FEDERAL REGISTER

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TITLE 3—THE PRESIDENT

LETTER OF NOVEMBER 13, 1958

[U. S. PARTICIPATION IN WORLD SCIENCE-PAN PACIFIC EXPOSITION, SEATTLE, WASH., 1961]

THE WHITE HOUSE,
Washington, November 13, 1958.

DEAR MR. SECRETARY:

Pursuant to the provisions of the first sentence of Public Law No. 85-880, approved September 2, 1958 (72 Stat. 1703), I hereby designate the Department of Commerce as the Department through which the President shall cooperate with the Washington State World Fair Commission with respect to, and determine the extent to which the United States shall be a participant and an exhibitor at, the World Science-Pan Pacific Exposition which is being held in Seattle, Washington, in 1961.

You are requested to furnish me recommendations and draft documents pertaining to actions required to be taken by the President under sections 2 and 5, and under the last sentence of the first section, of the act. I also request that you furnish recommendations, at an early date, with respect to (1) the most effective manner of representation of the United States at the exposition, and (2) the amount of appropriations which are necessary to accomplish such representation. Please communicate with the Bureau of the Budget with respect to the provision of funds for administrative expenses under Public Law 85-880.

Please call upon other interested departments and agencies, including the Department of State and the National Science Foundation, for advice and assistance regarding the carrying out of the act.

This letter shall be published in the FEDERAL REGISTER.

Sincerely,

DWIGHT D. EISENHOWER

THE HONORABLE LEWIS L. STRAUSS,
The Secretary of Commerce,
Washington 25, D. C.

[F. R. Doc. 58-9920; Filed, Nov. 26, 1958; 10:01 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE

Effective upon publication in the FEDERAL REGISTER, paragraph (a) (6) of § 6.111 is revoked, and paragraph (j) (1) is added as set out below.

§ 6.111 *Department of Agriculture.* * * *

(j) *Foreign Agricultural Service.* (1) Agricultural Attache positions in foreign countries at grade GS-16 and above.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 58-9855; Filed, Nov. 26, 1958; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[Amdt. 2]

PART 446—PEANUTS

SUBPART—1958 CROP PEANUT PRICE SUPPORT PROGRAM

SETOFFS

In order to conform with the setoff regulations promulgated by the Office of the Secretary of Agriculture, the regulations issued by Commodity Credit Corporation (hereinafter referred to as "CCC") with respect to the 1958 crop Peanut Price Support Program as amended (23 F. R. 6583, 8169) are further amended by revising § 446.1015 to read as follows:

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ginia, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After the receipt of such applications, the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

PART 20—DISASTER COMMUNICATIONS SERVICE

Amend Part 20 of the Commission's rules by adding a new paragraph (e) to § 20.13, to read as follows:

(e) In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, West Virginia, any applicant for a station authorization other than mobile, temporary base, temporary fixed, Citizens Radio, Civil Air Patrol, or Amateur seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39°15′ N on the north, 78°30′ W on the east, 37°30′ N on the south and 80°30′ W on the west shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P. O. Box #2, Green Bank, West Virginia, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

Amend Part 21 of the Commission's rules by adding a new paragraph (o) to § 21.15, to read as follows:

(o) In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, West Virginia, any applicant for a station authorization other than mobile, temporary base, or temporary fixed seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39°15′ N on the north, 78°30′ W on the east, 37°30′ N on the south and 80°30′ W on the west shall at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P. O. Box #2, Green Bank, West Virginia, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

[F. R. Doc. 58-9876; Filed, Nov. 26, 1958; 8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 141]

GENERAL FOREST REGULATIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given of intention to revise Part 141, General Forest Regulations, Title 25 of the Code of Federal Regulations, to read as set forth below. This revision represents numerous minor changes in timber sales procedure which will attain greater uniformity with comparable procedures of the Forest Service and the Bureau of Land Management for the sale of timber. The more noteworthy of these changes include: provision for an appeals procedure for the first time; greater flexibility in very small sales of stumpage; a revised formula for computing reimbursement to the Bureau of the expenses of timber management out of timber revenues; a new definition of forest lands required to be managed under sustained yield practices; a more logical definition of annual timber harvest; more flexibility in the preservation of scenic forest strips along public highways; new provisions for preservation of wildlife, grazing, and other values when this is in the best interests of the Indians; and a number of minor revisions.

