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.

INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

§ 113. Mode of disbursements

At the discretion of the President all disbursements of moneys, whether for annuities or otherwise, to fulfill treaty stipulations with individual Indians or Indian tribes, shall be made in person by the superintendents of Indian affairs, where superintendencies exist, to all Indians or tribes within the limits of their respective superintendencies, in the presence of the local agents and interpreters, who shall witness the same, under such regulations as the Secretary of the Interior may direct.

(R.S. § 2089.)

CODIFICATION

R.S. § 2089 derived from act Mar. 3, 1857, ch. 90, § 1, 11 Stat. 169.

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.

Transfer of disbursement functions of all Government agencies with certain exceptions to the Fiscal Service, Department of the Treasury, see note set out under section 53 of this title.

§ 114. Payment of annuities in coin

The Secretary of the Treasury is authorized to pay in coin such of the annuities as by the terms of any treaty of the United States with any Indian tribe are required to be paid in coin.

(R.S. § 2081.)

CODIFICATION

R.S. § 2081 derived from act Mar. 3, 1865, ch. 127, § 3, 13 Stat. 561.

§ 115. Payment of annuities in goods

The President may, at the request of any Indian tribe, to which an annuity is payable in money, cause the same to be paid in goods, purchased as provided in section 91 of this title.

(R.S. § 2082.)

REFERENCES IN TEXT

Section 91 of this title, referred to in text, was omitted from the Code.

CODIFICATION

R.S. § 2082 derived from act June 30, 1834, ch. 162, § 12, 4 Stat. 737.

§ 116. Indians 18 years of age to have right to receipt for annuity

All Indians, when they shall arrive at the age of eighteen years, shall have the right to receive and receipt for all annuity money that may be due or become due to them, if not otherwise incapacitated under the regulations of the Indian Office.

(Mar. 1, 1899, ch. 324, § 8, 30 Stat. 947.)

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.

§ 117. Repealed. Pub. L. 98–64, § 4(a), Aug. 2, 1983, 97 Stat. 366

Section, act June 10, 1896, ch. 398, § 1, 29 Stat. 336, directed that any sums of money to be paid per capita to individual Indians be paid to said Indians by an officer of the Government designated by the Secretary of the Interior. See section 117a et seq. of this title.

§ 117a. Per capita distribution of funds to tribe members

Funds which are held in trust by the Secretary of the Interior (hereinafter referred to as the ''Secretary'') for an Indian tribe and which are to be distributed per capita to members of that tribe may be so distributed by either the Secretary or, at the request of the governing body of the tribe and subject to the approval of the Secretary, the tribe. Any funds so distributed shall be paid by the Secretary or the tribe directly to the members involved or, if such members are minors or have been legally determined not competent to handle their own affairs, to a parent or guardian of such members or to a trust fund for such minors or legal incompetents as determined by the governing body of the tribe.

(Pub. L. 98–64, § 1, Aug. 2, 1983, 97 Stat. 365.)

SHORT TITLE

Pub. L. 98–64, Aug. 2, 1983, 97 Stat. 365, which enacted sections 117a to 117c and repealed section 117 of this title and repealed section 19 (per capita payments provisions) of act June 28, 1898, ch. 517, 30 Stat. 502, is popularly known as the ''Per Capita Act''.

§ 117b. Distribution of funds

(a) Previous contractual obligations; tax exemption

Funds distributed under sections 117a to 117c of this title shall not be liable for the payment of previously contracted obligations except as may be provided by the governing body of the tribe and distributions of such funds shall be subject to the provisions of section 7 of the Act of October 19, 1973 (87 Stat. 466), as amended [25 U.S.C. 1407].

(b) Funds appropriated in satisfaction of judgments

Nothing in sections 117a to 117c of this title shall affect the requirements of the Act of October 19, 1973 (87 Stat. 466), as amended [25 U.S.C. 1401 et seq.], or of any plan approved thereunder, with respect to the use or distribution of funds subject to that Act: *Provided*, That per capita payments made pursuant to a plan approved