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FEDERAL REGISTER

VOLUME 27 NUMBER 92

Washington, Friday, May 11, 1962

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Title 3—THE PRESIDENT

Proclamation 3474

WORLD TRADE WEEK, 1962

By the President of the United States of America

A Proclamation

WHEREAS the people of the United States recognize expanding world trade as a vital force in fostering growth and unity among the countries of the free world; and

WHEREAS American business, labor, agriculture, and consumers benefit whenever there is a significant expansion of American exports and imports; and

WHEREAS the development of the European Common Market, the Alliance for Progress, and the economic advancement of underdeveloped areas are major free world economic developments which are of profound importance to us; and

WHEREAS it is appropriate to set aside a period to give special recognition and emphasis to the significance of international trade and commerce:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby proclaim the week beginning May 20, 1962, as World Trade Week; and I request officials of the Federal, State, and local governments to plan appropriate ceremonies and activities in observance of that week.

I urge business, labor, agriculture, educational and civic groups, as well as the people of the United States generally, to observe World Trade Week with gatherings, discussions, exhibits, and other activities designed to promote continuing awareness of the importance of world trade and our policies toward it in strengthening our economy and the unity of the free world, and a better understanding of the vital new problems now confronting us.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of May in the year of our Lord nineteen hundred and sixty-two, and of the [SEAL] Independence of the United States of America the one hundred and eighty-sixth.

JOHN F. KENNEDY

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 62-4645; Filed, May 9, 1962; 2:06 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 918—FRESH PEACHES GROWN IN GEORGIA

Determination Relative to Expenses and the Fixing of Rate of Assessment for 1962–63 Fiscal Period

Notice was published in the April 20, 1962 issue of the FEDERAL REGISTER (27 F.R. 3818) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1962–63 fiscal period under the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 918.201 **Expenses and rate of assessment for the 1962–63 fiscal period.**

(a) *Expenses.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the said amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning March 1, 1962, will amount to $17,415.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles peaches shall pay as his pro rata share of the aforementioned expenses in accordance with the applicable provisions of said amended marketing agreement and order, is hereby fixed at one cent ($0.01) per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk.

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that: (1) The relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable peaches from the beginning of such period; and (2) the current fiscal period began on March 1, 1962, and the rate of assessment herein fixed will automatically apply to all assessable peaches beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 8, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62–4587; Filed, May 10, 1962; 8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Agriculture

Effective upon publication in the FEDERAL REGISTER, subparagraph (8) of paragraph (a) of § 6.111 is amended as set out below.

§ 6.111 **Department of Agriculture.**

(a) *General.* * * *

(8) Not to exceed 6 Program Assistants, at or above the GS–13 level, who have acquired specialized knowledge and experience in agricultural programs at the State level of the Department, which is needed by the Department for the more efficient administration of its program. This authority may not be used beyond May 5, 1964.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62–4586; Filed, May 10, 1962; 8:47 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Justice

Effective upon publication in the FEDERAL REGISTER, subparagraph (6) is added to paragraph (b) of § 6.308 as set out below.

§ 6.308 **Department of Justice.**

* * * * *

(b) *Office of the Deputy Attorney General.* * * *

(6) Head, Executive Office of U.S. Marshals.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62–4597; Filed, May 10, 1962; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 74—SCABIES IN SHEEP

Interstate Movement

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111–113, 115, 117, 120, 121, 123–126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby amended to read respectively, as follows:

§ 74.2 **Designation of free and infected areas.**

(a) Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are not known to be infected with scabies, and such States, Territories, District, and parts thereof, are hereby designated as free areas:

(1) Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Louisiana, Maine, Massachusetts, Mississippi, Montana, Nevada, New Hampshire, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington, and Wyoming;

(2) The following Counties in South Dakota: McPherson, Edmunds, Faulk, Hand, Jerauld, Aurora, and Douglas, and all counties in the State of South Dakota lying west thereof;

(3) The following Counties in Nebraska: Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Sioux, Scotts Bluff, and Thomas;

(4) That portion of McKinley and San Juan Counties in New Mexico occupied by the Navajo Indian Reservation;

(5) The following Counties in Kansas: Republic, Cloud, Ottawa, Saline, McPher-

son, Harvey, Sedgwick, and Sumner, and all counties in the State of Kansas lying west thereof.

(b) Notice is hereby given also that sheep scabies exists in all States and Territories and parts of States not designated as free areas in paragraph (a) of this section and they are hereby designated as infected areas.

§ 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, Territories, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep and such States, Territories, and parts thereof, are hereby designated as eradication areas:

(1) Hawaii, Illinois, New Jersey, New York, Pennsylvania, Tennessee, and Wisconsin;

(2) The following Counties in South Dakota: Brown, Spink, Beadle, Sanborn, Davison, Hutchinson, and Bon Homme, and all Counties in the State of South Dakota lying east thereof;

(3) All counties in Nebraska except Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Sioux, Scotts Bluff, and Thomas;

(4) All counties in New Mexico except that portion of McKinley and San Juan Counties occupied by the Navajo Indian Reservation;

(5) The following counties in Michigan: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft Counties.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111–113, 115, 117, 120, 121, 123–126; 19 F.R. 74, as amended)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment adds to the free areas and deletes from the infected and eradication areas all of that part of the State of North Dakota lying east of the Missouri River and State Highway No. 8, beginning at a point where said river intersects the South Dakota boundary line and continuing along said river to a point on the Garrison Dam Reservoir directly south of the intersection of State Highways Nos. 23 and 8; thence, directly north to the intersection of State Highways Nos. 23 and 8; thence, north along State Highway No. 8 to the North Dakota-Canadian boundary, as sheep scabies is no longer known to exist in such part. Hereafter, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will not apply to the specified part of this State. However, the restrictions in said Part 74 pertaining to the interstate movement of sheep from or into free areas will apply thereto.

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 7th day of May 1962.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 62-4610; Filed, May 10, 1962; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 903; Amdt. 20–16]

PART 20—PILOT AND INSTRUCTOR CERTIFICATES

Addition of Rotorcraft Class Ratings for Pilot Certificates

Section 20.120 of the Civil Air Regulations provides for the classification of aircraft ratings issued to private and commercial pilots. At present all aircraft using rotating airfoils as a source of lift are grouped under the category "rotorcraft," with no further breakdown into classes of rotorcraft. The majority of such aircraft are helicopters; however, there are some gyroplanes, and indications are that there may be many others in the near future.

A gyroplane, including the autogiro, is a class of rotorcraft, the rotors of which are caused to rotate by the action of the air when the rotorcraft is in motion, with the propulsion system independent of the rotor system except for initial starting. The helicopter, on the other hand, is a rotorcraft which depends principally for its support and motion in the air upon the lift generated by one or more power-driven rotors, rotating on substantially vertical axes. The flight characteristics of helicopters and gyroplanes are substantially different.

In actual practice, under Federal Aviation Agency policies set forth in Civil Aeronautics Manual 20, an applicant for a rotorcraft rating has been required to accomplish the airplane flight maneuvers if he is examined in a gyroplane, and the helicopter maneuvers if he is examined in a helicopter. Therefore, an applicant who obtained a rotorcraft rating in a gyroplane would not have demonstrated ability to handle a helicopter, with its distinctive takeoff, flying, maneuvering, and hovering characteristics; and an applicant who obtained a rotorcraft rating in a helicopter would not have demonstrated ability to handle a gyroplane.