All interested persons are hereby given the opportunity to submit in writing views, data, and arguments concerning the proposed revision, to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D. C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

ELMER F. BENNETT,
Acting Secretary of the Interior.

NOVEMBER 20, 1958.

Sec.
141.1 Definitions.
141.2 Scope.
141.3 Objectives.
141.4 Sustained-yield management.
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141.17 Time for cutting timber.
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141.21 Fire protective measures.
141.22 Trespass.
141.23 Appeals under timber contracts.

AUTHORITY: §§141.1 to 141.23 issued under secs. 7, 8, 36 Stat. 857, 25 U. S. C. 406, 407; and sec. 6, 48 Stat. 986, 25 U. S. C. 466; 47 Stat. 1417; 25 U. S. C. 413.

CROSS REFERENCES: For rights-of-way, see Part 161 of this chapter. For sale of timber products, Menominee Indian Reservation, see Part 143 of this chapter. For sale of forest products, Red Lake Indian Reservation, Minnesota, see Part 144 of this chapter. For sale of lumber and other forest products produced by Indian enterprises from other reservations, see Part 142 of this chapter. For wilderness and roadless areas, see Part 163 of this chapter. For law and order, see Part 11 of this chapter.

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§ 141.1 *Definitions.* As used in this part:

(a) "Secretary" means the Secretary of the Interior or his authorized representative.

(b) "Indian forest lands" means lands, held in trust by the United States for Indian tribes or individual Indians or owned by such tribes or individuals subject to restrictions against alienation, that are chiefly valuable for the production of forest crops; or such lands on which a forest cover should be maintained in order to protect watershed or other values.

(c) "Stumpage" means the value of timber as it stands in the woods.

§ 141.2 *Scope.* The regulations in this part are applicable to all Indian forest lands except as this part may be superseded by special legislation.

§ 141.3 *Objectives.* The following objectives are to be sought in the management of Indian forest lands:

(a) The preservation of such lands in a perpetually productive state by providing effective protection, by applying sound silvicultural and economic principles to the harvesting of the timber, and by making adequate provision for new forest growth as the timber is removed.

(b) The regulation of the cut in a manner which will insure method and order in harvesting the tree capital, so as to make possible continuous production and a perpetual forest business.

(c) The development of Indian forests by the Indian people for the purpose of promoting self-sustaining communities, to the end that the Indians may receive from their own property not only stumpage, but also the benefit of whatever profit it is capable of yielding and whatever labor the Indians are qualified to perform.

(d) The sale of Indian timber in open competitive markets in accordance with good business practices on reservations where the volume that should be harvested annually is in excess of that which is being developed by the Indians.

(e) The preservation of the forest in its natural state wherever the recreational or aesthetic value of the forest to the Indians exceeds its value for the production of forest products.

(f) The management of the forest in such a manner as to retain its beneficial effects in regulating water run-off and minimizing erosion.

(g) The preservation and development of grazing, wildlife, and other values of the forest to the extent that such action is in the best interest of the Indians.

§ 141.4 *Sustained-yield management.* In accordance with the objectives set forth in § 141.3, the harvest of timber from Indian forest lands will not be authorized until there have been prescribed practical methods of cutting, based on sound silvicultural principles. Cutting schedules shall be directed toward the salvage of timber that is deteriorating as a result of fire damage, insect infestation, disease, over-maturity or other cause; and toward achieving an approximate balance between maximum net growth and harvest during each cutting cycle. For all Indian reservations of major importance from an industrial forestry standpoint, management plans for the forest resource shall be prepared by the Bureau of Indian Affairs, and revised as needed. The plans shall contain a statement of the manner in which the policies of the Bureau of Indian Affairs are to be applied on the forest, with a definite plan of silvicultural management and a program of action, including a cutting schedule, for a specified period in the future.

§ 141.5 *Cutting restrictions.* Clear-cutting of large contiguous areas will be permitted only on lands that, when cleared, will be devoted to a more beneficial use than the growing of timber crops, but this restriction shall not prohibit clear-cutting, by staggered settings or otherwise, when it is silviculturally good practice to harvest a particular stand of timber by such methods.

