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## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 10593

AMENDING EXECUTIVE ORDER No. 10296,<sup>1</sup> AS AMENDED, TO AUTHORIZE THE DIRECTOR OF THE OFFICE OF DEFENSE MOBILIZATION TO PERFORM ADDITIONAL FUNCTIONS OF THE PRESIDENT

By virtue of the authority vested in me by section 301 of title 3 of the United States Code (65 Stat. 713) and as President of the United States, it is ordered that section 2 of Executive Order No. 10296 of October 2, 1951 (16 F. R. 10103) as amended, entitled "Providing for the Performance of Certain Defense Housing and Community Facilities and Services Functions" be, and it is hereby, amended to read as follows:

2. The Director of the Office of Defense Mobilization is hereby designated and empowered to perform, without the approval, ratification, or other action of the President, the functions vested in the President by section 104 of the Defense Housing and Community Facilities and Services Act of 1951, as amended (which Act, as amended, is hereinafter referred to as the Act) relative to the designation of periods during which, and relative to the designation of projects for which.

(1) Mortgages may be insured under Title IX of the National Housing Act, as amended.

(2) Agreements may be made to extend assistance for the provision of community facilities or services under Title III of the Act.

(3) The construction of temporary housing or community facilities may be begun by the United States under Title III of the Act.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
January 27 1955.

[F. R. Doc. 55-899; Filed, Jan. 27, 1955; 10:56 a. m.]

<sup>1</sup> 16 F. R. 10103; 3 CFR, 1951 Supp., p. 508.

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

PART 9—SEPARATIONS, SUSPENSIONS, AND DEMOTIONS

PART 20—RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTION IN FORCE

APPEALS FROM EMPLOYEES ENTITLED TO BUT DENIED PROTECTION OF LLOYD-LAFOLLETTE ACT

Effective January 23, 1955, new §§ 9.109 and 20.10 are added as set out below.

§ 9.109 *Appeals from employees entitled to but denied protection of Lloyd-LaFollette Act, as amended, in removals after June 25, 1953, from positions listed in Schedules A, B, or C.* Any person who was an employee in the competitive service at the time his position was listed in Schedules A, B, or C and who was removed therefrom subsequent to June 25, 1953, and prior to January 23, 1955, without compliance with the procedures prescribed by Public Law 623, 80th Congress (Lloyd-LaFollette Act, as amended) and § 9.102 (a) (1) may within ninety (90) days from the effective date of this section, appeal such removal to the appropriate office of the Commission or directly to the agency in which he was employed. Any appeal to the Commission under this section shall be referred to the agency concerned for consideration and appropriate action. The agency shall notify the Commission and the appellant of its action on such appeal within ninety (90) days of receipt thereof and shall also notify the appellant of his right to further appeal to the Commission as provided in this section. No action on such appeal will be taken by the Commission unless the appellant further appeals an adverse decision by the agency within ten (10) days after receipt of such notice. If the agency fails to notify the appellant of its final action on an appeal within ninety (90) days of its receipt, the Commission, upon request of the appellant, will adjudicate the appeal. The Commission will not adjudicate an appeal under this section

(Continued on p. 601)

## CONTENTS

### THE PRESIDENT

Executive Order	Page
Amending E. O. 10296, as amended, to authorize Director of Office of Defense Mobilization to perform additional functions of President.....	599

### EXECUTIVE AGENCIES

<b>Agricultural Conservation Program Service</b>	
Rules and regulations:	
Agricultural conservation; Virgin Islands, 1955.....	602

<b>Agricultural Marketing Service</b>	
Rules and regulations:	
Raisins produced from grapes grown in California; modification of reserve and surplus percentages for 1954-55 crop year.....	602

<b>Agriculture Department</b>	
<i>See also</i> Agricultural Conservation Program Service; Agricultural Marketing Service; Farmers Home Administration.	
Notices:	
Idaho; designation of additional areas for production emergency loans.....	630