Civil Air Regulations Draft Release No. 61–19 proposed to add helicopter and gyroplane class ratings to the rotorcraft category. While all comments received support the objective, some comments suggested additional ratings. The need for additional ratings is still under study.

This amendment provides for the establishment of helicopter and gyroplane class ratings within the rotorcraft category. Other incidental changes include defining "helicopter" and "gyroplane" as defined in Parts 6 and 7 of the Civil Air Regulations, and redefining "rotorcraft" to read the same as in Parts 6 and 7. The present definition of "class (of aircraft)" is being changed to "class of airplane," and a new definition, "class of rotorcraft" is being added.

Since hovering cannot be performed in gyroplanes, § 20.53, involving requirements for solo flight in rotorcraft, is being amended by adding the words "applicable to helicopter class only" in parentheses after the word "hovering."

Section 20.121(a)(1) is also being amended. This section applies to a pilot holding an airplane category rating who applies for a rotorcraft category rating. Because there have been questions raised as to whether more than 5 solo hours could be counted toward the total hours of dual and solo required, the wording is being clarified to require "at least" 5 solo hours. The total hours required is reduced from 25 hours to 15 hours. This reduction in required hours provides relief from unnecessarily high hourly requirements for the more stabilized rotorcraft now in production.

An alternative is being added to the hours of dual and solo experience required in rotorcraft, by permitting in place of the specified experience, the submission of a written statement from an appropriately rated flight instructor recommending the applicant as qualified for the flight test. The alternative is a relief from what would otherwise be an unnecessary burden to applicants for a rotorcraft rating who already hold an airplane rating and who may require less than the specified times to reach a safe level of proficiency, particularly in certain types of rotorcraft.

Section 20.121(b)(1) is being clarified by specifying that the experience required of an applicant for an additional class or type rating must be in the class or type aircraft for which the rating is sought; and, by specifying that the accompanying pilot must be rated to carry passengers in the aircraft used. These changes are clearly within the intent of the regulation and have been complied with in the past without question.

Section 20.122 which is being added by this amendment provides a 6-month grace period for the continued validity of present rotorcraft category ratings. Provision is made to permit exchange of the superseded rotorcraft category rating for the new category and class ratings at any time after the effective date of this new section. The class of rotorcraft in which the certificate holder qualified initially will determine the class rating received. Where a certificate holder who qualified initially in a helicopter has had at least 10 hours as pilot in command of a gyroplane within the 12 months immediately preceding the effective date of this amendment, the gyroplane class rating may be added to the certificate.

This new section also provides for the exchange of certificates issued before September 1, 1957, bearing helicopter or autogiro category ratings. The exchange is necessary to establish a uniform system of aircraft rating classification. Upon presentation of their certificates for exchange, those persons who hold autogiro or helicopter category ratings will be issued rotorcraft category ratings with a helicopter or gyroplane class rating corresponding to the category rating held at the time of the exchange. No showing of recent experience or flight test is required for this exchange. Where the holder of a helicopter category rating has had at least 10 hours as pilot in command of a gyroplane within the 12 months immediately preceding the effective date of this amendment, the gyroplane class rating may be added to the certificate.

Possession of a current medical certificate is not needed for the exchange provisions of this section. Therefore, to clarify any ambiguity that may arise from the use of the words "valid pilot certificate," paragraph (c) of this section expressly states that a current medical certificate is not required to exchange a certificate.

Interested persons have been afforded an opportunity to participate in the making of this regulation, with the exception of—

(1) The clarification of §§ 20.121 (a)(1) and 20.121(b)(1);

(2) The reduction of total hours required in § 20.121(a)(1) and

(3) The alternative provided in § 20.-121(a)(1);

and due consideration has been given to all relevant matter presented. Since the amendments to §§ 20.121(a)(1) and 20.-121(b)(1) are clarifications or relief from present restrictions and impose no additional burden on any person, notice and public procedure thereon are unnecessary.

This amendment will be included in the recodification of the provisions of Part 20 under the Agency's Recodification Program announced in Civil Air Regulation Draft Release No. 61–25 (26 F.R. 10698).

In consideration of the foregoing, Part 20 of the Civil Air Regulations (14 CFR Part 20) is hereby amended as follows, effective July 12, 1962:

1. By amending § 20.5 by adding in proper alphabetical order new definitions to read as follows:

§ 20.5 Definitions.

* * * * *

Class of rotorcraft. A class of rotorcraft is a classification of such aircraft differentiating between gyroplanes and helicopters.

* * * * *

Gyroplane. A gyroplane is a rotorcraft which depends principally for its support upon the lift generated by one or more rotors which are not power driven, except for initial starting, and which are caused to rotate by the action of the air when the rotorcraft is in motion. The propulsion is independent of the rotor system and usually consists of conventional propellers.

Helicopter. A helicopter is a rotorcraft which depends principally for its support and motion in the air upon the lift generated by one or more power-driven rotors, rotating on substantially vertical axes.

2. By amending § 20.5 by changing the word "aircraft" to "airplane" in the title of the definition "Class (of aircraft)" and by revising the definition to read as follows:

Class of airplane. A class of airplane is a classification of such aircraft differentiating between single-engine and multiengine and land and water configurations.

3. By amending § 20.5 by revising the definition "Rotorcraft" to read as follows:

Rotorcraft. A rotorcraft is any aircraft deriving its principle lift from one or more rotors.

§ 20.53 [Amendment]

4. By amending § 20.53(b) by inserting after the word "hovering" and before the comma, the parenthetical phrase "(applicable to helicopter class only)."

5. By amending § 20.120 by redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c) so that § 20.120 reads as follows:

§ 20.120 Aircraft ratings.

Aircraft ratings issued to private and commercial pilots are classified as follows:

(a) *Category ratings.* (1) Airplane; (2) Rotorcraft; (3) Glider.

(b) *Airplane class ratings.* (1) Single-engine land; (2) Multiengine land; (3) Single-engine sea; (4) Multiengine sea.

(c) *Rotorcraft class ratings.* (1) Gyroplane; (2) Helicopter.

(d) *Type ratings.* Each type of aircraft having a maximum certificated takeoff weight of more than 12,500 pounds.

6. By amending § 20.121 (a)(1) and (b)(1) to read as follows:

§ 20.121 Additional aircraft ratings.

* * * * *

(a) *Category rating.* (1) A pilot holding an airplane category rating who applies for a rotorcraft category rating shall have acquired at least 15 hours of dual flight instruction and solo flight time in rotorcraft, at least 5 of which shall have been solo, or he shall submit a written recommendation from an appropriately rated flight instructor who has given him dual flight instruction and certifies him competent to meet the required skill standards for the rating sought. All applicants shall pass an appropriate flight test.

* * * * *

(b) *Class or type rating.* * * *

(1) Have made at least five takeoffs and landings in an aircraft of the class or type for which the rating is sought, either in solo flight or as sole manipulator of the controls when accompanied by a pilot rated to carry passengers in the aircraft.

7. By adding a new § 20.122 to read as follows:

§ 20.122 Validity and exchange of rotorcraft, helicopter, or autogiro ratings issued prior to July 12, 1962.