§ 141.6 *Indian operations.* Indian individual or tribal logging or sawmill enterprises may be organized and initiated, subject to consent of the authorized tribal representatives, where applicable, and approval by the Secretary.

§ 141.7 *Timber sales from unallotted and allotted lands.* On reservations where the volume of timber available for cutting is in excess of that which is being developed by the Indians, open market sales of Indian timber will be authorized: *Provided,* That consent is given by the authorized representative of the tribe for tribal timber, and by the Indian owners for allotted timber. The consent of the Secretary is required in all cases. Unless otherwise authorized by the Secretary, sales from unallotted lands, allotted lands, or a combination of these two ownerships having a stumpage value exceeding $200 will not be approved until an examination of the timber to be sold has been made by a qualified forest officer and a report setting forth all pertinent information has been submitted to the officer authorized to approve the contract as provided in § 141.13. In all sales of timber, the timber shall be appraised and sold at not less than its appraised value.

§ 141.8 *Advertisement of sales.* (a) Sales of timber shall be made only after advertisement except as provided in §§ 141.9 and 141.19, and paragraph (b) of this section.

(1) The advertisement shall be approved by the officer who will approve the contract. Advertised sales shall be made under sealed bids, or at public auction, or under a combination thereof. The advertisement may limit sales of Indian timber to members of the tribe, or may grant to members of the tribe who submitted bids the right to meet the higher bid of a non-Indian. If the estimated stumpage value of the timber offered does not exceed $1,000, the advertisement may be made by posters and circular letters. If the estimated stumpage value exceeds $1,000, the advertisement shall also be made in at least one newspaper of general circulation in the locality where the timber is situated. If the estimated stumpage value does not exceed $10,000, the advertisement shall be for not less than 15 days; if the estimated stumpage value exceeds $10,000 but not $100,000, for not less than 30 days; and if the estimated stumpage value exceeds $100,000, for not less than 60 days.

(2) The officer approving the advertisement may reduce the advertising period because of emergencies such as fire, beetle attack, blowdown, limitation of time, or when there would be no practical advantage in advertising for the prescribed periods.

(3) If no contract is executed after such advertisment, the officer approving the advertisement may, within 1 year from the last day on which bids were to be received as defined in the advertisement, permit the sale of such timber in the open market upon the terms and conditions in the advertisement and at not less than the advertised value or the appraised value at the time of sale, whichever is greater.

(b) Timber sales exceeding $2,000 in estimated value may be negotiated without advertising, with the approval of the Secretary, when the timber is to be cut in conjunction with the granting of a right-of-way or authorized occupancy, or must be cut to protect the forest from injury, to improve conditions of growth, for experimental purposes, or if it is impractical to secure competition by formal advertising procedures, or when otherwise specifically authorized by statutes or regulations. In the case of each negotiated transaction the negotiating officer shall establish a documented record of the transaction, including a written determination and finding that the transaction is of a type or class allowing the negotiation procedures or warranting departure from the procedures provided in paragraph (a) of this section; the extent of solicitation and competition, or a statement of the facts upon which a finding of impracticability of securing competition is based; and a statement of the factors on which the award is based, including a determination as to the reasonability of the price accepted.

§ 141.9 *Timber sales without advertisement.* With the consent of the tribal or individual Indian owners of the timber, sales without advertisement may be made to non-Indians for stumpage not exceeding $2,000 in estimated value, and to Indians who are members of the tribe for stumpage not exceeding $5,000 in estimated value. Such contracts shall not be made for a longer term than 2 years. The stumpage prices in connection with such sales shall be established by the approving officer after due appraisal procedure. Timber contract forms executed under authority hereof shall be those stipulated for the sale of timber under § 141.12, and shall carry the bond requirement stipulated in § 141.14. No more than one such sale without advertisement may be made to any person or operating group of persons in any one calendar year.

§ 141.10 *Deposit with bid.* (a) A deposit shall be made with each proposal for the purchase of either allotted or unallotted Indian timber. Such deposits shall be at least 20 percent if the ap-

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praised stumpage value is less than $10,000; at least 10 percent if the appraised stumpage value is between $10,000 and $100,000, but in any event not less than $2,000; at least 5 percent if the appraised stumpage value is between $100,000 and $250,000, but in any event not less than $10,000; and at least 3 percent if the appraised stumpage value exceeds $250,000, but in any event not less than $12,500.

