the Indians and Eskimos who, since the year 1867 and prior to September 1, 1937, have migrated into Alaska from the Dominion of Canada, and their descendants of the whole or part blood.

(Sept. 1, 1937, ch. 897, § 15, 50 Stat. 902.)

REFERENCES IN TEXT

Herein, referred to in text, means act Sept. 1, 1937, which comprises this subchapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 250n of Title 48, Territories and Insular Possessions.

SUBCHAPTER VIII—INDIANS IN OKLAHOMA: PROMOTION OF WELFARE

§ 501. Acquisition of agricultural and grazing lands for Indians; title to lands; tax exemption

The Secretary of the Interior is authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership: *Provided*, That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made. Title to all lands so acquired shall be taken in the name of the United States, in trust for the tribe, band, group, or individual Indian for whose benefit such land is so acquired, and while the title thereto is held by the United States said lands shall be free from any and all taxes, save that the State of Oklahoma is authorized to levy and collect a gross-production tax, not in excess of the rate applied to production from lands in private ownership, upon all oil and gas produced from said lands, which said tax the Secretary of the Interior is authorized and directed to cause to be paid.

(June 26, 1936, ch. 831, § 1, 49 Stat. 1967.)

REFERENCES TO THIS SECTION

References to this section in subchapter II of chapter 14 of this title deemed to include section 82a of this title, see section 458aaa–10 of this title.

SHORT TITLE

Act June 26, 1936, ch. 831, 49 Stat. 1967, as amended, which enacted this subchapter, is popularly known as the ''Oklahoma Welfare Act'' and the ''Oklahoma Indian Welfare Act''.

§ 502. Purchase of restricted Indian lands; preference to Secretary of the Interior; waiver of preference

Whenever any restricted Indian land or interests in land, other than sales or leases of oil, gas, or other minerals therein, are offered for sale, pursuant to the terms of this subchapter or any other Act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by the appraisement satisfactory to the Indian owner or owners, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor.

The preference right of the Secretary to purchase shall be considered as waived where notice of the pendency of sale is given in writing to the Superintendent of the Five Civilized Tribes for at least ten days prior to the date of sale and the Secretary does not within that time exercise the preferential right to purchase.

(June 26, 1936, ch. 831, § 2, 49 Stat. 1967; Aug. 4, 1947, ch. 458, § 10, 61 Stat. 734.)

AMENDMENTS

1947—Act Aug. 4, 1947, provided for waiver of preference by failure to purchase after notice.

§ 503. Organization of tribes or bands; constitution; charter; right to participate in revolving credit fund

Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: *Provided*, *however*, That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 461 et seq.]: *Provided*, That the corporate funds of any such chartered group may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

(June 26, 1936, ch. 831, § 3, 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. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

§ 504. Cooperative associations; charter; purposes; voting rights

Any ten or more Indians, as determined by the official tribal rolls, or Indian descendants of such enrolled members, or Indians as defined in the Act of June 18, 1934 (48 Stat. 984) [25 U.S.C. 461 et seq.], who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Cred-

it administration, production, marketing, consumers' protection, or land management. The provisions of this subchapter, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto shall govern such cooperative associations: *Provided*, That in those matters not covered by this subchapter, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. In any stock or nonstock cooperative association no one member shall have more than one vote, and membership therein shall be open to all Indians residing within the prescribed district.

(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

Section 38 of act June 25, 1948, 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