(a) The holder of a valid pilot certificate bearing a rotorcraft category rating issued prior to July 12, 1962, may exercise the privileges of such rating until January 31, 1963. At any time after July 12, 1962, such person may, without a further showing of competence, exchange his rotorcraft category rating for a rotorcraft category rating with a class rating determined by the class of rotorcraft in which he originally qualified for the issuance of the rotorcraft rating, whether by flight test or on the basis of military competence. A certificate holder who qualified initially in a helicopter may obtain a gyroplane class rating without a further showing of competence if he has had at least 10 hours as pilot in command of a gyroplane within the 12 months preceding July 12, 1962.

(b) The holder of a valid pilot certificate bearing a helicopter or autogiro category rating issued prior to September 1, 1957, may exercise the privileges of such rating or ratings until January 31, 1963. Such person may, without a further showing of competence, exchange his helicopter category rating for a rotorcraft category rating with helicopter class rating, and his autogiro category rating for a rotorcraft category rating with gyroplane class rating, at any time after the effective date of this amendment by presenting his certificate for exchange. The holder of a helicopter category rating may obtain a gyroplane class rating without a further showing of competence if he has had at least 10 hours as pilot in command of a gyroplane within the 12 months preceding July 12, 1962.

(c) Exchange of pilot certificates under the provisions of paragraphs (a) and (b) of this section will not require the holder of the certificate to possess a current medical certificate at the time of the exchange.

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 7, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62–4595; Filed, May 10, 1962; 8:48 a.m.]

[Reg. Docket No. 1189; Reg. No. SR–451]

PART 20—PILOT AND INSTRUCTOR CERTIFICATES

PART 43—GENERAL OPERATION RULES

Special Civil Air Regulation; Requirements for Solo Flight in Single-Place Rotorcraft of Gyroplane Class by Holders of Student Pilot Certificates

The Federal Aviation Agency has received requests for relief from the presolo requirements for rotorcraft by individuals who (1) hold a student pilot

certificate; (2) have made many flights in gyrogliders while being towed by a surface vehicle or boat; (3) wish to obtain authority to solo gyroplanes during powered flight; (4) are unable to obtain instruction in gyroplanes capable of carrying at least two persons because at the present time there are but 12 such certificated gyroplanes in the country (manufactured and certificated as autogiros); and (5) find that dual flight instruction in a helicopter (which is a class of rotorcraft and consequently would count toward dual flight instruction requirements), is not significant with respect to gyroplane techniques, and is consequently an economic burden not related to safety.

When Part 20 was revised on August 23, 1956, it provided for a single rotorcraft category instead of previous category ratings designated as helicopter and autogiro. This was done because no autogiros had been built for many years. Since then, amateur-built gyrogliders have come into common use. They are single-place and flown by towline attached to a surface vehicle or boat. Some of these have been modified to incorporate a powerplant, and thus the amateur-built, single-place gyroplane has come into use.

The policy of the Agency until recently was to classify gyrogliders as kites when confined to flights at the end of a towline from the surface. On April 5, Part 48 was amended, effective June 4, 1962, by revising the definition of "kite" to include a gyroglider attached by towline to a vehicle on the surface. Therefore, under this policy and under Part 48 as amended (1) a pilot certificate is not required, and (2) the towed flights are subject to the requirements of Part 48.

Under the present regulations, a person who wishes to solo a gyroplane under the terms of a student pilot certificate has no means for qualifying, practically speaking, since there are so few gyroplanes available that are capable of carrying two persons. It is possible to meet the regulatory requirements by receiving dual instruction in a helicopter following which a certificated flight instructor with a rotorcraft rating could endorse the student pilot certificate for the particular make and model of gyroplane to be soloed, provided he has determined that the student is competent to exercise such privileges with safety as required by § 43.64(c).

Since the flight characteristics of helicopters and gyroplanes are different in fundamental respects, the flight instructor would still be obliged to use some means other than the dual instruction given in a helicopter to make this determination. It is thus apparent that the present requirements are impractical, and burdensome upon a person who holds a student pilot certificate.

Following the type certification of gyroplanes capable of carrying at least two persons, and because of the present interest in them, it is expected that their use may become sufficiently common so that it will be practical in the future for gyroplane student pilots to obtain dual flight instruction in gyroplanes. In the meantime, this special regulation will permit a certificated flight instructor holding a pilot certificate with an airplane or rotorcraft category rating to endorse a student pilot certificate for solo flight in a single-place gyroplane during powered flight if he has witnessed a certain number of towed flights and determined that the student pilot is familiar with the general and visual flights rules of Part 60. He would also be required to determine that the student pilot has been instructed in preparatory and flight procedures such as preflight inspection; starting, warming up, operating, and stopping the engine; and taxiing and parking.

In view of these standards for determining student pilot competence in single-place gyroplanes, it is believed that a flight instructor with either an airplane or rotorcraft rating would be equally competent to judge the proficiency of the student pilot.

Since this special regulations grants relief and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby adopted to become effective June 12, 1962:

1. Contrary provisions of § 20.53 of Part 20 of the Civil Air Regulations notwithstanding, a student pilot may solo a particular make and model of the single-place gyroplane if his pilot certificate has been endorsed by a certificated flight instructor, holding a pilot certificate with either an airplane or rotorcraft rating, who has examined him and found that he has met the following requirements, and is otherwise competent to make a solo flight in such gyroplane:

(a) He is familiar with the general and visual flight rules of Part 60 of the Civil Air Regulations;

(b) He has received instruction from such flight instructor in preparatory and flight procedures such as preflight inspection; starting, warming up, operating, and stopping the engine; taxiing and parking; and emergency procedures, including engine failure;

(c) He has competently performed at least three takeoffs and landings to a full stop in a gyroglider or gyroplane attached by a towline to a vehicle on the surface, that have been observed by a certificated flight instructor holding an airplane or rotorcraft category rating, and the flights have been logged in the student pilot's logbook and certified by the flight instructor.

2. A gyroglider or a gyroplane not using its powerplant, attached by a towline to a vehicle on the surface, is a kite within the meaning of Part 48 of the Civil Air Regulations, and is subject only to the provisions of that part.

3. *Definitions.* As used in this regulation—

"Glider (or Gyroglider)" means a heavier-than-air aircraft the free flight of which does not depend principally upon a power-generating unit.

"Gyroplane" means a rotorcraft which depends principally for its support upon the lift generated by one or more rotors which are not power driven, except for initial starting, and which are caused to rotate by the action of the air when the rotorcraft is in motion. The propulsion is independent of the rotor system and usually consists of conventional propellers.

"Rotorcraft" means any aircraft deriving its principal lift from one or more rotors.

4. This special regulation shall terminate June 12, 1964, unless sooner superseded or rescinded.

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 7, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-4596; Filed, May 10, 1962; 8:48 a.m.]

[Reg. Docket No. 1190; Amdt. 21-3]

PART 21—AIRLINE TRANSPORT PILOT RATING

Change of Name; Replacement of Lost or Destroyed Certificate

Under the provisions of the manual material related to Part 20 of the Civil Air Regulations, a student, private, or commercial pilot may apply to have his name changed on his pilot certificate or to have a lost or destroyed pilot or medical certificate replaced. Although this privilege is also accorded to holders of air transport pilot certificates there is no express provision covering such privilege in Part 21. Therefore, for uniformity, Part 21 is being amended to include provisions similar to those contained in Part 20.

Since this amendment clarifies an existing Agency procedure and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

This amendment will be included in the recodification of the provisions of Part 21 under the Agency's Recodification Program announced in Civil Air Regulations Draft Release No. 61-25 (26 F.R. 10698).