<b>Alien Property Office</b>	
Notices:	
Vested property intention to return.	
Elchinger, Richard.....	634
Rubber Stichtung.....	634

<b>Civil Aeronautics Administration</b>	
Rules and regulations:	
Alterations; designation of:	
Civil airways.....	607
Control areas, zones and reporting points.....	611

<b>Civil Service Commission</b>	
Rules and regulations:	
Appeals from employees entitled to but denied protection of Lloyd-LaFollette Act:	
Retention preference regulations for use in reduction in force.....	599

599

requirements and provisions of section 2 (a) of the Clayton Act.

[Rule 17]

Issued: January 25, 1955.

Promulgated by the Federal Trade Commission January 28, 1955.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 55-853; Filed, Jan. 27, 1955;  
8:54 a. m.]

## TITLE 25—INDIANS

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

#### Subchapter I—Patents in Fee, Competency Certificates, Sales and Reinvestment of Proceeds

#### PART 241—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

##### MISCELLANEOUS AMENDMENTS

1. The citation of authority immediately following the table of contents to Part 241 is amended to read as follows: "R. S. 161, 5 U. S. C. 22. Interpret or apply sec. 7, 32 Stat. 275, 34 Stat. 1018; sec. 1, 35 Stat. 444, sec. 1, 2, 36 Stat. 855, 856, as amended, sec. 17, 40 Stat. 579, 62 Stat. 236, 25 U. S. C. 379, 405, 404, 372, 373, 483. Other statutory provisions interpreted or applied are cited to text in parentheses."

2. Sections 241.11, 241.12, 241.18, 241.19, 241.20, 241.32, 241.33, 241.50, and 241.51 are revoked.

3. The center head immediately following § 241.8 is amended to read as follows: "Sales and Exchanges of Individually-Owned Trust or Restricted Land, Exclusive of Five Civilized Tribes Land"

4. Sections 241.9, 241.10, 241.17, 241.24, 241.27, and 241.31 are amended to read as follows:

§ 241.9 *Sales and exchanges by Indians.* Pursuant to the acts of May 27, 1902 (32 Stat. 275, 25 U. S. C. 379) March 1, 1907 (34 Stat. 1018; 25 U. S. C. 405) May 29, 1908 (35 Stat. 444, 25 U. S. C. 404) and May 14, 1948 (62 Stat. 236; 25 U. S. C. 483) and pursuant to other authorizing acts, the following classes of land may be sold or exchanged with the approval of the Secretary of the Interior:

(a) Allotted land, and devised and inherited interests therein,

(b) Land acquired by purchase, exchange or gift, and devised and inherited interests therein, held under an instrument of conveyance which recites either that title is in the United States in trust for the Indian or that the land shall not be sold or alienated without the consent or approval of the Superintendent, the Commissioner of Indian Affairs, or the Secretary of the Interior.

§ 241.10 *Sales by the Secretary.* The Secretary of the Interior may pursuant to the act of June 25, 1910, as amended (36 Stat. 855, as amended, 25 U. S. C. 372) and the act of February 14, 1913

(37 Stat. 678; 25 U. S. C. 373) sell interests in trust allotments acquired by Indians through inheritance or devise.

§ 241.17 *Petitions for the sale of land.* Petitions for the sale of trust or restricted land shall be filed, on forms approved by the Commissioner of Indian Affairs, with the Superintendent or other officer in charge of the Indian Agency or other local facility having administrative jurisdiction over the land.

§ 241.24 *Appraisal, advertisement, consideration.* (a) No advertised sale of trust or restricted land shall be made or approved unless an appraisal of such land shall have been made within 6 months prior to the date the bids thereon are opened. No negotiated sale or exchange of trust or restricted land shall be approved unless an appraisal of such land shall have been made within 6 months prior to the date of approval of such sale or exchange, unless otherwise authorized by the Secretary of the Interior. The Superintendent or other officer in charge of the Indian Agency or other local facility having administrative jurisdiction over the land shall designate a qualified appraiser to appraise the land at its fair market value and the Superintendent or other officer in charge shall, on a form approved by the Commissioner of Indian Affairs, certify to the qualifications of the appraiser and certify that in his opinion the appraisal represents the fair market value of the land.

