

MOORE

Providing for final settlement of the claims, of every kind and character, and description, of all Oklahoma Indian tribes against the Federal government, final discharge of Federal supervision, individual and tribal, over all Oklahoma Indians, determination of heirs, disposal of Federal property and records, and for other purposes.

That

3 there is authorized to be appropriated, out of any money in
4 the Treasury not otherwise appropriated, such sum or sums as
5 may be necessary to pay each and every enrolled Indian by blood
6 of every Indian tribe within the State of Oklahoma whose name
7 appears upon the finally approved rolls of any Oklahoma Indian
8 tribe made pursuant to tribal law, treaties, or acts of the
9 Congress, special or otherwise, establishing tribal membership
10 therein for the purpose of individualizing the Oklahoma tribal
11 property, in whole or in part, of such tribe, the sum of \$3,000
12 and the Secretary of the Treasury be, and he is hereby, authorized
13 and directed to pay said sum to each individual Oklahoma Indian
14 as hereinbefore designated and described, in full, final, and
15 complete settlement of his or her rights, equities or interests,
16 in and to all past, present, or future claims against the United
17 States Government growing out of treaties secured through bribery,
18 coercion, duress, or fraud; violated treaties; Indian land seizure
19 by Federal and State governments or their citizens, without treaty
20 stipulation or agreement; destruction and seizure of personal
21 property of Indians, by Federal and State governments or their
22 citizens; massacre, murder, and mistreatments, inhuman or otherwise,

23 by the Federal government, State governments, or their citizens, of
2 every kind, character, and description, against said Indians.

3 PROVIDED, That in event of the death of any tribal Indian member,
4 as heretofore designated and described, of any Oklahoma Indian
5 tribe as referred to herein, payment of said \$3,000 shall be made
6 to his or her heirs, in keeping with the law of descents and
7 distribution of the state wherein said claimant or his or her heirs
8 shall have died, if such heirship determination shall not theretofore
9 have been made by the Secretary of the Interior or state court
10 of proper jurisdiction prior to the date of approval of this act.

11 PROVIDED FURTHER, That said claimant or his or her heirs shall
12 thenceforth assume every right, every privilege, and every
13 RESPONSIBILITY of a citizen of the United States, and of the
14 state and community wherein he or she may thereafter reside.

15 Sec. 2. Before payment of said \$3,000 or any part thereof
16 to any claimant as hereinbefore designated and described, or his or her
17 heirs, said claimant or his or her heirs shall execute a
18 receipt or release, which receipt or release shall be approved
19 by the Commissioner of Indian Affairs, forever renouncing his
20 or her allegiance to any tribe, nation, band or group of Indians,
21 and all Federal government rights, privileges or exemptions
22 growing out of his or her membership, or the membership of his
23 or her heirs, in any tribe, nation, band, or group of Indians,
24 and his or her right, title, and interest, or the right, title
25 and interest of his or her heirs, in and to any and every claim
26 or claims, equity, or suit, or suits, in any court or elsewhere,
27 now pending or which may hereafter be brought against the United
28 States in behalf of any Indian tribe, Nation, band, or group of
29 Indians of which said claimant, or his or her heirs, may be, or,
30 may heretofore have been, a member.

31 Sec. 3. All restrictions on alienation and encumbrance
32 of the lands and moneys, of every character and description,
33 inherited or otherwise, now under the supervision and control
34 of the Federal government, through the Secretary of the Interior
35 or other Government Department, agent, or agents, belonging to

1 any individual Oklahoma Indian, as hereinbefore designated and
2 described, or his or her heirs, member of any Oklahoma Indian
3 tribe as referred to herein, are hereby removed, and the Secretary
4 of the Interior is authorized and directed, within twelve months
5 from and after date of approval of this act, to execute and
6 issue certificate, patent in fee, deed or other instrument
7 necessary to vest in said individual Oklahoma Indian, or his
8 or her heirs, absolute and unrestricted title thereto. PROVIDED,
9 That the Secretary of the Treasury be, and he is hereby, authorized
10 and directed, within twelve months from and after date of approval
11 of this act, to issue check or checks to said individual Oklahoma
12 Indian as hereinbefore designated and described, or his or her
13 heirs, covering all individual Indian money to his, her, or their
14 credit, in the Treasury of the United States or elsewhere in the
15 hands of the Federal government.

