

paid by appropriate withdrawals from the judgment funds referred to in this section. After deducting attorney fees and all other costs, the remainder of the funds, including interest, to the credit of the Creek Nation appropriated by the Act of October 27, 1966 (80 Stat. 1057), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 788e of this title. The funds so distributed shall not be subject to Federal or State income taxes.

(Pub. L. 90-506, §2, Sept. 21, 1968, 82 Stat. 859.)

REFERENCES IN TEXT

Act of October 27, 1966, referred to in text, is act Oct. 27, 1966, Pub. L. 89-697, 80 Stat. 1057. That portion of the act which appropriated the funds referred to was not classified to the Code.

§ 788g. Heirs of deceased enrollees

The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest and the per capita share of a deceased enrollee shall be paid to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid to the persons whom the Secretary of the Interior determines will best protect their interests.

(Pub. L. 90-506, §3, Sept. 21, 1968, 82 Stat. 859.)

§ 788h. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of sections 788e to 788h of this title, including an appropriate deadline for filing applications for enrollment.

(Pub. L. 90-506, §4, Sept. 21, 1968, 82 Stat. 859.)

SUBCHAPTER XXXV—WYANDOTTE TRIBE OF OKLAHOMA: TERMINATION OF FEDERAL SUPERVISION

§§ 791 to 807. Repealed. Pub. L. 95-281, §1(b)(1), May 15, 1978, 92 Stat. 246

Section 791, act Aug. 1, 1956, ch. 843, §1, 70 Stat. 893, set out purpose of sections 791 to 807 of this title as termination of Federal supervision and services for tribe.

Section 792, act Aug. 1, 1956, ch. 843, §2, 70 Stat. 893, defined "tribe", "Secretary", "lands", and "tribal property".

Section 793, act Aug. 1, 1956, ch. 843, §3, 70 Stat. 893, related to preparation and publication of membership roll.

Section 794, act Aug. 1, 1956, ch. 843, §4, 70 Stat. 893, restricted personal property rights upon publication of final membership roll.

Section 795, act Aug. 1, 1956, ch. 843, §5, 70 Stat. 893, related to procedures for transfer of tribal property.

Section 796, act Aug. 1, 1956, ch. 843, §6, 70 Stat. 894, related to transfers of individual property to members of tribe.

Section 797, act Aug. 1, 1956, ch. 843, §7, 70 Stat. 894, provided for applicability of probate laws to property of deceased members.

Section 798, act Aug. 1, 1956, ch. 843, §8, 70 Stat. 895, related to applicability of Federal or State tax laws to property distributions.

Section 799, act Aug. 1, 1956, ch. 843, §9, 70 Stat. 895, provided for protection by Secretary of minors, etc., prior to transfers or removal of restrictions on property.

Section 800, act Aug. 1, 1956, ch. 843, §10, 70 Stat. 895, provided for availability of tribal funds for advances or expenditures.

Section 801, act Aug. 1, 1956, ch. 843, §11, 70 Stat. 895, authorized Secretary to execute patents, deeds, etc., as necessary for implementation of provisions for termination of supervision.

Section 802, act Aug. 1, 1956, ch. 843, §12, 70 Stat. 895, provided for nonabrogation by termination of supervision of any valid lease, permit, license, etc.

Section 803, act Aug. 1, 1956, ch. 843, §13, 70 Stat. 896, related to procedures for termination of Federal trust over tribal and individual property.

Section 804, act Aug. 1, 1956, ch. 843, §14, 70 Stat. 896, provided for revocation of tribal corporate charter and termination of Federal powers over tribe.

Section 805, act Aug. 1, 1956, ch. 843, §15, 70 Stat. 896, provided for termination of supervision as not affecting prior claims filed by tribe against United States.

Section 806, act Aug. 1, 1956, ch. 843, §16, 70 Stat. 896, provided for nonabrogation by termination of supervision of tribal or individual water rights.

Section 807, act Aug. 1, 1956, ch. 843, §17, 70 Stat. 896, authorized Secretary to issue rules and regulations and hold referendums for implementation of provisions relating to termination of supervision.

REPEAL OF INCONSISTENT LAWS

Act Aug. 1, 1956, ch. 843, §18, 70 Stat. 896, which related to repeal of inconsistent Acts, etc., was repealed by Pub. L. 95-281, §1(b)(1), May 15, 1978, 92 Stat. 246.

