Subpart B—IIM Accounts

§ 115.100 Osage Agency.

The provisions of this part do not apply to funds the deposit or expendi-
ture of which is subject to the provi-
sions of part 117 of this subchapter.

§ 115.101 Individual accounts.

Except as otherwise provided in this part, adults shall have the right to withdraw funds from their accounts. Upon their application, or an application made in their behalf by the Sec-
rectary or his authorized representative, their funds shall be disbursed to them. All such disbursements will be made at such convenient times and places as the Secretary or his authorized rep-
resentatives may designate.

§ 115.102 Adults under legal disability.

The funds of an adult who is non compos mentis or under other legal dis-
ability may be disbursed for his benefit for such purposes deemed to be for his best interest and welfare, or the funds may be disbursed to a legal guardian or curator under such conditions as the Secretary or his authorized representa-
tive may prescribe.

§ 115.103 Payments by other Federal agencies.

Moneys received from the Veterans Administration or other Government agency pursuant to the Act of Feb-
uary 25, 1933 (47 Stat. 907; 25 U.S.C. 14), may be accepted and administered for the benefit of adult Indians under legal disability or minors for whom no legal guardian or fiduciary has been ap-
pointed.

§ 115.104 Restrictions.

Funds of individuals may be applied by the Secretary or his authorized rep-
resentative against delinquent claims of indebtedness to the United States or any of its agencies or to the tribe of which the individual is a member, unless such payments are prohibited by acts of Congress, and against money judgments rendered by courts of Indian offenses or under any tribal law and order code. Funds derived from the sale of capital assets which by agreement approved prior to such sale by the Sec-
rectary or his authorized representative are to be expended for specific pur-
poses, and funds obligated under contractual arrangements approved in ad-
face by the Secretary or his author-
ized representative or subject to deductions specifically authorized or di-
rected by acts of Congress, shall be dis-
bursted only in accordance with the agreements (including any subse-
quently approved modifications there-
of) or acts of Congress. The funds of an adult whom the Secretary or his au-
thorized representative finds to be in need of assistance in managing his aff-
sairs, even though such adult is not non compos mentis or under other legal dis-
ability, may be disbursed to the adult, within his best interest, under ap-
proved plans. Such finding and the basis for such finding shall be recorded and filed with the records of the account. For rules governing the pay-
ment of judgments from individual In-
dian money accounts, see §11.208 of this chapter.

§ 115.105 Funds of deceased Indians of the Five Civilized Tribes.

Funds of a deceased Indian of the Five Civilized Tribes may be disbursed to pay ad valorem and personal prop-
taxes, Federal and State estate and income taxes, obligations approved by the Secretary or his authorized repre-
sentative prior to death of decedent, expenses of last sickness and burial and claims found to be just and reasonable which are not barred by the statute of limitations, costs of determining heirs to restricted property by the State courts, and claims allowed pursuant to part 16 of this chapter.

§ 115.106 Assets of members of the Agua Caliente Band of Mission Indians.

(a) The provisions of this section apply to money or other property, ex-
cept real property, held by the United States in trust for such Indians, which may be used, advanced, expended, ex-
changed, deposited, disposed of, in-
vested, and reinvested by the Director, Palm Springs Office, in accordance with the Act of October 17, 1968 (Pub.
L. 90–597). The management or disposi-
tion of real property is covered in other parts of this chapter.