

**§ 967a. Per capita payments to enrolled tribal members; use of balance of funds**

From the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated by the Act of June 9, 1964, to pay a judgment obtained by the tribe in Indian Claims Commission docket numbered 138, after deduction of attorney fees, litigation expenses, and such sums as may be required to distribute individual shares, the Secretary of the Interior shall make a per capita distribution of no more than \$270 to each person living on November 2, 1966, whose name appears on the roll of the tribe prepared pursuant to section 961 of this title, and to each child living on November 2, 1966, who was born after September 14, 1961, and who possesses aboriginal Omaha blood of the degree of one-fourth or more except for any such child who is enrolled with any other tribe of Indians. The balance of such funds, and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary. The amount of \$150,000 of said funds and any interest thereon shall not be distributed, advanced or expended until said \$150,000 and any interest thereon becomes available for disbursement pursuant to the terms of the final judgment dated April 14, 1964, by the Indian Claims Commission in docket numbered 138.

(Pub. L. 89-717, § 1, Nov. 2, 1966, 80 Stat. 1114.)

REFERENCES IN TEXT

Act of June 9, 1964, referred to in text, is Pub. L. 88-317, June 9, 1964, 78 Stat. 204, which 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.

CODIFICATION

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

**§ 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.)