

(R.S. § 2097.)

**Editorial Notes**

## CODIFICATION

R.S. § 2097 derived from act July 26, 1866, ch. 266, § 2, 14 Stat. 280.

**§ 123. Expenditure from tribal funds without specific appropriations**

No money shall be expended from Indian tribal funds without specific appropriation by Congress except as follows: Equalization of allotments, education of Indian children in accordance with existing law, per capita and other payments, all of which are hereby continued in full force and effect: *Provided*, That this shall not change existing law with reference to the Five Civilized Tribes.

(May 18, 1916, ch. 125, § 27, 39 Stat. 158.)

**§ 123a. Tribal funds; use to purchase insurance for protection of tribal property**

On and after April 13, 1926, the funds of any tribe of Indians under the control of the United States may be used for payments of insurance premiums for protection of the property of the tribe against fire, theft, tornado, hail, earthquake, or other elements and forces of nature, and for protection against liability on account of injuries or damages to persons or property and other like claims.

(Apr. 13, 1926, ch. 118, 44 Stat. 242; Aug. 2, 1946, ch. 754, 60 Stat. 852.)

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## AMENDMENTS

1946—Act Aug. 2, 1946, provided for use of funds to pay premiums on personal and property damage insurance.

**§ 123b. Tribal funds for traveling and other expenses**

On and after May 9, 1938, tribal funds shall be available for appropriation by Congress for traveling and other expenses, including supplies and equipment, of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes.

(May 9, 1938, ch. 187, § 1, 52 Stat. 315.)

**§ 123c. Advancement of tribal funds to Indian tribes; miscellaneous authorized purposes**

On and after October 12, 1984, tribal funds may be advanced to Indian tribes during each fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary including: expenditures for the benefit of Indians and Indian tribes; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and

other expenses of tribal officers, councils, committees, and employees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; and relief of Indians, including cash grants.

(Pub. L. 98-473, title I, § 101(c) [title I, § 100], Oct. 12, 1984, 98 Stat. 1837, 1849.)

**§ 123d. Additional appropriations from tribal funds**

In addition to the tribal funds authorized to be expended by existing law, there is appropriated in fiscal year 1988 and thereafter to the Secretary of the Interior for the benefit of the tribes on whose behalf such funds were collected, not to exceed \$1,000,000 in each fiscal year from tribal funds not otherwise available for expenditure.

(Pub. L. 100-202, § 101(g) [title I, § 100], Dec. 22, 1987, 101 Stat. 1329-213, 1329-230.)

**§ 124. Expenditures from tribal funds of Five Civilized Tribes without specific appropriations**

No money shall be expended from tribal funds belonging to the Five Civilized Tribes without specific appropriation by Congress.

(May 24, 1922, ch. 199, 42 Stat. 575.)

**§ 125. Expenditure of moneys of tribes of Quapaw Agency**

No moneys shall be expended from tribal or individual funds belonging to the Quapaw or other tribes of Indians of the Quapaw Agency in the State of Oklahoma without specific authority of law.

(June 30, 1919, ch. 4, § 17, 41 Stat. 20.)

**§ 126. Omitted****Editorial Notes**

## CODIFICATION

Section, R.S. § 2098, relating to payment of claims for Indian depredations, was omitted upon recommendation by Secretary of the Interior that this section be repealed as present day conditions make it unnecessary.

**§ 127. Repealed. Pub. L. 117-317, § 2(2), Dec. 27, 2022, 136 Stat. 4419**

Section, R.S. § 2100; May 29, 1928, ch. 901, § 1(81), 45 Stat. 992, disallowed payment to hostile Indian tribes of moneys or annuities stipulated by a treaty.

**§ 128. Repealed. Pub. L. 117-317, § 2(3), Dec. 27, 2022, 136 Stat. 4419**

Section, act Mar. 3, 1875, ch. 132, § 2, 18 Stat. 449, prohibited payment of appropriations made for the Indian Service to Indians at war with the United States.

**§ 129. Repealed. Pub. L. 117-317, § 2(4), Dec. 27, 2022, 136 Stat. 4419**

Section, act Mar. 3, 1875, ch. 132, § 1, 18 Stat. 424, withheld money from Indian tribes holding captives other than Indians.