## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### FEDERAL SURPLUS COMMODITIES CORPORATION

**Regulations and Conditions Governing the Issuance of Food Order Stamps to Persons in Low Income Groups in Shawnee, Oklahoma**

Establishing the eligibility of the holders thereof to receive agricultural commodities or the products thereof, and providing for the payment of claims made by retailers of such commodities and products.

By virtue of the authority vested in the Secretary of Agriculture by law, I, Harry L. Brown, Acting Secretary of Agriculture, do make, prescribe, publish and give public notice of the following regulations and conditions, to be in force and effect in Shawnee, Oklahoma, until amended or superseded by regulations or conditions hereafter made by the Secretary of Agriculture pursuant to law.

### Article I—Definitions

§ 100 As used on the stamp order book, on the face of the food order stamps, and upon any other instrument or document in connection with the issuance of food order stamps to persons in low income groups as determined by the Secretary, and in these regulations and conditions, unless the context clearly indicates another meaning, the following terms have the following meanings:

(a) “Secretary” means the Secretary of Agriculture of the United States of America.

(b) “FSCC” or “Corporation” means the Federal Surplus Commodities Corporation, an agency of the United States under the direction of the Secretary.

(c) “Retail food store” means a merchandising establishment where a food and grocery retailer carries on the business of selling food and grocery products to consumers, not for the purpose of resale in any form and not consumed in the usual course of business on the premises, or established retail trade routes in dairy or bakery products.

(d) “Food” means agricultural commodities or the products thereof sold in retail food stores for internal consumption, not on the premises, and shall include household necessities usually purchased in grocery stores, such as soap, starch, and the like, but shall not include wines, liquors, beers or other alcoholic beverages or tobacco in any form.

(e) “Surplus food” means food found by the Secretary to be surplus and so designated in a surplus commodities bulletin published and distributed by the Corporation in connection with the use of blue surplus food order stamps.

(f) “Certifying agency” means the Corporation or the local representative thereof and/or any public or private agency designated by the Corporation by agreement therewith.

(g) “Employee” means a person receiving compensation in money or otherwise, not less than on a weekly basis, because of a temporary or permanent employment relationship within the city limits of Shawnee, Oklahoma, or the immediate environs thereof, where such compensation constitute the greatest part of the income of such person.

(h) “Person who conducts an enterprise” means a person receiving an income, other than as an employee, which income constitutes the greatest part of the income of such person.

(i) “Family” means persons within the city limits of Shawnee, Oklahoma, or the immediate environs thereof, eligible to participate in low income programs pursuant to Section 200 hereof and living together in one household as an interdependent economic group.

(j) “Applicant” means (1) an employee or (2) a person who conducts an enterprise who files a sworn application for and in behalf of a low income family, as determined by the Secretary, of which he or she is the member designated by such family or receiving the greatest part of the current cash income of such family. This applicant shall be considered the head of the family and,

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such other superintendent. All funds so transferred shall be expended in accordance with these regulations.

E. K. Burlew,
Acting Secretary of the Interior.

October 3, 1939.

[For. Doc. 39-9825; Filed, October 14, 1939; 9:35 a.m.]

DECLARATION OF POLICY IN DISBURSEMENT OF THE KLAMATH JUDGMENT FUND AND THE PAYMENTS IN LIEU OF ALLOTMENTS

October 3, 1939.

The Klamath Judgment Fund, as well as the Payments in Lieu of Allotment, represent the cash equivalent of land.

The judgment fund is a payment to the Tribe as a whole to recompense it for the taking of the Yaiyame Mountain tract, and shall be invested by the Klamath Indians as a capital asset, in the nature of land, and thus to be conserved. The payments made to individuals in lieu of an allotment of land are, as the name indicates, money paid to the individual to provide a capital basis for his efforts to become self-supporting.

Congress has authorized the pro ration of a portion of the judgment fund to living Indians for their use to foster their development and education, and to enable them to become self-supporting. The use of the money payment in lieu of allotment has been similarly restricted by the language of the statute. The objects for which the individual portions of the judgment fund and the payments in lieu of allotment may be expended have been strictly limited and defined by the Acts of Congress as indicated by the following extracts from the two acts.