(b) Deposits shall be in the form of either a certified check, cashier's check, bank draft, or postal money order, drawn payable to the order of the Bureau of Indian Affairs, or in cash.

(c) The deposit of the apparent high bidder, and of others who submit written requests to have their bids considered for acceptance, will be retained pending acceptance or rejection of the bids. All other deposits will be returned promptly following the opening and posting of bids.

(d) The deposit of the successful bidder will be retained as liquidated damages if the bidder does not execute the contract, and furnish the performance bond required by § 141.14, within the time stipulated in the advertisement of timber sale.

§ 141.11 *Acceptance and rejection of bids.* (a) Applicants or bidders may be individuals, associations of individuals, or corporations. In ordinary circumstances the high bid received in connection with any advertisement issued under authority of this part shall be accepted. However, the officer authorized to approve the contract having set forth his reasons in writing shall have the right to reject the high bid:

(1) If he considers the high bidder to be unqualified to fulfill the contractual requirement of the advertisement, or

(2) If he has reasonable grounds to consider it in the interest of the Indians to reject the high bid.

(b) If the high bid is rejected, the Secretary may authorize:

(1) Rejection of all bids, or

(2) Acceptance of the offer of another bidder who, at the time of opening of bids, makes formal request that his bid be so considered.

(c) The officer authorized to accept the bid is also authorized in his discretion to waive minor technical defects in advertisements and proposals.

§ 141.12 *Contracts required.* Except as provided in § 141.20 (c), in sales of timber having an appraised stumpage value greater than $200 the regular contract forms must be used unless a special form for a particular sale or class of sales is approved by the Secretary. The regular forms provide for some flexibility to meet variable conditions, but essential departures from the fundamental requirements of such contracts shall be made only with the approval of the Secretary. Unless otherwise directed, the contracts shall require that the proceeds be paid by remittance drawn to the Bureau of Indian Affairs and transmitted to the Superintendent. Contracts may be extended, modified, or assigned subject to approval of the approving officer, and may be terminated by the approving officer upon completion.

§ 141.13 *Execution and approval of contracts*—(a) *Contracts for the sale of tribal timber.* All contracts for the sale of tribal timber shall be executed by the authorized representative of the tribe or tribal corporation. Contracts to be valid must be approved by the Secretary. There shall be included with the contract an affidavit executed by the appropriate officer of the tribe or tribal corporation setting forth the resolution or other authority of the governing body of the tribe or tribal corporation authorizing the sale.

(b) *Contracts for the sale of allotted timber.* Contracts for the sale of allotted timber shall be executed by the Indian owners or by an authorized official of the Bureau of Indian Affairs acting pursuant to a power of attorney from the Indian owner. Contracts to be valid must be approved by the Secretary.

(c) *Execution of contracts for incompetents.* The Superintendent shall execute contracts on behalf of Indian owners who are incompetent by reason of mental incapacity or minority. Contracts to be valid must be approved by the Secretary.

§ 141.14 *Bonds required.* Performance bonds will be required in connection with all contracts for the sale of Indian timber, but in the discretion of the issuing officer may not be required in connection with timber cutting permits issued pursuant to § 141.19. In sales in which the estimated value of the stumpage, calculated at the appraised stumpage rates, does not exceed $10,000 the bond shall be approximately 20 per cent of the estimated stumpage value. In sales in which the estimated stumpage value exceeds $10,000 but is not over $100,000, the bond shall be approximately 15 percent of the estimated stumpage value but not less than $2,000; in sales in which the estimated stumpage value exceeds $100,000 but is not over $250,000, the bond shall be approximately 10 percent of the estimated stumpage value but not less than $15,000; and in sales in which the estimated stumpage value exceeds $250,000, the bond shall be approximately 5 percent of the estimated stumpage value but not less than $25,000. Bonds may be in the form of a corporate surety bond by an acceptable surety company; or cash supported by appropriate power of attorney in favor of the officer approving the contract; or negotiable United States Government bonds supported by appropriate power of attorney and performance bond.

