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UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REGULATIONS
OF
THE SECRETARY OF AGRICULTURE
FOR THE
Occupancy, Use, Protection, and Administration
of the National Forests

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FOREWORD

To make the national forests useful to the public and at the same time to perpetuate the forest resources, is the purpose of the regulations in this book. These regulations, made by the Secretary of Agriculture under authority from Congress, have the force of law. They are intended not to restrict but rather to encourage and assist the proper use of the timber, water, forage, recreational opportunities, and other resources of the forests. Mature timber is for sale and may be cut in accordance with carefully prepared plans of management, the chief object of which is to maintain the forest and provide a sustained yield; forage is allotted to stockmen on permit for the grazing of livestock; water from the forested watersheds is made available for irrigation, power, and municipal supply; recreational opportunities are open to the public; and mineral deposits may be fully exploited.

The regulations for the use of the national forests have behind them more than 30 years of experience and development. The first law outlining a system of organization for the "forest reserves," as they were then called, was passed by Congress June 4, 1897, and placed the administration of the forests under the Secretary of the Interior. The reserves had been created by President Harrison six years earlier (1891), under authority of Congress, in order to protect the remaining timber on the public domain from destruction and to insure a regular flow of water in the streams.

In 1905 the administration of the reserves was transferred to the forestry unit which had grown up in the Department of Agriculture. The formation of this unit was forecast in the appointment in 1876 of a special agent to study forest conditions in the United States. In 1881 a Division of

Forestry was created. This became the Bureau of Forestry in 1901, and the Forest Service in 1905, when it took over the management of the reserves. In 1907 the name "forest reserves" was changed to "national forests," to indicate that the forests were for present as well as future use.

Under the provisions of the act of March 11, 1911, called the Weeks law, and of the act of June 7, 1924, the Clarke-McNary law, lands valuable for the protection of the headwaters of valuable streams and for timber growing are purchased by the Government, organized as national forests, and added to the national forest system for use and management under the same regulations as the forests set aside from the public domain.

The act of June 4, 1897 (30 Stat. 35) as amended, authorizes the Secretary of Agriculture to make rules and regulations for the occupancy, use, and protection of the national forests, and provides that any violation of such rules and regulations shall be punishable by a fine of not more than \$500, or imprisonment for not more than 12 months, or both. In conformity with this authorization, the regulations in this book have been prescribed by the Secretary of Agriculture for the administration and protection of the national forests.

Recognizing that anyone adversely affected by the decision of a forest officer should be definitely assured the privilege of having the decision reviewed by the immediate superior of the officer who made it, the Secretary of Agriculture has through Regulation A-10 established an orderly procedure for making an appeal for such review.

Persons who wish to make any use of the resources of a national forest for which a permit is required should consult the nearest forest officer.



Regulations of the Secretary of Agriculture for the Occupancy, Use, and Administration of the National Forests

ADMINISTRATION AND PROTECTION SECTION

UNIFORMS, SUPPLIES, EQUIPMENT, RECRUITING

REG. A-1. Forest officers and employees assigned to field duty may be required, under such conditions as the Forester may prescribe, to furnish at their own expense clothing of standard designs and materials for their personal use in the performance of official duty.

SALE OF CONDEMNED PROPERTY

REG. A-2. The Forester is authorized to sell at field stations of the Forest Service after public notice, by advertisement or otherwise, such articles of equipment as are worn out or damaged beyond repair, or which are of no further use in the service but which have a sale value estimated at \$1,000 or less. The Forester may delegate the authority to district foresters. When the estimated sale value is more than \$1,000 special authority must be obtained from the Secretary of Agriculture.

Animals and animal products which cease to be needed in the work of the Forest Service and which have a sale value may, upon the approval of the Forester or the district foresters, be sold in the open market or exchanged for other livestock, and all moneys received from the sale of such animals or animal products, or as a bonus in the exchange of the same, shall be deposited in the Treasury as miscellaneous receipts.

PERQUISITES TO FIRE FIGHTERS

REG. A-3. Forest officers employing temporary men for fighting forest fires may agree to furnish food supplies and tobacco for the use of such employees and as a part of their compensation in addition to the per diem to be paid such employees.

PART PAYMENT IN SUPPLIES

REG. A-4. Horse feed, equipment, food, articles of clothing, tobacco, and other personal supplies may be furnished employees on lump-fund rolls, the cost of same to be deducted from their wages.

HORSES, FORAGE, AND MOTORS

REG. A-5. Officers or employees of the Forest Service of any grade or salary may, in the discretion of such officers as the Forester may designate, be required to furnish saddle and other animals, or motor vehicles and equipment, necessary for the performance of their official duties. All animals, vehicles, and equipment so supplied will be furnished under a contract of hire which will be in writing.

Should any emergency develop requiring the use thereof, any forest officer owning animals, motor vehicles, or equipment not covered by written contract, is required to furnish such animals or equipment as may be necessary for emergency fire fighting, trail building, or other official use, and in the event such animals, motor vehicles, or equipment are lost, damaged, or destroyed while in such actual use, the owner, upon proper proof, may be reimbursed therefor under the provisions of the act of March 4, 1913.

Forage, care, and housing for animals will be furnished and mileage and housing for motor vehicles will be allowed while in use on official business or held in readiness for such use.

RECRUITING

REG. A-6. Only qualified citizens of the United States, who are between the ages of 21 and 35, are eligible for examination for the positions of junior forester, junior range examiner, and forest ranger. Selection for appointment as forest ranger will be made when practicable from qualified citizens of the State in which the national forests, respectively, are situated. These qualifications will not be waived under any circumstances except that all age limits are waived for honorably discharged soldiers, sailors, and marines.

DISCIPLINARY MEASURES

REG. A-7. Whenever the interests of the Government require it, the Forester, district foresters, or forest supervisors may relieve a subordinate

officer or employee from duty and may order his pay withheld pending action by the Secretary of Agriculture suspending, furloughing, or dismissing him from the service. Suspensions, furloughs, or dismissals ordered by the Secretary may become effective, with loss of pay, from the date upon which the officer or employee was relieved of duty.

ACCESSIBILITY OF PUBLIC RECORDS

REG. A-8. In general the papers on file in the offices of the Forest Service relating to the transaction of national forest business are public records, and as such are open to the public. Information should not be refused to persons whose interest is legitimate. Recommendations on matters pending should not be made public. Equal opportunities for information must be given to all persons having an interest in any transaction. In conformity with the practice, and at the request of the Department of the Interior, all reports on public-land claims will be treated as confidential, and may be examined only by duly authorized officers and employees of the Government. Reports on June 11 applications and personnel reports are confidential, and may be examined only by duly authorized officers of the Government. Under no circumstances will inquirers be permitted to take papers from the files outside of the building.

ASSOCIATIONS OF NATIONAL FOREST PERMITTEES

REG. A-9. Permittees who use a national forest or portion thereof for like purposes and desire to cooperate with the Forest Service in the systematic betterment of conditions and facilities controlling their use of the national forest lands may do so by organizing themselves into associations, in which all permittees of like character within the area are eligible to membership, and requesting official recognition by the Forest Service. The request should be addressed to the forest supervisor, who will act on all livestock association requests and refer all others to the district forester. To secure such recognition the association must show that its membership includes a majority of all persons holding permits for like purposes within the area involved, and that an advisory committee has been appointed whose agreements on behalf of the association shall be binding upon all members thereof. If the association is recognized by the forest supervisor or district forester its advisory com-

mittee shall be entitled to receive notice of proposed action and have an opportunity to be heard by the local forest officer in reference to any proposed changes likely to materially affect the use or interest in the forest or portion thereof enjoyed by members of the association.

Upon request from and with the approval of an officially recognized advisory committee the district forester may establish special rules to prevent damage to the forest lands and to regulate their use and occupancy and promote their development and improvement for the purposes and in the ways for which permits are issued to members of the association, and the rules thus established shall be binding upon and observed by all permittees using the described forest lands for like purposes.

Upon request from and with the approval of a majority of the members of the association, the district forester may authorize the operation, by the association, of services or utilities of general character and benefit which promote the better use and enjoyment of the forest lands by the permittees, and the collection from each permittee thus benefited of fees or charges which shall represent said permittee's fair share in the cost of such work including the expenses incident to its management and supervision, and failure of any permittee to pay such fees or charges shall be a breach of the terms of his permit.

APPEALS

REG. A-10. An appeal may be taken from any administrative action or decision by filing with the officer who rendered the decision a written request for reconsideration thereof or notice of appeal. Decisions of forest officers shall be final unless appeal is taken therefrom within a reasonable time. The decision appealed from shall be reviewed by the immediate superior of the officer by whom the decision was rendered; that is, in the following order: Supervisor, district forester, Forester, Secretary of Agriculture.

Unless the written notice of appeals contains an acceptable reason for allowing a longer time for the preparation of the case, the appellant shall file immediately a statement or brief setting forth in detail the respects in which the action or decision from which appeal is taken is contrary to or in conflict with the law, the regulations of the Secretary, or the determined facts. Upon receipt of such

statement or brief the officer from whose action or decision the appeal is made shall prepare a statement or brief reviewing the case and presenting the facts and considerations upon which his action or decision is based. The two statements or briefs, together with all papers comprising the record in the case, shall then be transmitted to the officer to whom the appeal is made, who will thereupon review the case and advise both the appellant and the subordinate officer of his decision.

In no case will an attorney be recognized in personnel matters.

COOPERATION IN ENFORCING STATE FIRE LAWS

REG. P-1. All forest officers will cooperate with State officials, so far as practicable to enforce State laws for

TRESPASS SECTION

FIRE TRESPASS

REG. T-1. The following acts are prohibited on lands of the United States within national forests:

(A) Setting on fire or causing to be set on fire any timber, brush, or grass, except as authorized by a forest officer.

(B) Building a camp fire in leaves, rotten wood, or other places where it is likely to spread, or against large or hollow logs or stumps, where it is difficult to extinguish it completely.

(C) Building a camp fire in a dangerous place, or during windy weather, without confining it to holes or cleared spaces from which all vegetable matter has been removed.

(D) Leaving a camp fire without completely extinguishing it.

(E) Building a camp fire on those portions of any national forest which have, with the approval of the district forester, been designated by the respective supervisors thereof without first obtaining a permit from a forest officer.

(F) Using steam engines or steam locomotives in operations on national forest lands under any timber-sale contract or under any permit, unless they are equipped with such spark arresters as shall be approved by the forest supervisor, or unless oil is used exclusively for fuel.

(G) Disturbing, molesting, interfering with by intimidation, threats, assault, or otherwise, any person engaged in the protection and preservation of a national forest.

(H) Smoking during periods of fire danger publicly announced by the dis-

the prevention and extinguishment of forest fires. When authorized to do so by the proper State officers they will, without additional pay, act as fire wardens with full power to enforce the local laws.

FIRE-CONTROL COOPERATIVE AGREEMENTS

REG. P-2. The Forest Service shall, whenever possible, and is hereby authorized to, enter into such agreements with private owners of timber, with railroads, and with other industrial concerns operating in or near the national forests as will result in mutual benefit in the prevention and suppression of forest fires; provided, that the service required of each party by such agreements shall be in proportion to the benefits conferred.

strict forester upon such areas as may be designated by him, which may include roads and trails and improved camping grounds but shall not include improved places of habitation.

(I) Going or being upon those portions of the national forest which may be designated by the district forester as areas of fire hazard, except with permit issued by the local forest officer, but no permit shall be required of any actual settler going to or from his home.

(K) Using an automobile not provided with exhaust and muffler equipment in efficient condition on any road over lands of the United States within national forests, or on any road acquired or maintained by the Secretary of Agriculture for the protection and administration of the national forests, which shall have been posted by the Secretary of Agriculture as closed to such automobiles.

(L) Carrying a firearm, except by authorized Federal or State officers, upon any portion of any national forest designated by the district forester in time of fire or other public emergency.

(M) The throwing or placing of a burning cigarette, cigar, match, pipe heel, firecracker, or any ignited substance, or the discharge of any kind of fireworks, in any place where it may start a fire.

(N) Going or being upon those portions of the national forests which may be designated by the district forester as areas of fire hazard, unless registered previously to entering upon such areas, at points designated by the

local forest officer, but such registration shall not be required of any actual settler going to or from his home.

(O) Going or being upon any portion of a national forest designated by the district forester as an area of fire hazard without being equipped with fire-fighting tools, such as axes, shovels, and similar implements of the kind and number prescribed by the district forester, when means of conveyance, such as an automobile or pack outfit, are available for carrying such tools. In the case of a camping party the person in charge will be held responsible for any violation hereof.