SEPARABILITY

Act Aug. 1, 1956, ch. 843, §19, 70 Stat. 897, which provided for validity of remainder of act of Aug. 1, 1956, in event of determination of invalidity of any part of such act, was repealed by Pub. L. 95-281, §1(b)(1), May 15, 1978, 92 Stat. 246.

SUBCHAPTER XXXVI—PEORIA TRIBE OF OKLAHOMA: TERMINATION OF FEDERAL SUPERVISION

§§ 821 to 826. Repealed. Pub. L. 95-281, §1(b)(2), May 15, 1978, 92 Stat. 246

Section 821, act Aug. 2, 1956, ch. 881, §1, 70 Stat. 937, set out purpose of sections 821 to 826 of this title as termination of Federal supervision and services for tribe.

Section 822, act Aug. 2, 1956, ch. 881, §2, 70 Stat. 937, related to removal of restrictions on sales or encumbrances and nature of title passed.

Section 823, act Aug. 2, 1956, ch. 881, §3, 70 Stat. 937, related to termination of Federal trust and services.

Section 824, act Aug. 2, 1956, ch. 881, §4, 70 Stat. 937, provided for revocation of tribal corporate charter and termination of Federal powers over tribe.

Section 825, act Aug. 2, 1956, ch. 881, §5, 70 Stat. 938, provided for termination of supervision as not affecting prior claims filed by tribe against United States.

Section 826, act Aug. 2, 1956, ch. 881, §6, 70 Stat. 938, related to preparation and publication of membership roll.

SUBCHAPTER XXXVII—OTTAWA TRIBE OF OKLAHOMA: TERMINATION OF FEDERAL SUPERVISION

§§ 841 to 853. Repealed. Pub. L. 95-281, §1(b)(3), May 15, 1978, 92 Stat. 246

Section 841, act Aug. 3, 1956, ch. 909, §1, 70 Stat. 963, set out purpose of sections 841 to 853 of this title as termination of Federal supervision and services for tribe.

Section 842, act Aug. 3, 1956, ch. 909, §2, 70 Stat. 963, related to transfers of individual property to members of tribe.

Section 843, act Aug. 3, 1956, ch. 909, §3, 70 Stat. 963, provided for applicability of probate laws to property of deceased members.

Section 844, act Aug. 3, 1956, ch. 909, §4, 70 Stat. 964, provided for protection by Secretary of minors, etc., prior to transfers or removal of restrictions on property.

Section 845, act Aug. 3, 1956, ch. 909, §5, 70 Stat. 964, provided for availability of tribal funds for advances or expenditures.

Section 846, act Aug. 3, 1956, ch. 909, §6, 70 Stat. 964, authorized Secretary to execute patents, deeds, etc., as necessary for implementation of provisions for termination of supervision.

Section 847, act Aug. 3, 1956, ch. 909, §7, 70 Stat. 964, provided for nonabrogation by termination of supervision of any valid lease, permit, license, etc.

Section 848, act Aug. 3, 1956, ch. 909, §8, 70 Stat. 964, related to procedures for termination of Federal trust and services for tribe and individual members.

Section 849, act Aug. 3, 1956, ch. 909, §9, 70 Stat. 965, provided for revocation of tribal corporate charter and termination of Federal powers over tribe.

Section 850, act Aug. 3, 1956, ch. 909, §10, 70 Stat. 965, provided for termination of supervision as not affecting prior claims filed by tribe against United States.

Section 851, act Aug. 3, 1956, ch. 909, §11, 70 Stat. 965, provided for nonabrogation by termination of supervision of tribal or individual water rights.

Section 852, act Aug. 3, 1956, ch. 909, §12, 70 Stat. 965, authorized Secretary to issue rules and regulations and hold referendums for implementation of provisions relating to termination of supervision.

Section 853, act Aug. 3, 1956, ch. 909, §15, 70 Stat. 965, related to preparation and publication of membership roll.

REPEAL OF INCONSISTENT LAWS

Act Aug. 3, 1956, ch. 909, §13, 70 Stat. 965, which related to repeal of inconsistent Acts, etc., was repealed by Pub. L. 95-281, §1(b)(3), May 15, 1978, 92 Stat. 246.

SEPARABILITY

Act Aug. 3, 1956, ch. 909, §14, 70 Stat. 965, which provided for validity of remainder of act of Aug. 3, 1956, in event of determination of invalidity of any part of such act, was repealed by Pub. L. 95-281, §1(b)(3), May 15, 1978, 92 Stat. 246.

