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March 4, 1927.
[S. 3963.]
[Public, No. 807.]

CHAP. 513.—An Act To provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Alaska.

DECLARATION OF POLICY

Policy declared for promoting natural resources of, for livestock grazing.

SECTION 1. It is hereby declared to be the policy of Congress in promoting the conservation of the natural resources of Alaska to provide for the protection and development of forage plants and for the beneficial utilization thereof for grazing by livestock under such regulations as may be considered necessary and consistent with the purposes and provisions of this Act. In effectuating this policy the use of these lands for grazing shall be subordinated (a) to the development of their mineral resources, (b) to the protection, development, and utilization of their forests, (c) to the protection, development, and utilization of their water resources, (d) to their use for agriculture, and (e) to the protection, development, and utilization of such other resources as may be of greater benefit to the public.

Use subordinated to development of specified other resources.

DEFINITIONS

Meaning of term—

"Person."

"District."

"Secretary."

"Lessee."

SEC. 2. As used in this Act—

(1) The term "person" means individual, partnership, corporation, or association.

(2) The term "district" means any grazing district established under the provisions of this Act.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "lessee" means the holder of any lease.

Grazing districts.

GRAZING DISTRICTS

To be established on public lands outside Aleutian Islands and other reservations.

SEC. 3. (a) The Secretary may establish grazing districts upon any public lands outside of the Aleutian Islands Reservation, national forests, and other reservations administered by the Secretary of Agriculture and outside of national parks and monuments which, in his opinion, are valuable for the grazing of livestock. Such districts may include such areas of surveyed and unsurveyed lands as he determines may be conveniently administered as a unit, even if such areas are neither contiguous nor adjacent.

Grazing privileges to be leased.

(b) The Secretary, after the establishment of a district, is authorized to lease the grazing privileges therein in accordance with the provisions of this title.

Altering grazing districts.

ALTERATION OF GRAZING DISTRICTS

Manner authorized.

SEC. 4. After any district is estabished the area embraced therein may be altered in any of the following ways:

Additions to.

(1) The Secretary may add to such districts any public lands which, in his opinion, should be made a part of the district.

Excluding lands from.

(2) The Secretary, subject to existing rights of any lessee, may exclude from such district any lands which he determines are no longer valuable for grazing purposes or are more valuable for other purposes.

Cooperative administration with contiguous owners, allowed.

(3) The Secretary may enter into cooperative agreement with any person, in respect of the administration, as a part of a district, of lands owned by such person which are contiguous or adjacent to such district or any part thereof.

NOTICE OF ESTABLISHMENT OF GRAZING DISTRICT

Notice of establishing districts.

Newspaper publication to be made.

SEC. 5. Before establishing a district the Secretary shall publish once a week for a period of six consecutive weeks in a newspaper of general circulation in each judicial division in which the proposed district is to be established, a notice describing the boundaries of the proposed district and announcing the date on which he proposes to establish the district.

PREFERENCES

Preferences.

Applications of natives, range occupants, and settlers, given.

SEC. 6. In considering applications to lease grazing privileges the Secretary shall, as far as is consistent with the efficient administration of the grazing district, prefer (1) natives, (2) other occupants of the range, and (3) settlers over all other applicants.

TERMS AND CONDITIONS OF LEASES

Leases.

Term.

SEC. 7. (a) All leases shall be made by the Secretary for a term of 20 years except where the Secretary determines the land may be required for other than grazing purposes within the period of 10 years; or where the applicant desires a shorter term, and in such cases leases may be made for a shorter term.

Area.

(b) Leases shall be made for grazing on a definite area except where local conditions or the administration of grazing privileges makes more practicable a lease based on the number of stock to be grazed.

Surrender by lessee.

(c) Each lease shall provide that the lessee may surrender his lease, and, if he has complied with the terms and conditions of the lease to the time of surrender, may avoid further liability for fees thereunder by giving written notice to the Secretary of such surrender. The lease shall specify the length of time of notice, which shall not exceed one year.

GRAZING FEES

Grazing fees.

Determination by Secretary.

SEC. 8. (a) The Secretary shall determine for each lease the grazing fee to be paid. Such fee shall—

Based on area or stock permitted.

(1) Be fixed on the basis of the area leased or on the basis of the number and kind of stock permitted to be grazed;

Payments, season or annual.

(2) Be fixed, for the period of the lease, as a seasonal or annual fee, payable annually or semiannually on the dates specified in the lease;

On value of privilege.

(3) Be fixed with due regard to the general economic value of the grazing privileges, and in no case shall exceed such value; and

Moderate.

(4) Be moderate.

Extension of time, etc., due to calamity, etc.

(b) If the Secretary determines such action to be for the public interest by reason of (1) depletion or destruction of the range by any cause beyond the control of the lessee, or (2) calamity or disease causing wholesale destruction of or injury to livestock, he may grant an extension of time for making payment of any grazing fee under any lease, reduce the amount of any such payment, or release or discharge the lessee from making such payment.

DISPOSITIONS OF RECEIPTS

Disposition of receipts.

Amount in excess of administration cost, to be paid Alaska for education and roads.

SEC. 9. All moneys received during any fiscal year on account of such fees in excess of the actual cost of administration of this Act shall be paid at the end thereof by the Secretary of the Treasury to the Territory of Alaska, to be expended in such manner as the Legislature of the Territory may direct for the benefit of public education and roads.

ASSIGNMENT OF LEASES

Assignment of leases.

Allowed with approval of Secretary.