REWARDS

REG. T-2. Hereafter, provided Congress shall make the necessary appropriation or authorize the payment thereof, the Department of Agriculture will pay the following rewards:

First. Not exceeding \$500 and not less than \$100 for information leading to the arrest and conviction of any person on the charge of willfully and maliciously setting on fire, or causing to be set on fire, any timber, underbrush, or grass upon the lands of the United States within a national forest.

Second. Not exceeding \$300 and not less than \$25 for information leading to the arrest and conviction of any person on the charge of building a fire on lands of the United States within a national forest, in or near any forest timber or other inflammable material, and leaving said fire before the same has been totally extinguished.

Third. All officers and employees of the Department of Agriculture are barred from receiving reward for information leading to the arrest and conviction of any person or persons committing either of the above offenses.

Fourth. The Department of Agriculture reserves the right to refuse payment of any claim for reward when, in its opinion, there has been collusion or improper methods have been used to secure the arrest and conviction thereunder, and to allow only one reward where several persons have been convicted of the same offense or where one person has been convicted of several offenses, unless the circumstances entitle the claimant to a reward on each such conviction.

These rewards will be paid to the person or persons giving the information leading to such arrests and convictions upon presentation to the Department of Agriculture of satisfactory documentary evidence thereof, subject to the necessary appropriation,

as aforesaid, or otherwise, as may be provided by law.

Applications for reward, made in pursuance of this notice, should be forwarded to the Forester, Washington, D. C.; but a claim will not be entertained unless presented within three months from the date of conviction of an offender.

In order that all claimants for reward may have an opportunity to present their claims within the prescribed limit, the department will not take action for three months from date of conviction of an offender.

PROPERTY TRESPASS

REG. T-3. The following acts are prohibited on lands of the United States within a national forest:

(A) The willful tearing down or defacing of any notice of the Forest Service.

(B) The going or being upon such lands with intent to destroy, molest, disturb or injure property used, or acquired for use, by the United States in the administration of the national forests.

(C) Destroying, molesting, disturbing, or injuring property used, or acquired for use, by the United States in the administration of the national forests.

(D) Mutilating, defacing, or destroying objects of natural beauty or of scenic value on such lands.

(E) Damaging and leaving in a damaged condition roads or trails which are under the jurisdiction of the Forest Service.

(F) Entering, occupying, or using, without permission from a forest officer, any building of the United States used by the Forest Service in connection with the administration of a national forest, except in case of emergency to prevent suffering.

(G) Leaving any building of the United States used by the Forest Service in connection with the administration of a national forest without placing the same in a condition as sanitary as when entered.

(H) Driving a prohibited vehicle over or upon any road which is not a part of a State or county highway system but located upon national forest lands and maintained from Federal or private cooperative funds during any period when such road has been closed to any or all forms of vehicular traffic by public notices posted by or under the authority of the Forester with the consent of private cooperators and cooperating public authorities, for the purpose of pro-

protecting public property against damage which might result if such roads were used (1) during or following periods of heavy precipitation, (2) when construction or maintenance work is being prosecuted or until the road is opened to travel following such work, or (3) during periods of fire danger in areas of high fire risk; but nothing herein contained shall deprive actual residents within the national forests of reasonable opportunity to travel to and from their homes.

REWARDS

REG. T-4. Hereafter, unless otherwise ordered, provided Congress shall make the necessary appropriation, or authorize the payment thereof, the Department of Agriculture will pay not exceeding \$100 and not less than \$25 for information leading to the arrest and conviction of any person charged with destroying or stealing any property of the United States within the custody of the Forester, Forest Service, United States Department of Agriculture.

This reward will be paid to the person or persons giving the information leading to such arrest and conviction upon presentation to the Department of Agriculture of satisfactory evidence thereof, subject to the necessary appropriation as aforesaid, or otherwise as may be provided.

Officers and employees in the Department of Agriculture are barred from receiving such rewards.

The Department of Agriculture reserves the right to refuse payment of any claim for reward when, in its opinion, there has been collusion or improper methods used to secure arrest and conviction, and to allow only one reward where several persons have been convicted of the same offense or where one person has been convicted of several offenses, unless the circumstances have entitled the person to a reward on each conviction.

Applications for reward, made in pursuance of the above notice, should be forwarded to the Forester, Washington, D. C., but no claim will be considered unless presented within three months from the date of conviction of an offender. In order that all claimants for rewards may have opportunity to present their claims within the prescribed limit, the department will not take action with respect to rewards for three months from the date of the conviction of an offender.

TIMBER TRESPASS

REG. T-5. The following acts are prohibited on lands of the United States within national forests:

(A) The cutting, killing, destroying, girdling, chipping, chopping, boxing, injuring, or otherwise damaging, or the removal, of any timber or young tree growth, except as authorized by law or regulation of the Secretary of Agriculture.

(B) The damaging or cutting, under any contract of sale or permit, of any living tree before it is marked or otherwise designated for cutting by a forest officer.

(C) The removal from the place designated for scaling, measuring, or counting of any timber cut under contract of sale or permit until scaled, measured, or counted, and stamped by a forest officer.

(D) The stamping, except by a forest officer, of any timber belonging to the United States, either with the regulation marking tools or with any instrument having a similar design: *Provided*, That timber lawfully cut from public land which is subsequently included within a national forest may be removed within a reasonable time after the inclusion of such land in a forest: *Provided further*, That the term "timber" as used in this regulation shall be deemed and taken to mean trees of a character or sort that may be used in any kind of manufacture or the construction of any article or for fuel.

GRAZING TRESPASS

REG. T-6. The following acts are prohibited on lands of the United States within national forests:

(A) The grazing upon or driving across any national forest of any livestock without permit, except such stock as are specifically exempted from permit by the regulations of the Secretary of Agriculture, or the grazing upon or driving across any national forest of any livestock in violation of the terms of a permit.

(B) The grazing of stock upon national forest land within an area closed to the grazing of that class of stock.

(C) The grazing of stock by a permittee upon an area withdrawn from use for grazing purposes to protect it from damage by reason of the improper handling of the stock, after the receipt of notice from an authorized forest officer of such withdrawal and

of the amendment of the grazing permit.

(D) Allowing stock not exempt from permit to drift and graze on a national forest without permit.

(E) Violation of any of the terms of a grazing or crossing permit.

(F) Refusal to remove stock upon instructions from an authorized forest officer when an injury is being done the national forest by reason of improper handling of the stock.

HUNTING AND FISHING TRESPASS

REG. T-7. The following acts are prohibited on lands of the United States within national forests:

The going or being upon any such land, or in or on the waters thereof, with intent to hunt, catch, trap, willfully disturb or kill any kind of game or nongame animal, game or nongame bird, or fish, or to take the eggs of any such bird in violation of the laws of the United States or any regulation made in pursuance thereof, or of the laws of the State in which such lands or waters are situated.

REG. T-8. The following acts are prohibited upon any national forest lands embraced within the boundaries of a national game or bird refuge, preserve, sanctuary, or reservation, established by or under authority of an act of Congress:

(A) Hunting, trapping, catching, disturbing, or killing any kind of game or nongame animal, or game or nongame bird, or taking the eggs of any such bird, except when authorized by permit issued by, or under the authority of, the Forester.

(B) Carrying or having possession of firearms, without the written permission of the forest supervisor or such other officer as he may designate.

(C) Permitting dogs to run at large, or having in possession dogs not in leash or confined.

(D) Camping without permit issued by a forest officer, except on areas designated as public camp grounds, or other areas which may be specifically excepted by the district forester.

OCCUPANCY TRESPASS

REG. T-9. The following acts are prohibited on lands of the United States within national forests:

(A) Squatting or making settlement thereon, except in accordance with the act of June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves."

(B) Constructing or maintaining any kind of works, structure, fence, or inclosure; conducting any kind of busi-

ness enterprise or carrying on any kind of work without a permit, except as otherwise allowed by law or regulation, and except upon a claim for the actual use, improvement, and development of the claim consistent with the purposes for which it was initiated.

(C) The placing by any person, association, or corporation, without written permission from a forest officer, of stock within an inclosure designated by the Forest Service as a pasture for tourists' stock, and allowing such stock to remain in the inclosure for more than 48 hours in succession, or more than twice during any calendar year.

(D) Having or leaving in an exposed or insanitary condition on national forest lands camp refuse or debris of any description, or depositing on national forest lands or being or going thereon and depositing in the streams, lakes, or other waters within or bordering upon the national forests any substance or substances which pollute or are liable to cause pollution of the said streams, lakes, or waters.

(E) The discharging of firearms in the vicinity of camps, residence sites, recreation grounds and areas, and over lakes or other bodies of water adjacent to or within such areas, whereby any person is exposed to injury as a result of such discharge.

(F) Going or being upon, or taking, transporting, or allowing cattle, sheep, hogs, or other animals on, any lands within a national forest to which the United States has legal or equitable title which are closed to use by the district forester because of danger from the spread of any communicable or infectious disease of cattle, sheep, hogs, or other animals, such as foot-and-mouth disease or scabies, except under permit issued by a forest officer not in conflict with a State or Federal quarantine law or regulation; but no permit shall be required of any actual resident within the national forest going to or from his home, if unaccompanied by any animal.

(G) Occupying a public camp ground upon national forest lands for a period of time in excess of that established by the district forester under the provisions of Regulation L-19.

CIVIL CASES

REG. T-10. The forest supervisor, when authorized by the district forester, may settle any innocent or unintentional trespass involving a claim for not more than \$300. The district forester may settle any trespass involving a claim for not more than

\$3,000. The Forester may settle any trespass involving a claim for not more than \$5,000. Any trespass involving a claim for more than \$5,000 will be referred to the Secretary of Agriculture. All civil trespasses requiring the institution of legal proceedings will be reported through the Forester to the Secretary of Agriculture for reference to the Attorney General for action.

CRIMINAL CASES

REG. T-11. Criminal trespasses, except those prosecuted under State laws and Federal cases requiring immediate action or of minor importance, will be reported through the Forester to the Secretary of Agriculture for reference to the Attorney General for action.

IMPOUNDING OF LIVESTOCK

REG. T-12. Domestic livestock found trespassing on national forest land if not removed upon reasonable notice may be impounded by the Forest Service. If the owner of the stock is known, prompt written notice of the impounding will be given him, and unless the stock be removed by the owner within five days from the receipt of such notice the stock shall be sold or

otherwise disposed of as hereinafter prescribed. If the owner be unknown, no sale shall be made until at least 15 days have elapsed from the date notice thereof is first published in a newspaper of general circulation in the county in which the trespass occurs and posted at the county courthouse. In either case the notice shall state when and where the stock was impounded, describe the stock by brands or other means of identification, and specify the time and place it will be sold in default of redemption by the owner. If the stock be not redeemed on or before the date fixed for its sale, it shall be sold at public sale to the highest bidder, or otherwise disposed of. The owner may redeem the stock by submitting proof of ownership and paying all expenses incurred by the United States in advertising, gathering, pasturing, and impounding it. Upon the sale of any stock in accordance with this regulation the forest officer shall issue a certificate of sale. Any stock impounded under this regulation which is offered at public sale and no bid received therefor, may, in the discretion of the forest officer, be sold at private sale or be condemned and destroyed.

FOREST MANAGEMENT SECTION

FUTURE GROWTH; REDUCTION IN HAZARDS; UTILIZATION

REG. S-1. No sale or other use of national forest timber will be authorized until the approving officer is satisfied that practicable methods of cutting are prescribed which will preserve the living and growing timber, promote the younger growth, reduce the hazard of forest fires and other destructive agencies, and secure as complete utilization of the various species and grades of material as the existing markets or the requirements of users permit.

MANAGEMENT PLANS, SUSTAINED YIELDS, AND COMMUNITY AND INDUSTRIAL STABILITY

REG. S-2. The Forester shall have prepared and shall approve plans for the disposal of national forest timber, as such plans are found to be necessary, to insure by practicable units the timber for the use and necessities of citizens of the United States. The Secretary of Agriculture will prescribe from time to time, upon data furnished by the Forester, the maximum amount of matured and large-

growth timber which may be cut by years or other periods on each national forest, and any plan for the disposal of timber approved by the Forester shall not be incompatible with the limitations so established for the forest concerned. The Secretary of Agriculture will also issue such instructions as may be necessary in specific cases to insure an adequate and permanent supply of forest products for local requirements, or for established industries dependent upon national forest timber or to promote the welfare of local communities dependent upon national forest operations for employment. Unless prohibited by specific instructions from the Secretary of Agriculture, timber lawfully cut on any National Forest may be exported from the State or Territory where grown.

