

Statutory Notes and Related Subsidiaries

REPEALS

Act May 29, 1928, repealed the provisions of acts Mar. 3, 1883 and Mar. 2, 1887, which related to Indian moneys, proceeds of labor.

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.

§ 155a. Transferred**Editorial Notes**

CODIFICATION

Section, act May 17, 1926, ch. 309, § 1, 44 Stat. 560, which related to disposal of miscellaneous revenues from Indian reservations, was merged into section 155 of this title.

§ 155b. Proceeds of labor accounts; deposits limited to funds held in trust for Indian tribes or individuals

Except in the case of funds held in trust for Indian tribes or individuals, the funds available for expenditure under the "Indian moneys, proceeds of labor" accounts authorized by section 155 of this title may be expended until September 30, 1982 for any purpose for which funds are appropriated under the subheading "Operation of Indian Programs".

No funds shall be deposited in such "Indian money, proceeds of labor" (IMPL) accounts after September 30, 1982. The unobligated balance in IMPL accounts as of the close of business on September 30, 1982, including the income resulting from the investment of funds from such accounts prior to such date, shall be transferred to and held in escrow accounts at the locations of the IMPL accounts from which they are transferred. Funds in such escrow accounts may be invested as provided in section 162a of this title and the investment income added to such accounts. The Secretary shall determine no later than September 30, 1985 (after consultation with appropriate tribes and individual Indians) the extent to which the funds held in such escrow accounts represent income from the investment of special deposits relating to specific tribes or individual Indians. Upon such a determination by the Secretary and express acceptance of the determination by the beneficiary, the Secretary shall transfer such funds to trust accounts for such tribes or individual Indians. Not more than ten percent of the funds transferred to trust accounts for any tribe or individual Indian under this provision may be utilized to pay for legal or other representation relating to claims for such funds. Not to exceed two percent of the funds transferred from the IMPL accounts shall be available to reimburse the Bureau of Indian Affairs for administrative expenses incurred in determining ownership of the funds. Acceptance of a determination by the Secretary and the transfer of funds under this provision shall constitute

a complete release and waiver of any and all claims by the beneficiary against the United States relating to the unobligated balance of IMPL accounts as of the close of business on September 30, 1982. During the period of October 1, 1985 through September 30, 1987, or earlier if a Secretarial determination on ownership and appropriate fund transfers has been completed, the funds remaining in such escrow accounts because they have not been transferred to trust accounts, may be expended subject to the approval of the Secretary for any purpose authorized under section 13 of this title and requested by the respective governing bodies of the tribes at the locations where such accounts are maintained. The unobligated balances of such escrow accounts as of the close of business on September 30, 1987, shall be deposited into miscellaneous receipts of the Treasury.

(Pub. L. 97-100, title I, § 100, Dec. 23, 1981, 95 Stat. 1400; Pub. L. 97-257, title I, § 100, Sept. 10, 1982, 96 Stat. 839.)

Editorial Notes

REFERENCES IN TEXT

The purposes for which funds are appropriated under the subheading "Operation of Indian Programs", referred to in text, are the purposes enumerated in the Department of the Interior and Related Agencies Appropriation Act, 1982, Pub. L. 97-100, title I, § 100, Dec. 23, 1981, 95 Stat. 1399.

AMENDMENTS

1982—Pub. L. 97-257 substituted "No funds shall be deposited in such 'Indian money, proceeds of labor' (IMPL) accounts after September 30, 1982" for "On September 30, 1982, the balance of such accounts (except for the funds held in trust for Indian tribes or individuals, and not to exceed \$10,000,000 which shall be available until expended by eligible tribes for purposes approved by the Bureau of Indian Affairs) shall be deposited into miscellaneous receipts of the Treasury to offset outlays of the Bureau of Indian Affairs and thereafter no funds shall be deposited in such accounts other than funds held in trust for Indian tribes or individuals" and inserted provisions that the unobligated balance in IMPL accounts as of the close of business on September 30, 1982, including the income resulting from the investment of funds from such accounts prior to such date, be transferred to and held in escrow accounts at the locations of the IMPL accounts from which they are transferred, that Funds in such escrow accounts may be invested as provided in section 162a of this title and the investment income added to such accounts, that the Secretary determine no later than September 30, 1985 (after consultation with appropriate tribes and individual Indians) the extent to which the funds held in such escrow accounts represent income from the investment of special deposits relating to specific tribes or individual Indians, that upon such a determination by the Secretary and express acceptance of the determination by the beneficiary, the Secretary transfer such funds to trust accounts for such tribes or individual Indians, that not more than ten percent of the funds transferred to trust accounts for any tribe or individual Indian under this provision be utilized to pay for legal or other representation relating to claims for such funds, that not to exceed two percent of the funds transferred from the IMPL accounts be available to reimburse the Bureau of Indian Affairs for administrative expenses incurred in determining ownership of the funds, that acceptance of a determination by the Secretary and the transfer of funds under this provision constitute a complete release and waiver of any and all claims by the beneficiary against the United States re-

