

§ 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.)

§ 1245. Use of funds apportioned; approval by Secretary on receipt of recommendations from certain tribal organizations

The funds apportioned to the Minnesota Chippewa Tribe, the Turtle Mountain Band, and the Chippewa-Cree Tribe may be advanced, expended, invested, or reinvested for any purpose authorized by the respective tribal governing bodies and approved by the Secretary of the Interior: *Provided*, That the governing body of the Minnesota Chippewa Tribe shall act in concert with the General Council of the Pembina Band of Chippewa Indians of the White Earth Reservation for the purpose of making recommendations to the Secretary; *And provided further*, That the Pembina descendants within the Turtle Mountain Band shall be authorized to establish pursuant to regulations set by the Sec-