Purchase of land; improvement of lands acquired or already held by the Indian; erection and maintenance of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of stock in any business, including equipment, livestock, fees, food, seed, grain, tools, machinery, implements, household goods, furniture, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting and health purposes. Provided, however, That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held until he is of age and in his majority, when it, together with interest at the rate of 4 per centum per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than twenty-one years of age, except that minors eighteen years of age or over and who are married or have families of their own, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed among persons who have property, and shall be available for expenditure by the distributees only for the purpose hereinafter specified. Provided, That the aforementioned $2,000 to be prorated to each person, $100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

Sec. 3. The payments herein authorized shall be in proportion to the individual Indian money account of such Indians subject to expenditure by such Indians, under rules and regulations as the Secretary of the Interior may prescribe for (1) industrial and agricultural assistance, and the construction and improvement of homes, including the purchase of land and interests in land, building materials, farming equipment, livestock, fees; food, seed, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations; and (2) educational advancement of such Indians; (3) financial assistance in cases of illness, death, or other emergency; (4) the repayment of reasonable debts previously contracted; or (5) security for or the repayment of loans made to such Indians from any Klamath revolving loan fund now existing or which shall hereafter be created.

The programs to be developed must, therefore, be in accord with such congressional policy, which apply equally to those who may reside at Klamath or on any other Indian reservation by reason of having received patents in fee or otherwise residing outside of the jurisdiction of any Indian superintendent.

Production of income, which may be used without the restrictions imposed by the present regulations, is dependent upon the success of the enterprise in which the individual invests his capital. Individuals should use great care and thought in determining the uses to which their share of the judgment fund, or payments in lieu of allotment, will be put, with a view to obtaining the greatest income of him for the longest possible period.

During the time the Klamath Loan Fund has been in operation many loans were made with the knowledge that the money payments in lieu of allotment. After these payment funds have been utilized there will be no assured future cash payments from tribal funds or other sources of sufficient size to warrant extending substantial credit to a borrower by the Klamath Loan Board. Hereafter the credit of a borrower will depend upon the showing he has made under his program and the assets he can tender the Loan Board as security for the repayment of his obligation. Individuals should, and must, give thought to means of carefully preserving the asset value of the money made available under these acts and regulations so that if further loans are required in the future they may be obtained from the Klamath Loan Fund.

The money here involved represents a substantial part of the heritage of living Indians, which it has been, and is, the policy of the Department to conserve. The Department's policy has been approved by Congress in the two applicable acts. In order that the value of this heritage may be of the greatest benefit to the present generation and be preserved for future generations, those responsible for the administration and consideration of the plans for the expenditure of these funds are charged with the duty of safeguarding such funds and of giving careful consideration to any and all plans for their use in order to assist the Indian in making progress to the end that he may become self-supporting.

The heads of the various divisions at the agency will advise with and assist any individual in the preparation of his plan or program. In the ordinary case, approval of the plan or program will be expedited by taking it up with the division head, most familiar with the type of program contemplated, before it is submitted to the Superintendent.

After the individual has carefully prepared his program for the expenditure of all, or any, portion of his available funds, with special regard to the question of whether the program for which he desires to expend the money are authorized by the applicable Act of Congress, he shall present the same to the superintendent.

In all family plans or programs which contemplate the use of funds of minors or adults (other than the head of the family and his wife) attention must be given to the probability that in the future such minors or adults may desire to create a new home or to develop their individual plans or programs on their own allotments or on land they may acquire. Care should be exercised so that the normal development of such individuals will not be impeded.

E. K. Burlew,
Acting Secretary of the Interior.

[For. Doc. 39-9851; Filed, October 14, 1939; 9:35 a.m.]

TITLE 29—LABOR
CHILDREN'S BUREAU

[Regulation No. 1-E]

CHILD LABOR

EXTENSION OF TEMPORARY CERTIFICATES OF AGE REGULATION

October 12, 1939.

Authority for Regulation

By virtue of and pursuant to the authority conferred by section 3 (1) and section 11 (b) of the Fair Labor Standards Act of 1938, the following regulation is hereby issued for the purpose of extending the effective period of Child Labor Regulation No. 1-A, entitled "Temporary Certificates of Ages," as the effective period thereof has been extended by Child Labor Regulations No. 1-B, 1-C, and 1-D until October 24, 1939.