§ 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 applica-
tion made in their behalf by the Sec-
retary or his authorized representa-
tive, 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-
ruary 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, un-
less 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-
retary or his authorized representative
are to be expended for specific pur-
poses, and funds obligated under con-
tractual arrangements approved in ad-
vance by the Secretary or his author-
ized representative or subject to deduc-
tions specifically authorized or di-
rected by acts of Congress, shall be dis-
bursed 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 af-
fairs, 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 ac-
count. 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-
terty taxes, Federal and State estate
and income taxes, obligations approved
by the Secretary or his authorized rep-
resentative 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 Indi-
ans.

(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.