WHERE TIMBER MAY BE CUT

REG. S-3. The cutting of timber within the national forests may be authorized under sale or permit, or otherwise, as prescribed by regulation:

1. On any vacant land.
2. On any abandoned mineral location.

3. On any unperfected lode location, or placer location on unsurveyed land, the boundaries of which are not marked and which show no substantial evidence of location or development.

4. On any unpatented claim with the written consent of the claimant.

5. On any unpatented claim, if necessary without the consent of the claimant, in emergencies arising from insect infestations or rapid deterioration of fire-killed timber.

6. On any unpatented mineral location made within a sale area subsequent to the first publication of the notice of the sale of the timber upon such area, or subsequent to the execution of the sale agreement or the issuance of permit affecting the timber upon such area not advertised.

7. On unapproved selections, unclassified grant lands, and other lands of unsettled status, in emergencies to prevent serious and unnecessary loss, upon submission of a bond by the operator to pay a stipulated price for the timber cut if title is not perfected adversely to the Government within a specified period.

Where allowed by law timber may be cut without additional authorization by the claimant from any unperfected claim for its actual development or for uses consistent with the purposes for which the claim was entered. All other cutting is prohibited.

The cutting and removal of timber, when such cutting and removal does not obstruct actual mining operations, shall not be prevented or interfered with by any person asserting a claim to the use of such timber under an unpatented mineral location made subsequent to the first publication of the notice of sale including such timber, or subsequent to the execution of the sale agreement or the issuance of permit covering timber not advertised, or subsequent to the signing by the Secretary of Agriculture of a recommendation to the Secretary of the Interior for an exchange in which the timber will be given the proponent.

SIZE AND DURATION OF SALES

REG. S-4. Sales of timber in small quantities are preferred and will be encouraged by every means possible. In sales to established manufacturing plants no more timber will be included in one contract than is required to permit logging a practicable and logical unit and to cover the cost of necessary logging improvements. Sales for the supply of new manufacturing plants will include the smallest quantity of timber, in economical logging

units adapted to the type of operation, required to give the enterprise a practical and adequate commercial basis.

The period allowed for the removal of timber will be fixed in the agreement and will be sufficient to permit cutting the amount included in the sale at a rate practical and economical for the type of operation concerned with reasonable latitude for contingencies. In sales extending over three or more years the minimum amount to be removed during each year, or other designated period, will be specified. The maximum amount to be cut during each corresponding period will also be specified when necessary in the judgment of the approving officer to restrict the rate of cutting to the limitation prescribed by the Secretary of Agriculture for the forest or in the management plan for the working circle.

MINIMUM PRICES

REG. S-5. The Forester will prescribe from time to time the minimum stumpage prices at which timber on each national forest or designated portion thereof shall be appraised for commercial sale. Appraisals at less than any such established minimum shall be approved by the Forester prior to the advertisement or sale of the timber. The minimum prices, however, will not apply to timber sold to homestead settlers and farmers under Regulation S-22, nor to timber sold under Regulation S-25 primarily to protect or improve the forest, nor to dead, fire-damaged, insect-infested, or badly diseased timber.

EXAMINATION, APPRAISAL, AND CONTRACT CONDITIONS

REG. S-6. Before any timber is advertised or sold it shall be examined and appraised and the cutting area described by legal subdivisions or otherwise. The examining officer shall report the quantity and appraised value of the various kinds of timber on the area and shall base his appraisal upon the character of the timber, the cost of logging, transportation, and manufacture, the investment required, the degree of hazard entailed in the operation, and the sale value of the manufactured products at practicable markets. He shall also report the contract conditions necessary for silviculture, fire protection, utilization, and other national forest interests.

Contracts exceeding five years in duration will contain provision for the redetermination of stumpage prices, after reappraisal, at intervals of not more than five years exclusive of any

period which may be allowed for the construction of improvements; but contracts for large sales of pulpwood in Alaska may provide that the first redetermination of prices will be made after an interval of not more than 10 years exclusive of any period allowed for the construction of improvements.

ADVERTISEMENTS AND BIDS

REG. S-7. All sales in which the timber has a value in excess of \$500 will be made only after advertisement for periods of from one to six months, in accordance with the quantity and value involved; and any sale of smaller value will be advertised or informal bids solicited from possible purchasers if, in the judgment of the officer authorized to make the sale, there is probability of competition. These requirements will not apply to sales at cost to settlers and farmers under Regulation S-22 and may be waived by district foresters in sales made under Regulation S-25. The right to reject any or all bids will be reserved by the terms of each advertisement. A deposit must accompany each bid for advertised timber.

EMERGENCY SALES

REG. S-8. Timber may be sold in amounts exceeding \$500 in value in advance of advertisement in cases of unusual emergency. Emergency sale agreements will provide that the purchaser agrees to bid for the timber at not less than the appraised value as given in the sale advertisement, and will pay for all timber cut under the emergency sale agreement at the rate or rates of the highest bona fide bid submitted.

An unusual emergency exists if the applicant is in immediate need of timber for his own use or if immediate cutting is necessary on account of climatic conditions or logging requirements or rapid deterioration of the timber.

Where competition is probable, emergency sales will be made only when the need of the applicant is so serious as to justify giving him preference over other bidders in the award of the timber.

The emergency sale agreement will be approved by the officer having authority to approve sale agreements for the total amount of timber being advertised; but if the sale of the total amount being advertised must be authorized by the forester, district foresters will secure the approval of the forester before approving the emergency sale of part of the timber, and

district foresters may require advance submission to them of all emergency sales.

AWARDS OF ADVERTISED TIMBER

REG. S-9. Advertised timber will be awarded to the highest bidder upon submitting satisfactory evidence of financial standing, unless:

1. Urgent considerations have arisen which make the sale undesirable, in which case all bids may be rejected.

2. Allotments to several bidders are practicable and advisable.

3. Award to a purchaser in an emergency sale at the highest price bid, or a division of the timber between such purchasers and other bidders, may be required by the existence of an emergency or in equity on account of operations previously begun on the sale area.

4. The highest bidder is notoriously or habitually careless with fire in his operations, or has failed to comply satisfactorily with the requirements of previous contracts for national forest timber.

5. Monopoly from the control of large amounts of public or of public and private timber would result.

6. The award would result in closing an established manufacturing plant operating in and dependent upon national forest timber, and would prevent an established operator from obtaining the benefit of substantial improvements made upon the faith and expectation of a continuous supply of such timber; or would be contrary to instructions previously issued by the Secretary of Agriculture for the management and use of the timber in question, with a view of furnishing a continuous supply of timber for the use and necessities of citizens of the United States; or would be against the interests of local users dependent upon national forest timber or of local communities dependent upon national forest operations for employment; or would cause the abandonment or prevent the establishment of a desirable local industry which should furnish a permanent market for national forest products.

Where the highest bid is not accepted and the sale is still deemed desirable, all bids will be rejected and the timber readvertised; or the award of the timber at the highest price bid will be offered to the next highest bidder when such award would not be contrary to the foregoing requirements: *Provided*, That in sales of timber for the local supply of isolated communities the advertisement and the

award may be made, with the approval of the district forester, on condition that manufactured products shall not be sold at prices in excess of maximum prices to be specified in the timber-sale agreement.

Before examining timber on application or making an award a statement of the relation of the applicant or bidder to other persons, firms, or corporations holding permits or agreements for the use of national forest resources may be required in the discretion of the approving officer. Firms or corporations may be required to furnish a certified statement of their members or stockholders.

FINANCIAL STANDING OF PURCHASERS

REG. S-10. In all sales exceeding 10,000,000 feet, and in smaller sales when necessary in the judgment of the approving officer, the successful bidder will be required prior to the award of the timber to submit a satisfactory statement of financial ability to conduct the operation and fulfill the terms of the agreement, or his financial standing will be determined by forest officers; and in any sale the applicant or bidder may be required to show that he has or can obtain equipment suitable for logging and manufacturing the timber and meeting the fire precautionary requirements of the contract. Such statements may be required before advertisement or before steps are taken to examine areas applied for.

PRIVATE SALES OF ADVERTISED TIMBER

REG. S-11. Forest officers may within their authorization sell any timber previously advertised but not sold, without further advertisement, at not less than the advertised rates.

BONDS

REG. S-12. The officer approving any timber-sale agreement may require the purchaser to furnish a bond for satisfactory compliance with its terms.

DEPOSITS, REFUNDS, AND TRANSFERS

REG. S-13. No timber shall be cut under any sale contract until it has been paid for. Refunds may, in the discretion of the Forester or district forester, be made to depositors or to their legal representatives of sums deposited in excess of amounts actually due the United States. Refunds of payments may also be made to the rightful claimants of sums erroneously

collected for timber or other forest products.

Transfers of deposits from one transaction to another, or from the credit of one purchaser to that of another with the written consent of the original depositor may be made by the supervisor.

AUTHORITY TO MAKE SALES AND PROCEDURE

REG. S-14. The Forester is authorized to make timber sales for any amount on any national forest, subject to the maximum cut fixed by the Secretary, and to delegate this authority for amounts not exceeding 50,000,000 feet board measure to the district foresters. The district forester may delegate authority to subordinate officers to make sales for amounts not exceeding 10,000,000 feet board measure. All supervisors may without special authorization make sales in amounts not exceeding \$500 and may delegate this authority for amounts not exceeding \$100 to subordinate officers.

The Forester may authorize district foresters to formally approve timber-sale agreements and related papers in sales exceeding 50,000,000 feet board measure in which the conditions of sale have been previously approved by him.

MODIFICATIONS AND TRANSFERS OF AGREEMENTS

REG. S-15. Modification of timber-sale agreements will not be allowed except in cases where the full performance of the agreement by the purchaser is rendered inequitable by some act of the United States or where the modification is sought in respect to the unexecuted portion of the agreement and will not be injurious to the United States. Modifications, where proper under this regulation, may be made by the officer approving the sale or by his superior officer.

No transfer or assignment of a timber-sale agreement shall be valid unless the transferee or assignee is acceptable to the United States as a purchaser of timber under the conditions and requirements then in effect for similar timber sales, and unless the transfer or assignment has been approved in writing by the forest officer who approved the sale agreement, or by his successor, authorized deputy, or superior officer. But by contractual stipulation a purchaser may be granted general authority to assign his timber-sale agreement in trust as security,

subject, however, to such conditions as the Forester imposes for the protection of the public interests.

ADMINISTRATION OF SALES

REG. S-16. No live tree shall be cut under any timber-sale contract or permit until marked or otherwise designated for cutting by a forest officer.

The volume of national forest timber in a sale may be determined by scaling, measuring, or counting the logs or other products, or by measuring the trees before cutting. If the contract provides for the determination of volume by tree measurement and the timber has been paid for, the stamping of the tree authorizes cutting and removal. Otherwise no timber cut under any contract shall be removed from the place designated until it has been scaled, measured, or counted and stamped by a forest officer, unless such removal is specifically authorized in the agreement.

No person except a forest officer shall stamp any timber belonging to the United States upon a national forest with the official marking ax or any instrument having a similar design.

The cubic volume rules and the Scribner Decimal C log rule, both as used by the Forest Service, are the official rules for scaling national forest timber.

CANCELLATION OF AGREEMENTS

REG. S-17. Timber-sale agreements may be canceled for serious or continued violation of their terms. Cancellation will be by the Forester if the amount of the sale exceeded the district forester's authorization and by the district forester in all other cases.

When such action is of advantage to the United States or not prejudicial to its interests and upon the application or with the consent of the purchaser, an agreement may be canceled by the Forester or district forester as above. If, further, the remaining timber is to be immediately resold at the same or better rates, the agreement may be canceled by the supervisor if the sale was for an amount not in excess of his authorization.

Agreements may be canceled by the Forester only, upon the application of the purchaser, when cancellation is shown to be required in equity to the purchaser (1) on account of some act of the United States, or (2) upon a review of the conditions existing at the date of sale in accordance with which its terms were fixed.

ACTION FOR BREACH OF CONTRACT

REG. S-18. Action for breach of contract may be brought for serious or continued violations of the sale agreement or where damages to the United States from violation of the agreement can not be recovered otherwise. Such action will be brought only with the approval of the Forester.

SALES OF NAVAL STORES

REG. S-19. So far as applicable, the regulations governing timber sales will be followed in sales of naval stores.