In consideration of the foregoing, Part 21 of the Civil Air Regulations (14 CFR Part 21) is hereby amended by adding a new § 21.6 to read as follows, effective May 11, 1962:

§ 21.6 Change of name; replacement of lost or destroyed certificate.

(a) An application for a change of name on a certificate issued under this part must be accompanied by the applicant's current certificate and the marriage license, court order, or other document verifying the change. The documents are returned to the applicant after inspection.

(b) An application for a replacement of a lost or destroyed pilot certificate is made by letter to the Chief, Airman Certification Branch, Federal Aviation Agency, Oklahoma City, Oklahoma. The letter must:

(1) Contain a brief statement of the circumstances of the loss or destruction;

(2) Contain any available information regarding the grade, number, and date of issue of the certificate, the name in which it was issued and the ratings on it; and

(3) Be accompanied by a check or money order for $2.00, payable to the Federal Aviation Agency.

(c) An application for replacement of a lost or destroyed medical certificate is made by letter to the Civil Air Surgeon, Federal Aviation Agency, Washington 25, D.C., accompanied by a check or

money order for $2.00, payable to the Federal Aviation Agency.

(d) A person whose certificate issued under this part or medical certificate, or both, has been lost may obtain a telegram from the FAA confirming that it was issued. The telegram may be carried as a pilot certificate or medical certificate, or both, pending his receiving a duplicate certificate under paragraph (b) or (c) of this section, unless he has been notified that the certificate has been suspended or revoked. The request for such a telegram may be made by prepaid telegram, stating the date upon which a duplicate certificate was requested, or including the request for a duplicate and a money order for the necessary amount. The request for a telegraphic pilot or medical certificate should be sent to the office prescribed in paragraph (b) or (c) of this section, as appropriate. However, a request for both at the same time should be sent to the office prescribed in paragraph (b) of this section.

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 7, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-4593; Filed, May, 10, 1962; 8:48 a.m.]

[Reg. Docket No. 1191; Amdt. 24-5; Supp. 9]

PART 24—MECHANIC AND REPAIRMAN CERTIFICATES

Mechanical Experience Requirements

Section 24.31 of Part 24 of the Civil Air Regulations sets forth the mechanical experience requirements which an applicant must meet in order to obtain a mechanic certificate and rating. This section states, in effect, that an applicant must have had at least 18 months of practical experience in the construction, inspection, maintenance, repair, and alteration of airframes or of powerplants including propellers, appropriate to the rating applied for. It has become evident that this requirement is unduly restrictive in that it prohibits a person from applying for a mechanic certificate and rating if he has not acquired cumulative experience in each type of work specified in this section.

In view of the fact that the experience requirement is a prerequisite for the mechanic examinations, the Agency believes, based upon its experience in the certification of mechanics, that an applicant should be permitted to take the prescribed examinations for a mechanic certificate and rating even though his experience with respect to airframes or powerplants is limited to the construction, or the alteration, or the maintenance (including inspection and repair) thereof, and his powerplant experience does not include experience on propellers.

Accordingly, § 24.31 is amended by permitting the required practical experience for a mechanic certificate and rating to be acquired in the construction, or the alteration, or the maintenance (including inspection and repair) of airframes or powerplants and by deleting the requirement for practical experience on propellers.

Section 24.32 specifies that a graduate of a certificated mechanic school shall be deemed to have met the experience requirements if he presents an appropriate certificate of graduation within 60 days after such graduation. The 60-day limitation with respect to experience for graduates of mechanic schools is inconsistent with the indefinite time limit permitted other applicants for mechanic certificates. The Agency believes that such a limitation for graduates of mechanic schools is no longer necessary and, § 24.32 is amended to delete the 60-day limitation. In view of this amendment to § 24.32, the manual material set forth in § 24.32-1 is no longer necessary and also is deleted.

Since this amendment relieves restrictions and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

This amendment will be included in the recodification of the provisions of Part 24 under the Agency's Recodification Program announced in Civil Air Regulations Draft Release No. 61-25 (26 F.R. 10698).

In consideration of the foregoing, Part 24 of the Civil Air Regulations (14 CFR Part 24) is hereby amended as follows effective May 11, 1962:

1. By amending § 24.31 to read as follows:

§ 24.31 Mechanical experience.

An applicant for a mechanic certificate with either an airframe or powerplant rating shall have had at least 18 months of practical experience with the applicable procedures, practices, materials, tools, machine tools, and equipment generally used in the construction, alteration, or maintenance (including inspection and repair) of airframes or powerplants: *Provided,* That an applicant for an airframe and powerplant rating may be issued such rating, if he has performed concurrently the duties appropriate to both airframe and powerplant ratings for at least 30 months.

2. By amending § 24.32 to read as follows:

§ 24.32 Graduates of certificated mechanic schools.

A graduate of a certificated mechanic school shall be deemed to have met the experience requirements of this part for a mechanic certificate and rating upon presentation of an appropriate certificate of graduation from that school.

§ 24.32-1 [Deletion]

3. By deleting § 24.32-1.

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 7, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-4594; Filed, May 10, 1962; 8:48 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-353]

PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Filing of Billing and Payment Practices of Air Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of May, 1962.

The Board, by publication of a notice of proposed rule making in 26 F.R. 3897, and by circulation of Economic Draft Release, EDR-27, dated May 1, 1961, Docket 11509, proposed to amend pertinent provisions of Parts 221, 296, and 297 of the Board's Economic Regulations with respect to the billing of shippers of property by air carriers and foreign air carriers for transportation services and the payment of transportation charges by shippers.

Numerous comments were received in response to the notice. In the light of these comments the Board has decided to: (1) Adopt § 221.38(i) substantially as proposed in the notice, so as to require all carriers (direct, foreign, and indirect air carriers) to file as tariffs their practices pertaining to the billing of shippers of property and their rules pertaining to the payment of transportation charges by shippers, and (2) delete the presently effective rules requiring air freight forwarders and international air freight forwarders to pay their transportation charges within a specified period.

The Board is taking this action for the reason that the billing and payment practices of air carriers determine the extent to which they grant credit to shippers and hence affect the cost of transportation to the shippers. For example, a carrier may delay billing for an extended period of time, which in turn delays the payment date. This clearly constitutes the granting of credit to the shipper. At the other extreme a carrier may demand prepayment of transportation charges, which is a denial of credit. In Universal Air Travel Plan, 12 CAB 601 (1951), the Board found that the legal requirements of section 403 of the Act as well as public interest considerations required that credit plans be filed as tariffs. Although the Universal Case was applicable to credit plans involving passenger traffic, the basic findings and conclusions reached therein are equally applicable to billing and payment practices involving air freight. Section 403 of the Act authorizes the Board to require by regulation the filing by every carrier and every foreign air carrier of tariffs showing rules, regulations, practices, and services in connection with air transportation which affect the value of the service. See also section 1002(d). The billing and payment practices of air carriers, as in the case of credit plans, clearly fall within this statutory provision. The publication of these practices will be in the public interest. Shippers will have public notice of an air carrier's billing and payment

practices. The publication of these practices will discourage unduly discriminatory practices by air carriers with respect to individual shippers or classes of shippers. By the publication of these rules as tariff provisions, carriers can lawfully establish charges for late payment of bills or establish other methods designed to encourage more prompt payment of bills by shippers. Nothing herein constitutes a determination by the Board that any particular differentiation between shippers is or is not justified under the law.

