

utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

**(b) Dual awards**

Any person who has applied for and has been determined as eligible to share in the awards granted by the Indian Claims Commission in dockets numbered 88, 330, and 330-A, to the Southern Paiute Indian Nation or in dockets numbered 31, 37, 80, 80-D, 176, 215, 333, and 347, to "Certain Indians of California" shall not be entitled to share in the awards granted under this subchapter.

(Pub. L. 91-417, §2, Sept. 25, 1970, 84 Stat. 868.)

REFERENCES IN TEXT

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

**§ 1233. Payments to enrollees; per capita shares to heirs or legatees; trusts and other procedures for protection of minors and persons under legal disability**

The Secretary shall distribute a share payable to a living enrollee directly to such enrollee. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines to be appropriate to protect their best interests.

(Pub. L. 91-417, §3, Sept. 25, 1970, 84 Stat. 868.)

**§ 1234. Tax exemption**

No part of any funds distributed under this subchapter shall be subject to Federal or State income taxes.

(Pub. L. 91-417, §4, Sept. 25, 1970, 84 Stat. 868.)

**§ 1235. Identity of eligibility roll and membership roll**

The roll prepared by the Secretary of the Interior pursuant to this subchapter shall not be deemed to constitute the membership roll of the Chemehuevi Tribe.

(Pub. L. 91-417, §5, Sept. 25, 1970, 84 Stat. 868.)

**§ 1236. Costs**

The Secretary may make appropriate withdrawals from the judgment funds and interest thereon, using interest funds first, to pay costs incident to carrying out the provisions of this subchapter.

(Pub. L. 91-417, §6, Sept. 25, 1970, 84 Stat. 868.)

SUBCHAPTER LXVI—PEMBINA BAND OF CHIPPEWA INDIANS: DISTRIBUTION OF JUDGMENT FUND

**§ 1241. Distribution of funds; attorney fees and expenses**

The funds appropriated by the Act of June 9, 1964 (78 Stat. 204, 213), to pay a judgment to the

Pembina Band of Chippewa Indians in Indian Claims Commission dockets numbered 18-A, 113, and 191, together with the interest thereon, after payment of attorney fees and litigation expenses, and such expenses as may be necessary in carrying out the provisions of this subchapter, shall be distributed as provided herein.

(Pub. L. 92-59, §1, July 29, 1971, 85 Stat. 158.)

REFERENCES IN TEXT

Act of June 9, 1964, referred to in text, is act June 9, 1964, Pub. L. 88-317, 78 Stat. 204, known as the Deficiency Appropriation Act, 1964. Chapter XI of the act set out at 78 Stat. 213, appropriated the funds referred to and 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.

**§ 1242. Membership rolls; preparation; eligibility; excluded persons**

The Secretary of the Interior shall prepare a roll of all persons born on or prior to and living on July 29, 1971, who are lineal descendants of members of the Pembina Band as it was constituted in 1863, except that persons in the following categories shall not be so enrolled:

- a. those who are not citizens of the United States;
- b. those who are members of the Red Lake Band of Chippewa Indians; and
- c. those who participated in the Mississippi, Pillager, and Lake Winnibigoshish Chippewa Band awards under the provisions of sections 594 and 594a of this title.

(Pub. L. 92-59, §2, July 29, 1971, 85 Stat. 158.)

**§ 1243. Enrollment applications; filing; finality of determination**

Applications for enrollment shall be filed with the Area Director, Bureau of Indian Affairs, Aberdeen, South Dakota, in the manner and within the time limits prescribed for that purpose. The determination of the Secretary of the Interior regarding the utilization of available rolls and records and the eligibility for enrollment of an applicant shall be final.

(Pub. L. 92-59, §3, July 29, 1971, 85 Stat. 158.)

**§ 1244. Apportionment of funds; members and descendants of Minnesota Chippewa Tribe, the Turtle Mountain Band of Chippewas of North Dakota, the Chippewa-Cree Tribe of Montana**

In developing the roll of Pembina descendants, the Secretary of the Interior shall determine which enrollees are members of the Minnesota Chippewa Tribe, the Turtle Mountain Band of Chippewas of North Dakota, or the Chippewa-Cree Tribe of Montana, and subsequent to the establishment of the descendancy roll shall apportion funds to the three cited tribes on the basis of the numbers of descendants having membership with these tribes. Fund not apportioned in this manner shall be distributed in equal shares to those enrolled descendants who are not members of the three cited tribes.

(Pub. L. 92-59, §4, July 29, 1971, 85 Stat. 158.)