

Public Law 87-235

AN ACT

September 14, 1961
[S. 1518]

Providing for the disposition of judgment funds of the Omaha Tribe of Indians.

Indians.
Omaha Tribe
judgment funds,
disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, pursuant to such regulations as may be issued by him, to prepare a roll of Omaha Indians whose names appear on the Omaha allotment rolls finally approved pursuant to the Acts of Congress of August 7, 1882 (22 Stat. 341) and March 3, 1893 (27 Stat. 612), and who are living on the date of this Act, and the descendants of such allottees who are born and living on the date of this Act and who possess Omaha blood of the degree of one-fourth or more regardless of whether such allottees are living or deceased: *Provided*, That no person who is enrolled with any other tribe of Indians or who has received an allotment of land on any other reservation shall be enrolled under the provisions of this Act unless the application for enrollment by such person is approved by a two-thirds vote of the governing body of the Omaha Tribe of Nebraska. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Aberdeen, South Dakota, within four months after the date of this Act. For a period of three months thereafter, the Secretary shall permit the examination of the applications by the governing body of the Omaha Tribe of Nebraska for the purpose of lodging protests against any application. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Membership roll;
eligibility.

SEC. 2. The roll prepared pursuant to section 1 of this Act shall constitute the membership roll of the Omaha Tribe of Nebraska as of the date of this Act, notwithstanding the provisions of article II, section 1 of the tribal constitution, and children who are born after the date of this Act may be enrolled if they meet the requirements of section 1(b) of article II of the tribal constitution, applicable to children born after the date that amendment I to said constitution was approved, or any amendment thereof.

Per capita share
distribution.

SEC. 3. Of the funds on deposit in the Treasury of the United States to the credit of the Omaha Tribe of Nebraska that were appropriated to pay a judgment by the Indian Claims Commission dated February 11, 1960, and the interest thereon, after payment of attorneys' fees and expenses, the Secretary of the Interior shall make a per capita distribution of a sum up to a maximum of \$750, to the extent available, to each person whose name appears on the roll prepared pursuant to section 1 of this Act; and the balance of such funds after making payment of or provision for such per capita distribution and accrued and accruing interest, if any, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved in writing by the Secretary. The funds so distributed shall not be subject to Federal or State income taxes.

Tax exemption.

SEC. 4. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under a legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

SEC. 5. No part of any of the funds which may be so distributed shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the tribe to the United States or owed by individual Indians to the tribe or to the United States.

Liens, debts, etc.

SEC. 6. All costs incurred by the Secretary in the preparation of the roll and in the payment of the per capita shares in accordance with provisions of this Act shall be paid by appropriate withdrawals from the judgment fund.

Costs.

SEC. 7. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Administrative authority.

Approved September 14, 1961.

Public Law 87-236

AN ACT

September 14, 1961
[S. 48]

To authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities in reservoir areas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to amend any lease entered into before November 1, 1956, providing for the construction, maintenance, and operation of commercial recreational facilities at a water resource development project under the jurisdiction of the Secretary of the Army so as to provide for the adjustment, either by increase or decrease, from time to time during the term of such lease of the amount of rental or other consideration payable to the United States under such lease, when and to the extent he determines such adjustment or extension to be necessary or advisable in the public interest. No adjustment shall be made under the authority of this Act so as to increase or decrease the amount of rental or other consideration payable under such lease for any period prior to the date of such adjustment.

Army Dept.
Recreation facilities in reservoir areas.
Leases.

Approved September 14, 1961.

Public Law 87-237

AN ACT

September 14, 1961
[S. 2216]

To authorize the transfer of three units of the Fort Belknap Indian irrigation project to the landowners within the project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to transfer to an association or organization of the landowners whose lands are served by the following units of the Fort Belknap Indian irrigation project all of the right, title, and interest of the United States in the irrigation project works of each unit:

Indians.
Fort Belknap irrigation project, transfer of units.

(1) Upper Peoples Creek (Hays) unit, located in township 26 north, ranges 23 and 24 east, P.M.M., about 24 miles south of the Fort Belknap agency headquarters.

(2) Big Warm unit, located along the east boundary of the Fort Belknap Reservation in township 27 north, range 26 east, P.M.M., about 36 airline miles from the Fort Belknap agency headquarters.