

Statutory Notes and Related Subsidiaries

INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

§ 133. Rolls of Indians entitled to supplies

For the purpose of properly distributing the supplies appropriated for the Indian Service, it is made the duty of each agent in charge of Indians and having supplies to distribute, to make out, at the commencement of each fiscal year, rolls of the Indians entitled to supplies at the agency, with the names of the Indians and of the heads of families or lodges, with the number in each family or lodge, and to give out supplies to the heads of families, and not to the heads of tribes or bands, and not to give out supplies for a greater length of time than one week in advance.

(Mar. 3, 1875, ch. 132, § 4, 18 Stat. 449.)

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§ 134. Appropriations for supplies available immediately; time for distribution

So much of the appropriations of any annual Indian Appropriation Act as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the fiscal year for which such appropriations are made, shall be immediately available, upon the approval of such Act, but no such goods or supplies shall be distributed or delivered to any of said Indians prior to the beginning of such fiscal year.

(Mar. 1, 1907, ch. 2285, 34 Stat. 1016.)

§ 135. Supplies distributed so as to prevent deficiencies

It shall be the duty of the Secretary of the Interior, and the officers charged by law with the distribution of supplies to the Indians, under appropriations made by law, to distribute them and pay them out to the Indians entitled to them, in such proper proportions as that the amount of appropriation made for the current year shall not be expended before the end of such current year, so as to prevent deficiencies; and no expenditure shall be made or liability incurred on the part of the Government on account of the Indian Service for any fiscal year (unless in compliance with existing law) beyond the amount of money previously appropriated for said service during such year.

(Mar. 3, 1875, ch. 132, § 6, 18 Stat. 450.)

Executive Documents

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.

§ 136. Commutation of rations and other supplies; payment per capita

When, in the judgment of the Secretary of the Interior, any Indian tribe, or part thereof, who are receiving rations and clothing and other supplies under the Act of July 1, 1898, chapter 545, are sufficiently advanced in civilization to purchase such rations and clothing and other supplies judiciously, they may commute the same and pay the value thereof in money per capita to such tribe or part thereof, the manner of such payment to be prescribed by the Secretary of the Interior.

(July 1, 1898, ch. 545, § 7, 30 Stat. 596.)

Editorial Notes

REFERENCES IN TEXT

Act of July 1, 1898, referred to in text, is act July 1, 1898, ch. 545, 30 Stat. 573, as amended, which enacted sections 32, 136, and 191 of this title and amended section 27 of this title. For complete classification of this Act to the Code, see Tables.

Executive Documents

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§ 137. Supplies distributed to able-bodied males on condition

For the purpose of inducing Indians to labor and become self-supporting, it is provided that, in distributing the supplies and annuities to the Indians for whom the same are appropriated, the agent distributing the same shall require all able-bodied male Indians between the ages of eighteen and forty-five to perform service upon the reservation, for the benefit of themselves or of the tribe, at a reasonable rate, to be fixed by the agent in charge, and to an amount equal in value to the supplies to be delivered; and the allowances provided for such Indians shall be distributed to them only upon condition of the performance of such labor, under such rules and regulations as the agent may prescribe: *Provided*, That the Secretary of the Interior may, by written order, except any particular tribe, or portion of tribe, from the operation of this provision where he deems it proper and expedient.

(Mar. 3, 1875, ch. 132, § 3, 18 Stat. 449.)

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eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 138. Goods withheld from chiefs violating treaty stipulations

No delivery of goods or merchandise shall be made to the chiefs of any tribe, by authority of any treaty, if such chiefs have violated the stipulations contained in such treaty upon their part.

(R.S. §2101.)

Editorial Notes

CODIFICATION

R.S. §2101 derived from act Apr. 10, 1869, ch. 16, §2, 16 Stat. 39.

§ 139. Appropriations for subsistence

The Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the appropriations for the purchase of subsistence for the several Indian tribes, to an amount not exceeding \$25,000 in the aggregate, to supply any subsistence deficiency that may occur: *Provided*, That any diversions which shall be made under authority of this section shall be reported in detail, and the reason therefor, to Congress, at the session of Congress next succeeding such diversion.

(Mar. 1, 1907, ch. 2285, 34 Stat. 1016.)

Executive Documents

TRANSFER OF FUNCTIONS

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§ 140. Diversion of appropriations for employees and supplies

The several appropriations made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes, may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner; and he shall cause report to be made to Congress, at its next session thereafter, of his action under this provision.

(Mar. 1, 1907, ch. 2285, 34 Stat. 1016.)

Executive Documents

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Interior of authority vested in President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, set out as a note under section 301 of Title 3, The President.

§ 141. Omitted

Editorial Notes

CODIFICATION

Section, R.S. §2110, which related to issuance of army rations to Indians, was omitted on recommendation of

Secretary of the Interior that this section be repealed because the practice of issuing army rations to Indians is no longer in use.

§ 142. Repealed. May 29, 1928, ch. 901, § 1(87), 45 Stat. 992

Section, act May 18, 1916, ch. 125, §27, 39 Stat. 158, related to annual reports to Congress of tribal financial matters.

§ 143. Repealed. Aug. 30, 1954, ch. 1076, § 1(24), 68 Stat. 968

Section, act Mar. 3, 1911, ch. 210, §27, 36 Stat. 1077, required Secretary of the Interior to submit an annual report to Speaker of House of Representatives of fiscal affairs of all Indian tribes for whose benefit expenditures from either public or tribal funds were made by any officer, clerk, or employee in Department of the Interior.

§ 144. Repealed. May 29, 1928, ch. 901, § 1(66), 45 Stat. 991

Section, act Aug. 1, 1914, ch. 222, §1, 38 Stat. 587, related to an annual report of moneys appropriated for encouragement of industry.

§ 145. Accounts between United States and tribes under reimbursable appropriations

The Secretary of the Interior shall cause to be stated annual accounts between the United States and each tribe of Indians arising under appropriations made, which by law are required to be reimbursed to the United States, crediting in said accounts the sums so reimbursed, if any; and the Secretary of the Interior shall pay, out of any fund or funds belonging to such tribe or tribes of Indians applicable thereto and held by the United States in trust or otherwise, all balances of accounts due to the United States and not already reimbursed to the Treasury, and deposit such sums in the Treasury as miscellaneous receipts; and such accounts shall be received and examined by the Government Accountability Office and the balances arising thereon certified to the Secretary of the Treasury.

(Apr. 4, 1910, ch. 140, §1, 36 Stat. 270; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “proper auditor of the Treasury Department” pursuant to act June 10, 1921, which transferred all powers and duties of the Comptroller, six auditors, and certain other employees of the Treasury to the General Accounting Office. See section 701 et seq. of Title 31.

Executive Documents

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