CUMULATIVE POCKET SUPPLEMENT

TO THE . . . CODE

OF FEDERAL REGULATIONS

Title 25—Indians

For changes on and after
January 1, 1955, see the daily issues of the Federal Register

the superintendent may be taken within 30 days to the Area Director and thence to the Commissioner within a like period.

Part 222—Deposit and Expenditure of Individual Funds of Members of the Osage Tribe of Indians Who Do Not Have Certificates of Competency

Sec.
222.1 Definitions. [Amended]
222.7 Disbursement or expenditure of surplus funds of adult Indians. [Revised]
222.28 Payment of claims against estates. [Amended]
222.35 Appeals. [Revised]

§ 222.1 *Definitions.* * * *

(a) "Secretary" means the Secretary of the Interior or his authorized representative.

(b) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.

[Paragraphs (a) and (b) amended, 19 F. R. 6303, Sept. 30, 1954]

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§ 222.7 *Disbursement or expenditure of surplus funds.* Except as provided in the regulations in this part, no disbursement or expenditure of surplus funds of Indians shall be made without the consent of the Indian owner and until authorization has been obtained from the Commissioner. Application by an Indian or his legal guardian, or if he is a minor, by his parent or legal guardian, for the expenditure of surplus funds shall be presented to the Commissioner, fully justified with the appropriate attachments such as court orders, decrees or other papers. Such application shall contain full information regarding the individual including his cash balance, the sum invested, the number of shares in the Osage mineral estate, total income from all sources including that paid on behalf of minors, the family status and the occupation or industry of the applicant. When request is made for payment to the individual without supervision, the record of said individual and his ability to handle such funds shall be shown.

[19 F. R. 6303, Sept. 30, 1954]

§ 222.28 *Payment of claims against estates.* * * *

(1) Debts incurred during the lifetime of the Indian but not authorized by the superintendent, if found by the Commissioner to be just and payable.

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CODIFICATION: In § 222.28, paragraph (1) was added between paragraph (h) and the undesignated paragraph, 19 F. R. 6303, Sept. 30, 1954.

§ 222.35 *Appeals.* Any decision by the superintendent may be appealed to the area director, any decision by the area director may be appealed to the Commissioner, and any decision by the Commissioner may be appealed to the Secretary.

[19 F. R. 6303, Sept. 30, 1954]

Part 223—Judgment and Payments in Lieu of Allotment Funds

SUBPART B—SHOSHONE TRIBE OF THE WIND RIVER RESERVATION, WYOMING

Sec.
223.50 Program required; purposes for which expenditures may be made. [Revised]
223.52 Scope of programs. [Revised]
223.54 Approval of programs. [Revised]
223.55 Right of appeal. [Revised]
223.56 Individual land purchases. [Revised]
223.57 Issuance of purchase orders. [Revised]
223.58 Purchase of real property. [Revised]
223.59 Trust status of property. [Revised]
223.60 Allowances for support. [Revised]
223.61 Medical treatment. [Revised]
223.62 Education. [Revised]
223.63 Approval for certain expenditures. [Revoked]
223.65 Repayment of loans. [Revised]
223.66 Funds not available for payment of certain debts. [Revised]
223.67 Disposition of funds in event of death. [Revised]
223.68 Fee patent Indians. [Revised]

AUTHORITY: §§ 223.50 to 223.68 issued under sec. 2, 53 Stat. 1128; 25 U. S. C. 572

SOURCE: §§ 223.50 to 223.68, set forth in this Pocket Supplement, appear at 16 F. R. 10695, Oct. 19, 1951.

§ 223.50 *Program required; purposes for which expenditures may be made.* Pro rata shares of the Shoshone Judgment Fund shall be expended in accordance with an approved program and for: Purchase of land; improvement of land to be acquired or already held by the Indian; erection and improvement of suitable homes; education; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment, supplies, or training necessary to enable the Indian to fit himself for or to engage in farming, livestock raising, industry, or such other pursuits or vocations as will enable him to become self-supporting.

§ 223.52 *Scope of programs.* Programs shall contemplate the eventual use of the entire pro rata share or definitely provide for the conservation of a portion of such share, but in no case, except as hereinafter provided, shall a program provide for the expenditure in the first year, after its approval, of more than $1,350 for each adult or more than $500 for each minor contributing to the program, and the program shall recognize that future use and expenditures for such program after the first year shall depend upon the proper use of the funds initially authorized to be expended: *Provided,* That the program of an adult may, with the approval of the Commissioner of Indian Affairs, provide for the expenditure in the first year after its approval of more than $1,350 when required for its most effective development. Expenditures of a minor's funds under this subpart shall not exceed a total sum of $500 and the remaining $1,850 of each minor's share shall be held intact until his majority, as required in section 2 of the act of July 27, 1939 (53 Stat. 1128).

§ 223.54 *Approval of programs.* The superintendent, subject to the limitations described in this subpart, shall approve or disapprove all programs submitted by Indians for the use and disbursement of pro rata shares of the Shoshone Judgment Fund. The Shoshone business council may act, or designate a committee of Indians to act, in an advisory capacity in the preparation and consideration of programs. Programs shall be prepared upon an approved form,[1] which shall be filled out in duplicate, one copy to be filed at the Wind River Indian Agency and one copy to be retained in the possession of the Indian.

§ 223.55 *Right of appeal.* Indians shall have the right of appeal, through the superintendent, to the Area Director, Billings Area Office, Bureau of Indian Affairs (hereinafter referred to as the Area Director) (a) from an action of the superintendent in withholding funds under § 223.58 and (b) from an action of the superintendent in disapproving a program under § 223.54. Appeals must be filed within 60 days with the superintendent who shall promptly forward the appeal, together with a statement of the facts in the case and of his reasons for the action taken by him, to the Area Director. An appeal will lie within a like period from the action of the Area Director to the Commissioner of Indian Affairs.

[1] Forms shall be made available at the Wind River Indian Agency.

§ 223.56 *Individual land purchases.* Before approving a program which includes an individual land purchase, the superintendent shall determine that such purchase will not conflict with the tribal land program of land purchase, consolidations and use authorized by the act of July 27, 1939 (53 Stat. 1128). No purchase of land by individuals using restricted funds shall be made within the ceded or opened portion of the Wind River Reservation.

§ 223.57 *Issuance of purchase orders.* In the discretion of the superintendent, expenditures from pro rata share accounts, other than for the purchase of real property, may be made either by purchase order or by cash disbursement to the individual for the execution of an approved program.

§ 223.58 *Purchase of real property.* Except as otherwise provided in § 223.68 payment for the purchase of real property shall be made by the superintendent, and such payment shall be made only after the title has been found satisfactory by the Area Director.

§ 223.59 *Trust status of property.* Title to all real property to be acquired with restricted funds, when such property is situated within the diminished portion of the Wind River Reservation, shall be taken in the name of the United States in trust for the individual. Title to personal property acquired pursuant to a purchase order shall be taken in trust and shall be held in trust until released in writing by the superintendent. Livestock purchased in trust and the offspring thereof shall be branded "I. D." and shall be marked with the individual brand of the owner. The provisions of this section are subject to the provisions of § 223.68.