

TUESDAY, AUGUST 9, 1977



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engaged in mortgage insurance under the National Housing Act, 12 U.S.C. 1701. An amendment to this Part, published June 14, 1977 (42 FR 30361), listed as Board members: The Assistant Secretary for Housing—Federal Housing Commissioner, Chairman; the General Counsel; and the Assistant Secretary for Administration, or their designees. The Inspector General, or designee, serves as a nonvoting advisor to the Board. This amendment to Part 25:

1. Includes as a Board member the Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection.

Because this revision involves the Department's internal management, comment and public procedure are unnecessary under 5 U.S.C. 553 and 24 CFR Part 10. Moreover, good cause exists for making the Amendment effective upon publication.

Findings of inapplicability with respect to Environment and Inflation are not required.

Accordingly, 24 CFR Part 25.2 is amended to read as follows:

§ 25.2 Composition of the Board.

(a) Members. The Board consists of the following members: The Assistant Secretary for Housing—Federal Housing Commissioner, Chairman; the General Counsel; the Assistant Secretary for Administration; the Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection, or their designees

(Sec 7(d) Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).)

Issued at Washington, D.C., July 29, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary of Housing
and Urban Development.*

[FR Doc.77-22958 Filed 8-8-77;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

SUBCHAPTER M—FORESTRY

PART 141—GENERAL FOREST REGULATIONS

Trespass

AUGUST 2, 1977.

AGENCY: Bureau of Indian Affairs, Department of the Interior.

ACTION: Final rulemaking.

SUMMARY: This amendment permits Bureau officials to accept proposed settlements for damages to Indian trust property when such settlements are less than the value claimed. It results in an efficiency measure by implementing field authority and lessening correspondence to the Commissioner of Indian Affairs for concurrence.

DATE: Effective date August 9, 1977.

ADDRESS: None.

FOR FURTHER INFORMATION CONTACT

Mr. Gregory J. Stevens, 1951 Constitution Avenue, NW., Washington, D.C. 20245. Telephone 202-343-6067.

SUPPLEMENTARY INFORMATION: The primary author of this document is Gregory J. Stevens, Forester, Bureau of Indian Affairs and can be reached at 202-343-6067.

The authority for the Commissioner of Indian Affairs to issue these regulations is contained in 230 DM 1 and 2 (5 U.S.C. 301) and Sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

The revision was proposed pursuant to the authority contained in section 6 of the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 466). Beginning on page 50299 of the November 15, 1976, FEDERAL REGISTER (41 FR 50299), there was published a notice of proposed rulemaking to revise Part 141 of Subchapter M, Chapter I, Title 25 of the Code of Federal Regulations. The public was given until December 15, 1976, to submit written comments, suggestions, or objections regarding the proposed revision. Since there have been no comments received, the revision as proposed is hereby adopted.

The Solicitor's Regulations were revised effective January 19, 1977. Regulation No. 28 is now Solicitor's Regulations Manual I.4.1. The change is reflected in the final rule.

Subchapter M, of Chapter I of Title 25 of the Code of Federal Regulations is hereby revised to read as published in FEDERAL REGISTER, Vol. 41, No. 221, Page 50299, Monday, November 15, 1976, a copy of which is attached.

These regulations shall become effective on August 9, 1977, as published herein and shall remain in effect until they are amended, revoked or superseded.

RAYMOND V. BUTLER,
*Acting Deputy,
Commissioner of Indian Affairs.*

Section 141.22 is revised as follows:

§ 141.22 Trespass.

(a) Federal Statutes provide that:

(1) Willful and unauthorized setting fire to timber, underbrush, or grass or other inflammable material upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, is punishable by fine of not more than \$5,000 or imprisonment of not more than 5 years, or both.

(2) Whoever, having kindled or caused to be kindled, a fire in or near any forest timber, or other inflammable material on such lands, leaves said fire without totally extinguishing it, or permits such fire to spread beyond his control or leaves such fire unattended shall be fined not more than \$500 or imprisoned not more than 6 months, or both.

(3) The unlawful cutting or wanton injury or destruction of trees standing,

growing, or being upon such lands is punishable by fine of not more than \$1,000 or imprisonment of not more than one year, or both.

(4) Section 1 of the Act of June 25, 1948 (62 Stat. 787 (18 U.S.C. 1853)), provides penalties for the unlawful cutting of timber on Government lands and on Indian lands under Government supervision.

(b) The Secretary may mark and forbid the removal of timber from restricted or trust Indian lands or direct its removal to a point of safekeeping when he has reason to believe that such timber was unlawfully cut. Any such timber that can be positively identified as Indian trust property should be sold to prevent its deterioration. When any timber cut in trespass is found to be removed to land not under Government supervision, the owner of the land should be notified that such timber is Indian trust property and any further action should be upon advice of the Office of the Solicitor of the Department of the Interior. Any timber sold under this § 141.22 may be disposed of under the provisions of this Part 141 insofar as they are applicable. The Secretary may accept payment of damages in full in the settlement of civil trespass cases without resort to court action. The Secretary may also accept a recommended settlement per Solicitor's Regulations Manual I.4.1 when exercised in accordance with regulations contained in 344 DM 3.

All other matters relating to the collection of debts under this section will be in accordance with Departmental Manual, Part 344.

[FR Doc.77-22999 Filed 8-8-77;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Approval of Supplements to Virgin Islands State Plan

AGENCY: Occupational Safety and Health Administration.

ACTION: Final rule.

SUMMARY: Three new paragraphs are added to 29 CFR 1952.254 to codify the approval of developmental steps under the Virgin Islands State Plan. The State's public information program, remedial legislative amendments, and field operations manual are approved.

EFFECTIVE DATE: August 9, 1977.

FOR FURTHER INFORMATION CONTACT:

Mabel Stanton, Project Officer, Department of Labor, Occupational Safety and Health Administration, Room N-3112, 200 Constitution Avenue, Washington, D.C. 20210.

A copy of this supplement, along with the approved plan, may be inspected and copied during normal business hours