



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON

2019

A-58219

SEP 18 1936

The Honorable

SEP 18

The Secretary of the Interior.

Sir:

There has been received your letter of August 29, 1936, as follows:

"Reference is made to a letter dated December 16, 1935 (A-58219) from the Comptroller General addressed to this Department, extending the time for compliance with directions contained in Decision A-58219 dated February 26, 1935, relating to the application of Section 20 of the Permanent Appropriation Repeal Act (48 Stat. 1233) to individual Indian money.

"This matter was presented to the Congress during the session just closed and after due consideration there was enacted a bill (Public No. 806 - 74th Congress) modifying Section 20 of the Act in question so as to remove from the operation thereof funds held in trust for individual Indians, associations of individual Indians, or for Indian corporations. In view of this legislation, it is presumed that the instructions contained in the decision of February 26, 1935 for the deposit of such moneys into the Treasury are not now for observance.

"In this connection, many of the officers in the Indian Service who are collecting and disbursing the several classes of excepted moneys are collecting also revenues which are subject to deposit in the Treasury either to the credit of the general fund or to tribal and trust funds. Since the disbursement of Indian Service appropriations was taken over by the Chief Disbursing Officer of the Treasury Department pursuant to the provisions of Executive Order No. 6166 dated June 10, 1933, it has been the practice of these officers to remit all such collections to the Assistant Disbursing Officers of the Treasury Department in the several regional disbursing offices for deposit to the credit of appropriate receipt accounts. It would seem that the interests of the Government would best be served if the Indian Service officers

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in question were to deposit revenues collected by them, other than the excepted classes, directly to the credit of the United States, rendering monthly collection accounts current to your Office. Will you please consider this matter and advise me whether it would be permissible to authorize this procedure at jurisdictions where there is stationed a bonded accountable officer."

In view of the provisions in the act of June 25, 1936, Public No. 306, exempting from the requirements under section 20 of the Permanent Appropriation Repeal Act of 1934 (45 Stat. 1233) funds held in trust for individual Indians, associations of individual Indians, and Indian corporations chartered under the act of June 18, 1934 (48 Stat. 984), the handling and accounting for such funds should be in accordance with such other provisions of law as are otherwise applicable thereto.

With respect to the question raised in the concluding paragraph of your letter it may be stated that since the accountable officers of the Indian Service are required to render direct to this office accounts for individual Indian moneys they should also be required to accept for deposit and account for in their own names all other collections received by them on behalf of the United States - see General Regulations Nos. 30, 84, and 87.

Respectfully,

(Signed) R. N. Elliott

Acting Comptroller General
of the United States