The principal objections advanced in the filed comments for adopting § 221.38(i) were that the billing practices of air carriers are internal matters involving business discretion, and that publication of these practices would impede the exercise of this judgment, particularly in administering new accounting procedures, with a resulting loss of efficiency and economy. These arguments do not appear sound. Section 221.38(i) does not establish any specific billing or payment practices but only requires, that, after management has exercised its discretion and established such practices, these practices be published as tariff rules. Thus, air carrier management is free to establish any such practices that are compatible with its particular type of operation or accounting procedures. The only limitation on such practices is that they are just, reasonable and not unjustly discriminatory or preferential.

Consistent with the view that management should exercise its discretion in the establishment of billing and payment practices, the Board, in ER–354 and ER–355 issued simultaneously herewith, is deleting the presently effective § 296.5 which requires indirect air carriers to pay their transportation charges within 7 days after being billed and § 297.4 which requires international air freight forwarders to pay their bills within 30 days after being billed. The tariff rules filed by the direct carriers will take the place of these provisions.

Section 221.38(i) adopted herein will become effective 30 days after its publication in the FEDERAL REGISTER. All air carriers shall state their billing and payment practices in their tariffs in compliance with this provision not later than 15 days after the effective date of § 221.38(i).

Interested persons have been afforded an opportunity to participate in the formulation of this amendment to Part 221, and due consideration has been given to all relevant matter presented.

Accordingly, the Civil Aeronautics Board hereby amends Part 221 of its Economic Regulations, 14 CFR Part 221, by the addition of the following new paragraph (i) to § 221.38, effective June 11, 1962:

§ 221.38 Carriers' billing and payment rules.

* * * * *

(i) All direct and indirect air carriers and foreign air carriers shall state in their tariffs governing transportation of property their rules, regulations, and practices relating to the billing of shippers (including the billing of indirect air carriers by direct air carriers) for transportation services rendered, and the payment of rendered bills by shippers for such services. Such statements, applicable to all shippers or any class of shippers, shall include the billing intervals, the period covered by each billing, the time within which the bills are payable, and any charges for late payment.

(Sec. 204, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 403, 404, 1002, 72 Stat. 758, 760, 788; 49 U.S.C. 1373, 1374, 1482)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 62–4605; Filed, May 10, 1962; 8:49 a.m.]

[Reg. ER–354]

PART 296—CLASSIFICATION AND EXEMPTION OF INDIRECT AIR CARRIERS

Payment of Transportation Charges

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of May 1962.

The Board, by publication of a notice of proposed rule making in 26 F.R. 3897, and by circulation of Economic Draft Release EDR–27, dated May 1, 1961, Docket 11509, proposed to amend pertinent provisions of Parts 221, 296, and 297 of the Board's Economic Regulations with respect to the billing of shippers of property by air carriers and foreign air carriers for transportation services, and the payment of transportation charges by shippers.

In light of the comments received, the Board has decided not to amend § 296.5 as proposed, but in lieu thereof to delete the section in its entirety. The reasons for this action are fully explained in ER–353 issued simultaneously herewith.

Interested persons have been afforded an opportunity to participate in this rule-making proceeding, and due consideration has been given to all relevant matters presented.

Accordingly, the Civil Aeronautics Board hereby amends Part 296 of its Economic Regulations, 14 CFR Part 296, by the deletion of § 296.5, effective July 9, 1962, provided that this section shall remain in effect as to all billings of a carrier rendered for shipments not yet covered by an effective tariff filed pursuant to Amendment 11 to Part 221 (ER–353).

(Sec. 204, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 101(3), 72 Stat. 737; 49 U.S.C. 1301)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 62–4606; Filed, May 10, 1962; 8:49 a.m.]

[Reg. ER–355]

PART 297—INTERNATIONAL AIR FREIGHT FORWARDERS

Payment of Transportation Charges

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of May 1962.

The Board, by publication of a notice of proposed rule making in 26 F.R. 3897, and by circulation of Economic Draft Release EDR–27, dated May 1, 1961, Docket 11509, proposed to amend pertinent provisions of Parts 221, 296, and 297 of the Board's Economic Regulations with respect to the billing of shippers of property by air carriers and foreign air carriers for transportation services, and the payment of transportation charges by shippers.

In light of the comments received, the Board has decided not to amend § 297.4 as proposed, but in lieu thereof to delete the section in its entirety. The reasons for this action are fully explained in ER–353 issued simultaneously herewith.

Interested persons have been afforded an opportunity to participate in this rule-making proceeding, and due consideration has been given to all relevant matters presented.

Accordingly, the Civil Aeronautics Board hereby amends Part 297 of its Economic Regulations, 14 CFR Part 297, by the deletion of § 297.4, effective July 9, 1962, provided that this section shall remain in effect as to all billings of a carrier rendered for shipments not yet covered by an effective tariff filed pursuant to Amendment 11 to Part 221 (ER–353).

(Sec. 204, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 101(3), 72 Stat. 737; 49 U.S.C. 1301)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 62–4607; Filed, May 10, 1962; 8:49 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62–EA–23]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

The purpose of these amendments to Part 600, §§ 600.1674 and 600.1725 is to redesignate the segment of Intermediate altitude VOR Federal airway No. 1674 from Cleveland, Ohio, to Wellsville, N.Y., and the segment of Intermediate altitude VOR Federal airway No. 1725 from Imperial, Pa., to Wellsville, N.Y., and to designate a segment of Intermediate altitude VOR Federal airway No. 1778 from Erie, Pa., to Wellsville.

The above actions are taken to eliminate the problems of route ambiguity created by the existence of multiple junction points between Victor 1674 and Intermediate altitude VOR Federal airway No. 1727 at Erie and at Albany, N.Y.; and between Victor 1725 and Intermediate altitude VOR Federal airway No. 1516 at Tiverton, Ohio, and at the intersection of the Briggs, Ohio, VOR (formerly Navarre, Ohio, VOR) 089° and the Clarion, Pa., VOR 222° True radials. In the absence of specific flight plan information, it becomes necessary to solicit additional information to determine the exact point of transition between these

airways. This creates an additional workload in the processing of flight plans at both manual and electronic computer equipped facilities. Accordingly, the segment of Victor 1674 between Cleveland and Erie would be revoked as it is a common airway segment with Intermediate altitude VOR Federal airway No. 1727. The segment of Victor 1674 between Erie and Wellsville would be replaced by the designation of Victor 1778 between these points, and the segment of Victor 1725 between Imperial and Wellsville would be redesignated as a segment of Victor 1674. These actions, in effect, will result in the redesignation of a segment of Victor 1674 from Imperial via Clarion; Bradford; to Wellsville; redesignation of Victor 1725 to extend from Tiverton, Ohio, to Imperial, Pa., and the designation of Victor 1778 from Erie to Wellsville. These actions do not involve the designation of any additional airspace.

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

1. Part 600 (14 CFR Part 600) is amended by adding the following:

§ 600.1778 VOR Federal airway No. 1778 (Erie, Pa., to Wellsville, N.Y.).

From the Erie, Pa., VOR via the INT of the Erie VOR 079° and the Wellsville, N.Y., VOR 277° radials; to the Wellsville VOR.