The Forester is authorized to make such sales for any amount on any national forest within the maximum limit fixed by the secretary and to delegate this authority for amounts not exceeding 200,000 cups to district foresters. District foresters may delegate this authority to supervisors for amounts not exceeding 40,000 cups.

Emergency sales will not be allowed.

SALE OF MATERIAL SEIZED

REG. S-20. Seized material may be sold to the highest bidder under specific authority from the district forester. If advertisement is impractical, sales of material exceeding \$500 in value will be made on informal bids.

SALES OF MISCELLANEOUS FOREST PRODUCTS

REG. S-21. The sale of forest products not specifically covered by other regulations will be conducted by forest supervisors under general instructions from the district forester with reference to the class of material involved. Sales exceeding \$500 in value will be advertised.

SALES AT COST

REG. S-22. Mature, dead, and down timber which can be cut without injury to the forest will be sold upon application without advertisement in any desired amount to homestead settlers and farmers, for domestic use on any homestead or farm, at the actual cost of making and administering such sales. The disposal of any part of such material for a money or other consideration, or in exchange for labor, services, or commodities, furnished the purchaser in connection with its cutting, removal, or manufacture or for any purpose except domestic use on the homestead or farm of the purchaser, is prohibited. If any of the foregoing requirements are violated, the sale will be terminated and the purchaser re-

quired to pay for all material cut at twice its appraised market value.

The Forester will determine from time to time the cost per thousand feet board measure or other unit of making and administering such sales in each national forest region where similar conditions exist, which amount will be uniformly taken on all forests in the region as the stumpage price in sales under this regulation.

District foresters may approve sales in any amount under this regulation, with prior review by the Forester if required for similar amounts in commercial sales, and may authorize supervisors to make sales in any amounts not exceeding 200,000 feet board measure. Supervisors may authorize rangers to make sales in any amount not exceeding 50,000 feet.

TIMBER GIVEN IN EXCHANGES

REG. S-23. National forest timber may be cut and removed as a consideration for the transfer of lands to the United States under the act of March 20, 1922 (42 Stat., 465), or other laws authorizing the exchange of land for national forest timber. In all cases cutting will be in accordance with the silvicultural, protective, and utilization requirements applicable to commercial sales of similar timber. The value of the timber will be determined by appraisal as in commercial sales before the proposed exchange is submitted to the Secretary of Agriculture for his consideration.

FOR IMPROVEMENTS OR INVESTIGATIONS

REG. S-24. The Forester may authorize the cutting or use of national forest timber for the construction, maintenance, or repair of roads, bridges, trails, telephone lines, drift fences, or other improvements of value for the protection or administration of the national forests, or for investigations.

FOR PROTECTION OR STAND IMPROVEMENT

REG. S-25. The Forester may dispose of timber the use or removal of which is necessary to protect the forest from injury or to improve conditions of growth, by sale, free use, or otherwise, as may be most advantageous to the United States.

This authority may be delegated to district foresters, by them to supervisors, and by supervisors to their subordinates, in each case for amounts not in excess of those which these officers are authorized to dispose of by

commercial sales, if payment is to be made for the timber; and when no payment is required for the amounts these officers are authorized by Regulation S-26 to grant individuals under free use.

FREE USE BY INDIVIDUALS

REG. S-26. Free use may be granted to bona fide settlers, miners, residents, and prospectors for minerals, for firewood, fencing, building, mining, prospecting, and other domestic purposes. Free use of material to be employed in any business, as by sawmill operators or proprietors of stores, will be refused. The sale or exchange of timber or other forest products obtained under free use is prohibited.

Free use will be granted individuals primarily to aid in the protection and silvicultural improvement of the forests. Hence the material taken will, except in unusual cases, be restricted to dead, insect-infested, or diseased timber and thinnings. Other material may be taken in exceptional cases where its refusal would cause unwarranted hardship. On forests or parts of forests where limited supply or other conditions justify such action, the free use of green material may be refused. The aggregate amount of material granted under free use to any user, in any one calendar year, will not exceed \$20 in value, except in cases of unusual need when the supervisor may increase the amount to not over \$100 in value, and the district forester to larger amounts.

Supervisors may designate portions or all of national forests as free-use areas, and give public notice of their action. Settlers, miners, residents, and prospectors for minerals may cut and remove from these free-use areas, free of charge and without permit, under such rules as may be prescribed by the district ranger to prevent fire risks, injury to remaining timber, or confusion among users, any dead timber, or any green timber previously marked or designated by forest officers for the purpose, needed for their own use for domestic purposes. Similar material may be cut outside of a free-use area without permit in cases of emergency, but the person taking such material shall promptly notify the district ranger; and small quantities of material needed by transients while in the forest may also be taken without permit; but the kinds of material so taken and the location and manner of cutting must not be inconsistent with the purposes for which national forests are established. In

all other cases permits will be required for green material.

Forest officers whom the supervisor may designate are authorized to grant free use of timber to individuals up to \$20 in value. Supervisors may grant permits for material not exceeding \$100 in value. District foresters may approve permits for larger amounts, and in times of emergency may delegate this authority to supervisors for not over \$500 in value. Prior review by the Forester will be given if the amount involved would require similar action in a sale.

District foresters may authorize supervisors to permit the removal of specific classes of material without scaling or measurement.

FREE USE IN ALASKA

REG. S-27. Bona fide settlers, miners, residents, and prospectors for minerals in Alaska may take free of charge green or dry timber from the national forests in Alaska for personal use but not for sale. Permits will be required for green saw timber. Other material may be taken without permit. The amount of material granted to any one person in one year shall not exceed 10,000 board feet of saw timber and 25 cords of wood, or an equivalent volume in other forms. Persons obtaining material shall on demand forward to the supervisor a statement of the quantity taken and the location from which it was removed.

BY OTHER BRANCHES OF THE FEDERAL GOVERNMENT

REG. S-28. National forest timber will be granted free of charge to other branches of the Federal Government when authorized by law. Permits may be approved by forest officers for amounts not greater than they are authorized to sell under Regulation S-14.

Permits for timber will require the cutting and removal to be done in accordance with the conditions in cur-

rent timber-sale contracts in order to preserve the living and growing timber, promote the younger growth, secure reproduction, and protect the forest from fire. The permittee may be required to report to the supervisor the amount of timber, by species, actually cut or may be required to furnish scalers for work under the direction of the forest officer in charge or, if authorized, to provide funds for the employment by the Forest Service of scalers to scale or measure the timber cut. The permittee may be required to dispose of the brush as cutting proceeds, or to employ men to work under the direction of a forest officer in disposing of the brush, or, if authorized, to provide funds for the employment of men for brush disposal under the direction of a forest officer.

TIMBER SETTLEMENT

REG. S-29. Timber may, without advertisement, be cut, damaged, or destroyed when necessary for the occupancy of a right of way or other authorized use of national forest land.

Payment will be required at the appraised market value of the timber, subject to a minimum rate equivalent to the estimated cost of administration, except:

(1) For timber the logging and sale of which are impracticable, but which is necessarily killed or cut but not used by any permittee.

(2) For timber, either used or not used, necessarily killed or cut in connection with land uses of such benefit to the national forest that other timber would be granted under Regulation S-24 if needed by the permittee for construction purposes.

(3) For timber necessarily cut and used by the permittee if other timber would have been granted to him for the purpose under free use.

Title to any timber not used by permittee and for which no charge has been made will remain in the United States.

RANGE MANAGEMENT SECTION

AUTHORIZATION

REG. G-1. The Secretary of Agriculture in his discretion will authorize the grazing of livestock upon the national forests under such rules and regulations as he may establish.

The Forester will prescribe the number and class of stock to be grazed on any national forest on which grazing has been authorized by the Secretary.

APPLICATIONS AND PERMITS

REG. G-2. Every person must submit an application and secure a permit in accordance with these regulations before his stock can be allowed to graze on a national forest, except as hereinafter provided and unless otherwise authorized by the Secretary of Agriculture. The Forester may authorize the issuance of grazing permits for a term of years within a

maximum of 10 years. A term permit shall have the full force and effect of a contract between the United States and the permittee. It shall not be reduced or modified except as may be specifically provided for in the permit itself and shall not be revoked or canceled except for violation of its terms or by mutual agreement. The grazing regulations shall be considered as a part of every permit.

The few head of livestock in actual use by prospectors, campers, and travelers, or used in connection with permitted operations on a national forest, or not to exceed 10 head of milch, work, or other animals owned and used for domestic purposes by bona fide settlers residing within or contiguous to a national forest may be allowed to graze free, under such restrictions as the Forester may prescribe.

All stock grazed under paid permit on national forests must be actually owned by the permittee.

ON-AND-OFF PERMITS

REG. G-3. Persons owning stock which will graze on range, only part of which is national forest land, may be granted permits for such proportions of their stock as the circumstances appear to justify, but may be required so to herd or handle their stock as to prevent trespassing by that portion for which a permit is not granted.

PRIVATE GRAZING LANDS WITHIN NATIONAL FORESTS

REG. G-4. Persons who own or have leased unfenced lands within any national forest, and who agree that the United States shall have exclusive possession of such lands, may secure permits allowing them to graze upon national forest land free of charge the number of stock which the private lands will support, provided such an exchange will not be disadvantageous to the Government. Such permits will be subject to the same restrictions regarding the use of the range as permits issued under other regulations.

CROSSING PERMITS

REG. G-5. Persons wishing to drive stock across any portion of a national forest for any purpose may be required to secure a crossing permit. The Forester in his discretion may authorize the issuance of permits free of charge or may establish a charge for crossing privileges.

PROTECTIVE, EXEMPTION, AND MAXIMUM LIMITS

REG. G-6. For purposes of equitable distribution, the stabilization of the stock industry, and the prevention of monopoly, the Forester may authorize the establishment of protective, exemption, or maximum limits in numbers of stock for any area or areas.

The protective limit is the number of stock for which the permits of class A owners of improved farms devoted to the production of diversified crops or those who otherwise meet class A qualifications will be exempt from reduction in their renewal, except when sufficient reductions for range, forest, or watershed protection can not be made on preferences in excess of the protective limit.

The exemption limit is the number of stock below which the preference of no owner of dependent commensurate ranch property used primarily for the production of livestock will be reduced for purposes of distribution.

The maximum limit is the number of stock above which an increase in preference to any person, firm, or corporation may be refused. Maximum limits will apply with equal force and effect to preferences covering livestock the possession of which may be transferable under a lease, option, contract of purchase, or other form of agreement. The Forester may authorize the district forester to suspend the maximum limit or apply it to equitable interests in special cases.

PREFERENCES

REG. G-7. For the purpose of contributing to the stability of the livestock industry and making the forage resources of the national forests of the greatest value, the Forester shall provide for the recognition of preferences in the use of national forest ranges and the renewing of permits, to an extent consistent with the prevention of monopoly and with the principle of a reasonable distribution of grazing privileges.

Persons who are full citizens of the United States shall be given preference in the use of national forest ranges over other persons.

The following classification of applicants for grazing privileges is hereby established:

Class A.—Persons owning and residing upon improved ranch property which is dependent upon the national forest, and who are owners of not more than the established exemption limit

number of stock, or the protective limit number in the absence of an exemption limit.

Class B.—Prior users of national forest range who do not own improved ranch property, and persons owning such property who own stock in excess of the established exemption limit, or the protective limit in the absence of an exemption limit.

Class C.—Persons who are not regular users of national forest range and who do not own improved ranch property. This class can not acquire an established preference in the use of national forest range.

NEW APPLICANTS

REG. G-8. To promote agricultural settlement and development, consistent with the reasonable stability of established preferences, grazing preferences may be granted and grazing permits issued to new class A applicants who are citizens of the United States (not including declarants and petitioners), own livestock, and reside upon dependent improved ranch property. Persons who have waived any part of a previously established grazing preference will not be recognized as new applicants, nor granted any increase, where such action would necessitate a reduction in the preference of other established permittees.

When in his judgment the conditions warrant, the district forester may close, for stated periods, forests or portions of forests to the admission of new applicants.

Where a forest or portion thereof has not been closed to new applicants, and unless otherwise authorized by the Secretary of Agriculture, the Forester shall make provision for reductions in grazing preference above the exemption limit, or the protective limit in the absence of an exemption limit, to provide new qualified class A applicants with range for numbers of stock not in excess of the protective limit or to increase preferences of class A permittees up to the protective limit.