16 Sec. 4. All tribal money or moneys, of every kind, character
17 and description, now in control and possession of the Federal
18 government, through its secretaries of Interior and Treasury and
19 any and all other departments of government, to the credit of
20 any and all Oklahoma Indian tribes as hereinbefore referred to,
21 shall, within one year from and after date of approval of this act,
22 be distributed per capita to the members of said tribes or their
23 heirs, whose names appear upon the finally approved rolls of said
24 tribes; said roll or rolls having been made pursuant to tribal
25 authority or acts of the Congress, or both, for the purpose of
26 individualizing the tribal lands and moneys of said Oklahoma Indian
27 tribes as hereinbefore designated. PROVIDED, That if the United States
28 Secretary of the Treasury shall, within two years from and after
29 date of approval of this act, fail to make payment and delivery of
30 any and all moneys due any and all individual Oklahoma Indians, as
31 hereinbefore designated and described, or their heirs, by reason of
32 the failure of said Oklahoma Indians, or their heirs, to make
33 application therefor, or furnish said Secretary of the Treasury with
34 sufficient or proper proof, heirship or otherwise, justifying the
35 legal distribution of said money, the said U. S. Secretary of the Treasury
36 shall thereupon transfer all of said money or moneys then in the

1 Treasury of the United States or other Department of the Federal
2 government to the credit of said individual Oklahoma Indians or
3 their heirs, to the Treasurer of the State of Oklahoma, who shall,
4 in keeping with the provisions of this act, attempt distribution
5 thereof. And, if within seven years from and after date of delivery of
6 said money or moneys to him he shall have been unable to make legal dis-
7 tribution of same, all of said money or moneys shall immediately thereupon
8 escheat to the State of Oklahoma for the use and benefit of the orphan
9 schools of said State.

10 Sec. 5. All tribal property, buildings and grounds,
11 and equipment, lands and minerals, held in tribal ownership,
12 excepting the lands and mineral deposits of the Choctaw and
13 Chickasaw tribes, now in course of sale to the Federal government,
14 under Federal act approved June 21, 1944 (Public Law 369, 78th
15 Congress), are hereby released, from Federal restrictions on
16 alienation and encumbrance, to the respective Oklahoma Indian tribes
17 as designated and described herein, and entitled thereto, and the
18 Secretary of the Interior be, and he is hereby, authorized and directed ,
19 within one year from and after date of approval of this act, to execute
20 and issue, certificate, patent in fee, deed or other instrument
21 necessary to vest in said Oklahoma Indian tribes as designated
22 herein, undisputed and unrestricted control thereof. PROVIDED, That
23 all lands and moneys, of every kind, character and description, individual
24 and tribal, delivered into the possession of every individual Oklahoma
25 Indian as hereinbefore designated and described, and every Oklahoma
26 Indian tribe as referred to herein, shall, within one year from and
27 after date of issuance of check or checks, or certificates, patents in
28 fee or other instrument by the Secretary of the Treasury or the Secretary
29 of the Interior, conveying possession of money or title to lands, buildings
30 grounds, equipment, or mineral rights in land or lands, to the individual
31 Oklahoma Indian as hereinbefore designated and described, or Oklahoma
32 Indian tribe , or tribes, as referred to herein, shall be subject to the
33 laws of taxation of such state or states wherein located, including all
34 Federal treaty-exempt individual homestead rights. PROVIDED FURTHER,
35 That in event the sale and disposition of the Choctaw and Chickasaw
36 lands and mineral deposits, as hereinabove recited, shall not have been

1 consummated and the proceeds thereof fully distributed to the legal
2 owners of such property within two years from and after date of
3 approval hereof, said lands and said mineral deposits, or moneys derived
4 therefrom, proceeds of sale or royalty, shall be subjected to the
5 provisions of this act and be disposed of in keeping with its terms. IT
6 IS FURTHER PROVIDED, That all property, grounds or buildings, of every
7 Oklahoma Indian tribe as herein referred to, now in use or occupancy
8 as cemeteries or for religious purposes, shall, by proper conveyance, deed,
9 etc., be transferred to the county, city, township, cemetery or religious
10 organization, or society, in the control or use thereof at the time of
11 approval of this act, instead of being returned to unrestricted tribal
12 ownership, said deed or transfer shall be within the time given for
13 Federal release of other tribal property.