2. Section 600.1674 (26 F.R. 1090, 11289) is amended to read:

§ 600.1674 VOR Federal airway No. 1674 (Imperial, Pa., to Cambridge, N.Y.).

From the INT of the Tiverton, Ohio, VOR 088° and the Clarion, Pa., VOR 222° radials via the Clarion VOR, INT of the Clarion VOR 048° and the Bradford Pa., VOR 222° radials; Bradford VOR; Wellsville, N.Y., VOR; INT of the Wellsville VOR 090° and the Binghampton, N.Y., VOR 265° radials; Binghamton VOR; Rockdale, N.Y., VOR; Albany, N.Y., VOR; to the Cambridge, N.Y., VOR.

3. Section 600.1725 (26 F.R. 1092) is amended to read:

§ 600.1725 VOR Federal airway No. 1725 (Tiverton, Ohio, to Imperial, Pa.).

From the Tiverton, Ohio, VOR to the INT of the Tiverton VOR 088° and the Clarion, Pa., VOR 222° radials.

These amendments shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4563; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 61-LA-60]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On February 8, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1194) stating that the Federal Aviation Agency was considering the extension of Intermediate altitude VOR Federal airway No. 1506 from the Seattle, Wash., VOR via the Port Angeles, Wash., VOR to the Neah Bay, Wash., radio range.

The Air Transport Association of America concurred with the proposal. The Department of the Navy also concurred in the proposal with the recommendation that the portion of the proposed segment of Victor 1506 between the Seattle VOR and the Port Angeles VOR be reduced to a width of 10 miles or less.

The Federal Aviation Agency does not concur with this recommendation since no substantial reason exists for further airway width reduction at this time. Current Instrument Flight Rule procedures at Whidbey Island NAS do not conflict with the proposed extension of Victor 1506 with exception of the "Casey One Departure Procedure" and the "JAL 451-ADF Penetration Procedure". Further reduction of the segment of Victor 1506 between Seattle and Port Angeles would not eliminate these conflicts. Air traffic control procedures will be utilized by the Seattle Air Route Traffic Control Center to separate aircraft using these procedures from aircraft that would be utilizing the proposed extension of Victor 1506.

No other comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, § 600.1506 (26 F.R. 1081) is amended as follows:

In the caption "Seattle, Wash.," is deleted and "Neah Bay, Wash.," is substituted therefor.

In the text "From the Seattle, Wash., VOR via the Pendleton, Ore., VOR;" is deleted and "From the Neah Bay, Wash., RR 10-mile wide airway to the INT of the 112° bearing from the Neah Bay RR and the Port Angeles, Wash., VOR 282° radial; thence 8-mile wide airway to the Port Angeles VOR; thence 14-mile wide airway to the INT of the Port Angeles VOR 090° and the Seattle, Wash., VOR 322° radials; thence via the Seattle VOR; Pendleton, Oreg., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., an May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4564; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 61-NY-91]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration of Federal Airway and Associated Control Areas

On February 1, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1194) stating that the Federal Aviation Agency proposed to alter low altitude VOR Federal airway No. 2 by adding a north alternate airway segment and associated control areas via the intersection of the Rochester, N.Y., VOR 064° and the Syracuse, N.Y. VORTAC 283° True radials.

The Department of the Air Force interposed no objection, provided the use of VOR Federal airway No. 2 would not derogate instrument departure service to Air Force flights operating from Hancock Field, Syracuse, N.Y. Derogation of instrument departure service from Hancock Field is not anticipated. The Air Transport Association of America concurred in the action proposed and no other comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In the text of § 600.6002 (14 CFR 600.6002) the following is added. After "Syracuse, N.Y., VOR;" add, "including a north alternate via the Rochester, N.Y., VOR, 064° and the Syracuse VORTAC 283° radials;"

This amendment shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4568; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 61-LA-72]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Federal Airway and Associated Control Areas

On February 1, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1194) stating that the Federal Aviation Agency proposed to alter low altitude VOR Federal airway No. 62 by revoking the airway segment and its associated control areas from Prescott, Ariz., to Zuni, N. Mex.

The Aircraft Owners and Pilots Association endorsed the proposal. The Air Transport Association of America had no objections and no other comments were received.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

1. Section 600.6062 (14 CFR 600.6062) is amended to read:

§ 600.6062 VOR Federal airway No. 62 (Zuni, N. Mex., to Abilene, Tex.).

From Zuni, N. Mex., VORTAC; INT of the Zuni VORTAC 066° and the Santa Fe VORTAC 268° radials; Santa Fe, N. Mex., VORTAC; Anton Chico, N. Mex., VOR; Texico, N. Mex., VOR; INT of the Texico VOR 122° and the Lubbock VORTAC 008° radials; Lubbock, Tex., VORTAC, including a south alternate from the Texico VOR direct to the Lubbock VORTAC; INT of the Lubbock VORTAC 101° and the Abilene VOR 327° radials; to the Abilene, Tex., VOR.

2. The caption of § 601.6062 (14 CFR 601.6062) is amended to read:

§ 601.6062 VOR Federal airway No. 62 control areas (Zuni, Ariz., to Abilene, Tex.).

These amendments shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4565; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 60-LA-100]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Revocation of Federal Airway and Associated Control Area

On February 15, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1424) stating that the Federal Aviation Agency (FAA) proposed to revoke low altitude VOR Federal airway No. 291 and its associated control area from Drake, Ariz., to Tuba City, Ariz.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

Parts 600 and 601 (14 CFR Parts 600, 601) are amended by revoking the following sections:

§ 600.6291 VOR Federal airway No. 291 (Drake, Ariz., to Tuba City, Ariz.). [Revoked]

§ 601.6291 VOR Federal airway No. 291 control areas (Drake, Ariz., to Tuba City, Ariz.). [Revoked]

These amendments shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 308(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4566; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 61-NY-70]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Designation and Alteration of Federal Airways and Associated Control Areas

On February 17, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1494) stating that the Federal Aviation Agency (FAA) proposed the alteration of the DeLancy, N.Y., Rockdale, N.Y., Utica, N.Y., segment of low altitude VOR Federal airway No. 249 from DeLancy direct to Utica. It was also proposed to designate low altitude VOR Federal airway No. 449 and its associated control areas from DeLancy VOR via the Rockdale VOR to the intersection of the Rockdale VOR 348° and the Utica VOR 280° True radials.

The Air Transport Association of America concurred in the proposed action and no other comments were received.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice the following actions are taken:

§ 600.6249 [Amendment]

1. The text of § 600.6249 (14 CFR 600.6249) is amended to read:

From the Sparta, N.J., VOR via the Huguenot, N.Y., VOR; DeLancy, N.Y., VOR; to the Utica, N.Y., VOR.

2. In Part 600 (14 CFR Part 600) § 600.6449 the following section is added:

§ 600.6449 VOR Federal airway No. 449 (DeLancy, N.Y., to Utica, N.Y.).

From the DeLancy, N.Y., VOR via the Rockdale, N.Y., VOR; to the INT of the Rockdale VOR 348° and the Utica, N.Y., VOR 280° radials.

3. In Part 601 (14 CFR Part 601) the following section is added:

§ 601.6449 VOR Federal airway No. 449 control areas (DeLancy, N.Y., to Utica, N.Y.).

All of VOR Federal airway No. 449.

These amendments shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4567; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 61-WA-212]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Area Extension

On January 27, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 835) stating

that the Federal Aviation Agency proposed to alter the Biloxi, Miss., control area extension.

