

**§ 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, 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**

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.

**§ 137, 138. Repealed. Pub. L. 117-317, § 2(6), (7), Dec. 27, 2022, 136 Stat. 4419**

Section 137, act Mar. 3, 1875, ch. 132, § 3, 18 Stat. 449, related to requiring able-bodied male Indians to perform service on the reservation in order to receive appropriated supplies and annuities.

Section 138, R.S. § 2101, related to withholding of goods from chiefs violating treaty stipulations.

**§ 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**

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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

##### TRANSFER OF FUNCTIONS

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#### § 146. Report of Indians present and receiving food

Whenever the issue of food, clothing, or supplies of any kind to Indians is provided for, it shall be the duty of the agent or commissioner issuing the same, at such issue thereof, whether it be both of food and clothing, or either of them, or of any kind of supplies, to report to the Commissioner of Indian Affairs the number of Indians present and actually receiving the same. (R.S. §2109.)

#### Editorial Notes

##### CODIFICATION

R.S. §2109 derived from act Feb. 14, 1873, ch. 138, §7, 17 Stat. 463, 464.

#### 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.

##### Executive Documents

##### TRANSFER OF FUNCTIONS

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#### § 147. Appropriations for specified buildings; use for transportation of materials

Appropriations for specified buildings in the Indian Service shall be used for the transportation of materials purchased therefrom.

(Jan. 12, 1927, ch. 27, §1, 44 Stat. 939.)

#### § 148. Appropriations for supplies; transfer to Indian Service supply fund; expenditure

From time to time there is authorized to be transferred from each or any appropriation or fund available for the purchase of supplies for the Indian Service, to a fund to be set up and carried on the books of the Treasury as an Indian Service supply fund, such amounts as the Secretary of the Interior may estimate to be required to pay for supplies purchased through Indian warehouses for the Indian field service; and the expenditure of the said Indian Service supply fund for the purpose stated is hereby authorized, necessary adjustments to be made thereafter to the end that each appropriation and fund ultimately will be charged only with the cost of the supplies legally chargeable thereto.

(Jan. 12, 1927, ch. 27, §1, 44 Stat. 939.)

#### § 149. Indian Water Rights Settlement Completion Fund

##### (a) Establishment

There is established in the Treasury of the United States a fund to be known as the “Indian Water Rights Settlement Completion Fund” (referred to in this section as the “Fund”).

##### (b) Deposits

###### (1) In general

On the later of October 1, 2021, and November 15, 2021, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit in the Fund \$2,500,000,000, to remain available until expended.

###### (2) Availability

Amounts deposited in the Fund under paragraph (1) shall be available to the Secretary of the Interior, without further appropriation or fiscal year limitation, for the uses described in subsection (c).

##### (c) Uses

Subject to subsection (d), amounts deposited in the Fund under subsection (b) shall be used by the Secretary of the Interior for transfers to funds or accounts authorized to receive discretionary appropriations, or to satisfy other obligations identified by the Secretary of the Interior, under an Indian water settlement approved and authorized by an Act of Congress before November 15, 2021.

##### (d) Scope of transfers

###### (1) In general

Transfers authorized under subsection (c) shall be made in such amounts as are determined by the Secretary of the Interior to be appropriate to satisfy the obligations of the United States, including appropriate indexing, pursuant to the applicable Indian water settlement.

###### (2) Sequence and timing

The Secretary of the Interior shall have the discretion to determine the sequence and timing of transfers from the Fund under subsection (c) in order to substantially complete the eligible Indian water settlements as expeditiously as practicable.