

SUBCHAPTER LIII—NOOKSACK TRIBE OF WASHINGTON: DISTRIBUTION OF JUDGMENT FUND

§ 1101. Membership roll; preparation; eligibility for enrollment; filing of applications; finality of determination

The Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and were living on October 14, 1966, and (b) they are descendants of members of the Nooksack Tribe as it existed in 1855. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, on forms prescribed for that purpose. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

(Pub. L. 89-656, §1, Oct. 14, 1966, 80 Stat. 906.)

§ 1102. Distribution of funds; persons entitled

After the deduction of attorney fees, litigation expenses, the costs of roll preparation, and such sums as may be required to distribute individual shares, the funds, including interest, remaining to the credit of the Nooksack Tribe, which were appropriated by the Act of April 30, 1965 (Public Law 89-16), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1101 of this title.

(Pub. L. 89-656, §2, Oct. 14, 1966, 80 Stat. 906.)

REFERENCES IN TEXT

Act of April 30, 1965, referred to in text, is act Apr. 30, 1965, Pub. L. 89-16, 79 Stat. 92, known as the Second Supplemental Appropriations Act, 1965. That portion of the act which appropriated the funds referred to was not classified to the Code.

§ 1103. Payments to enrollees, heirs or legatees; protection of minors and persons under legal disability; credits of shares under certain amounts; escheat

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. 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 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 a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests. Proportional shares of heirs or legatees amounting to \$5 or less shall not be distributed and shall remain to the credit of the Nooksack Tribe. Any sum of money remaining to the credit of the Nooksack Tribe as a result of this judgment, three years after October 14, 1966, shall escheat to the United States and shall be deposited in the Treasury of the United States in miscellaneous receipts.

(Pub. L. 89-656, §3, Oct. 14, 1966, 80 Stat. 906.)

§ 1104. Tax exemption

The funds distributed under the provisions of this subchapter shall not be subject to Federal or State income taxes.

(Pub. L. 89-656, §4, Oct. 14, 1966, 80 Stat. 906.)

§ 1105. Rules and regulations

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this subchapter.

(Pub. L. 89-656, §5, Oct. 14, 1966, 80 Stat. 906.)

SUBCHAPTER LIV—MIAMI INDIANS OF INDIANA AND OKLAHOMA: DISTRIBUTION OF JUDGMENT FUND

§ 1111. Distribution and use of funds

The Secretary of the Interior shall take the necessary steps to provide for the distribution and use of the money appropriated to the Miami Indians of Indiana and Oklahoma in satisfaction of judgments awarded by the Indian Claims Commission in dockets numbered 67 and 124, 124-A, and 251 as hereinafter provided.

(Pub. L. 89-659, §1, Oct. 14, 1966, 80 Stat. 909.)

§ 1112. Advances or expenditures from funds of Miami Tribe of Oklahoma; persons entitled

The funds on deposit in the Treasury of the United States to the credit of the Miami Tribe of Oklahoma that were appropriated by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment by the Indian Claims Commission in docket numbered 251, together with the interest thereon, after payment of attorney fees and expenses, shall be advanced or expended in accordance with plans adopted by the governing body of the Miami Tribe of Oklahoma and approved by the Secretary of the Interior. The persons entitled to share in any per capita payment authorized by the governing body and approved by the Secretary shall be all individuals who are enrolled members of the Miami Tribe of Oklahoma, as organized under the Oklahoma Welfare Act (49 Stat. 1967) [25 U.S.C. 501 et seq.].

(Pub. L. 89-659, §2, Oct. 14, 1966, 80 Stat. 909.)

REFERENCES IN TEXT

Act of September 30, 1961, referred to in text, is act Sept. 30, 1961, Pub. L. 87-322, 75 Stat. 747. That portion of the act which appropriated the funds referred to 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.

The Oklahoma Welfare Act, referred to in text, is act June 26, 1936, ch. 831, 49 Stat. 1967, as amended, which is classified generally to subchapter VIII (§501 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

§ 1113. Miami Indians of Indiana; membership roll; preparation; eligibility for enrollment

For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission docket numbered 124-A to the Miami Indians of Indiana and appropriated by the Act of September 30, 1961 (75 Stat. 747), the Secretary shall prepare a roll of all persons of Miami In-