PERMITS TO PURCHASERS

REG. G-9. To facilitate legitimate business transactions, under conditions specified by the Forester, and unless otherwise authorized or limited by the Secretary of Agriculture, and upon satisfactory evidence being submitted that the sale is bona fide, a purchaser of either the permitted stock or the dependent, commensurate ranch property of an established permittee will be allowed a renewal of permit in whole or in part, subject to

the maximum limit restrictions, provided the purchaser of stock only actually owns dependent, commensurate ranch property, and the person from whom the purchase is made waives to the Government his preference for renewal of permit. A renewal of permit on account of purchase from a grantee who has used the range less than three years will not be allowed.

A grazing preference is not a property right. Permits are granted only for the exclusive use and benefit of the persons to whom they are issued and will be forfeited if sold or transferred in any manner for a valuable consideration.

GRAZING FEES

REG. G-10. A fee will be charged for the grazing of all livestock on national forests, except as provided by regulation, or unless otherwise authorized by the Secretary of Agriculture, or in cases where the Forester may determine it is to the interest of the United States to permit free grazing.

The Forester is authorized to determine the fair compensation to be charged for the grazing of livestock on the national forests, upon the basis of the following factors:

(1) A proper use of the grazing resource to best serve the public interest.

(2) Reasonable consideration of the value of the forage to the livestock industry.

(3) Effect of the rates upon the livestock producers.

An additional charge of 2 cents per head will be made for sheep or goats which are allowed to enter the national forests for the purpose of lambing or kidding.

No charge will be made for animals under six months of age at the time of entering the forest, which are the natural increase of stock upon which fees are paid or for those born during the season for which the permit is allowed.

PAYMENTS AND REFUNDS

REG. G-11. All grazing fees are payable in advance of the grazing period, unless otherwise authorized by the Forester. Crossing fees are payable in advance of entering the national forest.

When an applicant is notified that his application has been approved, he will remit the amount due for the privilege to the designated United States depository. Persons who fail to pay the fees as above specified must notify the proper forest officer and

give satisfactory reasons. For failure to comply with the above provisions may be sufficient cause for denying a grazing or crossing permit.

When a permittee is prevented from using the forest by circumstances over which he has no control, or for some justifiable cause does not use the privilege granted him, in the discretion of the district forester a refund of the fees paid will be made in whole or in part as the circumstances may justify and the Government's interest will permit.

RANGE MANAGEMENT

REG. G-12. Under the Forester's general instructions, the forests will be divided into grazing districts, the kind and number of stock to be grazed in each district determined, grazing seasons established, the entrance of stock regulated, range divisions between permittees made, and efficient methods of range use developed and applied with a view to the most equitable and profitable utilization of the forage consistent with its sustained productivity and with the protection of the forest and other related interests.

HANDLING OF STOCK

REG. G-13. Forest officers shall require methods of handling stock on the national forests designated to secure proper protection of the resources thereon and dependent interests, and may require the owners of livestock to give good and sufficient bond to insure payment for all damage sustained by the Government through violation of the regulations or the terms of the permit.

SANITATION, QUARANTINE, AND LOCAL LAWS

REG. G-14. To prevent nuisances and insure proper sanitary conditions on the national forests, the Forester may require compliance with livestock quarantine regulations and such other sanitary measures as he may deem necessary.

The Forester may require the owners of all stock grazed under permit, or allowed to cross any national forest, to comply with the local livestock laws of the State in which the forest is located.

RANGE IMPROVEMENTS

REG. G-15. (A) Special-use permits must be secured for all range improvements.

(B) When the proposed improvements are necessary for the efficient utilization of the range a clause will be included providing that title shall vest in the Government at the end of a 10-year period. Exceptions may be made where an agreement is reached on an adjustment-fee basis for some other period under paragraph (C).

(C) With the consent of a permittee who has constructed or maintained, or who may hereafter construct or maintain, range improvements which are necessary to the efficient utilization and management of national forest range, the Forester may make an adjustment of the grazing fees for a period of years sufficient to recompense the permittee for the value of such improvements.

Acceptance of the provisions of paragraph (C) of the regulation is optional with the permittee or Forester.

GOVERNMENT CONSTRUCTED COOPERATIVE RANGE IMPROVEMENTS

REG. G-16. The Forester may provide for the receipt and disbursement of cooperative funds from stockmen for the improvement and protection of the range and other immediately related national forest interests which might otherwise be adversely affected by the grazing of livestock.

DAMAGE TO IMPROVEMENTS

REG. G-17. The owners of all stock grazed on or allowed to cross any national forest must repair damage caused by their stock to roads, trail, springs, or other improvements. Failure to make prompt and adequate repairs, particularly after repeated notice, is sufficient grounds for suspending or revoking the offender's permit or preference in whole or in part.

COOPERATION WITH STOCKMEN

REG. G-18. In order to secure a collective expression of the needs of persons holding grazing permits on national forests, or portions thereof, and to afford them a reasonable opportunity to share in the administration of grazing and secure joint action on the part of permittees, the Forester will provide for recognition of and cooperation with State and local livestock associations under the provisions of Regulations A-9.

Whenever a national livestock association appoints an advisory board or committee representing users of the national forests in all of the different States, it will be recognized by the

Forester and consulted annually regarding matters which concern the use of national forest range.

REVOCATION OF PERMITS AND PREFERENCES

REG. G-19. The Forester may authorize the revocation of grazing permits to preferences in whole or in part for a clearly established violation of the terms of the permit, the regulations upon which it is based, or the instructions of forest officers issued thereunder.

WILD LIFE

REG. G-20. Forest officers will cooperate with State, county, and Federal officials in the enforcement of all laws and regulations for the protection of wild life.

Such forest officers as are specifically designated deputy game wardens by the laws of any State, or who shall be appointed lawfully to such positions, will serve in such capacity without additional pay and with full power to enforce the State laws and regulations relative to fur-bearing and game animals, birds, and fish.

Forest officers authorized to act as State deputy game wardens may accept the usual fees allowed for issuing hunting and fishing licenses. All forest officers are prohibited from accepting bounties or rewards or parts of fines offered by any person, corporation, or State for aid rendered in the enforcement of any Federal or State law relative to fur-bearing and game animals, birds, and fish.

GRAZING BOARDS

REG. G-21. Upon the request of a majority of the permittees grazing livestock on a national forest or group of national forests, or upon the recommendation of the district forester, grazing boards may be created by the Forester for the purpose of receiving suggestions and complaints regarding the administration of grazing on a national forest or group of national forests, investigating all facts relating thereto, and assisting, advising, and consulting with forest officers on mat-

ters of general interest to the permittees.

Boards created for a national forest shall consist of three members, and for a group of national forests of five members. One member of each board shall be an employee of the Department of Agriculture and shall act as chairman. The other members shall be representatives of and selected by the permittees pasturing the class or classes of livestock grazed on the national forest or group of national forests. The board shall meet upon call of the chairman at such times and places as he may designate by giving written notice to all members of the board at least 10 days before the proposed date of meeting. The position of any member of the board who fails to attend two successive meetings, unless he is prevented by circumstances over which he has no control, may in the option of the board be declared vacant. Any vacancy in the board shall be filled in the same manner as herein prescribed for the original appointment. A majority of the members of the board shall constitute a quorum for the transaction of business and a majority vote of the members present at a meeting shall constitute a decision of the board.

Appeal to the board from any administrative order, action, or decision of forest officers pertaining to the grazing of livestock on a national forest or forests within the jurisdiction of the board may be taken by any recorded applicant, permittee, or recognized advisory board of a duly recognized livestock association. Decisions of the board will be final unless a minority opinion, which shall be a complete statement of the points to which dissent is made and the reasons therefor, is filed with the district forester by one or more members of the board or the appellant within 20 days from the date of the board's decision, in which event the district forester will review the case and render a decision. If dissatisfied with the district forester's decision the board, or the dissenting members thereof, or the appellant, may then appeal in the manner prescribed by Regulation A-10.

LANDS SECTION

SPECIAL USES

REG. L-1. All uses of national forest lands and resources, except those provided for in regulations governing the disposal of timber and grazing of livestock, will be designated "special

uses." Permits for the excavation of antiquities under the act of June 8, 1906 (34 Stat. 225) and for the lease of lands under the act of February 28, 1899 (30 Stat. 908), may be granted only by the Secretary of Agriculture. All other permits for special uses may

be granted by the Forester, or by the district forester, supervisor, or ranger as instructed by the Forester, and subject to such conditions as to area, time, charges, and other requirements as may be provided by these regulations and the instructions issued thereunder.

All special-use permittees must comply with all State and Federal laws and all regulations of the Department of Agriculture relating to the national forests, and conduct themselves in an orderly manner.

A special-use permit may be terminated, with the consent of the permittee, or because of nonpayment of fees due, by the officer by whom it was issued or by his successor, but may be revoked only by the Secretary of Agriculture or by an officer of the Forest Service superior in rank to the one by whom the permit was issued. Appeals from action relating to special-use permits may be taken as provided in Regulation A-10.

A permit may be transferred with the approval of the officer who granted it, or his successor. Hotels and resorts may be sublet with the approval of the district forester.

Public-service enterprises, such as hotels and resorts operating under either term or terminal special-use permits, must conform to such requirements respecting rates and service as the Secretary of Agriculture may make in the interest of the public.

Rights of way for power transmission lines and for telephone and telegraph lines granted under the act of March 4, 1911 (33 Stat. 1253), shall be subject to the condition that the grantee shall execute such stipulations for the protection of the national forest, shall furnish such facilities to forest officers and shall permit such reasonable use of its poles and lines for official purposes as may be required by the district forester.

REG. L-2. Special-use permits for the following purposes will be issued without charge:

(A) Excavation of antiquities under the act of June 8, 1906.

(B) Public uses by any department or branch of the Federal or State Governments, including municipalities when no profit is to be derived from said uses.

(C) Cemeteries, churches, and schools.

(D) Lands occupied for semipublic purposes by associations or organizations where such lands are open to the use of the public upon a noncommercial or nonprofit-making basis, including lands occupied by shelter huts,

community houses, camp grounds, etc., open to free use by the public.

(E) Cabins for the use of miners, prospectors, trappers of predatory animals, stockmen in connection with grazing permits, and other permittees for temporary use in connection with other authorized uses, provided that cabins used during the entire year as headquarters will be classified as residences and charged for accordingly.

(F) Corrals, stock tanks, shelters, dipping vats when no toll is charged, drift, division, pasture or other fences required for the proper management of permitted stock which are subject to free use by all authorized permittees and do not give control of range to the exclusion of any stock entitled to its use.

(G) Logging railroads, flumes, tramways, inclosures, sawmills, kilns, and other improvements necessary to the manufacture of lumber or other products from timber obtained principally from the national forests.

(H) Conduits, dams, reservoirs, pumping stations or any water development project for municipal, domestic, irrigation, mining, railroad, stock watering, or other purpose of public value. (Where the use of watersheds involves special forms of administration or utilization of forest production, specific agreements with equitable provisions for compensation will be required.)

(I) Telephone lines with free use and free connection by Forest Service. Telegraph lines with free use of poles for attaching thereon Forest Service telephone lines.

(J) Roads and trails which are free public highways.

(K) Stone, earth, and gravel used for projects constructed under permits; or for the construction or maintenance of public roads and trails; or by bona fide settlers, miners, and prospectors for building purposes by such persons.

(L) Fish hatcheries of a noncommercial nature.

(M) Camp fire permits on forests when required.

(N) Sewage systems.

(O) Signs.

(P) Use or occupancy of land in a national forest.

REG. L-3. Special-use permits, except as provided in Regulation L-2, or otherwise authorized by the Secretary of Agriculture, shall be conditioned upon the payment of an annual charge. The rates of charge and maximum limitations of area shall be prescribed by the Forester, except for the use of lands under the act of Feb-

ruary 28, 1899, for hotels and dwellings adjacent to mineral and medicinal springs which shall be determined by the Secretary of Agriculture.

In case of sale of improvements and reissuance or transfer of permit to the purchaser, any payments made upon the original permit may apply on the new permit, in the discretion of the forest officer issuing the permit.

REG. L-4. A group of special-use permittees who occupy national forest lands for summer homes or other residential purposes, not directly connected with timber sales, grazing permits, or water power development, which has been accorded recognition under the provisions of Regulation A-9, may be given permits to erect, provide, and maintain special improvements or service essential to the common good. Permits so issued may, in the discretion of the district forester, provide by stipulation and agreement embodied therein that if the total cost of the improvements and service provided and maintained thereunder is met by the association, no part being contributed by the United States except free use material, all persons authorized to occupy the area for such summer home or residential purposes and thus share in the benefits from the improvements or service authorized by the permits, shall thereafter be required to pay into the treasury of the association their pro rata share of the cost. Similar permits may be issued for Government-owned improvements with the payment provision limited to cost of maintenance or necessary extensions or betterments.

