

shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

(Pub. L. 89-659, § 8, Oct. 14, 1966, 80 Stat. 910.)

### § 1119. Reserve funds for expenses

#### (a) Establishment

Prior to making any distribution of the funds credited to the Miami Tribe or Nation and the Miami Tribe of Indiana or approving any expenditures of the funds credited to the Miami Tribe of Oklahoma, pursuant to this subchapter, the Secretary is authorized to reserve in the Treasury of the United States a part of such funds sufficient, in his judgment, to meet the litigation expenses, exclusive of attorney fees, of the remaining cases which each has pending before the Indian Claims Commission.

#### (b) Availability

The funds reserved shall be available for appropriate withdrawal by the Secretary.

(Pub. L. 89-659, § 9, Oct. 14, 1966, 80 Stat. 910.)

#### REFERENCES IN TEXT

The Indian Claims Commission, referred to in subsec. (a), terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

### § 1120. Tax exemption; costs

The funds distributed under the provisions of this subchapter shall not be subject to Federal or State income taxes, and any costs incurred by the Secretary in the preparation of the rolls and in the distribution of per capita shares in accordance with the provisions of this subchapter shall be paid by appropriate withdrawals from the judgment funds.

(Pub. L. 89-659, § 10, Oct. 14, 1966, 80 Stat. 910.)

### § 1121. 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. 89-659, § 11, Oct. 14, 1966, 80 Stat. 910.)

### § 1122. Payment and distribution of judgment funds

The funds appropriated by the Acts of July 22, 1969 (83 Stat. 49), and January 8, 1971 (84 Stat. 1981), to pay judgments awarded to the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission dockets numbered 255 and 124-C, dockets numbered 256, 124-D, E, and F, and dockets numbered 131 and 253, and to pay a judgment awarded to the Miami Tribe of Oklahoma in docket numbered 251-A, together with interest thereon, after payment of attorney fees and litigation expenses, shall be distributed as provided in sections 1122 to 1130 of this title.

(Pub. L. 92-309, § 1, June 2, 1972, 86 Stat. 199.)

#### REFERENCES IN TEXT

Acts of July 22, 1969, and January 8, 1971, referred to in text, are Pub. L. 91-47, July 22, 1969, 83 Stat. 49, and Pub. L. 91-665, Jan. 8, 1971, 84 Stat. 1981, respectively, which were 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. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

### § 1123. 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 sections 1122 to 1130 of this title.

(Pub. L. 92-309, § 2, June 2, 1972, 86 Stat. 199.)

#### CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

### § 1124. Revision of enrollment list

The Secretary of the Interior shall bring current to June 2, 1972, the roll prepared pursuant to section 1114 of this title, by (a) adding the names of persons living on June 2, 1972, who were eligible for enrollment under section 1114 of this title but were not enrolled, (b) by adding the names of children born to enrollees on or prior to June 2, 1972, and who are living on said date, (c) by adding the names of children born to persons who were eligible for enrollment under section 1114 of this title but who were not enrolled, regardless of whether such persons are living or deceased on June 2, 1972, provided said children of such persons are living on June 2, 1972, and (d) by deleting the names of persons who are deceased as of June 2, 1972.

(Pub. L. 92-309, § 3, June 2, 1972, 86 Stat. 200.)

#### CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

### § 1125. Applications for enrollment

An application for addition of a name to the roll pursuant to section 1124 of this title must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

(Pub. L. 92-309, § 4, June 2, 1972, 86 Stat. 200.)

#### CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

### § 1126. Equal distribution to individuals enrolled

On completion of the roll by the Secretary of the Interior, the balance of the funds appropriated to satisfy the judgments in dockets numbered 255 and 124-C, dockets numbered 256, 124-D, E, and F, and dockets numbered 131 and 253, and interest accumulated thereon, shall be distributed equally to the individuals enrolled.

(Pub. L. 92-309, § 5, June 2, 1972, 86 Stat. 200.)

#### CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

**§ 1127. Use of appropriated funds; approval by Secretary on receipt of recommendations from tribal governing body**

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 July 22, 1969 (83 Stat. 49), to pay a judgment by the Indian Claims Commission in docket numbered 251-A, together with the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body of the Miami Tribe of Oklahoma, and approved by the Secretary of the Interior.

(Pub. L. 92-309, § 6, June 2, 1972, 86 Stat. 200.)

REFERENCES IN TEXT

Act of July 22, 1969, referred to in text, is act July 22, 1969, Pub. L. 91-665, 83 Stat. 49, 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. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

**§ 1128. Distribution of shares**

**(a) Payments to enrollees, next of kin, or legatees**

Except as provided in subsection (b) of this section, the Secretary of the Interior shall distribute a per capita share payable to a living enrollee directly to such enrollee, and shall distribute a per capita share payable to a deceased enrollee directly 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.

**(b) Payments to minors or persons under legal disability**

Sums payable to enrollees or their heirs or legatees who are less than eighteen 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 of the Interior determines appropriate to protect the best interest of such persons.

(Pub. L. 92-309, § 7, June 2, 1972, 86 Stat. 200.)

CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

**§ 1129. Tax exemption**

None of the funds distributed under the provisions of sections 1122 to 1130 of this title shall be subject to Federal or State income taxes.

(Pub. L. 92-309, § 8, June 2, 1972, 86 Stat. 200.)

CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

**§ 1130. Rules and regulations**

The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of sections 1122 to 1130 of this title, including the establishment of deadlines.

(Pub. L. 92-309, § 9, June 2, 1972, 86 Stat. 200.)

CODIFICATION

Section was not enacted as part of Pub. L. 89-659, Oct. 14, 1966, 80 Stat. 909, which comprises this subchapter.

SUBCHAPTER LV—DUWAMISH TRIBE OF WASHINGTON: DISTRIBUTION OF JUDGMENT FUND

**§ 1131. Membership roll; preparation; eligibility for enrollment; applications; place for filing; 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 living on October 14, 1966, and (b) they are descendants of members of the Duwamish 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. 89-660, § 1, Oct. 14, 1966, 80 Stat. 910.)

**§ 1132. Equal share distribution; 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 Duwamish Tribe, which were appropriated by the Act of June 9, 1964 (78 Stat. 213), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1131 of this title.

(Pub. L. 89-660, § 2, Oct. 14, 1966, 80 Stat. 911.)

REFERENCES IN TEXT

Act of June 9, 1964, referred to in text, is act June 9, 1964, Pub. L. 88-317, 78 Stat. 213, which was not classified to the Code.

**§ 1133. Payments to enrollees, heirs, or legatees; protection of minors and persons under legal disability; escheats**

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 escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, such funds shall also escheat to the United States.