

(June 26, 1936, ch. 831, § 4, 49 Stat. 1967.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§ 461 et seq.) of this chapter. Provisions of the Act defining "Indian" appear in section 479 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 505. Amendment or revocation of charters; suits by and against associations

The charters of any cooperative association organized pursuant to section 504 of this title shall not be amended or revoked by the Secretary except after a majority vote of the membership. Such cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the Secretary of the Interior, or upon an employee duly authorized by him to receive such service. Within thirty days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States district court.

(June 26, 1936, ch. 831, § 5, 49 Stat. 1968; June 25, 1948, ch. 646, § 29, 62 Stat. 991.)

AMENDMENTS

1948—Act June 25, 1948, struck out provisions relating to procedure for removal. See sections 1441 to 1450 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1948 AMENDMENT

Act June 25, 1948, ch. 646, § 38, 62 Stat. 992, provided that the amendment made by that act is effective Sept. 1, 1948.

§ 506. Loans to individuals and groups; appropriation

The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this subchapter. For the making of such loans and for expenses of the cooperative associations organized pursuant to this subchapter there shall be appropriated, out of the Treasury of the United States, the sum of \$2,000,000.

(June 26, 1936, ch. 831, § 6, 49 Stat. 1968.)

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

Use of Revolving Loan Fund for Indians to assist Klamath Indians during period for terminating Federal supervision, see note set out under section 564 of this title. Funds to be administered as a single Indian Revolving Loan Fund after Apr. 12, 1974, see section 1461 of this title.

§ 507. Availability and allocation of funds; royalties from mineral deposits

All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 461 et seq.], are hereby made available for use under the provisions of this subchapter, and Oklahoma Indians

shall be accorded and allocated a fair and just share of any and all funds appropriated after June 26, 1936, under the authorization herein set forth: *Provided*, That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this subchapter, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are made available for expenditure by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this subchapter and by the Act of June 18, 1934 (48 Stat. 984).

(June 26, 1936, ch. 831, § 7, 49 Stat. 1968.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in text, popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§ 461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 508. Application of provisions to Osage County

This subchapter shall not relate to or affect Osage County, Oklahoma.

(June 26, 1936, ch. 831, § 8, 49 Stat. 1968.)

§ 509. Rules and regulations; repeals

The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this subchapter. All Acts or parts of Acts inconsistent with this subchapter are repealed.

(June 26, 1936, ch. 831, § 9, 49 Stat. 1968.)

§ 510. Payment of gross production taxes; method

Whenever restricted Indian lands in the State of Oklahoma are subject to gross production tax on minerals, including oil and gas, the Secretary of the Interior, in his discretion, may cause such tax or taxes due the State of Oklahoma to be paid in the manner provided for by the statutes of the State of Oklahoma.

(Aug. 25, 1937, ch. 772, 50 Stat. 806.)

CODIFICATION

This section was not enacted as part of act June 26, 1936, ch. 831, 49 Stat. 1967, which comprises this subchapter.

SUBCHAPTER IX—KLAMATH TRIBE:
CAPITAL RESERVE FUND

§ 530. Capital reserve fund; interest for administrative expenses

The Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Indians of the Klamath Reservation in Oregon (hereinafter referred to as the "Klamath Indians") on deposit in the Treasury of the United States, a capital reserve fund for said Klamath Indians. Such fund shall be created by setting aside the sum of \$50,000 for the fiscal year 1937, and shall be augmented by additions of \$50,000 for each fiscal year thereafter. Such fund shall be held in the Treasury of the United States and shall bear in-

terest as provided by law. The interest upon such fund shall be used, insofar as it is sufficient, for the payment of the expenses of administration of the Klamath Indian Reservation in Oregon.

(Aug. 28, 1937, ch. 874, § 1, 50 Stat. 872.)

§§ 531 to 535. Repealed. Aug. 13, 1954, ch. 732, § 12, 68 Stat. 721

Sections 531 to 535, act Aug. 28, 1937, ch. 874, §§ 2-6, 50 Stat. 872, 873, related to revolving loan fund. See section 564 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Act Aug. 13, 1954, ch. 732, § 12, 68 Stat. 721, provided that the repeal is effective on the date of the transfer of title to tribal property to a trustee, corporation, or other legal entity pursuant to section 564e of this title.

SUBCHAPTER X—KLAMATH TRIBE:
DISPOSITION OF CERTAIN TRIBAL FUNDS

§ 541. Creation of individual credits; authorized purchases

The Secretary of the Interior is authorized and directed from the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians created as the result of the passage of the Act of June 25, 1938, and accrued interest thereon, to credit the sum of \$2,000 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living on August 7, 1939. The share of each adult member and not to exceed \$1,500 of the share of any minor shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Purchase of land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, 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 farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 per centum per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than twenty-one years of age, 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: *Provided, however*, That of the aforesaid \$2,000 to be prorated to each person, \$100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

(Aug. 7, 1939, ch. 552, § 1, 53 Stat. 1252.)

REFERENCES IN TEXT

Act of June 25, 1938, referred to in text, probably refers to the Second Deficiency Appropriation Act, fiscal year 1938, act June 25, 1938, ch. 681, § 203(a), 52 Stat. 1156. Section 203(a) of that act provided for an appropriation for payment of judgments rendered by the court of claims and reported to the 75th Congress in Senate Document Numbered 191, and House Documents Numbered 661 and 686. House Document No. 681 listed a judgment in favor of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians in the sum of \$5,313,347.32, with interest on a part thereof to date of payment, for the taking of land.

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.

§ 542. Limitations on remainder of fund

After the segregation provided for in section 541 of this title shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

(a) Repealed. Aug. 13, 1954, ch. 732, § 12, 68 Stat. 721.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of \$1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as authorized in the Act of June 1, 1938 (52 Stat. 605) [25 U.S.C. 551 et seq.]: *Provided*, That the amount due any minor under the provisions of said subchapter shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum from any funds, principal, or interest, on deposit to the credit of the Klamath Tribe, and section 2 of said Act of June 1, 1938 [25 U.S.C. 552], is amended accordingly.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 530 of this title.

(Aug. 7, 1939, ch. 552, § 2, 53 Stat. 1253; Aug. 13, 1954, ch. 732, § 12, 68 Stat. 721.)

REFERENCES IN TEXT

Act of June 1, 1938, referred to in subsec. (b), is act June 1, 1938, ch. 310, 52 Stat. 605, as amended, which is classified generally to subchapter XI (§ 551 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1954—Subsec. (a). Act Aug. 13, 1954, repealed subsec. (a) which related to transfer of funds.

EFFECTIVE DATE OF 1954 AMENDMENT

Act Aug. 13, 1954, ch. 732, § 12, 68 Stat. 721, provided that the amendment made by that section is effective