

§ 967b. Payments to minors and persons under legal disability; shares under certain amount to revert to tribe

Sums payable to persons or to 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 as the Secretary, after consultation with the tribal governing body, determines will adequately protect their best interests. Proportional shares of heirs or legatees amounting to \$5 or less shall not be distributed and such amounts shall escheat to the Omaha Tribe of Nebraska.

(Pub. L. 89-717, §2, Nov. 2, 1966, 80 Stat. 1115.)

CODIFICATION

Section was not enacted as part of Pub. L. 87-235, Sept. 14, 1961, 75 Stat. 508, which comprises this subchapter.

§ 967c. Tax exemption

The funds distributed under the provisions of sections 967a to 967d of this title shall not be subject to Federal or State income taxes.

(Pub. L. 89-717, §3, Nov. 2, 1966, 80 Stat. 1115.)

CODIFICATION

Section was not enacted as part of Pub. L. 87-235, Sept. 14, 1961, 75 Stat. 508, which comprises this subchapter.

§ 967d. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of sections 967a to 967d of this title.

(Pub. L. 89-717, §4, Nov. 2, 1966, 80 Stat. 1115.)

CODIFICATION

Section was not enacted as part of Pub. L. 87-235, Sept. 14, 1961, 75 Stat. 508, which comprises this subchapter.

SUBCHAPTER XLVI—PONCA TRIBE OF NEBRASKA: TERMINATION OF FEDERAL SUPERVISION

§ 971. Membership roll; preparation; eligibility for enrollment; protests against inclusion or omission from roll; finality of determination; publication of roll; publication of notice of agreement to division of assets; finality of roll

The Secretary of the Interior shall, with the advice and assistance of the Ponca Tribe of Native Americans of Nebraska and pursuant to such regulations as he may prescribe, prepare a roll of the members of the tribe and record thereon persons whose names appeared on the census roll of April 1, 1934, and the supplement thereto of January 1, 1935, and their descendants of not less than one-quarter degree Indian blood of the Ponca Tribe, regardless of place of residence, who are living on September 5, 1962. He shall provide a reasonable opportunity for any person to protest against the inclusion or omission of any name on or from the roll and his decision on such protests shall be final and conclusive. After all protests are disposed of, the roll shall be published in the Federal Register. The

Secretary shall thereupon give the adult members of the tribe whose names appear on the roll an opportunity to indicate their agreement or disagreement with a division of tribal assets in accordance with the provisions of this subchapter. If a majority of those indicating agreement or disagreement are favorable to such division, the Secretary shall publish in the Federal Register a notice of the fact and the roll prepared by him shall thereupon become final and sections 972 to 980 of this title shall become effective.

(Pub. L. 87-629, §1, Sept. 5, 1962, 76 Stat. 429.)

§ 972. Personal property rights; restrictions

Each member whose name appears on the final roll of the tribe as published in the Federal Register shall be entitled to receive in accordance with the provisions of this subchapter an equal share of the tribe's assets that are held in trust by the United States. This right shall constitute personal property which may be inherited or bequeathed, but it shall not otherwise be subject to alienation or encumbrance.

(Pub. L. 87-629, §2, Sept. 5, 1962, 76 Stat. 429.)

§ 973. Distribution of assets

(a) Tribal assets; time limitation

All property of the United States used for the benefit of the Ponca Tribe of Native Americans of Nebraska is declared to be a part of the assets of the tribe, and all of the tribe's assets shall be distributed in accordance with the provisions of this section. The distribution shall be completed within three years from September 5, 1962, or as soon thereafter as practicable.

(b) Designation of property for church, park, playground, or cemetery

The tribe shall designate any part of the tribe's property that is to be set aside for church, park, playground, or cemetery purposes, and the Secretary is authorized to convey such property to trustees or agencies designated by the tribe for that purpose and approved by the Secretary.

(c) Homesites; market value; improvements

Each member may select for homesite purposes and receive title to not to exceed five acres of tribal land that is being used for homesite purposes by such member. The member shall pay the current market value of the homesite selection excluding any improvements or repairs constructed by such member, his wife, children, or ancestor, as determined by the Secretary of the Interior.

(d) Sale of assets not selected; bidding

All assets of the tribe that are not selected and conveyed to members shall be sold by competitive bid at not less than the current market value, and any member shall have the right to purchase property offered for sale for a price not less than the highest acceptable bid therefor. If more than one member exercises such right, the property shall be sold to the member exercising the right who offers the highest price.