

costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation.

(Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-246.)

#### Statutory Notes and Related Subsidiaries

##### SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriations acts:

- Pub. L. 105-83, title I, Nov. 14, 1997, 111 Stat. 1555.
- Pub. L. 104-208, div. A, title I, §101(d) [title I], Sept. 30, 1996, 110 Stat. 3009-181, 3009-193.
- Pub. L. 104-134, title I, §101(c) [title I], Apr. 26, 1996, 110 Stat. 1321-156, 1321-170; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.
- Pub. L. 103-332, title I, Sept. 30, 1994, 108 Stat. 2512.
- Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1392.
- Pub. L. 102-381, title I, Oct. 5, 1992, 106 Stat. 1389.

#### § 13e. Expenses of exhibits; advance payments for services; termination of Federal supervision; treaty expenses

On and after October 12, 1984, such appropriations [appropriations for the Bureau of Indian Affairs (except the revolving fund for loans and the Indian loan guarantee and insurance fund)] under this or any other act shall be available for: the expenses of exhibits; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.),<sup>1</sup> the Act of August 3, 1956 (70 Stat. 896), as amended (25 U.S.C. 309 et seq.), and legislation terminating Federal supervision over certain tribes; and expenses required by continuing or permanent treaty provision.

(Pub. L. 98-473, title I, §101(c) [title I, §100], Oct. 12, 1984, 98 Stat. 1837, 1850.)

#### Editorial Notes

##### REFERENCES IN TEXT

Act of June 4, 1936, referred to in text, probably means act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended generally by act June 4, 1936, ch. 490, 49 Stat. 1458, known as the Johnson-O'Malley Act, which was classified generally to section 452 et seq. of this title prior to editorial reclassification as section 5342 et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

Act of August 3, 1956, referred to in text, probably means act Aug. 3, 1956, ch. 930, 70 Stat. 986, which is classified generally to section 309 et seq. of this title. For complete classification of this Act to the Code, see Tables.

#### § 13f. Tribal priority allocations in Alaska

(a) Notwithstanding any other provision of law, with respect to amounts made available for tribal priority allocations in Alaska, such amounts on and after October 11, 2000, shall only be provided to tribes the membership of which on June 1 of the preceding fiscal year is composed of at least 25 individuals who are Natives

(as such term is defined in section 1602(b) of title 43) who reside in the area generally known as the village for such tribe.

(b) Amounts that would have been made available for tribal priority allocations in Alaska but for the limitation contained in subsection (a) shall be provided to the respective Alaska Native regional nonprofit corporation (as listed in section 103(a)(2) of Public Law 104-193,<sup>1</sup> 110 Stat. 2159) for the respective region in which a tribe subject to subsection (a) is located, notwithstanding any resolution authorized under federal<sup>2</sup> law to the contrary.

(Pub. L. 106-291, title I, §122, Oct. 11, 2000, 114 Stat. 944; Pub. L. 107-20, title II, §2608, July 24, 2001, 115 Stat. 178.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 103(a)(2) of Public Law 104-193, 110 Stat. 2159, referred to in subsec. (b), enacted section 419 of act Aug. 14, 1935, ch. 531, which is classified to section 619 of Title 42, The Public Health and Welfare, and contains a listing of Alaska Native regional nonprofit corporations.

##### AMENDMENTS

2001—Subsec. (a). Pub. L. 107-20 inserted “on and after October 11, 2000,” after “such amounts” and substituted “June 1 of the preceding fiscal year” for “June 1, 2000”.

#### § 14. Money accruing to Indians from Department of Veterans Affairs or other governmental agencies

Any money accruing from the Department of Veterans Affairs or other governmental agency to incompetent adult Indians, or minor Indians, who are recognized wards of the Federal Government, for whom no legal guardians or other fiduciaries have been appointed may be paid, in the discretion of the Secretary of Veterans Affairs, or other head of a governmental bureau or agency, having such funds for payment, to such superintendent or other bonded officer of the Indian Service as the Secretary of the Interior shall designate, for the use of such beneficiaries, or to be paid to or used for, the heirs of such deceased beneficiaries, to be handled and accounted for by him with other moneys under his control, in accordance with existing law and the regulations of the Department of the Interior.

(Feb. 25, 1933, ch. 124, 47 Stat. 907; Pub. L. 102-54, §13(j)(1), June 13, 1991, 105 Stat. 276.)

