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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter 1—Civil Service Commission

#### Part 1—COVERAGE AND DEFINITIONS

#### Part 2—FILLING COMPETITIVE POSITIONS

#### Part 10—EMPLOYMENT WITH REEMPLOYMENT RIGHTS

#### Part 20—RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

#### Part 35—RESTORATION OF FEDERAL EMPLOYEES AFTER ACTIVE MILITARY DUTY

#### MISCELLANEOUS AMENDMENTS

The following amendments are effective August 1, 1956:

1. Section 1.102 (n) and (o) are amended as set out below.

#### § 1.102 Definitions. \* \* \*

(n) "Obligated position" means a position to which an employee has a statutory reversion right based on active military duty or reemployment rights based on Part 10 of this chapter.

(o) "Active military duty" means active duty in full pay status in the armed forces of the United States, including an initial period of active duty for training in the armed forces in accordance with section 262 of the Armed Forces Reserve Act of 1952, as amended by the Reserve Forces Act of 1955 (69 Stat. 600). (R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

2. Subpart E of Part 2 is redesignated "Promotion, Demotion, Reassignment, and Transfer" and §§ 2.109 (b), 2.501 (b) and 2.503 (a) are amended as set out below.

#### § 2.109 Limitation on career appointments. \* \* \*

(b) "Obligated positions." No obligated position shall be filled on a permanent basis, except as otherwise provided in § 2.503 (Sec. 1310, 65 Stat. 757, as amended.)

#### § 2.501 Agency authority. \* \* \*

(b) *Transfer.* The Commission hereby delegates authority to agencies to appoint by transfer career or career-conditional employees of other agencies.

§ 2.503 *Status and tenure after position change or transfer.* (a) The status and tenure of an employee shall not be changed by promotion, demotion, reassignment, or transfer under this subpart, except as provided in paragraph (b) of this section. However, no position change or transfer to an obligated position may be made on a permanent basis, except as follows:

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

#### 3. Part 10 is revised as follows:

#### EMPLOYMENT WITH REEMPLOYMENT RIGHTS

##### Sec.

10.101 Basic eligibility for reemployment rights.

10.102 Letter of Authority.

10.103 Standards for Issuing Letters of Authority.

10.104 Request for Letter of Authority.

10.105 Appeal of losing agency.

10.106 Expiration of reemployment rights.

10.107 Exercise or termination of reemployment rights.

10.108 Agency's obligation to reemploy.

10.109 Employee appeals to the Commission.

10.110 Exercise or termination of reemployment rights granted under previous regulations.

**AUTHORITY:** §§ 10.101 to 10.110 Issued under R. S. 1753, sec. 2, 22 Stat. 403, as amended, sec. 1310, 65 Stat. 757, as amended; 5 U. S. C. 631, 633; 43 note.

§ 10.101 *Basic eligibility for reemployment rights—(a) Employees eligible.* The following groups of employees in the executive branch of the Government are eligible to be granted reemployment rights when they are hired by another executive agency without break in service of a full work day by transfer or reinstatement, or by excepted appointment, in a position which the agency is currently authorized to fill with reemployment rights:

(1) Employees serving in competitive positions under career or career-conditional appointments.

(2) Nontemporary excepted employees.

(b) *Employees not eligible.* Reemployment rights shall not be granted to any employee who:

(1) Is serving a trial or probationary period;

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posure. Such appraisal shall be final in the absence of an appeal to reappraisal, as provided in section 501 of the Tariff Act of 1930, as amended (19 U. S. C. 1501). In the case of such articles withdrawn for entry under the general tariff law under a warehouse bond or a bond conditioned upon exportation, the statutory period of the bond and any extension thereof shall be computed from the date of withdrawal from entry under the provisions of Public Law No. 566 of the 84th Congress.

(b) At any time prior to the opening of the exposition, or at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, as provided in § 15.4 of this chapter.

(c) Any articles entered under the regulations in this part which have not been withdrawn for consumption, entry under the general tariff law, or exportation, or which have not been abandoned to the Government or destroyed under customs supervision, before the expiration of three months after the close of the exposition, shall be regarded as abandoned to the Government.

[SEAL] RALPH KELLY,  
Commissioner of Customs.

Approved: June 27, 1956.

DAVID W. KENDALL,  
Acting Secretary of the Treasury.

[F. R. Doc. 56-5389; Filed, July 6, 1956;  
8:52 a. m.]

## TITLE 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

#### Subchapter R—Leases and Sales of Minerals, Restricted Indian Lands

#### PART 183—LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

#### PART 186—LEASING OF TRIBAL LANDS FOR MINING

#### PART 189—LEASING OF CERTAIN RESTRICTED ALLOTTED INDIAN LANDS FOR MINING

#### PART 192—LEASING OF CERTAIN LANDS IN WIND RIVER INDIAN RESERVATION, WYO., FOR OIL AND GAS MINING

#### PART 195—LEASING OF LANDS IN CROW IN- DIAN RESERVATION, MONT., FOR MINING

##### LEASE SALES

1. Section 183.4 is amended to read as follows:

§ 183.4 *Sale of oil and gas leases.* (a) At such times and in such manner as he may deem appropriate, the Area Director shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Commissioner of Indian Affairs, that oil and gas leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money

order, payable to the payee designated in the invitation to bid, in an amount not less than 25 percent of the bonus bid.

Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the Area Director the lease in completed form. The Area Director may, for good and sufficient reasons, extend the time for the completion and submission of the lease form, but no extension shall be granted for remitting the balance of monies due. If the successful bidder fails to pay the full consideration within said period, or fails to file the completed lease within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or the Department of the Interior, 25 percent of the bonus bid will be forfeited for the use and benefit of the Indian lessor.

(b) In cases where any part of the bonus bid for a lease is paid directly to the Indian lessor, upon his signing the lease, the lessee must procure and file with the lease an affidavit of the lessor, sworn to before a United States Commissioner, Postmaster, Area Director, local representative of the Area Director, county or district judge, Federal judge or clerk of a Federal court, showing the amount of bonus so paid, and the balance thereof must be paid into the office of the Area Director upon filing the lease. Where possible lessees are requested to take the lessor to the nearest United States field clerk who will render all proper assistance in the execution of leases, and before whom the bonus affidavit may be executed in cases where any part of bonus consideration is paid directly to the lessor. Where leases are executed by guardians, under order of court, the affidavit of lessor may be executed before a notary public.

(c) All notices or advertisements of sales of oil and gas leases shall reserve to the Secretary of the Interior the right to reject all bids when in his judgment the interests of the Indians will be best served by so doing, and that if no satisfactory bid is received, or if the accepted bidder fails to complete the lease, or if the Secretary of the Interior shall determine that it is unwise in the interests of the Indians to accept the highest bid, the Secretary may readvertise such lease for sale, or if deemed advisable, with the consent of the Indian owners, a lease may be made by private negotiations. The successful bidder or bidders will be required to pay his or their share of the advertising costs. Amounts received from unsuccessful bidders will be returned; but when no bid is accepted on a tract, the costs of advertising will be assessed against the applicant who requested that said tract be advertised.

(Secs. 16, 17, 48 Stat. 987, 988; sec. 9, 49 Stat. 1968, sec. 4, 52 Stat. 348; 25 U. S. C. 396d, 476, 477, 509)

2. Section 186.3 is amended to read as follows:

§ 186.3 *Sale of oil and gas leases.* (a) At such times as the Secretary of the Interior may direct, after being authorized by the tribal council, the superin-

tendent shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Commissioner of Indian Affairs, that oil and gas leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money order, payable to the payee designated in the invitation to bid, in an amount not less than 25 percent of the bonus bid. Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the superintendent the lease in completed form. The superintendent may, for good and sufficient reasons, extend the time for the completion and submission of the lease form, but no extension shall be granted for remitting the balance of monies due. If the successful bidder fails to pay the full consideration within said period, or fails to file the completed lease within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or the Department of the Interior, 25 percent of the bonus bid will be forfeited for the use and benefit of the Indian lessor.

(b) All notices or advertisements of sales of oil and gas leases shall reserve to the Secretary of the Interior the right to reject all bids when in his judgment the interests of the Indians will be best served by so doing, and that if no satisfactory bid is received, or if the accepted bidder fails to complete the lease, or if the Secretary of the Interior shall determine that it is unwise in the interests of the Indians to accept the highest bid, the Secretary may readvertise such lease for sale, or if deemed advisable, with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations. The successful bidder or bidders will be required to pay his or their share of the advertising costs. Amounts received from unsuccessful bidders will be returned; but when no bid is accepted on a tract, the costs of advertising will be assessed against the applicant who requested that said tract be advertised.

(Secs. 16, 17, 48 Stat. 987, 988, sec. 9, 49 Stat. 1968, sec. 4, 52 Stat. 348; 25 U. S. C. 396d, 476, 477, 509)

3. Section 189.4 is amended to read as follows:

§ 189.4 *Sale of oil and gas leases.* (a) At such times and in such manner as he may deem appropriate, the superintendent shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Commissioner of Indian Affairs, that oil and gas leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money order, payable to the payee-designated in the invitation to

bid, in an amount not less than 25 percent of the bonus bid. Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the superintendent the lease in completed form. The superintendent may, for good and sufficient reasons, extend the time for the completion and submission of the lease form, but no extension shall be granted for remitting balance of monies due. If the successful bidder fails to pay the full consideration within said period, or fails to file the completed lease within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or the Department of the Interior, 25 percent of the bonus bid will be forfeited for the use and benefit of the Indian lessor.