§ 141.15 *Payments for timber.* The basis of volume determination for timber sold shall be the Scribner Decimal C, International ¼ inch, or International Decimal ¼ inch log rules, cubic volume, weight, or such other form of measurement as the Secretary shall designate for each sale. Payments for timber will be required in advance of cutting, either as a single lump sum payment, or in the form of advance deposits, or as advance payments pursuant to § 141.16. Each advance deposit shall be at least 10 percent of the value of the minimum volume of timber required to be cut annually, figured at the appraised stumpage rates: *Provided,* That the officer approving a timber sale contract may reduce the size of the last advance deposit before the completion of the sale or before periods of approximately 3 months or longer during which no timber cutting is anticipated. If a contract stipulates no minimum annual cutting requirements the amount of each advance deposit shall be determined by the officer approving the contract. The advance payments that may be required in the sale of trust allotted timber, pursuant to § 141.16, shall not operate to reduce the size of advance deposits required by this section, but may postpone the necessity of requiring such deposits until the advance payments on the particular allotments being cut have been exhausted.

§ 141.16 *Advance payments for allotment timber.* Unless otherwise authorized by the Secretary, and except in the case of lump sum sales, contracts for the sale of timber from trust allotments shall provide for the payment of 15 percent of the value of the stumpage, calculated at the bid price, within 30 days of contract approval, and for additional payments of 15 percent and 20 percent of the same total value within 3 years and 6 years respectively of approval if the contract extends beyond those periods; except, that no advance payment will be required that would make the sum of such payment and of advance deposits and advance payments previously applied against timber cut from the allotment exceed 50 percent of the bid value of the stumpage. The advance payments shall be credited against the allotment timber as it is cut and scaled, at the stumpage rates governing at the time of scaling.

§ 141.17 *Time for cutting timber.* Unless otherwise authorized by the Secretary, the maximum period which shall be allowed, after the effective date of a timber contract, for cutting of the estimated volume of timber purchased shall be 5 years.

§ 141.18 *Deductions for administrative expenses.* In sales of timber from either allotted or unallotted lands a reasonable deduction shall be made from the gross proceeds to cover in whole or in part the cost of managing and protecting the forest lands, including the cost of timber sale administration, but not including the costs that are paid from funds appropriated specifically for fire suppression or forest pest control. Unless special instructions have been given by the Secretary as to the amount of the deduction, or the manner in which it is to be made, there shall be deducted 10 percent of the gross amount received for timber sold under regular supervision, and 5 percent when the timber is sold in such a manner that little or no administration by the Indian Bureau is required subsequent to the sale.

§ 141.19 *Timber cutting permits.* Except as provided in § 141.20, all timber cutting that is not done under formal contract, pursuant to § 141.12, shall be done under the regular timber cutting permit forms. Permits to be valid must be approved by the Secretary. Permits will be issued only with the consent of

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authorized representatives of the tribe for unallotted lands, and for allotted lands with the consent of the Indian owner or the Superintendent as authorized in § 141.13 (b). The value of stumpage which may be cut in 1 year by any individual under authority of paragraphs (a) and (b) of this section shall not exceed $200, but this limitation shall not apply to cutting under authority of paragraph (c) of this section.

(a) Such consents to the issuance of cutting permits shall stipulate the minimum stumpage rates at which timber may be sold under permit.

(b) Free-use cutting permits may be issued for specified species and types of forest products by persons authorized under § 141.13 to execute timber contracts.

(c) An Indian having sole beneficial interest in an allotment may be issued an approved form of special permit to cut and sell designated timber from such allotment. The special permit shall include provision for payment by the Indian of administrative expenses pursuant to § 141.18. The permit shall also require the Indian to make a special deposit with the Secretary; to be returned to the Indian upon satisfactory completion of the permit, or to be used by the Secretary in his discretion for planting or other work to offset damage to the land or the timber caused by the Indian's failure to comply with the provisions of the permit. As a condition to granting a special permit under authority of this paragraph, the Indian may be required to provide evidence acceptable to the Secretary that he has arranged a bona fide sale of the timber to be cut, on terms that will protect the Indian's interests.