REG. L-5. In serious emergencies for the protection of life or property, national forest lands may be occupied or used without previous permit, provided a permit for the special use involved is subsequently secured at the earliest opportunity.

REG. L-6. Lands purchased under the provisions of the act of March 1, 1911, are not subject to location or entry under the general mining laws. Preliminary prospecting for mineral on such lands may be carried on without permit, but no extensive excavations shall be made, structures erected, or mineral removed, nor can any exclusive rights be acquired except under permits issued under special regulations approved by the Secretary of Agriculture, which require the payment of fees, rentals, and royalties commensurate with the value of the mineral resources.

REG. L-7. Existing roads may be repaired without permit, but no roads over national forest land, except those

constructed under the provisions of Federal highway acts, shall be constructed or relocated until notification of intended construction, supplemented by plat showing location of the right of way, has been filed with the forest supervisor. If the project is disapproved by the supervisor and can not be adjusted satisfactorily with him by the proponents of the road, an appeal may be taken under the provisions of Regulation A-10. In the absence of objection from the forest supervisor, State or county roads may be constructed without permit, but the authorities constructing such roads must dispose of all timber and debris resulting from construction or maintenance as directed by the forest officers. Permits are necessary for the construction of all other roads over national forest lands. Trails may be constructed without formal permit if done with the consent and under the supervision of a forest officer, except that in the national forests in Alaska such consent and supervision will not be required. No toll shall be charged for the use of roads or trails over such lands and the same shall be open to free public use, unless otherwise specifically authorized by the Secretary of Agriculture, but a road built under permit at private expense to promote the construction of an important project may be temporarily closed to public use by order to the district forester if its unrestricted use is dangerous to public safety or unduly interferes with the primary purpose for which it was built.

Roads traversing national forest lands, which are not parts of State or county highway systems and which are constructed and maintained wholly at the expense of the Federal Government and its private cooperators, may in the discretion of the district forester, be designated by him as special service roads, and upon roads so designated the operation of commercial automobile stages or motor trucks for the regular transportation of either passengers or freight, except as authorized by permit issued by the district forester, is prohibited, but such prohibition shall not apply to occasional use by taxicabs or by automobiles or motor trucks owned or hired by persons for personal use or the transportation of their personal effects.

REG. L-8. Persons who have title to or have leased from the owners, unfenced lands within the national forests may, upon waiving their right to the exclusive use of such private land and allowing it to remain open to

other stock grazed on national forest lands under permit, be permitted, without charge, to inclose and use not to exceed 640 acres of national forest land when such an arrangement will be advantageous to the administration of the national forest, and the grazing value or capacity of the land to be enclosed does not exceed that of the private land.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land and, if leased from an owner, a copy of the lease, and must describe the national forest land it is desired to occupy. Permits will be subject to the same restriction as those issued under other regulations.

REG. L-9. Term special-use permits under the act of March 4, 1915, can not exceed 5 acres in area, nor 30 years in duration. They may be granted by the district foresters for periods not in excess of 15 years to responsible persons or associations desiring to occupy lands in the national forests for the purpose of constructing thereon summer homes, hotels, stores, or other structures needed for recreation or public convenience when the contemplated improvements do not exceed \$10,000 in value. The district forester, in his discretion, may delegate all or part of this authority, by letter, to specifically designated supervisors. Other permits under the act will be granted by the Forester.

REG. L-10. Any individual, firm, or corporation which, under authority of a special-use permit, has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, with reasonable prospects of the establishment of a permanent industry, may apply for the elimination from the national forests of the lands so occupied in order that such lands may be entered by the applicant under the provisions of section 10 of the act of May 14, 1898 (30 Stat. 413). If, upon investigation, it is determined by the Secretary of Agriculture that permanent and substantial improvements designed for trade, manufacture, or other productive industry, exceeding in value the estimated value of the lands for national forest purposes, have, in fact, been lawfully constructed, with reasonable prospects of establishing a permanent industry, the elimination from the national forests of the lands so occupied, not exceeding a total of 80 acres in any single area, will be recommended.

MANAGEMENT OF MUNICIPAL WATERSHEDS

REG. L-11. When necessary for the protection of water supplies of towns, cities, or irrigation districts, the Secretary of Agriculture will enter into formal agreements with the properly authorized officials of the town, city, irrigation district, or private corporation, or with the owners of privately owned lands within the watershed, to restrict the use of the national forest lands from which the water supplies are derived. The forms of use to be restricted, the nature and extent of the restrictions, the special protective measures which may be necessary or desirable, the assistance to be given the Forest Service in the enforcement thereof by the town, city, district, private corporation, or owners of land, and the payments, if any, which shall be made to compensate the United States for losses of revenue resulting from the restrictions, will all be clearly and specifically defined in the agreement.

CLASSIFICATION

REG. L-12. New areas of public lands added to the national forests will without delay be classified in accordance with the requirements of the act of August 10, 1912 (37 Stat. 269).

SETTLEMENT

REG. L-13. National forest lands are not subject to settlement under the homestead law unless and until they have been listed and formally declared open to entry. All national forest lands classified under the act of August 10, 1912, as being chiefly valuable for agriculture will be listed promptly with the Secretary of the Interior for homestead entry under the act of June 11, 1906.

REG. L-14. On receipt of a request for the listing of lands under the act of June 11, 1906, the forest supervisor will ascertain whether the land has been classified under the act of August 10, 1912. If the land has been classified as chiefly valuable for agriculture and has been listed under the act of June 11, 1906, the applicant will be informed accordingly, and referred to the appropriate local land office. If it has been classified as not chiefly valuable for agriculture the applicant will be advised that the land can not be listed under the act of June 11, 1906. Such action will be final unless a request for review of the classification, in the manner provided by the instructions on that subject, is filed

with the forest supervisor within a reasonable time after receipt of his advice that the land is classified as nonlistable.

REG. L-15. Lands within projects which are in process of classification under the act of August 10, 1912, and lands previously classified as not chiefly valuable for agriculture, if found to be in fact agricultural and listable in character ordinarily will be listed without the naming of a preferred applicant so that all qualified citizens may enjoy equal opportunity to make entry and no misuse of official information may occur; but if, in the judgment of the Secretary of Agriculture, an applicant possesses substantial equities in the lands to be listed, not established by willful or intentional violation of laws or regulations, or has rendered a substantial public service by presenting previously unknown facts resulting in the correction of an error in classification, such person will be named as the preferred applicant in the listing letter.

REG. L-16. All applications by Indians for allotments of lands within the national forests, under section 31 of the act of June 25, 1910 (36 Stat. 863), which are submitted to the Secretary of Agriculture, in order that he may determine whether the land applied for should be made subject to appropriation by allotment, must be made in the form prescribed by the regulations of the Secretary of the Interior governing Indian allotments on national forests.

CLAIMS

RELINQUISHMENTS

REG. L-17. No forest officer shall request a homestead entryman to relinquish his claim or suggest for any reason whatsoever that such a course is desirable. If any homestead entryman voluntarily offers to relinquish his claim, the forest officer may suggest that the relinquishment be transmitted to the local land office, but shall not encourage this to be done. Forest officers who receive by mail relinquishments from claimants must return the same, with the suggestion

in every case that if the entryman desires to relinquish he should send the relinquishment to the local land office. No forest officer shall be a party to a compromise whereby any claims or trespass case is settled by requiring the claimant to relinquish a claim to the United States.

When relinquishments are offered which cover lands needed for administrative purposes, and when it is desired to pay the claimant for improvements thereon, a recommendation, accompanied by the reasons in each specific case, shall be submitted to the Forester, who may authorize the purchase of the improvements upon the filing of the relinquishment in the local land office.

REG. L-18. Whenever the Secretary of Agriculture shall determine that the use of any portion of the surface of the lands included in a mining location within a national forest is required for the administration, protection, or improvement of the national forest, and may be so used without interfering with the development of the mineral resources of such claim, such lands shall, prior to the allowance of mineral entry, be subject to use by the United States, or its permittees, for the purposes named.

RECREATION

REG. L-19. Public camp grounds established upon national forest lands which are improved by the Forest Service, either from appropriations made for such purposes or in cooperation with other public or private agencies, are for transient use by the traveling public and shall not be occupied for extended periods except under special-use permit issued by the forest supervisor. When the public interest so requires, the district forester may fix a maximum number of days during which any person or group of persons may occupy a designated camp ground, notice of which shall be given by a sign posted within said camp ground, and occupancy of the camp ground for a period in excess of that established by the district forester is prohibited. (See Reg. T-9, par. (G), p. 6.)

ENGINEERING SECTION

WATER POWER AND POWER-TRANSMISSION LINES

REG. E-1. Applications for preliminary permits or licenses involving the use of Government land for water-power projects or for lines transmit-

ting electric energy generated by water power shall be made pursuant to the Federal water power act of June 10, 1920 (41 Stat. 1063), and the regulations thereunder, and shall be filed with the Federal Power Commission at Washington, D. C., or with any field

office designated by the commission. Permits issued by the Secretary of Agriculture, the Forester, and district foresters outstanding on the date of the approval of that act and not superseded by permits or licenses issued thereunder shall be governed by the regulations and instructions in force on said date, except that no additional time under preliminary permits, no transfer of permits, and no changes involving the use of additional land shall be allowed.

SECTION 8 FUND

The Secretary of Agriculture has made formal regulations for the section 8, forest highway and forest development funds. No regulations have been made for the 10 per cent appropriation.

REGULATION 1.—DEFINITIONS

For the purpose of these regulations the following terms shall be construed respectively to mean:

SECTION 1. *Act.*—Section 8 of an act of Congress entitled, "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. 355).

SEC. 2. *Secretary.*—The Secretary of Agriculture of the United States.

SEC. 3. *Local authority.*—The State, Territory, or county jointly or severally making application for the survey and construction of a road or entering into a cooperative agreement with the Secretary.

SEC. 4. *State.*—Any State or Territory.

SEC. 5. *Road.*—A road, trail, or bridge.

SEC. 6. *National forest road.*—A road constructed or to be constructed in cooperation with the local authorities under the direct supervision of the Secretary of Agriculture, and paid for in whole or in part out of moneys made available by the act.

SEC. 7. *Cooperative road.*—A road constructed or to be constructed under State, Territory, or county supervision and under cooperative agreement as provided in the act, but paid for out of funds other than those appropriated by the act.

SEC. 8. *Construction.*—Reconstruction and improvement of roads as well as original construction.

SEC. 9. *Maintenance or properly maintain.*—The making of needed repairs and the preservation of a reasonably smooth surface, considering the

type of road, but not extraordinary repairs or reconstruction.

REGULATION 2.—APPORTIONMENT

SECTION 1. Ten per cent of each annual appropriation shall be withheld as a special fund, from which, as directed by the Secretary, the apportionment to any State as hereafter provided may be increased, and from which there shall be paid such amount as the Secretary may find necessary for the general administration of the provisions of the act and from which there shall be established a fund from which survey and construction equipment may be purchased. The remaining 90 per cent of each annual appropriation shall be apportioned to the States as follows: One-half on the basis that the aggregate area of the lands of the United States in the national forests in each State bears to the total land area of such State, and one-half in the proportion that the estimated value of timber and forage resources of the national forests in such State bears to the total value of timber and forage resources of the national forests of all the States: *Provided, however,* That in such apportionment the States of Florida, Michigan, Minnesota, Nebraska, and Oklahoma shall be considered as a unit of apportionment, and the States east of the Mississippi River within which lands have been acquired by the United States under the provisions of the act of March 1, 1911 (36 Stat. 961), entitled "An act to enable any State to cooperate with any other State or States or with the United States for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," known as the Weeks law, shall also be considered as a unit of apportionment.

SEC. 2. The apportionment for the fiscal year ending June 30, 1917, shall be made as of the date of the approval of these regulations, and on or before the first day of January next preceding the commencement of each succeeding fiscal year the Secretary will make like apportionment for such fiscal year.

SEC. 3. Any amounts apportioned to the States as herein provided remaining unexpended for a period of three years after such apportionment may be reapportioned by the Secretary to the several States in the manner provided for original apportionment.

REGULATION 3.—APPLICATION

SECTION 1. Application for the survey, construction, and maintenance of roads under the act shall be made by the proper local authority to the Secretary upon forms furnished by the Forest Service, and filed with the district forester of the Forest Service district within which the proposed road is located.

