

any individual Indian's land and those restrictions shall continue in force and effect.

(Pub. L. 106-568, title VII, §709, Dec. 27, 2000, 114 Stat. 2916.)

**§ 1041h. Treaties not affected**

No provision of this subchapter shall be construed to constitute an amendment, modification, or interpretation of any treaty to which a tribe referred to in this subchapter is a party nor to any right secured to such a tribe or to any other tribe by any treaty.

(Pub. L. 106-568, title VII, §710, Dec. 27, 2000, 114 Stat. 2916.)

SUBCHAPTER L—TILLAMOOK AND NEHALEM BANDS OF THE TILLAMOOK INDIANS: DISTRIBUTION OF JUDGMENT FUND

**§ 1051. Membership roll; preparation; eligibility for enrollment; filing of applications; finality of Secretary's decision**

The Secretary of the Interior shall prepare a roll of all persons who meet both of the following requirements for eligibility: (1) They were born on or prior to and living on August 30, 1964; and (2) their name or the name of an ancestor through whom they claim eligibility appears either on the census roll of the Naalem (Nehalem) Band of Tillamook Indians dated January 28, 1898, or on the annuity payment roll of the Tillamook Band of Tillamook Indians prepared in 1914 under the provisions of the Act of August 24, 1912 (37 Stat. L., 519-535). Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within six months after August 30, 1964, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility for enrollment of an applicant shall be final.

(Pub. L. 88-506, §1, Aug. 30, 1964, 78 Stat. 639.)

REFERENCES IN TEXT

Act of August 24, 1912, referred to in text, is act Aug. 24, 1912, ch. 388, 37 Stat. 519-534. Provisions of the act relating to the annuity payment roll of the Tillamook Band of the Tillamook Indians were not classified to the Code.

**§ 1052. Distribution of funds; pro rata basis**

The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the Nehalem and Tillamook Bands of Indians that were appropriated by the Act of May 17, 1963 (77 Stat. 43), in satisfaction of a judgment obtained by the bands in the Indian Claims Commission against the United States in Docket Numbered 240 together with the interest accrued thereon and to pro rate such funds among those persons whose names appear on the roll prepared pursuant to section 1051 of this title. The Secretary shall distribute shares payable to living persons enrolled pursuant to section 1051 of this title and shares payable to the heirs and legatees of deceased persons enrolled pursuant to section 1051 of this title according to such rules and regulations as he may prescribe.

(Pub. L. 88-506, §2, Aug. 30, 1964, 78 Stat. 639.)

REFERENCES IN TEXT

Act of May 17, 1963, referred to in text, is Pub. L. 88-25, May 17, 1963, 77 Stat. 43. 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.

**§ 1053. Taxes**

The funds distributed in accordance with this subchapter shall not be subject to the Federal or State income tax.

(Pub. L. 88-506, §3, Aug. 30, 1964, 78 Stat. 639.)

**§ 1054. Costs**

Any 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. 88-506, §4, Aug. 30, 1964, 78 Stat. 639.)

**§ 1055. 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. 88-506, §5, Aug. 30, 1964, 78 Stat. 639.)

SUBCHAPTER LI—CONFEDERATED TRIBES OF THE COLVILLE RESERVATION: DISTRIBUTION OF JUDGMENT FUND

**§ 1071. Per capita payments to enrolled tribal members; tax exemption**

The funds on deposit in the Treasury of the United States to the credit of the Colville Tribe, San Poel-Nespelem Tribe, Okanogan Tribe, Methow Tribe, and Lake Tribe (certain constituent groups of the Confederated Tribes of the Colville Reservation) that were appropriated to pay a judgment of the Indian Claims Commission dated March 1, 1960, in docket numbered 181, and the funds which may be deposited in the Treasury of the United States to the credit of the said constituent groups or any other constituent groups of the Confederated Tribes of the Colville Reservation to pay any judgments arising out of claims presently pending before the Indian Claims Commission and the interest on said judgments, after payment of attorney fees and expenses, shall be credited to the account of the Confederated Tribes of the Colville Reservation and the Secretary of the Interior is authorized and directed to make a per capita distribution from such funds of \$350, to the extent that such funds are available, to each enrolled member of the Confederated Tribes of the Colville Reservation. Any part of such funds distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

(Pub. L. 88-551, Aug. 31, 1964, 78 Stat. 755.)

REFERENCES IN TEXT

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.