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

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of claims for Indian depredations, was omitted upon recommendation by Secretary of the Interior that this section be repealed as present day conditions make it unnecessary.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. Moneys or annuities of hostile Indians

No moneys or annuities stipulated by any treaty with an Indian tribe for which appropriations are made shall be expended for, or paid, or delivered to any tribe which, since the next preceding payment under such treaty, has engaged in hostilities against the United States, or against its citizens peacefully or lawfully sojourning or traveling within its jurisdiction at the time of such hostilities; nor in such case shall such stipulated payments or deliveries be resumed until new appropriations shall have been made therefor by Congress.

(R.S. § 2100; May 29, 1928, ch. 901, § 1(81), 45 Stat. 992.)

CODIFICATION

R.S. § 2100 derived from act Mar. 2, 1867, ch. 173, § 2, 14 Stat. 515.

AMENDMENTS

1928—Act May 29, 1928, struck out provision requiring the Commissioner of Indian Affairs to make periodic reports to Congress concerning hostilities with any tribes with which the United States has treaty stipulations.

§ 128. Appropriations not paid to Indians at war with United States

None of the appropriations made for the Indian Service shall be paid to any band of Indians or any portion of any band while at war with the United States or with the white citizens of any of the States or Territories.

(Mar. 3, 1875, ch. 132, § 2, 18 Stat. 449.)

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.

§ 129. Moneys due Indians holding captives other than Indians withheld

The Secretary of the Interior is authorized to withhold, from any tribe of Indians who may hold any captives other than Indians, any moneys due them from the United States until said captives shall be surrendered to the lawful authorities of the United States.

(Mar. 3, 1875, ch. 132, § 1, 18 Stat. 424.)

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.

§ 130. Withholding of moneys or goods on account of intoxicating liquors

No annuities, or moneys, or goods, shall be paid or distributed to Indians while they are under the influence of any description of intoxicating liquor, nor while there are good and sufficient reasons leading the officers or agents, whose duty it may be to make such payments or distribution, to believe that there is any species of intoxicating liquor within convenient reach of the Indians, nor until the chiefs and headmen of the tribe shall have pledged themselves to use all their influence and to make all proper exertions to prevent the introduction and sale of such liquor in their country.

(R.S. § 2087.)

CODIFICATION

R.S. § 2087 derived from act Mar. 3, 1847, ch. 66, § 3, 9 Stat. 203.

§ 131. Advances to disbursing officers

No superintendent of Indian affairs, or Indian agent, or other disbursing officer in such service, shall have advanced to him, on Indian or public account, any money to be disbursed in future, until such superintendent, agent, or officer in such service has settled his accounts of the preceding year, and has satisfactorily shown that all balances in favor of the Government, which may appear to be in his hands, are ready to be paid over on the order of the Secretary of the Interior.

(R.S. § 2092.)

CODIFICATION

R.S. § 2092 derived from act June 27, 1846, ch. 34, § 1, 9 Stat. 20.

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