SUBCHAPTER XXXVII-A—WYANDOTTE, PEORIA, OTTAWA, AND MODOC TRIBES OF OKLAHOMA: RESTORATION OF FEDERAL SUPERVISION

§ 861. Federal recognition of Wyandotte, Ottawa, and Peoria Tribes

(a) Extension or confirmation

Federal recognition is hereby extended or confirmed with respect to the Wyandotte Indian Tribe of Oklahoma, the Ottawa Indian Tribe of Oklahoma, and the Peoria Indian Tribe of Oklahoma, the provisions of the Acts repealed by subsection (b) of this section notwithstanding.

(b) Repeal of provisions terminating Federal supervision

The following Acts are hereby repealed:

(1) the Act of August 1, 1956 (70 Stat. 893; 25 U.S.C. 791-807), relating to the Wyandotte Tribe;

(2) the Act of August 2, 1956 (70 Stat. 937; 25 U.S.C. 821-826), relating to the Peoria Tribe; and

(3) the Act of August 3, 1956 (70 Stat. 963; 25 U.S.C. 841-853), relating to the Ottawa Tribe.

(c) Tribal rights and privileges; reinstatement and continuation

There are hereby reinstated all rights and privileges of each of the tribes described in subsection (a) of this section and their members under Federal treaty, statute, or otherwise which may have been diminished or lost pursuant to the Act relating to them which is repealed by subsection (b) of this section. Nothing contained in this subchapter shall diminish any rights or privileges enjoyed by each of such tribes or their members now or prior to enactment of such Act, under Federal treaty, statute, or otherwise, which are not inconsistent with the provisions of this subchapter.

(d) Continuation of property or contractual rights or obligations and tax obligations

Except as specifically provided in this subchapter, nothing contained in this subchapter shall alter any property rights or obligations, any contractual rights or obligations, including existing fishing rights, or any obligation for taxes already levied.

(Pub. L. 95-281, §1, May 15, 1978, 92 Stat. 246.)

REFERENCES IN TEXT

Act of August 1, 1956, referred to in subsec. (b)(1), is act Aug. 1, 1956, ch. 843, 70 Stat. 893, which was classified generally to subchapter XXXV (§791 et seq.) of this chapter prior to its repeal by subsec. (b)(1) of this section. For complete classification of this Act to the Code, see Tables.

Act of August 2, 1956, referred to in subsec. (b)(2), is act Aug. 2, 1956, ch. 881, 70 Stat. 937, which was classified generally to subchapter XXXVI (§821 et seq.) of this chapter prior to its repeal by subsec. (b)(2) of this section. For complete classification of this Act to the Code, see Tables.

Act of August 3, 1956, referred to in subsec. (b)(3), is act Aug. 3, 1956, ch. 909, 70 Stat. 963, which was classified to subchapter XXXVII (§841 et seq.) of this chapter prior to its repeal by subsec. (b)(3) of this section. For complete classification of this Act to the Code, see Tables.

This subchapter, referred to in subsecs. (c) and (d), was in the original "this Act", meaning Pub. L. 95-281, May 15, 1978, 92 Stat. 246, which enacted this subchapter and repealed subchapter XXXV (§791 et seq.), subchapter XXXVI (§821 et seq.), and subchapter XXXVII (§841 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

§ 861a. Organization of tribes

(a) Modoc Tribe; extension of Federal recognition and assistance; applicability of provisions relating to Klamath Tribe; membership requirements

(1) The Modoc Indian Tribe of Oklahoma is hereby recognized as a tribe of Indians residing in Oklahoma and the provisions of the Act of June 26, 1936, as amended (49 Stat. 1967; 25 U.S.C. 501-509), are hereby extended to such tribe and its members. The Secretary of the Interior shall promptly offer the said Modoc Tribe assistance to aid them in organizing under section 3 of said Act of June 26, 1936 (25 U.S.C. 503).

(2) The provisions of the Act of August 13, 1954 (68 Stat. 718; 25 U.S.C. 564-564w), hereafter shall not apply to the Modoc Tribe of Oklahoma or its members except for any right to share in the proceeds of any claim against the United States as provided in sections 6(c) and 21 of said Act, as amended [25 U.S.C. 564e(c), 564t].