#### Editorial Notes

##### AMENDMENTS

1991—Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration” and “Secretary of Veterans Affairs” for “Administrator of Veterans’ Affairs”.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be capitalized.

tain 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.

**§ 14a. Deposit of grant funds received by Bureau from other Federal agencies**

On and after October 12, 1984, moneys received by grant to the Bureau of Indian Affairs from other Federal agencies to carry out various programs for elementary and secondary education, handicapped programs, bilingual education, and other specific programs shall be deposited into the appropriation account available for the operation of Bureau schools during the period covered by the grant and shall remain available as otherwise provided by law.

(Pub. L. 98-473, title I, §101(c) [title I, §100], Oct. 12, 1984, 98 Stat. 1837, 1848.)

**§ 14b. Disposition of funds received from public for goods and services provided by Bureau of Indian Affairs**

The Secretary of the Interior is authorized to retain collections from the public in payment for goods and services provided by the Bureau of Indian Affairs. Such collections shall be credited to the appropriation account against which obligations were incurred in providing such goods and services.

(Pub. L. 101-301, §10, May 24, 1990, 104 Stat. 211.)

**§ 15. Utility facilities used in administration of Bureau; contracts for sale, operation, maintenance, repair or relocation of facilities; terms and conditions; exception; Congressional approval**

Except for electric utility systems constructed and operated as a part of an irrigation system, the Secretary of the Interior is authorized to contract under such terms and conditions as he considers to be in the best interest of the Federal Government for the sale, operation, maintenance, repairs, or relocation of Government-owned utilities and utility systems and appurtenances used in the administration of the Bureau of Indian Affairs. The Secretary shall not execute a contract pursuant to this section until he has submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a copy of the contract and a statement of his reasons for proposing the contract, and until such materials have lain before the Committees for sixty days (excluding the time during which either House is in recess for more than three days) unless prior thereto the Secretary is notified that neither committee has any objection to the proposed contract.

(Pub. L. 87-279, Sept. 22, 1961, 75 Stat. 577; Pub. L. 103-437, §10(a), Nov. 2, 1994, 108 Stat. 4588.)

**Editorial Notes**

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives” for “Committees on Interior and Insular Affairs of the Senate and the House of Representatives”.

**§ 16. Transportation of Indians in Bureau vehicles**

On and after October 12, 1984, passenger carrying motor vehicles of the Bureau of Indian Affairs may be used for the transportation of Indians.

(Pub. L. 98-473, title I, §101(c) [title I, §100], Oct. 12, 1984, 98 Stat. 1837, 1850.)

**§ 17. Use of Bureau facilities**

**(a) In general**

The Secretary of the Interior may permit tribal governments and organizations and student organizations to use Bureau of Indian Affairs equipment, land, buildings, and other structures if such use does not interfere with the purpose for which they are administered by the Bureau and when such use benefits Indians or Federal or federally funded programs. The Secretary may charge the user for the cost of the utilities and other expenses incurred for the use. The amounts collected shall be credited to the appropriation or fund from which the expenses are paid and shall be available until the end of the fiscal year following the fiscal year in which collected. The Secretary's decision to not permit a use under this section is final and shall not be subject to judicial review.

**(b) Scope of authority**

The authority provided by this section is in addition to, and not in derogation of, any other authority available to the Secretary of the Interior.

**(c) Limitation of liability**

The payment of any fee, or agreement to pay costs, to the Secretary shall not in any way or to any extent limit the right of the United States to rely upon sovereign immunity or any State or Federal statute limiting liability or damages from injuries sustained in connection with use under this section.

(Pub. L. 100-297, title V, §5405, Apr. 28, 1988, 102 Stat. 417; Pub. L. 100-427, §25, Sept. 9, 1988, 102 Stat. 1613.)

**Editorial Notes**

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-427, §25(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Secretary of the Interior may permit tribal, student, and other non-Federal organizations to use facilities, lands, and equipment administered by the Bureau of Indian Affairs if such use does not interfere with the purpose for which the facilities, land, and equipment are administered by the Bureau. The Secretary of the Interior may charge the user for the actual or estimated additional cost of utilities or other expenses incurred because of the use and the amounts collected shall be credited to the appropriation or fund from which the expenses are paid.”

Subsec. (c). Pub. L. 100-427, §25(b), added subsec. (c).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

For effective date and applicability of section, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of Title 20, Education.