SEC. 2. Each application shall contain: (a) Satisfactory evidence of authority to make application on behalf of the State, territory, or county, and to enter into a cooperative agreement with the Secretary for the survey, construction, and maintenance of the proposed road; (b) a statement of the public needs to be served by the proposed road and the manner in and extent to which such road is necessary for the use and development of the resources upon which communities within or adjacent to the national forests are dependent; (c) a statement showing (1) the general location of the proposed road, (2) its termini, length, grades, and estimated cost, and (3) the name, population, and location with respect to the proposed road of each community that would be benefited thereby; and (d) proposals for cooperation, giving in detail the amount and extent of the cooperation offered, whether in money, materials, labor, or the construction of a cooperative road, and whether cooperative moneys will be held and disbursed by the local authority or will be deposited in the United States Treasury in accordance with the provisions of the act of Congress approved June 30, 1914 (38 Stat. 415, 430), entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fifteen," creating a special fund of contributions for cooperative forest work, available until expended, for the payment of the expenses of such work and for refunds to the contributors of amounts paid by them in excess of their share of such work.

SEC. 3. Applications upon which final action is not taken by the Secretary during any year will be retained and, unless modified or withdrawn by the applicant, will be considered for succeeding years.

REGULATION 4.—SELECTION OF PROJECTS

SECTION 1. The Forest Service shall prepare: (a) A project plan for each State, providing, as far as practicable, for a comprehensive road system in the national forests, showing, in the order

of their importance, the roads within or partly within the national forests which it believes should be constructed; (b) maps showing the road system for each national forest, and delimiting the projects upon which construction or improvement is believed necessary, with a mark or marks of identification for each; and (c) a statement for each county in which there is a national forest, showing the maximum amount which may be expended therein under the act. Such project plans, maps, and statements shall be submitted to the Secretary for approval, and after such approval shall be transmitted to the Bureau of Public Roads for its information.

SEC. 2. Unless satisfactory data are already available, engineering investigations and preliminary cost estimates shall be made, by or under the direction of the Bureau of Public Roads, of all road projects for which proper application has been made.

SEC. 3. The Forester shall send annually to the Secretary a list of projects for which applications are pending, with recommendations for approval of negotiations for cooperative agreement, for rejection or for postponement of final action. As authorized by the Forester, cooperative agreements shall be negotiated for the projects so approved by the Secretary, provided the terms of such agreements are in accordance with the conditions under which the Secretary's approval was given.

REGULATION 5.—COOPERATIVE AGREEMENT

SECTION 1. When negotiations for a cooperative agreement for a project have been properly authorized, the agreement for execution by the Secretary and the local authority shall be prepared by the Forest Service with the assistance of the solicitor. The maximum allowable expenditure of Federal money and the percentage of Federal cooperation, as provided in the agreement, shall not be greater than those specified by the Secretary in authorizing the preparation of a cooperative agreement. The detailed provisions of the agreement shall be those agreed upon by the Forest Service, the Bureau of Public Roads, and the local authority. The agreement shall provide for: (a) Survey, plans, construction, and maintenance of the project to be done in accordance with these rules and regulations; (b) amount, value, and character of cooperation; (c) furnishing of labor and materials, the deposit of cooperative funds in the

Treasury, or the disbursement of such funds by the local authority; (d) supervision and inspection during construction and approval upon completion; (e) final accounting to each party to the agreement of all labor or materials furnished and all moneys expended under the agreement; and (f) such other terms as in the opinion of the Secretary should be included.

SEC. 2. The cooperative agreement shall provide that the entire project shall be constructed in accordance with the approved plans and specifications or such changes therein as may be agreed upon by the local authority, the Forester, and the Director of the Bureau of Public Roads, if the funds which the parties have agreed to provide are sufficient therefor or both parties have and are willing to provide by supplemental agreement sufficient additional funds to meet any excess in the estimated total cost based on the location survey, or on the lowest satisfactory bid for constructing the project, plus the estimated cost of surveys and engineering; but that if provision is not made for such additional funds, then such portion of the project shall be so constructed as can be with the funds which the parties have agreed to provide, unless in the judgment of the local authority, the Forester, or the Director of the Bureau of Public Roads, the construction of such portion would not be advantageous. If such additional funds are necessary, construction shall not be started or obligations with reference thereto incurred until appropriate provision has been made for such funds. If the funds which the parties have agreed to provide are insufficient to construct the project in accordance with the approved plans and specifications or changes therein agreed upon by the parties, either party may, before construction is begun or obligations with reference thereto incurred, withdraw from the cooperative agreement upon 30 days' notice to the other and payment of its pro rata share of expenses incurred in connection with the project.

SEC. 3. Each local authority will be required to cooperate as herein defined in an amount at least equal to 50 per cent of the estimated cost of the location survey and construction and the entire cost of maintenance of national forest roads, unless a satisfactory showing is made to the Secretary that such an amount of cooperation is inequitable. Cooperation by local authorities may be in the form of money, labor, materials, or the construction

of cooperative roads, and the amount and value thereof shall be fixed by the Secretary. Cooperation in the form of road construction will be accepted only when such cooperative road connects with and is an extension of a national forest road, and to the extent only that such road is necessary to furnish a connection between a national forest road and the general State, Territory, or county road system. Such cooperative road may be either within or without national forest boundaries.

REGULATION 6.—SURVEYS, CONSTRUCTION, AND MAINTENANCE

SECTION 1. Upon the execution of a cooperative agreement the Bureau of Public Roads shall proceed with the survey and construction of the road in accordance with such cooperative agreement.

SEC. 2. National forest roads shall be constructed under the supervision of the Bureau of Public Roads, in accordance with plans and specifications prepared by it and approved by the Forest Service and the local authority. The maintenance of such roads shall be under the supervision of the Bureau of Public Roads, unless otherwise provided in the agreement.

SEC. 3. Cooperative roads shall be constructed in accordance with plans made as provided in the cooperative agreement and approved by the Bureau of Public Roads and the Forest Service. Such roads shall be subject to approval of the Secretary on completion, and to inspection by the Bureau of Public Roads during construction and maintenance. Cooperative roads shall be maintained by the local authorities.

SEC. 4. If a cooperative road is not constructed as provided in the preceding section, or any road constructed under a cooperative agreement is not properly maintained in accordance with its terms, or there is failure to comply with any other of its terms, the Secretary will give notice of such fact to the proper local authority. If within four months from the receipt of such notice the terms of such agreement are not complied with, the Secretary may thereafter refuse to enter into any other cooperative agreement with such local authority until compliance has been made with the original agreement.

REGULATION 7.—ACCOUNTING

SECTION 1. All Federal funds expended for road construction under the act, and all cooperative funds which

may be deposited in the United States Treasury in accordance with the act of Congress approved June 30, 1914 (38 Stat. 415, 430), mentioned in section 3 of regulation 3, shall be disbursed as directed by the Secretary of Agriculture.

SEC. 2. Cooperative funds used for the survey and construction of national forest roads, but not deposited in the Treasury, shall be disbursed by the local authority only upon vouchers approved by the Bureau of Public Roads.

SEC. 3. A separate account shall be kept, as directed by the Secretary, of all moneys disbursed for national forest roads, showing the States and counties within which and the projects upon which such moneys have been expended, and the Secretary will furnish to the local authorities a detailed statement of such expenditures as soon as practicable after the completion of every project.

SEC. 4. Unless otherwise directed by the Secretary, records of the costs of survey and construction of all road projects, whether cooperative or national forest roads, shall be kept upon forms to be supplied by the Bureau of Public Roads. If the Secretary shall so direct, progress statements or reports on cooperative roads shall be submitted from time to time to the Bureau of Public Roads on forms supplied by that bureau, and within 90 days after the completion of a project the local authority shall submit to the Secretary a final report of the project on a form supplied by the Bureau of Public Roads.

SEC. 5. Immediately upon the execution of a cooperative agreement, the Secretary will notify the Secretary of the Treasury of the amount to be expended by the United States within or adjacent to any national forest thereunder, and upon the completion of each project and the closing of the project accounts relating thereto the Secretary will submit to the Secretary of the Treasury a statement of the total expenditures of Federal funds made on account thereof and the distribution of such expenditures to each national forest concerned.

FOREST HIGHWAY AND FOREST DEVELOPMENT FUNDS

Basis.—That portion of section 2 of the Federal Highway Act, approved November 9, 1921, which defines the term "forest roads," all of section 23 of the said act, and such other portions of the act as apply to forest roads.

REGULATION 1.—DEFINITIONS

For the purpose of these regulations the following terms shall be construed, respectively, to mean:

SECTION 1. *Secretary.*—The Secretary of Agriculture of the United States.

SEC. 2. *Bureau.*—Bureau of Public Roads of the Department of Agriculture.

SEC. 3. *State.*—Any State, Territory, or insular possession.

SEC. 4. *State highway department.*—As defined in the act.

SEC. 5. *County authorities.*—The commissioners, supervisors, or officials in charge of the selection of roads in a county, road district, or town, and the expenditure of county funds for road building and maintenance.

SEC. 6. *Forest roads.*—Roads wholly or partly within or adjacent to and serving the national forests.

SEC. 7. *Forest-highway fund.*—The appropriation made by the act for forest roads of primary importance to the State, counties, or communities within, adjoining, or adjacent to the national forests, to be known as forest highways.

SEC. 8. *Forest development fund.*—The appropriation made by the act for roads and trails of primary importance for the protection, administration, and utilization of the national forests or when necessary for the use and development of the resources upon which communities within or adjacent to the national forests are dependent, to be known as forest development roads.

SEC. 9. *Construction.*—Reconstruction and improvement of roads as well as original construction.

SEC. 10. *Maintenance.*—The making of necessary repairs and the preservation of a reasonably smooth surface, considering the type of road, but not extraordinary repairs or reconstruction.

SEC. 11. *Major project.*—A road whose survey and construction shall be prosecuted under the supervision of the bureau. This term includes all road projects on the forest highway system except those—

(1) Which do not require the technical services of a highway engineering organization.

(2) Whose estimated average cost is less than \$2,000 per mile.

The term includes forest development roads whose estimated average cost exceeds \$5,000 per mile, or which require the technical services of a highway engineering organization.

SEC. 12. *Minor project.*—A road whose survey and construction shall be prosecuted under the supervision of the Forest Service. This term includes all trails and all roads not comprised within the definition of major project.

REGULATION 2.—APPORTIONMENT

SECTION 1. From such information, investigations, and sources as the Forester shall deem most accurate he shall prepare a tabulation showing the areas and value of the national forest land in each State, including the value of forage and timber. This tabulation, if approved by the Secretary, shall serve as the basis of apportionment for the forest highway fund.

SEC. 2. The Secretary, after considering the recommendations of the Forester, will apportion the forest highway fund for expenditure within the States as follows: One-half in the ratio that the area of national forest land in any State bears to the total area of such land in all States and one-half in the ratio that the value of national forest land in any State bears to the total value of such land in all States.

SEC. 3. The Forester shall prepare a tabulation for the distribution of the forest-development fund for expenditure within the States based on the relative needs of the various national forests, taking into consideration the existing transportation facilities, the value of timber or other resources served, relative fire danger, and comparative difficulties of road and trail construction. This tabulation, if approved by the Secretary, shall constitute the apportionment of this fund for expenditure within the States.

SEC. 4. Ten per cent of the amount apportioned for expenditure within each State from the forest-highway fund shall be set aside for allotment for administrative expenses of the bureau and the Forest Service and for the purchase and maintenance of equipment. The portion of the amounts set aside not required for these purposes will be returned to funds for construction purposes.

SEC. 5. After deduction of the amounts set aside for administration and equipment expenses, the forest highway fund apportioned to the several States shall be available for expenditure on the survey, construction, and maintenance of approved projects on the forest-highway system.

SEC. 6. The apportionment for expenditure in each State from the for-

est-development fund shall be available for administrative and equipment expenses of both bureaus, for the construction of major projects recommended by the Forester and approved by the Secretary, and for minor project work as approved by the Forester.

REGULATION 3.—SELECTION OF FOREST HIGHWAY AND FOREST DEVELOPMENT ROAD SYSTEMS

SECTION 1. Forest roads shall be classified as follows:

(1) Forest highways, comprising the forest highway system.

(2) Forest development roads, comprising the forest development road system.

SEC. 2. Forest highways will include:

(1) All existing and proposed roads, or parts of roads, which are necessary sections or extensions of the Federal-aid system wholly within the national forests.