SEC. 10. The lessee may, with the approval of the Secretary, assign in whole or in part any lease, and to the extent of such

assignment be relieved from any liability in respect of such lease, accruing subsequent to the effective date of such assignment.

Improvements.

IMPROVEMENTS

Lessee may construct fences, buildings, corrals, etc.

SEC. 11. (a) The Secretary may authorize a lessee to construct and/or maintain and utilize upon any area included within the provisions of his lease any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of the lessee within such area; but any such fence shall be constructed as to permit the ingress and egress of miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

Ingress and egress to be permitted.

Notice for removal of, on termination of lease.

(b) The lessee shall be given ninety days from the date of termination of his lease for any cause to remove from the area included within the provisions of his lease any fence, building, corral, or other removable range improvement owned or controlled by him.

Improvements remaining to be paid for by succeeding occupant.

(c) If such lessee notifies the Secretary on or before the termination of his lease of his determination to leave on the land any improvements the construction or maintenance of which has been authorized by the Secretary, no other person shall use or occupy under any grazing lease, or entry under any public land law, the land on which any such improvements are located until there has been paid to the person entitled thereto the value of such improvements as determined by the Secretary.

PENALTIES

Within one year after establishing a district, grazing in, without a lease, etc., unlawful.

SEC. 12. Within one year from the date of the establishment of any district the Secretary shall give notice by publication in one or more newspapers of general circulation in each judicial division in which such district or any part thereof is located that after the date specified in such notice it shall be unlawful for any person to graze any class of livestock on lands in such district except under authority of a lease made or permission granted by the Secretary; and any person who willfully grazes livestock on such lands after such date and without such authority shall, upon conviction, be punished by a fine of not more than $500.

Penalty for.

STOCK DRIVEWAYS AND FREE GRAZING

Stock driveways in districts authorized.

SEC. 13 (a) The Secretary may establish and maintain, and regulate the use of, stock driveways in districts and may charge a fee for or permit the free use of such driveways.

Grazing free of small number of livestock.

(b) The Secretary may permit any person, including prospectors and miners, to graze free of charge a small number of livestock upon any land included within any grazing district.

Allotments without charge to Eskimos, etc.

(c) The Secretary may in his discretion grant a permit or lease for a grazing allotment without charge on unallotted public lands to any Eskimo or other native or half-breed. Whenever such native or half-breed grazes his livestock through cooperative agreement on allotment held by other lessee or permittee, any grazing fees charged for said allotment shall be reduced in proportion to the relative number of such native owned livestock to the total number on said allotment.

Hearings and appeals.

HEARING AND APPEALS

Application to local land office of complaints.

SEC. 14. Any lessee of or applicant for grazing privileges, including any person described in subdivision (c) of section 13, may procure a review of any action or decision of any officer or employee of the Interior Department in respect of such privileges, by filing with the register of the local land office an application for

a hearing, stating the nature of the action or decision complained of and the grounds of complaint. Upon the filing of any such application the register of such land office shall proceed to review such action or decision as nearly as may be in accordance with the rules of practice then applicable to applications to contest entries under the public land law. Subject to such rules of practice, appeals may be taken by any party in interest from the decision of the register to the Commissioner of the General Land Office, and from the decision of the Commissioner of the General Land Office to the Secretary.

Review of action.

Appeals allowed.

ADMINISTRATION

Administration.

SEC. 15 (a) The Secretary shall promulgate all rules and regulations necessary to the administration of this title, shall execute its provisions, and may (1) in accordance with the civil service laws appoint such employees and in accordance with the Classification Act of 1923 fix their compensation, and (2) make such expenditures (including expenditures for personal service and rent at the seat of government and elsewhere, for law books, books of reference, periodicals, and for printing and binding) as may be necessary efficiently to execute the provisions of this title.

Authority of Secretary of Interior.

(b) The Secretary of Agriculture is authorized to continue investigations, experiments, and demonstrations for the welfare, improvement, and increase of the reindeer industry in Alaska, and upon the request of the Secretary of the Interior to cooperate in matters pertaining to the care of plant and animal life, including reindeer.

Reindeer industry. Investigations of, by Secretary of Agriculture continued.

LAWS APPLICABLE

Laws applicable.

SEC. 16. Laws now applicable to lands or resources in the Territory of Alaska shall continue in force and effect to the same extent and in the same manner after the enactment of this Act as before, and nothing in this Act shall preclude or prevent ingress or egress upon the lands in districts for any purpose authorized by any such law, including prospecting for and extraction of minerals.

Land and resources' laws continued in force.

Approved, March 4, 1927.

March 4, 1927.
[S. J. Res. 152.]
[Pub. Res., No. 69.]

CHAP. 514.—Joint Resolution To amend subdivisions (b) and (e) of section 11 of the Immigration Act of 1924, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivisions (b) and (e) of section 11 of the Immigration Act of 1924, as amended, are amended by striking out the figures "1927" and inserting in lieu thereof the figures "1928."

Immigration Act. Quota ratio deferred to 1928. Vol. 43, p. 159, amended.

Approved, March 4, 1927.

March 4, 1927.
[S. J. Res. 110.]
[Pub. Res., No. 70.]

CHAP. 515.—Joint Resolution Authorizing a joint committee of both Houses to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code System under patents issued, or that may be issued, and also the unrestricted use of all copyrights issued, or that may be issued, in connection with the products of the Harriman Geographic Code System for all governmental, administrative, or publication purposes for which the same may be desirable.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the Senate appoint three Members of the Senate, and the Speaker of the House three Members of the House, all of whom shall have been

Harriman Geographic Code System.