

making allotment, advance, and expenditure of funds not covered by existing applicable regulations shall be handled in accordance with instructions of the Commissioner, provided allotments from tribal industrial assistance funds are requested by the tribe or its recognized officials.\*†

§ 29.29 *Collections.* When a collection is made the superintendent shall issue an official receipt and take the amount into his accounts in the usual manner for deposit later to the credit

of the United States as a repayment for credit to the appropriate receipt account or as a repayment to the tribal appropriation account. Collections on loans shall be credited first to interest, which must be shown as a separate item on the receipt. Sufficient information shall be given to show clearly the loan and fund to which each collection applies.\*†

§ 29.30 *Forms.* Forms for making loans under these regulations shall be prescribed by the Commissioner.\*†

## Subchapter K—Hospital and Medical Care of Indians

### PART 85—ADMISSION OF PATIENTS INTO INDIAN HOSPITALS AND SANITORIA

#### ALASKA

§ 85.41 *Hospitals in Alaska.* (a) Indian Service hospitals in Alaska are maintained and operated primarily for the benefit of Indians, Eskimos, and Aleuts, who are wards of the Federal Government.

(b) Due to great distances between villages in Alaska, and the lack at many places of any hospital other than an Indian Service hospital it is recognized that in emergencies, and where no other hospital facilities are available, the dictates of humanity require that persons other than Indians, Eskimos, and Aleuts be received into Indian Service hospitals for treatment.

(c) As promptly as possible there shall be put into effect in all Indian Service hospitals in Alaska a rate of \$5.00 a day to be charged to all non-beneficiaries for hospitalization. In addition to this per diem rate for hospitalization, the Indian Office schedule of fees for medical treatment shall be in effect in Alaska, and collections should be made from non-beneficiaries in accordance with such schedule.

(d) Employees of the Indian Service and their families shall be charged a rate of \$3.50 a day for hospitalization in Indian Service hospitals, but shall not be required to pay any fees for medical treatment such as are required of other non-beneficiaries.

(e) Charge shall be made for the date of admission, but no charge shall be made for the date of discharge.

(f) The present rate of 75¢ a day which is charged to all beneficiaries who are able to pay for hospitalization will be continued. (R. S. 441, 463, 465, 2058, 42 Stat. 208; 5 U.S.C. 485, 25 U.S.C. 2, 9, 31, 13) [Rules and Regulations for the admission of patients into Indian Service Hospitals in Alaska, June 17, 1938; 3 F.R. 1663]

### PART 86—COMMITMENT TO ST. ELIZABETHS HOSPITAL

§ 86.1 *Procedure.* When commitment of mentally ill Indians to St. Elizabeths Hospital, Washington, D. C., is desired, the following procedure must be had:

Notice, in writing, shall be given to the person whose commitment is sought, and to his nearest immediate relatives, of an open hearing to be had before the Superintendent, which shall be attended by at least two qualified physicians selected by him, for the purpose of investigating the sanity of the person proposed to be committed. Such notice must specify the day and hour of the proposed hearing, and shall be issued not less than three nor more than ten days in advance of the hearing; except that in cases of emergency involving the well-being of the patient or the safety of the patient's family or the community, a hearing may be held on less than three days' notice. A copy of the notice shall be posted on

the bulletin board at the Agency in order that any other member of the tribe desiring so to do may attend such hearing. A copy of the notice shall also be sent to the Tribal Council or other governing body, if any. Representatives of such Council or governing body may attend the hearing and may, if they desire, submit an advisory report supplemental to that of the Superintendent. A copy of the notice shall accompany the report

and other papers in the case when submitted.

Following the hearing, a complete report of the proceedings had should be forwarded to the Indian Office for appropriate action, together with the usual certificate of physical examination on Form 5-230, signed by at least two physicians. (R.S. 463; 25 U.S.C. 2) [Circular 3266, Sept. 17, 1938; 3 F.R. 2338]

## Subchapter L—Irrigation Projects: Operation and Maintenance

### PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

#### FLATHEAD IRRIGATION DISTRICT, FLATHEAD INDIAN RESERVATION, MONTANA

§ 130.24 *Charges.* In pursuance of the provisions of a contract executed by the Flathead Irrigation District, Flathead Irrigation Project, Montana, on May 12, 1928 as supplemented by agreements between the Secretary of the Interior and the Flathead Irrigation District dated February 27, 1929, March 28, 1934 and August 26, 1936, notice is hereby given that the assessment for operation and maintenance of the irrigation system to serve that portion of the Flathead Irrigation Project within the confines of the Flathead Irrigation District for the irrigation season of 1939 is \$80,234. This assessment involves an assessable area of approximately 67,925 acres, but does not include any lands held under Indian trust patent, and covers all project overhead and general charges. This amount shall be paid by the District to the United States, one-half thereof to be paid on or before February 1, 1939, in advance of delivery of water, and the remainder to be paid on or before July 1, 1939. (38 Stat. 583, 39 Stat. 142, 44 Stat. 945, 45 Stat. 210; 25 U.S.C. 385, 387) [Par. 1, Order fixing operation and maintenance charges, June 16, 1938; 3 F.R. 1608]

NOTE: The contract and supplements thereto are recorded in Lake County, Montana.

§ 130.25 *General regulations.* The Flathead Irrigation District shall comply fully with the general rules and regulations applicable to the areas included in

the Irrigation Districts on the Flathead Irrigation Project approved by the Secretary of the Interior under date of June 5, 1937. (38 Stat. 583, 39 Stat. 142, 44 Stat. 945, 45 Stat. 210; 25 U.S.C. 385, 387) [Par. 2, Order fixing operation and maintenance charges, June 16, 1938; 3 F.R. 1608]

CROSS REFERENCE: For general rules and regulations applicable to Flathead Irrigation District, see Part 100 of this chapter.

#### MISSION IRRIGATION DISTRICT, FLATHEAD INDIAN RESERVATION, MONTANA

§ 130.26 *Charges.* In pursuance of the provisions of a contract executed by the Mission Irrigation District, Flathead Irrigation Project, Montana, on March 7, 1931, and approved by the Secretary of the Interior on April 21, 1931, as supplemented by agreements between the Secretary of the Interior and the Mission Irrigation District dated June 2, 1934, and August 26, 1936, notice is hereby given that the assessment for operation and maintenance of the irrigation system to serve that portion of the Flathead Irrigation Project within the confines of the Mission Irrigation District for the irrigation season of 1939 is \$14,070. This assessment involves an assessable area of approximately 11,500 acres, but does not include any lands held under Indian trust patent, and covers all proper project overhead and general charges. This amount shall be paid by the District to the United States, one-half thereof to be paid on or before February 1, 1939, in advance of delivery of water, and the remainder to be paid on or before July 1, 1939. (38 Stat. 583, 39 Stat. 142, 44 Stat. 945, 45 Stat. 210; 25 U.S.C. 385, 387) [Par. 1, Order fixing operation and