



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.

[F. R. Doc. 39-3802; 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 Yainsey Mountain tract, and should be treated 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 improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, 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, 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 intact until such Indian reaches 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 to support, 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 as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however,* That of the aforesaid \$2,000 to be prorated to each person, \$100 shall be paid to each member of said tribes as a per capita pay-

ment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

Sec. 3. The payments herein authorized shall be deposited to the credit of the individual Indian money accounts of such Indians subject to expenditure by such Indians, under such 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 material, farming equipment, industrial equipment, trucks, livestock, feed, 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 the farming, livestock industry, or such other industrial or agricultural pursuits or vocations as will enable them to become self-supporting; (2) the educational advancement of such Indians; (3) financial assistance in cases of illness, death, or other emergency; (4) the repayment of reimbursable debts previously contracted; or (5) security for or the repayment of loans made to such Indians from any Klamath revolving loan fund now existent 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 any other jurisdiction and those who by reason of having received patents in fee or otherwise are 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 payment in lieu of allotment, will be put, with a view to obtaining the greatest amount of income for him over the longest possible period.

During the time the Klamath Loan Fund has been in operation many loans were made with the knowledge that repayments would come from 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 which 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 preparation 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 a portion, of his available funds, with special regard to the question of whether the purposes 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.*

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**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 (l) and section 11 (b) of the Fair Labor Standards Act of 1938<sup>1</sup> 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 Age," as the effective period thereof has been extended by Child Labor Regulations No. 1-B, 1-C, and 1-D until October 24, 1939.

<sup>1</sup> Act of June 25, 1938, chapter 676, 52 Stat. 1060, U.S.C., Supp. IV, title 29, section 201.