

homes including household equipment and furnishings; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, feed, seed, and grain; purchase or rehabilitation and repair of farming equipment, tools, trucks, tractors, machinery, and implements; and purchase of any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education and adult education, as will enable them to become self-supporting; and health, including dental work: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support: *Provided further*, That during minority the share of each minor Indian shall be available for expenditure only for his education and for health purposes, including dental work, except that in an emergency expenditure of a minor Indian's share may be made for any of the purposes specified in this section and section 545 of this title. As herein used, the term "minor" shall include all members of the tribe who have not attained the age of twenty-one years, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *And provided further*, That each member of the Klamath Tribes honorably discharged from service to the United States in its armed forces shall, upon application to the Commissioner of Indian Affairs, be paid \$200 in cash, free from the aforesaid restrictions and in addition to the \$500 to be credited to such member as provided in this section.

(Mar. 29, 1948, ch. 160, § 2, 62 Stat. 92.)

REFERENCES IN TEXT

Act of August 28, 1937, referred to in text, is act Aug. 28, 1937, ch. 874, 50 Stat. 872, as amended, which is classified generally to subchapter IX (§530 et seq.) of this chapter.

Act of August 7, 1939, referred to in text, is act Aug. 7, 1939, ch. 552, 53 Stat. 1252, as amended, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

This section was not enacted as part of act Aug. 7, 1939, ch. 552, 53 Stat. 1252, which comprises this subchapter.

SHORT TITLE

Act Mar. 29, 1948, ch. 160, § 1, 62 Stat. 92, provided: "That this Act [enacting this section and section 545 of this title] shall be known as the 'Klamath Welfare Act'."

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 545. Liability of judgment funds for debts

In no event shall any portion of the funds directed to be credited and paid become liable, payable, or subject to any debt or debts contracted prior to the passage of this section and section 544 of this title by any Indian of the Klamath Tribe, except debts to the United States or to the tribe.

(Mar. 29, 1948, ch. 160, § 3, 62 Stat. 93.)

CODIFICATION

This section was not enacted as part of act Aug. 7, 1939, ch. 552, 53 Stat. 1252, which comprises this subchapter.

SUBCHAPTER XI—KLAMATH TRIBE: PAYMENTS IN LIEU OF ALLOTMENTS; INHERITANCE OF RESTRICTED PROPERTY

§ 551. "Klamath Tribe" defined

As used in this subchapter the term "Klamath Tribe" includes the members of the Klamath and Modoc Tribes and the Yahooskin Band of Snakes and all other Indians having rights on the Klamath Indian Reservation in the State of Oregon.

(June 1, 1938, ch. 310, § 1, 52 Stat. 605.)

§ 552. Payments in lieu of allotments

Each enrolled member of the Klamath Tribe living on June 1, 1938, who has not received an allotment of land shall be paid the sum of \$1,500 from unobligated Klamath tribal funds on deposit in the Treasury of the United States, under such rules and regulations as the Secretary of the Interior shall prescribe, in installments of not to exceed \$300 per annum: *Provided*, That no member of the Klamath Tribe who shall not be enrolled within one year from June 1, 1938, shall receive a payment in lieu of allotment. No member of the Klamath Tribe born after June 1, 1938, shall be entitled to receive any allotment of land or money payment in lieu thereof.

(June 1, 1938, ch. 310, § 2, 52 Stat. 605.)

§ 553. Deposit and expenditure of payments

The payments herein authorized shall be deposited to the credit of the individual Indian money accounts of such Indians subject to expenditure by such Indians, under such rules and regulations as the Secretary of the Interior may prescribe for (1) industrial and agricultural assistance, and the construction and improvement of homes, including the purchase of land and interests in land, building material, farming equipment, industrial equipment, trucks, livestock, feed, food, seed, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in the farming, livestock industry, or such other industrial or agricultural pursuits or avocations as will enable them to become self-supporting; (2) the educational advancement of such Indians; (3) financial assistance in cases of illness, death, or other emergency; (4) the repayment of reimbursable debts previously contracted; or (5) security for or the repayment of

loans made to such Indians from any Klamath revolving loan fund now existent or which shall hereafter be created.

(June 1, 1938, ch. 310, § 3, 52 Stat. 605.)

REFERENCES IN TEXT

Herein, referred to in text, means act June 1, 1938, which comprises this subchapter. For complete classification of this Act to the Code, see Tables.

§ 554. Disposition of payment on death of Indian

In the event of the death of any such Indian entitled to receive a payment in lieu of allotment after June 1, 1938, any unexpended balance of said \$1,500 still due the decedent shall first be applied to the repayment of any loans received by such Indian from the United States or from the Klamath Tribal funds, and the balance thereafter shall be distributed as personal property.

(June 1, 1938, ch. 310, § 4, 52 Stat. 606.)

