

## Public Law 89-659

## AN ACT

To provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes.

October 14, 1966  
[H. R. 7466]

*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 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.

Miami Indians  
of Indiana and  
Oklahoma.  
Judgment funds.

SEC. 2. 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).

Expenditure of  
funds.

SEC. 3. 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 Indian ancestry who meet the following requirements for eligibility:

25 USC 501-509.  
Miami Indian  
ancestry rolls.

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on the roll of Miami Indians of Indiana of June 12, 1895, or the roll of "Miami Indians of Indiana, now living in Kansas, Quapaw Agency, I.T., and Oklahoma Territory," prepared and completed pursuant to the Act of March 2, 1895 (28 Stat. 903), or the roll of the Eel River Miami Tribe of Indians of May 27, 1889, prepared and completed pursuant to the Act of June 29, 1888 (25 Stat. 223). No person whose name appears on the current tribal roll of the Miami Tribe of Oklahoma shall be eligible to be enrolled under this section.

SEC. 4. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission dockets numbered 67 and 124 and appropriated by the Act of May 17, 1963 (77 Stat. 43), the Secretary of the Interior shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on any of the rolls cited in section 3(b) of this Act, or on the roll of the Western Miami Tribe of Indians of June 12, 1891, prepared and completed pursuant to the Act of March 3, 1891 (26 Stat. 1000).

SEC. 5. Applications for enrollment 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.

Enrollment ap-  
plications.

SEC. 6. The funds on deposit in the Treasury of the United States to the credit of the Miami Indians of Indiana that were appropriated

Distribution of  
funds.

by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment in Indian Claims Commission docket numbered 124-A, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the individuals whose names appear on the roll prepared pursuant to section 3, and in accordance with the instructions contained in sections 8 and 9, of this Act.

SEC. 7. 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 May 17, 1963 (77 Stat. 43), to pay a judgment in Indian Claims Commission dockets numbered 67 and 124, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the persons whose names appear on the roll prepared pursuant to section 4, and in accordance with the instructions contained in sections 8 and 9, of this Act.

Payment provisions.

SEC. 8. (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 heirs or legatees 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 legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Reserve funds for expenses.

SEC. 9. (a) 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 Act, 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) The funds reserved shall be available for appropriate withdrawal by the Secretary.

Income tax exemption.

SEC. 10. The funds distributed under the provisions of this Act 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 Act shall be paid by appropriate withdrawals from the judgment funds.

Rules and regulations.

SEC. 11. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved October 14, 1966.

Public Law 89-660

AN ACT

October 14, 1966  
[H. R. 10747]

To provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket numbered 109, and for other purposes.

Duwamish Tribe of Indians.  
Judgment funds.

*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 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 date of this Act, 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