

ment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That such payment shall be made first from any funds on deposit in the Treasury of the United States to the credit of the Red Lake Band of the Chippewa Indians, of Minnesota, drawing interest at the rate of 5 per centum and thereafter from funds drawing 4 per centum.

(June 19, 1952, ch. 445, §1, 66 Stat. 139.)

REFERENCES IN TEXT

Act of May 18, 1916, referred to in text, is act May 18, 1916, ch. 125, 39 Stat. 123. Provisions of the act relating to the sale of timber are set out at 39 Stat. 137 and were not classified to the Code.

§ 682. Payment free of liens or claims

No money paid to Indians under sections 681 to 683 of this title shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under said sections, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of said sections.

(June 19, 1952, ch. 445, §2, 66 Stat. 139.)

§ 683. Payments not "other income and resources"

Payments made under sections 681 to 683 of this title shall not be held to be "other income and resources" as that term is used in sections 302(a)(7), 602(a)(7),¹ and 1202(a)(8) of title 42.

(June 19, 1952, ch. 445, §3, 66 Stat. 140.)

REFERENCES IN TEXT

Section 602 of title 42, referred to in text, was repealed and a new section 602 enacted by Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2112, and, as so enacted, subsec. (a)(7) no longer contains the term "other income and resources".

§ 684. Per capita payment to tribal members; installments; rules and regulations

The Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom \$50 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living on August 27, 1954. Such payment shall be made in two installments of \$25 each, the first to be made within thirty days of ratification by the Red Lake Band of Chippewa Indians of Minnesota as provided for in section 685 of this title, the second installment ninety days thereafter, and under such other rules and regulations as the Secretary of the Interior may prescribe.

(Aug. 27, 1954, ch. 1011, §1, 68 Stat. 878.)

REFERENCES IN TEXT

Act of May 18, 1916, referred to in text, is act May 18, 1916, ch. 125, 39 Stat. 123. Provisions of the act relating

¹ See References in Text note below.

to sale of timber are set out at 39 Stat. 137 and were not classified to the Code.

§ 685. Payment free of liens or claims

No money paid to Indians under sections 684 to 686 of this title shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under said sections, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of said sections.

(Aug. 27, 1954, ch. 1011, §2, 68 Stat. 879.)

§ 686. Payments not "other income and resources"

Payments made under sections 684 to 686 of this title shall not be held to be "other income and resources" as that term is used in sections 302(a)(7), 602(a)(7),¹ and 1202(a)(8) of title 42.

(Aug. 27, 1954, ch. 1011, §3, 68 Stat. 879.)

REFERENCES IN TEXT

Section 602 of title 42, referred to in text, was repealed and a new section 602 enacted by Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2112, and, as so enacted, subsec. (a)(7) no longer contains the term "other income and resources".

§ 687. Per capita payment to tribal members; rules and regulations

The Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom \$100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living on August 28, 1958. Such payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe.

(Pub. L. 85-794, §1, Aug. 28, 1958, 72 Stat. 958.)

REFERENCES IN TEXT

Act of May 18, 1916, referred to in text, is act May 18, 1916, ch. 125, 39 Stat. 123. Provisions of the act relating to sale of timber are set out at 39 Stat. 137 and were not classified to the Code.

PER CAPITA PAYMENTS FROM NET PROCEEDS

Act May 18, 1916, ch. 125, §9(19), 39 Stat. 138, as amended by Pub. L. 85-794, §4, Aug. 28, 1958, 72 Stat. 958, provided that: "After the payment of all expenses connected with the administration of these lands as herein provided, the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 per centum per annum. Any part of such fund or the interest thereon that is in excess of reserve and operating requirements, as determined by the Secretary of the Interior, may be distributed per capita to the members of the Red Lake Band upon request of the tribal council and approval by the Secretary."