lating to the unobligated balance of IMPL accounts as of the close of business on September 30, 1982, that during the period of October 1, 1985 through September 30, 1987, or earlier if determination on ownership and appropriate fund transfers has been completed, the funds remaining in such escrow accounts may be expended subject to the approval of the Secretary under section 13 of this title and requested by the respective governing bodies of the tribes, and that the unobligated balances of escrow accounts as of the close of business on September 30, 1987, be deposited into miscellaneous receipts of the Treasury.

§ 156. Deposit of funds from sales of lands and property of Five Civilized Tribes

The net receipts from the sales of surplus and unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, after deducting the necessary expense of advertising and sale, may be deposited in national or State banks in the State of Oklahoma in the discretion of the Secretary of the Interior, such depositories to be designated by him under such rules and regulations governing the rate of interest thereon, the time of deposit and withdrawal thereof, and the security therefor, as he may prescribe. The interest accruing on such funds may be used to defray the expense of the per capita payments of such funds.

(Mar. 3, 1911, ch. 210, §17, 36 Stat. 1070.)

Executive Documents

TRANSFER OF FUNCTIONS

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§ 157. Investments of stock required by treaties

All investments of stock, that are or may be required by treaties with the Indians, shall be made under the direction of the President; and special accounts of the funds under such treaties shall be kept at the Treasury, and statements thereof be annually laid before Congress.

(R.S. §2095.)

Editorial Notes

CODIFICATION

R.S. §2095 derived from act Jan. 9, 1837, ch. 1, §3, 5 Stat. 135.

§ 158. Investment of proceeds of lands

The Secretary of the Interior shall invest in a manner which shall be in his judgment most safe and beneficial for the fund, all moneys that may be received under treaties containing stipulations for the payment to the Indians, annually, of interest upon the proceeds of the lands ceded by them; and he shall make no investment of such moneys, or of any portion, at a lower rate of interest than 5 per centum per annum.

(R.S. §2096.)

Editorial Notes

CODIFICATION

R.S. §2096 derived from act Jan. 9, 1837, ch. 1, §4, 5 Stat. 135.

Executive Documents

TRANSFER OF FUNCTIONS

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§ 159. Moneys due incompetents or orphans

The Secretary of the Interior is directed to cause settlements to be made with all persons appointed by the Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found to be due to such incompetent or orphan Indians to be returned to the Treasury; and all moneys so returned shall bear interest at the rate of 6 per centum per annum, until paid by order of the Secretary of the Interior to those entitled to the same. No money shall be paid to any person appointed by any Indian council to receive moneys due to incompetent or orphan Indians, but the same shall remain in the Treasury of the United States until ordered to be paid by the Secretary to those entitled to receive the same, and shall bear 6 per centum interest until so paid.

(R.S. §2108.)

Editorial Notes

CODIFICATION

R.S. §2108 derived from act July 5, 1862, ch. 135, §6, 12 Stat. 529.

Executive Documents

TRANSFER OF FUNCTIONS

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§ 160. Custody of stocks or bonds held in trust for tribes

All stocks, bonds, or other securities or evidences of indebtedness held by the Secretary of the Interior on June 10, 1876, in trust for the benefit of certain Indian tribes shall, within thirty days from that date, be transferred to the Treasurer of the United States, who shall become the custodian thereof; and it shall be the duty of said Treasurer to collect all interest falling due on said bonds, stocks, and so forth, and deposit the same in the Treasury of the United States, and to issue certificates of deposit therefor, in favor of the Secretary of the Interior, as trustee for various Indian tribes. And the Treasurer of the United States shall also become the custodian of all bonds and stocks which may be purchased for the benefit of any Indian tribe or tribes after the transfer of funds herein authorized, and shall make all purchases and sales of bonds and stocks authorized by treaty stipulations or by acts of Congress when requested so to do by the Secretary of the Interior: *Provided*, That nothing in this section