This action involves the designation of navigable airspace outside of the United States. The Administrator has consulted with the Secretary of State and the Secretary of Defense.

No adverse comments were received regarding the proposed amendment.

The Notice proposed that the Biloxi control area extension be designated, in part, on the Keesler AFB radio beacon. Since low frequency navigational aids are undergoing a period of change, involving decommissioning or alteration, it is preferable that the Biloxi control area extension be designated on the geographical site of the Keesler radio beacon. Therefore, action is taken herein to designate this control area extension on latitude 30°27'08" N., longitude 88°53'-26" W.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 601.1065 (14 CFR 601.1065) is amended to read:

§ 601.1065 Control area extension (Biloxi, Miss.).

That airspace within a 25-mile radius of latitude 30°27'08" N., longitude 88°-53'26" W., and that airspace bounded on the E by longitude 88°30'00" W., on the SE and S by a line 15 miles S of and parallel to VOR Federal airway No. 22, on the W by longitude 89°10'00" W., and on the N by the Biloxi control area extension 25-mile radius area, excluding the portion within Warning Area W-453.

This amendment shall become effective 0001 e.s.t., June 28, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4561; Filed, May 10, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WE-60]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Zone

The purpose of this amendment to § 601.2374 of the regulations of the Administrator is to alter the Billings, Mont., control zone.

The Billings control zone is presently designated, in part, with reference to the Billings radio range. The Federal Aviation Agency has scheduled the Billings radio range to be converted to a radio beacon with transcribed weather broadcast facilities on July 26, 1962. Accordingly, action is taken herein to substitute the 071° True bearing from the Billings radio beacon for the northeast course of the Billings radio range in the description of the control zone.

Since the change effected by this amendment is minor in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2374 (14 CFR 601.2374, 26 F.R. 6234) is amended to read:

§ 601.2374 Billings, Mont., control zone.

Within a 5-mile radius of Logan Field, Billings, Mont., (latitude 45°48'23" N., longitude 103°31'54" W.) and within 2 miles either side of the 071° bearing from the Billings RBN extending from the 5-mile radius zone to 12 miles NE of the RBN.

This amendment shall become effective 0001 e.s.t., July 26, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 4, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-4562; Filed, May 10, 1962; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Reg. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950———)

Miscellaneous Amendments

Amendments to the regulations appearing on pages 7054-7056 of the August 5, 1961, issue of the FEDERAL REGISTER deleted § 404.1001 of the regulations and transferred the material formerly in §§ 404.1001 to 404.2 and § 404.1026(a)(9). Amendments to the regulations appearing on pages 11827 and 11828 of the December 9, 1961, issue of the FEDERAL REGISTER added Subpart Q to Part 404, deleted §§ 404.902 and 404.903 and transferred the material formerly contained therein to §§ 404.1601 and 404.1602 respectively. Because of the above amendments it is necessary to correct the references to former §§ 404.902 and 404.1001 appearing in certain sections of the regulations, and to add a new paragraph to § 404.1 reflecting the addition of Subpart Q to Part 404. Accordingly, Regulations No. 4 of the Social Security Administration (20 CFR 404.1 et seq.) are further amended as follows:

1. Section 404.1 is amended by adding at the end thereof paragraph (q) to read as follows:

§ 404.1 Introduction.

* * * * *

(q) Subpart Q of this part relates to the selection of a representative payee to receive benefits on behalf of a beneficiary and to the duties and responsibilities of a representative payee.

§ 404.906 [Amendment]

2. Section 404.906(c) is amended by changing "(see § 404.902)" to "(see § 404.1601)".

§ 404.937 [Amendment]

3. The second sentence of § 404.937(b) is amended by changing "§ 404.902" to "§ 404.1601".

§ 404.968 [Amendment]

4. Section 404.968 is amended by changing "(see § 404.902)" to "(see § 404.1601)".

§ 404.611 [Amendment]

5. Section 404.611(a) is amended by changing "(as defined in § 404.1001(t))" to "(as defined in § 404.2(a)(14))".

§ 404.1251 [Amendment]

6. Section 404.1251 is amended by changing "(see § 404.1001(l) relating to constructive payment of wages)" to "(see § 404.1026(a)(9) relating to constructive payment of wages)".

7. *Effective date.* The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 7, 1962.

ABRAHAM RIBICOFF,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 62-4600; Filed, May 10, 1962; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER H—GRAZING

[Circular 2080]

PART 160—GRAZING LEASES

Miscellaneous Amendments

On page 1556 of the FEDERAL REGISTER of February 20, 1962, there were published a notice and text of proposed amendments to § 160.14, the renumbering of § 160.22 and § 160.23 as § 160.23 and § 160.24, respectively, and the addition of a new § 160.22, of Title 43, providing regulations governing the issuance of crossing permits and adding regulations concerning grazing trespass. Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed regulations.

The proposed regulations prompted very little comment from the public. The objections that were raised questioned the need for the regulations rather than pointing out defects or undesirable characteristics of the proposal. The need for the regulation to assist in providing the necessary management, and conservation of the public lands involved has been established. Accordingly the amendments are adopted without change. The amendments shall become effective at the beginning of the 30th calendar day following date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

MAY 4, 1962.

1. The caption of § 160.14 is amended and a new paragraph (e) is provided as follows:

§ 160.14 Rentals; schedule of grazing fees; billing notices; effects of failure to pay; crossing permits.

* * * * *

(e) *Crossing permits.* Upon application filed with the authorized officer by any person showing the necessity for crossing the Federal land with livestock for proper and lawful purposes, a crossing permit may be issued to him at a charge, payable in advance, of one cent per head per day for cattle, two cents per head per day for horses, and one-fifth cent per head per day for sheep and goats. A minimum charge of $10 will be made for each crossing permit, except that no fee will be charged where the trail to be used is so limited and defined that no substantial amount of forage will be consumed in transit.

2. Sections 160.22 and 160.23 are renumbered § 160.23 and § 160.24, respectively, and a new § 160.22 is added as follows:

§ 160.22 Trespass.

(a) Grazing livestock upon, allowing livestock to drift and graze on, or driving livestock across lands that are subject to lease or permit under the provisions of this Part or within a stock driveway, without a lease or other authorization from the Bureau of Land Management, is prohibited and constitutes trespass. Trespassers will be liable in damages to the United States for the forage consumed and for injury to Federal property, and may be subject to civil and criminal prosecution for such unlawful acts.

(b) A lessee who grazes livestock in violation of the terms and conditions of his lease by exceeding numbers specified, or by allowing the livestock to be on Federal land in an area or at a time different from that designated shall be in default and shall be subject to the provisions of § 160.19. In addition he may be subject to trespass action in accordance with the practices and procedures indicated in § 161.12 (a), (c) (1), (2), (3), (4), (d), and (g) of this chapter, modified so far as practicable and necessary to include Federal land outside of established grazing districts.

(c) When the alleged trespasser is not a lessee of lands under the regulations of this Part, the signing officer may take action against the trespasser in accordance with the practices and procedures in § 161.12 (a), (c) (1), (2), (3), (4), (d), and (g) of this chapter modified so far as practicable and necessary to include lands subject to lease under the provisions of this Part or within a stock driveway.

