

of the successful bidder, only the funds paid by the successful bidder shall be held in the trust fund system.

(c) Use of funds

(1) In general

On the approval of the Secretary of a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1), the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be disbursed to the Indian tribe or individual Indian landowners.

(2) Administration

If a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1) is not approved by the Secretary, the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be paid to the party identified in, and in such amount and on such terms as set out in, the applicable regulations, advertisement, or other notice governing the proposed conveyance of the interest in the land at issue.

(d) Applicability

This section shall apply to any advance payment, bid deposit, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian on or after December 18, 2018.

(Pub. L. 115–325, title II, §207, Dec. 18, 2018, 132 Stat. 4464.)

CHAPTER 5—PROTECTION OF INDIANS

Sec.

171 to 173. Repealed.

- 174. Superintendence by President over tribes west of Mississippi.
- 175. United States attorneys to represent Indians.
- 176. Survey of reservations.
- 177. Purchases or grants of lands from Indians.
- 178. Fees on behalf of Indian parties in contests under public land laws.
- 179. Driving stock to feed on lands.
- 180. Settling on or surveying lands belonging to Indians by treaty.
- 181. Rights of white men marrying Indian women; tribal property.
- 182. Rights of Indian women marrying white men; tribal property.
- 183. Marriage of white men to Indian women; evidence.
- 184. Rights of children born of marriages between white men and Indian women.
- 185. Protection of Indians desiring civilized life.
- 186 to 189. Repealed or Omitted.
- 190. Sale of plants or tracts not needed for administrative or allotment purposes.
- 191. Repealed.
- 192. Sale by agents of cattle or horses not required.
- 193. Proceedings against goods seized for certain violations.
- 194. Trial of right of property; burden of proof.
- 195. Repealed.

Sec.

- 196. Sale or other disposition of dead timber.
- 197. Disposition of dead timber on reservations in Minnesota.
- 198. Contagious and infectious diseases; quarantine.
- 199. Access to records of Five Civilized Tribes.
- 199a. Custody of records; Oklahoma Historical Society.
- 200. Report of offense or case of Indian incarcerated in agency jail.
- 201. Penalties; how recovered.
- 202. Inducing conveyances by Indians of trust interests in lands.

§§ 171 to 173. Repealed. May 21, 1934, ch. 321, 48 Stat. 787

Section 171, R.S. §2111, related to imposition of a penalty for sending seditious messages intending to contravene a United States treaty or law.

Section 172, R.S. §2112, related to imposition of a penalty for carrying seditious messages intending to contravene a United States treaty or law.

Section 173, R.S. §2113, related to imposition of a penalty for corresponding with foreign nations intending to incite Indians to war.

§ 174. Superintendence by President over tribes west of Mississippi

The President is authorized to exercise general superintendence and care over any tribe or nation which was removed upon an exchange of territory under authority of the act of May 28, 1830, “to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi;” and to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

(R.S. §2114.)

Editorial Notes

CODIFICATION

R.S. §2114 derived from act May 28, 1830, ch. 148, §§7, 8, 4 Stat. 412.

Statutory Notes and Related Subsidiaries

AMERICAN INDIAN POLICY REVIEW COMMISSION

Pub. L. 93–580, Jan. 2, 1975, 88 Stat. 1910, as amended by Pub. L. 94–80, §§1–4, Aug. 9, 1975, 89 Stat. 415, 416; Pub. L. 95–5, Feb. 17, 1977, 91 Stat. 13, provided for the establishment, membership, etc., of the American Indian Policy Review Commission, and for investigations, studies, and a final report respecting Indian tribal government affairs, with the Commission to cease to exist three months after submission of the final report but not later than June 30, 1977, and Congressional committee reports to Congress within two years after referral to committee of the final report by the President of the Senate and Speaker of the House.

§ 175. United States attorneys to represent Indians

In all States and Territories where there are reservations or allotted Indians the United States attorney shall represent them in all suits at law and in equity.

(Mar. 3, 1893, ch. 209, §1, 27 Stat. 631; June 25, 1948, ch. 646, §1, 62 Stat. 909.)