(b) Except as provided in paragraph (c) of this section, proposed sales of land shall be advertised for at least 30 days prior to the proposed date for opening bids on such land, unless otherwise authorized by the Secretary of the Interior. At the request of the owner the advertisement may afford to Indians generally to Indians of a particular tribe, or to any other reasonably defined class of Indians a right to meet the high bid.

(c) The following types of conveyances need not be advertised and may be negotiated: (1) A sale to another Indian, an Indian tribe, the United States or an agency thereof, or a state or local government or agency thereof; (2) a conveyance to a member of the Indian's immediate family pursuant to the provisions of paragraph (d) of this section; and (3) an exchange. Sales between Indians, either of whom is an employee of the United States Government, are governed by the provisions of § 276.5 of this chapter.

(d) The consideration for any sale shall be not less than the appraised value of the land. The consideration for any exchange shall be either land, or a combination of land and money or other thing of value, the fair market value of which is not less than the appraised value of the trust or restricted land. An Indian owner of trust or restricted land may however, with the approval of the Secretary of the Interior, convey land to a member of his or her immediate family for a consideration less than that prescribed in the foregoing provisions of this paragraph or for no consideration. For purposes of this section, "immediate family" is defined as the Indian's spouse, brothers

and sisters, lineal ancestors of Indian blood, and lineal descendants.

§ 241.27 *Bidding not open to employees.* Except as authorized by the provisions of § 276.5 of this chapter, no employee of the Bureau of Indian Affairs shall directly or indirectly bid, or make or prepare any bid, or assist any bidder in preparing his bid.

§ 241.31 *Deferred payment sales.* When the Indian owner and purchaser desire, a sale may be made or approved on the deferred payment plan. If the purchaser, whether Indian or non-Indian, is to take title in a nontrust and unrestricted status, the purchaser shall pay not less than 25 percent of the purchase price in advance, and shall execute notes for the balance payable in three equal payments on or before 1, 2, and 3 years after date, on Form 5-110g. If the purchaser is an individual Indian or Indian tribe, and if the purchaser is to take title in a trust or restricted status, the purchaser shall pay not less than 10 percent of the purchase price in advance; terms for the payment of remaining installments are within the discretion of the Secretary of the Interior. If the purchaser on any deferred payment plan makes default in the first or subsequent payments, all payments, including interest, previously made will be forfeited to the Indian owner.

5. The center head immediately following § 241.48 is amended to read as follows: "Removal of Restrictions Against Alienation, Exclusive of Five Civilized Tribes Land"

6. Section 241.49 is amended to read as follows:

§ 241.49 *Procedure for removing restrictions.* An Indian may apply for the removal of restrictions from land acquired by purchase, exchange or gift, and devised and inherited interests therein, held under an instrument of conveyance which recites that the land shall not be sold or alienated without the consent or approval of the Superintendent, the Commissioner of Indian Affairs, or the Secretary of the Interior. An application for the removal of restrictions from such land shall be filed with the Superintendent or other officer in charge of the Indian agency or other local facility having administrative jurisdiction over the land. The application shall set forth the experience the applicant has had in the transaction of his business affairs and the reasons why a removal of restrictions is desired. If it appears that the applicant is competent and capable of managing his affairs or that the removal of restrictions is otherwise in the best interests of the applicant, an order removing restrictions against alienation of the land may be issued. Prior to the issuance of such an order the land shall be appraised in accordance with the provisions of § 241.24.

DOUGLAS MCKAY,  
Secretary of the Interior

JANUARY 18, 1955.

[F. R. Doc. 55-895; Filed, Jan. 27, 1955;  
8:45 a. m.]