

longing to the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians, including contracts for professional legal services, may be made by said tribes, with the approval of the Secretary of the Interior, or his authorized representative, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the provisions of this section shall not apply to contracts for professional legal services involving the prosecution of claims against the United States.

(July 3, 1952, ch. 549, §1, 66 Stat. 323.)

CONTRACTS INVOLVING CHOCTAW AND CHICKASAW TRIBES

Act July 3, 1952, ch. 549, §2, 66 Stat. 323, provided: "That the second proviso in section 28 of the Act of April 26, 1906, ch. 1876 (34 Stat. 148) [not classified to the Code], and the provisions contained in the fifth paragraph of section 17 of the Act of March 3, 1911, ch. 210 (36 Stat. 1070) [not classified to the Code], dealing with contracts made by the Choctaw and Chickasaw Tribes of Indians for professional legal services of attorneys, are hereby repealed."

**§ 83. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862**

Section, R.S. §2105, related to payments under prohibited contracts.

EFFECTIVE DATE OF REPEAL

Repeal by act June 25, 1948 effective Sept. 1, 1948.

**§ 84. Repealed. Pub. L. 106-568, title VIII, § 812(c)(1), Dec. 27, 2000, 114 Stat. 2917**

Section, R.S. §2106, related to restrictions on assignments of contracts.

**§ 85. Contracts relating to tribal funds or property**

No contract made with any Indian, where such contract relates to the tribal funds or property in the hands of the United States, shall be valid, nor shall any payment for services rendered in relation thereto be made unless the consent of the United States has previously been given.

(June 30, 1913, ch. 4, § 18, 38 Stat. 97.)

**§ 86. Encumbrances on lands allotted to applicants for enrollment in Five Civilized Tribes; use of interest on tribal funds**

Land allotted to any applicant for enrollment as a citizen in the Five Civilized Tribes whether an Indian or freedman, shall not be affected or encumbered by any deed, debt, or obligation of any character contracted prior to the time at which said land may be alienated under the laws of the United States: *Provided further*, That the interest accruing from tribal funds and deposited in banks in the State of Oklahoma may be used as authorized by the Act of March third, nineteen hundred and eleven, under the direction of the Secretary of the Interior, to defray the expense of per capita payments authorized by Congress.

(Aug. 1, 1914, ch. 222, §17, 38 Stat. 601; June 25, 1948, ch. 645, §3, 62 Stat. 859.)

REFERENCES IN TEXT

Act of March third, nineteen hundred and eleven, referred to in text, is act Mar. 3, 1911, ch. 210, 36 Stat.

1060, as amended, which, insofar as classified to the Code, enacted sections 11, 118, 143, 156, 300, and 301 of this title. For classification of this Act to the Code, see Tables.

AMENDMENTS

1948—Act June 25, 1948, struck out provisions relating to prohibiting contracts for compensation for services in relation to enrollment in the Five Civilized Tribes.

EFFECTIVE DATE OF 1948 AMENDMENT

Amendment by act June 25, 1948 effective Sept. 1, 1948.

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.

**§ 87. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862**

Section, act June 22, 1874, ch. 389, §10, 18 Stat. 177, related to interest of agents and employees in Indian contracts. See section 437 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see act June 25, 1948, ch. 645, §20, 62 Stat. 862.

**§ 87a. Repealed. Pub. L. 96-277, § 2, June 17, 1980, 94 Stat. 545**

Section, act June 19, 1939, ch. 210, 53 Stat. 840, authorized Federal employees, including Indian Service employees, under rules and regulations of Secretary of the Interior to purchase from Indians and Indian organizations arts and crafts, or other products, services, or commodities, produced, rendered, owned, controlled, or furnished by Indians or Indian organizations, but prohibited employee purchases for purpose of engaging directly or indirectly in commercial selling, reselling, trading, or bartering of such purchases.

EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after June 17, 1980, see section 4 of Pub. L. 96-277, set out as a note under section 68 of this title.

**§ 88. False vouchers, accounts, or claims**

Any disbursing or other officer of the United States, or other person, who shall knowingly present, or cause to be presented, any voucher, account, or claim to any officer of the United States, for approval or payment, or for the purpose of securing a credit in any account with the United States, relating to any matter pertaining to the Indian Service, which shall contain any material misrepresentation of fact in regard to the amount due or paid, the name or character of the article furnished or received; or of the service rendered, or to the date of purchase, delivery, or performance of service, or in any other particular, shall not be entitled to payment or credit for any part of said voucher, account, or claim; and if any such credit shall be given or received, or payment made, the United States may recharge the same to the officer or person receiving the credit or payment, and recover the amount from either or from both, in the same manner as other debts due the United States are