

or number of dependent communities for whose benefit a unit is established. We have not found in the legislative history of the act any clear indication that Congress contemplated any limitation as to the maximum size of the forest unit or dependency area. We believe that the size of a Federal Sustained Yield Unit and of the area and number of dependent communities is to be determined in complying with the requirements of the act for their establishment and in keeping with the purposes to be accomplished thereby.

Under section 3 of the act the Congress has placed in the Secretary the judgment as to (1) whether "maintenance of a stable community is primarily dependent upon the sale of timber or other forest products from federally owned or administered forest land" and (2) whether "such maintenance cannot effectively be secured by following the usual procedure in selling such timber or other forest products". The Secretary in exercising his judgment may consider any factors which bear on whether the purpose of community stability can be realized by the establishment of a sustained yield unit. The legislative history of the act shows that authority to establish a Federal Sustained Yield Unit is discretionary with the Secretary of Agriculture as to lands under his jurisdiction. 2/

If, in the judgment of the Secretary, the conditions specified in section 3 of the act are met and it is otherwise deemed desirable, he may establish for the purpose of maintaining the stability of a community or communities a sustained yield unit consisting of forest land under his jurisdiction and may

2/ The report of the Committee on Agriculture states:
"The purpose of this bill is to give the Secretary of Agriculture and the Secretary of the Interior, each with respect to Federal lands under his jurisdiction, and intermingled and nearby private lands, discretionary authority--

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"3. To establish sustained-yield units of Federal land where necessary in order to maintain dependent communities; and within such units to sell timber without competition at not less than appraised value to responsible purchasers established in such communities." (H.R. Rept. No. 960, 78th Cong., 1st Sess.) (Emphasis supplied.)