ADMINISTRATION OF RED LAKE INDIAN FOREST

Act May 18, 1916, ch. 125, §9(17), 39 Stat. 137, as amended by Pub. L. 85-794, §5, Aug. 28, 1958, 72 Stat. 958,

¹ See References in Text note below.

provided that: "The Red Lake Indian Forest shall be administered by the Secretary of the Interior in accordance with principles of scientific forestry that will encourage the production of successive timber crops for the benefit of the Indians of the Red Lake Band, and he is hereby authorized (a) to harvest, sell, and manufacture such marketable timber from any tribal lands within the Red Lake Indian Reservation as he may deem to be advisable and, if the timber is the growth of Red Lake Indian Forest, in keeping with the foregoing principles, (b) to establish nurseries and otherwise provide for the reforestation of said lands, (c) to construct and operate sawmills and other facilities for the manufacture into marketable products of the timber harvested from said lands, (d) to purchase, harvest, and manufacture such additional timber standing on or severed from any other lands, including lands outside the reservation, as in his opinion may contribute to the profitable operation of such sawmills and other facilities as a tribal enterprise, subject to such limitations on expenditures as may be prescribed in annual appropriations acts, and (e) to employ such persons and use such means as he may find necessary to carry out the purposes of the foregoing provisions. Any proceeds derived from sales of timber or timber products under this paragraph may be expended in payment of the expenses of any of the activities authorized by this paragraph including construction expenses."

§ 688. Payment free of liens or claims

No money paid to Indians under sections 687 to 689 of this title shall be subject to any lien or claim of attorneys, or other persons.

(Pub. L. 85-794, §2, Aug. 28, 1958, 72 Stat. 958.)

§ 689. Payments not "other income and resources"

Payments made under sections 687 to 689 of this title shall not be held to be "other income and resources" as that term is used in sections 302(a)(7), 602(a)(7),¹ and 1202(a)(8) of title 42.

(Pub. L. 85-794, §3, Aug. 28, 1958, 72 Stat. 958.)

REFERENCES IN TEXT

Section 602 of title 42, referred to in text, was repealed and a new section 602 enacted by Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2112, and, as so enacted, subsec. (a)(7) no longer contains the term "other income and resources".

§ 690. Distribution of judgment fund; tax exemption of per capita payments

The funds on deposit in the Treasury of the United States to the credit of the Red Lake Band of Chippewa Indians that were appropriated by the Act of June 9, 1964, to pay a judgment by the Indian Claims Commission in docket 18A, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal or State income tax.

(Pub. L. 88-663, Oct. 13, 1964, 78 Stat. 1093.)

REFERENCES IN TEXT

Act of June 9, 1964, referred to in text, is act June 9, 1964, Pub. L. 88-317, 78 Stat. 204, which was not classified to the Code.

¹ See References in Text note below.

The Indian Claims Commission, referred to in text, terminated Sept. 30, 1978. See Codification note set out under former section 70 et seq. of this title.

SUBCHAPTER XXX—WESTERN OREGON INDIANS: TERMINATION OF FEDERAL SUPERVISION

§ 691. Purpose

The purpose of this subchapter is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

(Aug. 13, 1954, ch. 733, §1, 68 Stat. 724.)

REPEAL OF INCONSISTENT LAWS

Act Aug. 13, 1954, ch. 733, §19, 68 Stat. 728, provided that: "All Acts or parts of Acts inconsistent with this Act [this subchapter] are hereby repealed insofar as they affect a tribe or its members. The Act of June 18, 1934 (48 Stat. 948), as amended by the Act of June 15, 1935 (49 Stat. 378) [section 461 et seq. of this title], shall not apply to a tribe and its members after the date of the proclamation provided for in section 13 of this Act [section 703 of this title]."

SEPARABILITY

Act Aug. 13, 1954, ch. 733, §20, 68 Stat. 728, provided that: "If any provision of this Act [this subchapter], or the application thereof to any person or circumstance, is held invalid, the remainder of the Act [this subchapter] and the application of such provision to other persons or circumstances shall not be affected thereby."

RESTORATION OF FEDERAL SUPERVISION

Federal supervision over certain tribes and bands of Indians has been restored as follows:

Confederated Tribes of Siletz Indians of Oregon, see section 711 et seq. of this title.

Cow Creek Bank of Umpqua Tribe of Oregon, see section 712 et seq. of this title.

Confederated Tribes of the Grand Ronde Community of Oregon, see section 713 et seq. of this title.

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, see section 714 et seq. of this title.

Coquille Indian Tribe of Oregon, see section 715 et seq. of this title.

§ 692. Definitions

For the purposes of this subchapter:

(a) "Tribe" means any of the tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon, including the following: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapooya, Chaftan, Chempho, Chetco, Chetlesington, Chinook, Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Eucheas, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta,