

The Secretary of Agriculture has authority under the 1897 Act to sell timber from the National Forests and to regulate sales under rules and regulations he may prescribe. The same act provides (16 U.S.C. 551) that the Secretary of Agriculture ". . . may make such rules and regulations . . . as will insure the objects of such reservations [National Forests], namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; . . ." Pursuant to this statutory authority, the Secretary of Agriculture provided in Regulation S-3 (36 C.F.R. 221.3(b)) that:

"When necessary to promote better utilization of national forest timber or to facilitate protection and management of the national forests, a management plan may include provisions for requirements of purchasers for processing the timber to at least a stated degree within the working circle, or within a stated area, and, when appropriate, by machinery of a stated type; and agreements for cutting in accordance with the plan may so require."

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thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe. . . ."

The Multiple Use Act provides that "It is the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes." (Emphasis supplied.) Section 2 of the act provides in part:

"The Secretary of Agriculture is authorized and directed to develop and administer the removable surface resources of the National Forests for multiple use and sustained yield of the several products and services obtained therefrom." (Emphasis supplied.)

Section 4 defines "Sustained yield of the several products and services" as follows:

". . . the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various removable resources of the national forests without impairment of the productivity of the land."