§ 141.20 *Free-use cutting without permits.* (a) Timber may be cut by an Indian for his personal use from an allotment in which he holds the sole beneficial interest, without a permit or contract; but timber cut under this authority shall not be sold, or exchanged for other goods or services. Such cutting shall conform to the principles of conservative use as contemplated by § 141.4.

(b) With the consent of the authorized tribal representatives and the Secretary, Indians may cut designated types of forest products from unallotted lands without a permit or contract, and without charge. Timber cut under this authority shall be for the Indian's personal use, and shall not be sold or exchanged for other goods or services. Such cutting shall conform to the principles of conservative use as contemplated by § 141.4.

§ 141.21 *Fire protective measures.* The Secretary is authorized to hire temporary labor, rent fire fighting equipment, purchase tools and supplies, and pay for their transportation to extinguish forest or range fires. No expense for fighting a fire outside a reservation may be incurred unless the fire threatens the reservation, or unless such expense is incurred pursuant to an approved cooperative agreement with another forest protection agency. The rates of pay for fire fighters and for equipment rental shall be the rates for such fire fighting services that are currently in use by public and private forest fire protection agencies adjacent to Indian reservations on which a fire occurs, unless there are in effect at the time different rates that have been approved by the Secretary. The Secretary may enter into reciprocal agreements with any fire organizations, maintaining fire protection facilities in the vicinity of Indian reservations, for mutual aid in fire protection.

§ 141.22 *Trespass.* Federal statutes provide that: (a) 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; (b) 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; (c) 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 1 year, or both; (d) 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. The Secretary may seize timber which he has reason to believe was unlawfully cut from restricted or trust Indian lands, mark the same and forbid its removal from the land or direct its removal to a point of safe keeping. When any such timber 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. If a civil trespass involves timber with a stumpage value of not more than $500, the Secretary may settle the case without resort to court action.

§ 141.23 *Appeals under timber contracts.* Any action taken by an approving officer exercising delegated authority from the Secretary of the Interior or by a subordinate official of the Department of Interior exercising an authority by the terms of the contract may be appealed to the Secretary of the Interior. Such appeal shall not stay any action under the contract unless otherwise directed by the Secretary of the Interior. Appeals will be filed in accordance with any applicable general regulations covering appeals.

[F. R. Doc. 58-9833; Filed, Nov. 26, 1958; 8:47 a. m.]

[25 CFR Part 221]

OPERATION AND MAINTENANCE CHARGES

COLVILLE INDIAN IRRIGATION PROJECT, WASHINGTON

NOVEMBER 18, 1958.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238 U. S. C. 1001), and pursuant to the acts of August 11, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), and by virtue of authority delegated by the Commissioner of Indian Affairs to the undersigned Area Director, Portland Area Office, Portland, Oregon, by Order No. 551, Amendment No. 1, approved June 5, 1951 (16 F. R. 3456-3457), a notice is hereby given of intention to modify § 221.9 *Charges*, of Title 25, Code of Federal Regulations, dealing with the operation and maintenance assessments against the area benefited by the irrigation systems on the Colville Indian Irrigation Project, Colville Indian Reservation, Washington, as follows:

By increasing the annual operation and maintenance assessments under paragraph (a) Nespelem Unit $5.00; and Little Nespelem Unit $5.00.

Interested parties are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to Don C. Foster, Area Director, Bureau of Indian Affairs, Post Office Box 4097, Portland 8, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

H. L. MOORE,
Acting Area Director.

[F. R. Doc. 58-9827; Filed, Nov. 26, 1958; 8:46 a. m.]

National Park Service

[36 CFR Parts 1, 3]

GENERAL RULES AND REGULATIONS; NATIONAL CAPITAL PARKS REGULATIONS

LOST AND FOUND ARTICLES

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U. S. C., 3), it is proposed to amend 36 CFR Part 1 by amending § 1.25, and 36 CFR Part 3 by amending § 3.42, as set forth below. The purpose of this amendment is to provide a uniform practice throughout the National Park Service concerning the disposition of articles which are lost in and later found in the areas administered by the National Park Service by bringing the present regulations into conformity with section 203 (1) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C., sec. 484 (m)) and General Services Administration Regulations, Title 1, Chapter III, Part 4. Lost articles or money found in the parks will be treated as property

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