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The Department of the Interior today announced it intends to issue regulations governing removal of trust restrictions from lands belonging to Indians of the Five Civilized Tribes of eastern Oklahoma, without application by the owner.

The proposed regulations are in line with a 1955 congressional law which authorizes and directs the Secretary of the Interior to remove such restrictions in cases where he believes the Indian owner can manage his own affairs "with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing his property or the benefits thereof."

The Department intends to delegate authority to make these determinations to the Indian Bureau's Area Director for eastern Oklahoma with headquarters at Muskogee.

Under the proposed regulations, the Area Director would be called upon to consider a wide range of factors in making such determinations. These include the extent of the Indian owner's education, training and experience; his record in making an adequate living for himself and his family; the extent of his assets not covered by trust restrictions; his record in using assets or funds coming into his possession; and ether similar factors.

In all cases where the Area Director decided that the trust restrictions should be removed, the Indian owner would be given 60 days' advance notice before actual issuance of the removal order and opportunity to present reasons why the order should not be issued. If the Area Director accepted these reasons, the order would net be issued. However, if he still felt the order should be issued, he would notify the Indian owner to that effect and the owner would be given another 30 days in which to appeal, through the Area Director, to the Secretary.

All removal orders would become effective six months after the date of issuance. During this period the Indian owner would have the additional right under the 1955 law to appeal to the county court in his county of residence to set aside the order. Boards of county commissioners also would have a right of appeal to the county courts for cancellation of the restriction removal orders.

The principal effects of an order removing restrictions would be to give the Indian full ownership and control of his property; to eliminate Federal and county controls over its lease, mortgage or sale; to make it taxable in most instances; and to terminate the Indian's eligibility for special services provided to him by the Federal Government because of his status as an Indian.

About 12,000 members of the Five Civilized Tribes--Cherokee, Choctaw, Chickasaw, Seminole and Creek-- now own property subject to trust restrictions. Nearly all are over 50 years of age.

The proposed regulations deal only with removal of trust restrictions in the absence of an application from the Indian owner. Orders removing restrictions upon applications of the owner have been issued by the Bureau of Indian Affairs for many years past.