14 Sec. 6. Payment of any sum or sums under the provisions
15 of this act, in excess of \$300, due any Indian by blood who is
16 minor, shall be through a legal guardian appointed by a court of proper
17 jurisdiction, within the state wherein said minor legally resides when
18 payment is due or to be made. Any sum or sums of \$300 or less, in total,
19 shall be paid to the natural guardian having the care and custody of said
20 minor when payment is due or to be made. If no natural guardian exists,
21 having the care and custody of said minor, payment shall be made through
22 legal guardian appointed by a court of proper jurisdiction of the state
23 wherein said minor shall reside when payment is due or to be made. All
24 moneys due mentally or otherwise incompetent adult Indian by blood, under
25 this act, shall be paid through a legally appointed guardian, by a court
26 of proper jurisdiction of the state wherein said mentally or otherwise
27 incompetent adult Indian by blood may reside at time payment is due or to
28 be made. Every conveyance of real property, of whatever value, under the
29 provisions of this act, to minors or mentally or otherwise incompetent
30 adult Indians by blood, shall be through a legal guardian. PROVIDED, That
31 guardian of a minor or mentally or otherwise incompetent adult Indian by
32 blood, under the provisions of this act, shall be required to furnish
33 surety bond, with court approval, in double the amount of the value, as
34 determined by the court after thorough investigation, of the estate of
35 said minor or mentally or otherwise incompetent adult Indian by blood.
36 PROVIDED FURTHER, That all minor Indians by blood, fourteen years of age

1 or older, and all mentally or otherwise incompetent adult Indians by
2 blood, through next of kin or friend, shall have first and second choice
3 in the selection of his or her guardian under the provisions of this act.

4 Sec. 7. Before payment of any sum or sums, as provided herein, to
5 any member of any Oklahoma Indian tribe as hereinbefore designated and
6 described, or his or her heirs, all money, together with accrued interest
7 thereon, due the Federal government through any loan or advancement made
8 to said claimant or his or her heirs, under the provisions of the Act of
9 June 26, 1936 (49 Stat. 1967), or subsequent acts of the Congress, shall
10 first be subtracted therefrom. PROVIDED, That before payment of any sum or
11 sums as provided herein, where loans or advancements under the provisions of
12 the congressional act or acts as hereinabove referred to shall have been made
13 to any tribe, nation, band, or group of Indians, said loan or advancement,
14 with accrued interest thereon, shall first be subtracted from any money due
15 said tribe, nation, band, or group of Indians under the provisions of this
16 act.

17 Sec. 8. All property, buildings and grounds, of the Federal government
18 located within the State of Oklahoma and used in the administration of
19 Indian affairs through the Indian bureau, Department of Interior, at the
20 time of the approval of this act, which may be servicable as hospitals or
21 or otherwise, for soldiers of World Wars I and II, shall be transferred,
22 within one year from and after date of approval of this act, to the United
23 States Veterans Administration for such use. PROVIDED, That the residue of
24 such Federal government property as may be in use by the Indian bureau or
25 Secretary of the Interior in the administration of Indian affairs within the
26 State of Oklahoma at the time of approval of this act, shall be transferred to the
27 State of Oklahoma for its use and benefit, within one year from and after date
28 of approval of this act. PROVIDED FURTHER, That all other Federal government
29 property, equipment, etc., used in the administration of Indian affairs in
30 Oklahoma at the time of approval of this act, shall be disposed of and the
31 proceeds deposited in the Treasury of the United States.

32 Sec. 9. All land and allotment records; rolls, enrollment records and
33 enrollment testimony, and certified copies of all heirship decrees as shall
34 have been made by the Secretary of the Interior at the time of approval of
35 this act, of deceased individual Oklahoma Indians, or their heirs, as herein-
36 before designated and described, shall, for the Five Tribes, Osage Indians,

1 and all Indian tribes under the jurisdiction of the Quapaw Agency, Miami,
2 Oklahoma, be indexed, filed and transferred to the office of the U. S. Clerk
3 of the Federal Court at Muskogee, Oklahoma; that similar records for all other
4 Oklahoma Indians or tribes shall be indexed, filed and transferred to the office
5 of the U. S. Clerk of the Federal court at Oklahoma City, Oklahoma; that the
6 residue of Interior Department records pertaining to the Indians of Oklahoma
7 as hereinbefore designated and described, shall be transferred to Washington,
8 D. C., as permanent records of the Interior Department or National Archives.
9 PROVIDED, That upon approval of this act, all positions under the Secretary
10 of the Interior, bureau of Indian affairs, in the administration of the
11 affairs of Oklahoma Indians as hereinbefore designated and described, within
12 the State of Oklahoma, except those employees who may actually be necessary
13 in the carrying out of the provisions hereof, shall be abolished.
14 Sec. 10. All acts and parts of acts of the Congress of the United
15 States, in conflict herewith, are hereby repealed.

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