

Public Law 91-364

July 31, 1970
[S. 885]

AN ACT

To authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederate Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the Treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission Dockets Numbered 314, amended, 314-E and 65, and for other purposes.

Indians,
Confederated
Tribes of Weas,
Piankashaws,
Peorias, and
Kaskaskias, roll
of descendants.

25 USC 821-826.

10 Stat. 1082.

Judgment funds,
disposition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements: (1) they were born on or prior to and were living on the date of this Act; (2) their names or the name of a lineal ancestor from whom they claim eligibility appears on (a) the final roll of the Peoria Tribe of Indians of Oklahoma, pursuant to the Act of August 2, 1956 (70 Stat. 937), or (b) the January 1, 1937, census of the Peoria Tribe, or (c) the 1920 census of the Peoria Tribe, or (d) the Indian or Citizen Class lists pursuant to the Treaty of February 23, 1867 (15 Stat. 520), or (e) the Schedule of Persons or Families composing the United Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, annexed to the Treaty of May 30, 1854.

(b) Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner and within the time limits prescribed for that purpose by the Secretary of the Interior. The determination of the Secretary regarding the eligibility of an applicant shall be final.

SEC. 2. After the deduction of attorneys' fees and expenses and the administrative costs involved in the preparation of the roll and the distribution of the individual shares, the remaining funds on deposit in the United States Treasury to the credit of the Peoria Tribe on behalf of the Wea Nation that were appropriated by the Acts of May 13, 1966 (80 Stat. 141, 150), and June 19, 1968 (82 Stat. 239), in satisfaction of judgments that were obtained by the Peoria Tribe on behalf of the Wea Nation in Indian Claims Commission dockets numbered 314, amended, and 314-E, respectively, and the funds to the credit of the Peoria Tribe of Oklahoma on behalf of the Wea, Piankashaw, Peoria, and Kaskaskia Nations that were appropriated by the Act of July 22, 1969 (83 Stat. 49, 62), in satisfaction of a judgment in docket numbered 65, shall be disposed of in the following manner: The Secretary shall pay \$3,000 of such funds to the Peoria Tribe of Oklahoma for improvement and maintenance of the Peoria Indian Cemetery located approximately ten miles northeast of Miami, Oklahoma, and shall distribute the balance of such funds in equal shares to those persons whose names appear on the roll prepared pursuant to section 1 of this Act.

SEC. 3. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee and the Secretary shall distribute a per capita share of 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, including the establishment of trusts, as the Secretary determines will adequately protect the best interest of such person.

SEC. 4. Funds that may hereafter be deposited in the United States Treasury to the credit of the Peoria Tribe on behalf of the Wea, Kaskaskia, Piankashaw, or Peoria Nation, to pay any judgment aris-

Subsequent
judgment funds,
distribution.

ing out of proceedings presently pending before the Indian Claims Commission in dockets numbered 99, 289, 313, 314-A, B, C, and D, and 338 and the interest accrued thereon, after payment of attorneys' fees and expenses and all costs incident to bringing the roll current as provided in this section and distributing the shares, shall be distributed on a per capita basis in accordance with section 3 of this Act to persons whose names appear on the roll prepared under section 1, after the roll has been brought current to the date the funds are appropriated by adding names of persons to the roll who were born after the date of this Act, but on or prior to and living on the date the funds are appropriated, and by deleting names of enrollees who died between the effective date of this Act and the date the funds are appropriated.

SEC. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Income tax
exemption.

SEC. 6. Any per capita share, whether payable to a living enrollee or to the heirs or legatees of a deceased enrollee, which the Secretary of the Interior is unable to deliver within two years after the date the check is issued, and all unexpended tribal and judgment funds set aside for tribal roll preparation and distribution, shall revert to the Peoria Tribe, and all claims for such per capita shall thereafter be barred forever.

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

Regulations.

Approved July 31, 1970.

Public Law 91-365

AN ACT

To authorize the Secretary of the Interior to convey certain lands in New Mexico to the Cuba Independent Schools and to the village of Cuba.

July 31, 1970
[S. 417]

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 convey to the Cuba Independent Schools, District 20, Sandoval County, Cuba, New Mexico under the Recreation and Public Purposes Act, as amended (43 U.S.C. 869—869-4) the following lands:

Cuba, N. Mex.
Land convey-
ance.

Township 21 north, range 1 west, New Mexico principal meridian, section 21, lots 4, 5, and 6; section 28, northeast quarter northeast quarter and lot 1;

68 Stat. 173;
73 Stat. 111;
80 Stat. 210.

SEC. 2. The Secretary of the Interior is authorized to convey to the Village of Cuba, Sandoval County, Cuba, New Mexico, under the Recreation and Public Purposes Act, as amended (43 U.S.C. 869—869-4) the following lands:

Township 21 north, range 1 west, New Mexico principal meridian, section 22, northwest quarter southwest quarter.

Approved July 31, 1970.