(2) Other existing and proposed roads, or parts of roads, which are sections or extensions of the Federal-aid system and partly within or adjacent to and serving the national forests, and which may be designated as forest roads by the Forester and the chief of the bureau.

(3) Other existing or proposed forest roads of primary importance to counties or communities.

SEC. 3. Forest development roads shall include all other existing or proposed roads within or adjacent to and serving the national forests and designated as forest roads by the Forester. A record of all roads designated as forest development roads will be furnished to the bureau.

SEC. 4. The bureau, acting for the Secretary, shall request each State highway department to submit a map of the roads within and adjacent to the national forests which in its judgment should be included in the forest highway system, of primary importance to the State or to the counties or communities thereof. Each State highway department shall be requested, before submitting such a plan, to secure and consider recommendations from the proper county roads officials as to forest highways of primary importance to the counties and communities. The district engineers of the bureau will file together with their recommendations copies of the map with the district forester.

SEC. 5. Each district forester of the Forest Service shall prepare for the

national forests in each State or portion of State within his district maps showing the existing and proposed roads within, adjoining, and adjacent to the forests classified as to status, type, and function. This plan shall be based upon the primary road system proposed by the State highway department. It shall show in which of the following classes, in the judgment of the district forester, each proposed forest road should be included:

(1) Forest highway system, classified as in section 2, regulation 3.

(2) Forest development road system.

Trails, maintenance work, and minor repairs and construction estimated to cost less than \$500 per mile will not be included on such maps.

The plan shall be revised annually in accordance with the above procedure.

SEC. 6. The bureau, acting for the Secretary, shall arrange a conference with the State highway department and the Forest Service for consideration of the forest highway system proposed by the State highway department and the district forester. Following such conference final recommendations for the designation of a forest highway system shall be submitted to the Secretary by the chief of the bureau and the Forester.

SEC. 7. The forest highway system may be added to or revised by the action of both bureaus, following the procedure herein provided for the original designation of the system.

SEC. 8. The forest development road system shall be added to or revised as the Forester shall prescribe.

REGULATION 4.—SELECTION OF FOREST HIGHWAY AND FOREST DEVELOPMENT PROGRAMS

SECTION 1. The chief of the bureau and the Forester shall, following the recommendations from their district representatives, prepare and submit to the Secretary a list of the forest highway projects selected for the initial (fiscal years 1922 and 1923) forest highway program. The program shall include provision for the maintenance of roads existing or under construction. This list shall set forth the location, available cooperation, if any, whether major or minor, and the tentative expenditure authorized from the forest highway and other available forest road funds. Upon the approval of such projects, or any of them, by the Secretary, they shall be included in the forest highway program.

SEC. 2. Subsequent projects to be incorporated in the forest highway

program shall be selected as follows: All projects proposed by counties, communities, or other agencies shall be submitted to the State highway department. The bureau, acting for the Secretary, shall request each State highway department to submit a list of proposed projects, including its recommendations on all projects submitted to it by counties or other agencies. All projects shall be submitted as far as practicable on forms furnished by the Secretary.

SEC. 3. The recommendations of the bureau on all projects received from the State highway department shall be furnished to the district forester and the State highway department. The district forester shall investigate any proposed projects coming within the requirements of the forest highway fund, including those submitted by county authorities, communities, or other agencies to the State highway department. The district forester shall call upon the district engineer of the bureau for any necessary engineering investigations to supply accurate and full information with reference to proposed State or county projects. The district engineer shall arrange for joint conferences with the State highway department and the district forester for final consideration of the program. A joint report shall be filed with the Forester and the chief of the bureau, together with such additional recommendations as their respective representatives may wish to make, following which the Forester and the chief of the bureau will submit a program of recommended forest highway projects to the Secretary for approval, classified as major and minor. The forest highway program may be added to and modified from time to time, following the same procedure. The program shall include provision for the maintenance of roads existing or under construction.

SEC. 4. The selection of forest highways for improvement or construction shall include only those which qualify under section 2, regulation 3.

SEC. 5. The forest highway program shall be based upon the following considerations:

(1) Construction correlation with adjacent Federal and State road programs.

(2) The interests of communities within, adjoining, or adjacent to the national forests.

(3) Service to the national forests by increasing their value and usefulness.

(4) The economy of continuity of operations.

(5) Benefit to forest development, protection, and administration.

(6) Amount of available cooperative funds.

SEC. 6. The district forester shall prepare and submit for approval by the Forester and Secretary a list of forest development roads which constitute major projects. This list shall set forth location, available cooperation, if any, and authorized expenditure from the forest development or other available funds. Upon the approval of such projects or any of them, by the Secretary, they shall be included in the forest development program. The selection of forest development roads and trails constituting minor projects shall rest with the Forester.

REGULATION 5.—COOPERATIVE AGREEMENTS

SECTION 1. Cooperation from the State highway department, county authorities, or other agencies, associations, or individuals shall not be required but may be accepted.

Cooperative agreements shall be entered into for all projects which involve financial contributions to surveys, construction or maintenance by the State highway departments or county authorities, and shall be approved prior to beginning survey or construction, as the case may be.

SEC. 2. Negotiations for cooperative agreements for approved forest highway projects of the first two classes under section 2, regulation 3, shall be conducted by the bureau, following an agreement with the Forest Service as to financial cooperation, if any, and maintenance. The detailed provisions of the agreements shall be those agreed upon by the bureau and the State highway department. All agreements for construction shall be based upon location survey estimates and shall be prepared on forms furnished by the Secretary for execution by the Secretary and the State highway department.

SEC. 3. Negotiations for cooperative agreements for other forest road projects shall be conducted by the Forest Service, after consultation with the bureau as to their technical and financial features. The detailed provisions of the agreement shall be those agreed upon by the Forest Service and the cooperating agency. All such agreements for the construction of major projects shall be based upon survey estimates prepared by the bureau and shall be prepared for execution by the Secretary and the cooperating agency. Agreements for minor projects shall be

executed by the Forester or district forester of the Forest Service and the cooperating agency.

REGULATION 6.—SURVEYS, CONSTRUCTION, AND MAINTENANCE

SECTION 1. The survey and construction of minor projects included in the forest highway and forest development programs shall proceed under the direction of the Forest Service. On roads that may ultimately be improved to constitute part of an important public highway, a reconnaissance survey shall be made by the bureau and all construction shall follow the location so determined as closely as practicable.

SEC. 2. A location survey and estimate of cost of major projects included in the forest highway and forest development programs, under allotments set up as provided in regulation 7, shall be made by the bureau as soon as practicable.

SEC. 3. Construction work on any major project included in the forest highway or forest development program shall not be authorized or undertaken until a location survey and cost estimate satisfactory to the bureau has been made by the bureau, unless specifically agreed upon by the Forester and the chief of the bureau.

SEC. 4. Upon the completion of such survey and cost estimate, the construction of a designated project, conforming with the original project or forming a part thereof, at a designated cost not exceeding by more than 25 per cent the expenditure authorized in the forest highway or forest development programs, may be authorized by joint agreement of the chief of the bureau and the Forester. Construction projects substantially deviating from the project as approved in the forest highway or forest development programs, or which exceed by more than 25 per cent the expenditure authorized therein, shall be submitted by the chief of the bureau and the Forester to the Secretary for approval.

SEC. 5. Following the authorization of any major construction project as provided in this regulation, the bureau shall proceed with its construction under an allotment set up as provided in regulation 7.

SEC. 6. The construction of projects on all national forest highways of classes 1 and 2 of regulation 3, section 2, shall be in accordance with plans and specifications prepared under the direction of the bureau. Such construction shall not be started until the plans and specifications have been

approved by the bureau and by the State highway department, and until the district forester has had opportunity to examine the location map or surveyed line and to indicate any details of location desirable for the protection or development of the national forests.

The construction of all other major projects under the direction of the bureau shall be in accordance with the plans and specifications prepared by the bureau and approved by the Forest Service and each cooperating agency.

SEC. 7. The construction of minor projects shall be in accordance with the specifications approved by the Forest Service and such cooperating agency as may be involved.

SEC. 8. Construction work on national forest highways of classes 1 and 2 of regulation 3, section 2, shall not be considered complete until the project has been inspected and approved by the bureau and the State highway department or until the district forester has approved the clearing and disposal of refuse. No other construction work on major projects shall be accepted as complete by the bureau until it has been inspected and approved by the district forester and the cooperator.

SEC. 9. Maintenance work on all forest highways shall be performed by the bureau unless otherwise specified by agreement. The maintenance of all other road and trail projects shall be performed by the Forest Service unless otherwise provided by cooperative agreement.

REGULATION 7.—RECORDS AND ACCOUNTING

SECTION 1. Following the approval of the initial forest highway program for any State and of any subsequent projects or group of projects included therein, a lump sum allotment shall be set up by the Forest Service with the district fiscal agent of the Forest Service for disbursement on vouchers approved by authorized officers of the bureau covering:

(1) The authorized expenditures of all approved major projects.

(2) The current cost of maintenance on all projects to be maintained by the bureau, as estimated by the bureau.

(3) From the administrative and equipment fund provided for by regulation 2, section 4, an amount for administrative expenses and equipment equal to 10 per cent of the sum of Nos. 1 and 2. (Amended April 1, 1923.)

Such allotments shall be drawn from any available road appropriation applicable under existing law and regulation of the Secretary to the projects concerned. Upon agreement between the chief of bureau and the Forester to authorize construction of a project, as provided in section 4 of regulation 6, necessary additions to or deductions from the allotment previously set up shall be made. The bureau is authorized to make transfers between construction project allotments not exceeding 10 per cent of any allotment so reduced or increased. Transfers of more than 10 per cent may be made with the concurrence of the Forest Service. Any unused balances under such allotment shall be made available for subsequent program work.

SEC. 2. Following the approval of the forest development road program for any State or subsequent development projects in that State, a similar allotment covering major projects so approved shall be set up for disbursement on vouchers approved by the bureau, and a similar procedure followed in subsequent adjustments or transfers.

SEC. 3. Corresponding allotments shall be set up by the Forest Service with the district fiscal agents of the service covering approved minor projects and the expenditures of the Forest Service for administration and maintenance. One per cent of each forest highway apportionment shall be similarly set up for administrative expenses of the Forest Service. (Amended April 1, 1923.)

SEC. 4. The Forester shall be responsible for maintaining an accurate fiscal record of the status of all appropriations for national forest roads and all expenditures and allotments hereunder for administration, equipment, surveys, construction, and maintenance.

SEC. 5. As soon as practicable after the end of each fiscal year the Forest Service shall prepare a report to the Secretary showing the work accomplished in each State on forest development roads and the disbursements made therefor. For the purpose of this report the bureau shall furnish to the Forest Service information regarding the work accomplished on any forest development roads under the direction of the bureau. The bureau shall also furnish to the Forest Service a copy of each monthly statement exhibiting the progress of all its construction and the financial status of each project.

As soon as practicable after the end of each fiscal year the bureau shall

also report to the Secretary the work done on national forest highways in each State and the disbursements made therefor.

SEC. 6. Cooperative funds deposited in the United States Treasury shall be placed in the appropriation "Cooperative work, Forest Service," authorized by act of Congress of June 30, 1914 (38 Stat. 415, 430), and shall be audited, disbursed, and recorded in the same manner as funds under the act. Cooperative funds not deposited in the Treasury shall be audited and dis-

bursed as provided in the cooperative agreement.

SEC. 7. The bureau shall keep all records which it deems necessary of survey, construction, and maintenance costs on major projects supervised by it. The bureau shall furnish the Forest Service with a final report showing the accomplishments and expenditures on each project constructed by it, and on the projects constructed under a cooperative agreement a copy of the report will be furnished by the bureau to the cooperating agency.

PUBLIC RELATIONS SECTION

REG. PR-1.—Forest officers are authorized to attend meetings of forest users or of citizens or organizations when such attendance is called for in the interest of public use of the forests or of their administration and protection, and when the place of meeting is within the territorial field of duty to which the forest officer is assigned, in accordance with the general or specific instructions given him by his superior officer. For attendance at meetings held outside the territorial field of duty of the forest officer specific instructions must be secured in advance.

REG. PR-2.—Forest officers are authorized to attend meetings for the

purpose of giving informational talks, lectures, or addresses relating to forestry when the place of meeting is within the territorial field of duty to which the forest officer is assigned and when the cost of attendance is of minor character, in accordance with the general or specific instructions given him by his superior officer. If travel outside the territorial field of duty is involved, special instructions must be received. If a considerable cost is involved, special instructions must be received unless attendance at the meeting is in the line of regular duty of the attending officer.