Public Law 87-775

October 9, 1962
[H. R. 11590]

AN ACT

To provide for the disposition of judgment funds of the Cherokee Nation or Tribe of Indians of Oklahoma.

Indians.
Cherokee Tribe, Okla.
Judgment funds, disposition.
25 USC 355 note.

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 to distribute per capita to all persons whose names appear on the rolls of the Cherokee Nation, which rolls were closed and made final as of March 4, 1907, pursuant to the Act of April 26, 1906 (34 Stat. 137), and subsequent additions thereto, all funds which were appropriated by the Act of September 30, 1961 (75 Stat. 733), in satisfaction of a judgment that was obtained by the Cherokee Tribe in the Indian Claims Commission against the United States in docket numbered 173, together with the interest accrued thereon, except $1,432,084.17 which by stipulation of the parties has been set aside for the payments of any offsets that are finally determined to be due the United States, and except the amount allowed for attorney fees and expenses.

Share payments.

SEC. 2. (a) Except as provided in subsections (b) and (c) of this section, a share or proportional share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided*, That proportional shares of deceased heirs amounting to $10 or less shall not be distributed, and no inherited share amounting to $5 or less shall be paid, and the money shall revert to the tribe; (c) a share or proportional 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.

Claims.

SEC. 3. (a) All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, not later than three years from the date of approval of this Act. Thereafter, all claims and the right to file same shall be forever barred and the unclaimed shares shall revert to the tribe.

(b) Tribal funds that revert to the tribe pursuant to this Act, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the principal chief of the Cherokee Nation and approved by the Secretary of the Interior.

Tax exemption.

SEC. 4. No part of any funds which may be distributed in accordance with the provisions of this Act shall be subject to Federal or State income tax.

Funds not subject to liens, etc.

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.

SEC. 6. Payments made under this Act shall not be held to be "other income and resources", as that term is used in sections 2(a)(10)(A), 402(a)(7), 1002(a)(8), and 1402(a)(8) of the Social Security Act (42 U.S.C. 302(a)(10)(A), 602(a)(7), 1202(a)(8), and 1352(a)(8)).

74 Stat. 988; 53 Stat. 1379; 74 Stat. 997; 64 Stat. 555.

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SEC. 7. All costs incident to making the payments authorized by this Act shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first. Cost payments.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act. Rules and regulations.

Approved October 9, 1962.

Public Law 87-776

AN ACT

October 9, 1962
[H. R. 10652]

To amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of subsection (b) of the first section of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–1) is amended by striking out "to a reasonable allowance, not to exceed 20 cents per mile, in lieu of such transportation" and inserting in lieu thereof, "in lieu of the transportation to which he would otherwise be entitled under subsection (a) of this section, to a reasonable allowance, not to exceed 20 cents per mile for transportation of the house trailer or mobile dwelling if such trailer or dwelling is transported by such officer or employee, or, if such trailer or dwelling is not so transported by such officer or employee, to commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to such officer or employee therefor, including the payment of necessary tolls, charges, and permit fees, except that no payment under this sentence shall exceed the maximum payment to which such officer or employee would otherwise be entitled under this section for transportation and temporary storage of his household goods and personal effects in connection with this transfer". Administrative Expenses Act of 1946, amendment. 60 Stat. 806; 72 Stat. 14.

Approved October 9, 1962.

Public Law 87-777

AN ACT

October 9, 1962
[H. R. 11217]

To amend section 6112 of title 10, United States Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6112 of title 10, United States Code, is amended— Naval Service. Retired officers, withholding pay. 70A Stat. 381.

(1) by striking out the designation "(a)" at the beginning thereof; and

(2) by repealing subsection (b).

SEC. 2. Section 1409 of the Supplemental Appropriation Act, 1953 (66 Stat. 661), and section 1309 of the Supplemental Appropriation Act, 1954 (67 Stat. 437; 5 U.S.C. 59c), are each amended by striking out the word "two" and inserting in lieu thereof the word "three".

Approved October 9, 1962.