§ 555. Repealed. Aug. 13, 1954, ch. 732, § 9(c), 68 Stat. 721

Section, act June 1, 1938, ch. 310, § 5, 52 Stat. 606, related to devise of restricted or trust property and is now covered by section 564h of this title.

§ 556. Reversion of interest in property on death without heirs or devisees

If any enrolled member of the Klamath Tribe dies without lawful heirs or devisees,¹ all interest which such member has in any restricted or trust property within the Klamath Reservation shall revert to and become part of the common tribal property.

(June 1, 1938, ch. 310, § 6, 52 Stat. 606.)

SUBCHAPTER XII—KLAMATH TRIBE: FEES AND CHARGES

§§ 561, 562. Omitted

CODIFICATION

Sections, which related to fees for general services and medical services, were from the Interior Department Appropriation Act, 1946, July 3, 1945, ch. 262, § 1, 59 Stat. 334, and were not repeated in the Interior Department Appropriation Act of 1947, July 1, 1946, ch. 529, 60 Stat. 348.

§ 563. Salaries and expenses for Klamath Tribe Officials

The Secretary of the Interior, or such official as may be designated by him, is authorized, until otherwise directed by Congress, to advance to the tribe or to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses of tribal officials or representatives (except the Klamath Loan Fund Board) at rates and/or limitations designated in advance by the Klamath General Council, or any governing body to which it may delegate such authority, and approved by the Secretary of the Interior: *Provided*, That the length of stay of representatives serving the tribe at the seat of government shall be determined by the Secretary of the Interior.

¹ So in original. Probably should be "devisees."

(May 29, 1953, ch. 86, § 1, 67 Stat. 40.)

PRIOR PROVISIONS

A prior section 563, acts June 25, 1938, ch. 710, 52 Stat. 1207; Aug. 7, 1939, ch. 519, 53 Stat. 1244; May 15, 1945, ch. 123, 59 Stat. 167, provided for payment of salaries and expenses of Klamath Tribe officials out of tribal funds but limited the amount of such expenditures to \$15,000 per annum, prior to repeal by act May 29, 1953, § 2, 67 Stat. 40.

SUBCHAPTER XIII—KLAMATH TRIBE: TERMINATION OF FEDERAL SUPERVISION

§ 564. Purpose

The purpose of this subchapter is to provide for the termination of Federal supervision over the trust and restricted property of the Klamath Tribe of Indians consisting of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians, and of the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of said Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

(Aug. 13, 1954, ch. 732, § 1, 68 Stat. 718.)

REVOLVING FUND: INTEREST-FREE LOANS TO KLAMATH INDIANS; REFINANCING LENDING AGENCY LOANS

Pub. L. 86-40, June 11, 1959, 73 Stat. 70, provided: "That the Secretary of the Interior is authorized to make loans, without interest, from the revolving fund authorized by the Acts of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), and June 26, 1936 (49 Stat. 1968; 25 U.S.C. 506), as amended and supplemented, to members of the Klamath Tribe of Indians who elected to withdraw from the tribe pursuant to the Act of August 13, 1954 (68 Stat. 718; 25 U.S.C. 564), as amended, regardless of the degree of Indian blood of the borrower, and to collect such loans by setoff against funds payable to the borrower pursuant to said Act of August 13, 1954, as amended [this subchapter]. The Secretary is also authorized to refinance from such revolving fund any loan made by a lending agency to a withdrawing Klamath Indian that is secured by encumbrance of his beneficial interest in tribal property with the approval of the Secretary as required by section 4 of said 1954 Act [section 564c of this title], and to include therein a nonreimbursable grant equal to the interest charges incurred by the borrower prior to such refinancing. In the event adequate funds are not available from the revolving fund to refinance a loan by such lending agency, the Secretary is authorized to pay from the revolving fund, without reimbursement, the interest charged on such loan."

INDIAN REVOLVING LOAN FUND

Certain funds to be administered as a single Indian Revolving Loan Fund after Apr. 12, 1974, see section 1461 of this title.

REPEALS; RECOUPMENT OF FUNDS EXPENDED FOR KLAMATH COUNTY SCHOOL BOARD

Act Aug. 13, 1954, ch. 732, § 24, 68 Stat. 723, as amended by Pub. L. 85-72, June 29, 1957, 71 Stat. 243, provided that: "All Acts or parts of Acts inconsistent with this Act [this subchapter] are hereby repealed insofar as they affect the tribe or its members. Effective on July 1, 1957, section 2 of the Act of August 19, 1949 (63 Stat. 621, ch. 488) shall become inapplicable to the unrecouped balance of funds expended in cooperation with the school board of Klamath County, Oregon, pursuant to said Act."

SEPARABILITY

Act Aug. 13, 1954, ch. 732, § 25, 68 Stat. 723, provided that: "If any provision of this Act [this subchapter], or