

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 is classified generally to sections 452 to 457 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 452 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.

§ 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.)

AMENDMENTS

1991—Pub. L. 102-54 substituted "Department of Veterans Affairs" for "Veterans' Administration" and "Secretary of Veterans Affairs" for "Administrator of Veterans' Affairs".

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 38 section 1983.

§ 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.)

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".

CHANGE OF NAME

Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

§ 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.)

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).

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.

CHAPTER 2—OFFICERS OF INDIAN AFFAIRS

- Sec. 21 to 24. Repealed or Omitted.
- 25. Superintendent for Five Civilized Tribes.
- 25a. Application of civil service laws.
- 26 to 32. Repealed or Omitted.
- 33. Superintendents in charge of reservations; administration of oath of office.
- 34, 35. Repealed.
- 36. Special agents and other officers to administer oaths.
- 37 to 39. Repealed.
- 40. Limits of superintendencies, agencies, and subagencies.
- 41. Special agents and commissioners.
- 41a. Indian inspectors.
- 42. Repealed.
- 43. Persons paid for other services not paid for interpreting.

- Sec. 44. Employment of Indians.
- 45. Preference to Indians qualified for duties.
- 46. Preference to Indians in employment of clerical, mechanical, and other help.
- 47. Employment of Indian labor and purchase of products of Indian industry; participation in Mentor-Protégé Program.
- 47a. Security required by Secretary; contracts with Indian-owned economic enterprise; public work.
- 48. Right of tribes to direct employment of persons engaged for them.
- 49 to 52a. Repealed.
- 53. Disbursing officers; acting clerks.
- 54, 55. Repealed.
- 56. Quarters, fuel, and light for employees.
- 57. Omitted.
- 58. Limitation on number and kind of employment.
- 59. Transfer of funds for payment of employees; details for other service.
- 60. Compensation prescribed to be in full.
- 61. Estimates for personal services in Indian Office.
- 62. Discontinuance and transfer of agencies.
- 63. Consolidation of agencies.
- 64. Services of agents dispensed with.
- 65. Discontinuance of agents, subagents, and interpreters.
- 66. Duties of agency devolved on superintendent of Indian school.
- 67 to 68a. Repealed.

§§ 21, 22. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 642

Section 21, R.S. §2039, related to the Board of Indian Commissioners.

Section 22, act Aug. 24, 1912, ch. 388, §1, 37 Stat. 521, authorized the Board of Indian Commissioners to employ and pay a secretary.

§§ 23, 24. Omitted

CODIFICATION

Section 23, act May 17, 1882, ch. 163, §1, 22 Stat. 70, related to the powers and duties of the Board of Indian Commissioners, and was omitted as superseded by Ex. Ord. No. 6145 of May 25, 1933, which abolished the Board and transferred its records, property, and personnel to the supervision of the Secretary of the Interior.

Section 24, R.S. §2042, related to the investigations by a member of the Board of Indian Commissioners, and was omitted as superseded by Ex. Ord. No. 6145 of May 25, 1933.

§ 25. Superintendent for Five Civilized Tribes

The offices of the Commissioner of the Five Civilized Tribes and superintendent of Union Agency, in Oklahoma, are abolished as of September 1, 1914, and in lieu thereof there shall be appointed by the President, by and with the advice and consent of the Senate, a Superintendent for the Five Civilized Tribes, with his office located in the State of Oklahoma, at a salary of \$5,000 per annum, and said superintendent shall exercise the authority and perform the duties exercised prior to September 1, 1914, by the Commissioner to the Five Civilized Tribes and the superintendent of the Union Agency, with authority to reorganize the department and to eliminate all unnecessary clerks, subject to the approval of the Secretary of the Interior.

(Aug. 1, 1914, ch. 222, §17, 38 Stat. 598.)

TRANSFER OF FUNCTIONS

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