

National Park Service, Interior

§ 10.3

modification and the Superintendent amends the approved permit.

(b) The Superintendent may modify, suspend or cancel an AMRAP agency's permit by notifying the agency in writing, or orally in an emergency situation, when the Superintendent determines that:

(1) Changes to the permit are necessary to address conditions not previously anticipated; or

(2) There is imminent threat of serious, irreparable, or immediate harm or danger to public health and safety, or the natural and cultural resources and values of the unit; or

(3) The AMRAP agency or its contractors fails to comply with the provisions of ANILCA or of any other applicable law or regulation, the provisions and conditions of the approved permit and any modification thereto, or any written or field orders issued by the Superintendent.

(c) Modification, suspension, or cancellation of an approved permit pursuant to paragraph (b) of this section shall be effective immediately upon receipt of oral or written notice from the Regional Director or the Superintendent. Notices issued orally shall be followed by written notice sent by certified mail within three (3) working days confirming and explaining the action. Suspensions shall remain in effect until the basis for the suspension has been corrected to the satisfaction of the Superintendent. Cancellation notices shall state the reason for cancellation and shall be sent by the Superintendent to the AMRAP agency at least fourteen (14) days in advance of the date the cancellation will become effective.

(d) Suspension or cancellation of a permit to conduct AMRAP activities shall not relieve the AMRAP agency or its contractors of the obligation to restore any location in accordance with the requirements of this subpart and to comply with all other obligations specified in this subpart and in the permit.

§ 9.89 Appeals.

Written appeals made within 30 days of notification of a final decision by the Regional Director pursuant to this subpart shall be reviewed by the Director of the National Park Service. Reso-

lution of any outstanding issues shall follow current Department of the Interior procedures for resolving inter-agency disputes.

PART 10—DISPOSAL OF CERTAIN WILD ANIMALS

Sec.

10.1 Animals available.

10.2 Charges.

10.3 Application; requirements.

10.4 Shipment.

AUTHORITY: Secs. 1-3, 39 Stat. 535, as amended; 42 Stat. 1214, 45 Stat. 1644, secs. 1, 2, 52 Stat. 708, secs. 1, 2, 67 Stat. 495, 496; 16 U.S.C. 1, 1b, 1c, 2, 3, 36, 36a, 141c.

SOURCE: 24 FR 11054, Dec. 30, 1959, unless otherwise noted.

§ 10.1 Animals available.

From time to time there are surplus live elk, buffaloes and bears in Yellowstone National Park, and live buffaloes in Wind Cave National Park which the Secretary may, in his discretion, dispose of to Federal, State, county and municipal authorities for preserves, zoos, zoological gardens, and parks. When surplus live elk and buffaloes are available from these national parks, the Secretary may, in his discretion, dispose of these to individuals and private institutions.

§ 10.2 Charges.

No charge will be made for the animals, but the receiver will be required to make a deposit with the appropriate superintendent to defray the expense of capturing, crating, and transporting them to the point of shipment. The receiver may also be required to pay for the services of a veterinarian for testing, vaccinating, and treating the animals at the park for communicable diseases and parasites. Estimates of such expenses will be furnished by the appropriate superintendent upon request.

§ 10.3 Application; requirements.

(a) Applications for animals should be directed to the appropriate superintendent, stating the kind, number, age, and sex of animals desired. The post office address for Yellowstone National Park is Yellowstone Park, Wyoming, and for Wind Cave National Park is Hot Springs, South Dakota.

§ 10.4

36 CFR Ch. I (7-1-04 Edition)

(b) Applicants desiring animals which are to be held in enclosures must show that they have suitable facilities for the care of the animals. Operators of game farms or private preserves must submit evidence of their authority to engage in such operations.

(c) When any animals are desired for liberation on private lands, the application must be accompanied by the written concurrence of the State agency having jurisdiction over wildlife. When any animals are desired for liberation on lands in the vicinity of lands owned or controlled by the Federal Government, the application must be accompanied by the written concurrence of the agency or agencies having jurisdiction over the Federally owned or controlled lands.

(d) Applications will not be granted when the animals are to be slaughtered, or are to be released without adequate protection from premature hunting.

§ 10.4 Shipment.

(a) Elk, buffaloes, and bears may be obtained at the Park and be removed by truck. Elk and buffaloes, when not transported by truck, must be crated individually for rail shipment in less than carload lots. Bears must be crated individually regardless of the number furnished or the character of the conveyance.

(b) The receiver must furnish shipping crates constructed in accordance with National Park Service specifications.

PART 11—ARROWHEAD AND PARKSCAPE SYMBOLS

Sec.

- 11.1 Definitions.
- 11.2 Uses.
- 11.3 Power to revoke.
- 11.4 Penalties.

AUTHORITY: Sec. 3, 39 Stat. 535; 16 U.S.C. 3.

§ 11.1 Definitions.

(a) The term *Arrowhead Symbol*, as used in this part, refers to the insignia of the National Park Service prescribed as its official symbol by notice published in the FEDERAL REGISTER of March 15, 1962 (27 FR 2486). That symbol, use of which had been limited by

notice published in the FEDERAL REGISTER of October 22, 1968 (33 FR 15605-06), has been reinstated as the Service's official emblem. The term "Parkscape Symbol," as used in this part, is the same insignia referred to in the FEDERAL REGISTER notice of October 22, 1968, as the "National Park Service Symbol." The "Parkscape Symbol" has been prescribed as the official tie tack or pin to be worn by all National Park Service uniformed employees. Moreover, the tie tack or pin may be worn by employees of the Service when not in uniform as a part of their civilian attire.

(b) The term *commercial use* as used in the regulations of this part refers to use of the "Arrowhead Symbol" or the "Parkscape Symbol" on souvenirs or other items of merchandise presented for sale to the public by private enterprise operating either within or outside of areas of the National Park System.

(c) The term *noncommercial use* as used in the regulations of this part refers to nongovernmental use of the "Arrowhead Symbol" or the "Parkscape Symbol" other than as described in paragraph (c) of this section.

[35 FR 8734, June 5, 1970, as amended at 62 FR 30234, June 3, 1997]

§ 11.2 Uses.

The Director may permit the reproduction, manufacture, sale, and use of the "Arrowhead Symbol" or the "Parkscape Symbol", with or without charge, for uses that will contribute to purposes of education and conservation as they relate to the program of the National Park Service. All other uses are prohibited.

[36 FR 16508, Aug. 21, 1971]

§ 11.3 Power to revoke.

Permission granted under this part by the Director may be rescinded by him at any time upon a finding that the use of the symbol or symbols involved is injurious to their integrity or inconsistent with the purposes of the National Park Service in the fields of conservation and recreation, or for disregard of any limitations or terms contained in the permits.

[35 FR 8734, June 5, 1970, as amended at 36 FR 16508, Aug. 21, 1971]