(b) All notices or advertisements of sales of oil and gas leases shall reserve to the Secretary of the Interior the right to reject all bids when in his judgment the interests of the Indians will be best served by so doing, and that if no satisfactory bid is received, or if the accepted bidder fails to complete the lease, or if the Secretary of the Interior shall determine that it is unwise in the interests of the Indians to accept the highest bid, the Secretary may readvertise such lease for sale, or if deemed advisable, with the consent of the Indian owners, a lease may be made by private negotiations. The successful bidder or bidders will be required to pay his or their share of the advertising costs. Amounts received from unsuccessful bidders will be returned; but when no bid is accepted on a tract, the costs of advertising will be assessed against the applicant who requested that said tract be advertised.

(35 Stat. 783; 25 U. S. C. 396)

4. Section 192.4 is amended to read as follows:

§ 192.4 *Lease sales.* (a) At such times and in such manner as he may deem appropriate, the superintendent shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Commissioner of Indian Affairs, that oil and gas leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money order, payable to the payee designated in the invitation to bid, in an amount not less than 25 percent of the bonus bid. Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the superintendent the lease in completed form. The superintendent may, for good and sufficient reasons, extend the time for completion and submission of the lease form, but no extension shall be granted for remitting the balance of monies due. If the successful bidder fails to pay the full consideration within said period, or fails to file the completed lease within said period or extension thereof, or if

the lease is disapproved through no fault of the lessor or the Department of the Interior, 25 percent of the bonus bid will be forfeited for the use and benefit of the Indian lessor.

(b) All notices or advertisements of sales of oil and gas leases shall reserve to the Secretary of the Interior the right to reject all bids when in his judgment the interests of the Indians will be best served by so doing, and that if no satisfactory bid is received, or if the accepted bidder fails to complete the lease, or if the Secretary of the Interior shall determine that it is unwise in the interests of the Indians to accept the highest bid, the Secretary may readvertise such lease for sale, or if deemed advisable, with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations. The successful bidder or bidders will be required to pay his or their share of the advertising costs. Amounts received from unsuccessful bidders will be returned; but when no bid is accepted on a tract, the costs of advertising will be assessed against the applicant who requested that said tract be advertised.

(Sec. 1, 39 Stat. 519)

5. Section 195.4 is amended to read as follows:

§ 195.4 *Lease sales.* (a) At such times and in such manner as he may deem appropriate, the superintendent shall publish notices at least thirty days prior to the sale, unless a shorter period is authorized by the Commissioner of Indian Affairs, that mineral leases on specific tracts, each of which shall be in a reasonably compact body, will be offered to the highest responsible bidder for a bonus consideration, in addition to stipulated rentals and royalties. Each bid must be accompanied by a cashier's check, certified check, or postal money order, payable to the payee designated in the invitation to bid, in an amount not less than 25 percent of the bonus bid. Within 30 days after notification of being the successful bidder, said bidder must remit the balance of the bonus, the first year's rental, and his share of the advertising costs, and shall file with the superintendent the lease in completed form. The superintendent may, for good and sufficient reasons, extend the time for the completion and submission of the lease form, but no extension shall be granted for remitting the balance of monies due. If the successful bidder fails to pay the full consideration within said period, or falls to file the completed lease within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or the Department of the Interior, 25 percent of the bonus bid will be forfeited for the use and benefit of the Indian lessor.

(b) All notices or advertisements of sales of mineral leases shall reserve to the Secretary of the Interior the right to reject all bids when in his judgment the interests of the Indians will be best served by so doing, and that if no satisfactory bid is received, or if the accepted bidder fails to complete the lease, or if the Secretary of the Interior shall

determine that it is unwise in the interests of the Indians to accept the highest bid, the Secretary may readvertise such lease for sale, or if deemed advisable, with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations. The successful bidder or bidders will be required to pay his or their share of the advertising costs. Amounts received from unsuccessful bidders will be returned; but when no bid is accepted on a tract, the costs of advertising will be assessed against the applicant who requested that said tract be advertised.

(Sec. 6, 41 Stat. 753, 44 Stat. 659)

FRED A. SEATON,  
*Secretary of the Interior.*

JULY 2, 1956.

[F. R. Doc. 56-5366; Filed, July 6, 1956;  
8:45 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 170]

#### PART 608—RESTRICTED AREAS

##### ALTERATION

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of Section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.41, the Cherry Point, North Carolina, area No. 2 (R-125), amended on August 12, 1955, in 20 F. R. 5850, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 35°46'30", longitude 76°47'00"; southwesterly along the east edge of Amber Civil Airway No. 9 to latitude 34°21'40", longitude 77°41'30"; clockwise along the arc of a circle with a radius of 60 statute miles centered at latitude 34°54'30", longitude 76°53'00"; to latitude 34°26'50", longitude 77°46'35"; thence north to latitude 35°20'30", longitude 77°40'50"; thence northeast to latitude 35°40'00", longitude 77°23'40"; clockwise along the arc of a circle with a radius of 60 statute miles centered at latitude 34°54'30", longitude 76°53'00"; to latitude 35°46'30", longitude 76°47'00" point of beginning."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies Sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on July 26, 1956.

[SEAL] C. J. LOWEN,  
*Administrator of Civil Aeronautics.*

[F. R. Doc. 56-5365; Filed, July 6, 1956;  
8:45 a. m.]