to pay a judgment that was obtained by the tribe or nation in the Indian Claims Commission for inadequate compensation for lands ceded to the United States under the treaty of May 10, 1854 (10 Stat. 1053), and the interest thereon, shall be divided on the basis of 514/1378ths to the Absentee Band of Shawnee Indians of Oklahoma; 747/1378ths to the Cherokee Band of Shawnee Indians of Oklahoma; and 117/1378ths to the Eastern Band of Shawnee Indians of Oklahoma, after payment of attorney fees and expenses of litigation.

(Pub. L. 88-457, § 1, Aug. 20, 1964, 78 Stat. 555.)

REFERENCES IN TEXT

Act of September 30, 1961, referred to in text, is Pub. L. 87-332, Sept. 30, 1961, 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.

§ 1032. Absentee and Eastern Bands; authorization for use of funds by tribal governing bodies; approval of Secretary of the Interior

The funds placed to the credit of the Absentee and the Eastern Bands of Shawnee Indians in the United States Treasury, and the interest thereon may be advanced or expended for any purpose and in such manner as the respective tribal governing bodies authorize and the Secretary of the Interior approves.

(Pub. L. 88-457, § 2, Aug. 20, 1964, 78 Stat. 555.)

§ 1033. Cherokee Band; preparation of roll; eligibility for enrollment; rules and regulations

For the purpose of determining individual interests in the funds placed to the credit of the Cherokee Band of Shawnee Indians pursuant to section 1031 of this title, the Secretary shall prepare a new roll based on the roll of Cherokee Shawnees prepared in accordance with the Act of March 2, 1889 (25 Stat. 994). Eligible for inclusion on this new payment roll shall be all persons living on August 20, 1964, (a) who are, themselves, listed on the 1889 roll and (b) who are direct lineal descendants of persons listed on the 1889 roll. The Secretary may promulgate such rules and regulations as he considers necessary to carry out the purposes of this section.

(Pub. L. 88-457, § 3, Aug. 20, 1964, 78 Stat. 555.)

REFERENCES IN TEXT

Act of March 2, 1889, referred to in text, is act Mar. 2, 1889, ch. 412, 25 Stat. 994. Provisions of the act relating to roll of the Cherokee Shawnee were not classified to the Code.

§ 1034. Cherokee Band; per capita distribution

When the roll prepared pursuant to section 1033 of this title has been completed and finally