[F.R. Doc. 62-4574; Filed, May 10, 1962; 8:46 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2669]

[Nevada 051863, 057049]

NEVADA

Partly Revoking the Executive Order of April 17, 1926; Public Water Reserve No. 107

By virtue of authority vested in the President by section 1 of the Act of June 25, 1910 (38 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The Executive order of April 17, 1926, creating Public Water Reserve No. 107, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 17 N., R. 20 E.,
Sec. 35, SE¼SW¼.
T. 26 N., R. 53 E.,
Sec. 4, SW¼SW¼;
Sec. 29, SW¼NE¼ and W½SE¼.

Containing 200 acres.

2. Beginning at 10:00 a.m. on June 9, 1962, the lands shall be open to operation of the public land laws generally, subject to existing valid rights and equitable claims, and the requirements of applicable law, rules, and regulations.

3. The lands have been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals. They will be open to location for nonmetalliferous minerals beginning at 10:00 a.m. on June 9, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nevada.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4623; Filed, May 10, 1962; 8:50 a.m.]

[Public Land Order 2670]

ALASKA

Withdrawing Lands for Use of the Alaska Railroad; Revoking Certain Executive and Public Land Orders; Correcting Public Land Order No. 2455 of August 9, 1961

By virtue of the authority vested in the President by section 1 of the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 304), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Alaska Railroad, Department of the Interior, for railroad purposes:

[Anchorage 050042]

SEWARD WATERFRONT AREA

Beginning at a point 100 feet east of Meander Corner No. 2 of U.S. Survey 726 South, thence: North 2,772 feet to a point 100 feet east of Corner No. 1, U.S. Survey 726 North; East 41.77 feet to Meander Corner No. 1 of U.S. Survey 1116; Southerly along meander line to a point due east of Meander Corner No. 2, U.S. Survey 726 South; West to the point of beginning.

(Excepting therefrom all of U.S. Survey 606 and U.S. Survey 605, in part.)

Containing approximately 11.23 acres.

[Anchorage 053569]

2. The Executive Order of July 3, 1905, which reserved lands for use of the Signal Corps for a cable house and signal corps station, and Executive Order No. 3149 of August 16, 1919, which reserved lands for use of the Navy Department for erection of wharves, coal storage yards, and other naval purposes, as partly revoked by Executive Order No. 3828 of May 3, 1923, and as amended by Public Land Order No. 718 of May 4, 1951, are hereby revoked so far as they affect any of the lands described in Paragraph 1 of this order.

[Fairbanks 027546]

3. The reference to U.S. Survey 2670, in Public Land Order No. 2455 of August 9, 1961 (26 F.R. 7548), is hereby corrected to read "2760A" wherever it appears in the description for Tract 1, Fort Yukon Area.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4575; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2671]

[Wyoming 099514, 0142185, 0142186]

WYOMING

Partly Revoking Reclamation and Air Navigation Site Withdrawals

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), and in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The order of the Bureau of Reclamation of April 13, 1955, concurred in by the Bureau of Land Management on October 20, 1955, which withdrew lands for reclamation purposes in connection with the Missouri River Basin Project, and the departmental orders of December 27, 1937; June 21, 1940; July 16, 1942, and Public Land Order No. 235 of June 9, 1944, creating Air Navigation Site Withdrawals No. 116, No. 141, No. 185, and No. 215, respectively, are hereby revoked so far as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN

a. Order of April 13, 1955:

T. 46 N., R. 92 W.,
Sec. 18, S½NE¼.

b. Departmental order of December 27, 1937:

T. 21 N., R. 86 W.,
Sec. 10, N½NE¼SW¼, W½SW¼, and S½SE¼SW¼.

c. Departmental order of June 21, 1940:

T. 20 N., R. 94 W.,
Sec. 16, SW¼NE¼SE¼, SE¼NW¼SE¼, E½SW¼SE¼, and SE¼SE¼;
Sec. 22, W½SW¼NW¼ and NW¼NW¼SW¼.

d. Departmental order of July 16, 1942:

T. 19 N., R. 96 W.,
Sec. 18, N½SE¼NW¼NW¼ and SE¼SE¼NW¼NW¼.
T. 19 N., R. 99 W.,
Sec. 8, NW¼NE¼NE¼.

e. Public Land Order No. 235 of June 9, 1944:

T. 18 N., R. 106 W.,
Sec. 8, NE¼SE¼NE¼SE¼ and S½SE¼NE¼SE¼.
T. 15 N., R. 117 W.,
Sec. 24, NE¼NE¼NE¼.

The areas described aggregate approximately 345 acres.

2. Subject to any valid existing rights and equitable claims, the provisions of any existing withdrawals, and the requirements of applicable law, rules and regulations, the lands released from withdrawal by this order are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on November 2, 1962, the State of Wyoming shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

(b) All valid applications and selections under the nonmineral public land laws, other than from the State of Wyoming, presented prior to 10:00 a.m. on November 2, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

(c) The lands have been open to applications and offers under the mineral leasing laws; they will be open to location under the United States mining laws at 10:00 a.m. on November 2, 1962, excepting that all minerals, both leasable and locatable, in the lands described in section 16, T. 20 N., R. 94 W., were reserved to the State of Wyoming in an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended, and such minerals are, therefore, not subject to the opening provisions of this order.

3. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4576; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2672]

[Anchorage 054173]

ALASKA

Withdrawing Lands for an Administrative Site and as a Source of Materials

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved under the jurisdiction of the Bureau of Land Management, Department of the Interior, as an administrative site and as a source of materials for use in the construction and maintenance of Federal projects.

EKLUTNA AREA

SEWARD MERIDIAN

T. 16 N., R. 1 W.,
Sec. 23, lots 3 and 4;
Sec. 26, NW¼ and N½SW¼.

Containing approximately 310 acres.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4577; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2673]

[Nevada 055593]

NEVADA

Partly Revoking Reclamation Withdrawal; Newlands Project

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental orders of July 2, 1902, August 26, 1902, August 4, 1904, and any other order or orders which withdrew lands for reclamation purposes under provisions of the Act of June 17, 1902, supra, are hereby revoked so far as they affect the following-described lands:

MOUNT DIABLO MERIDIAN

T. 18 N., R. 29 E.,
Sec. 9, SE¼.
T. 18 N., R. 30 E.,
Sec. 18, NE¼.

The areas described aggregate 320 acres.

2. The lands are hereby restored to the operation of the public land laws, effective at 10:00 a.m. on June 9, 1962, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4578; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2674]

WYOMING

Withdrawing Lands for Reclamation Purposes; Revoking Air Navigation Site Withdrawal No. 92

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), and in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Bureau of Reclamation, Department of the Interior, for development of the Flaming Gorge Reservoir:

[Wyoming 094260]

SIXTH PRINCIPAL MERIDIAN

T. 15 N., R. 108 W.,
Sec. 29, S½N½ and S½.

Containing approximately 480 acres.

2. The lands withdrawn by paragraph 1 of this order shall be administered by the Bureau of Land Management, Department of the Interior, under applicable public land laws until such time as they or any portion thereof are needed for project works or irrigation purposes.

3. The departmental order of April 2, 1934, which withdrew the following described lands as Air Navigation Site Withdrawal No. 92, is hereby revoked:

[Wyoming 0142187, 1540463]

SIXTH PRINCIPAL MERIDIAN

T. 21 N., R. 86 W.,
Sec. 12, S½.

Containing approximately 320 acres.

4. Subject to any valid existing rights and equitable claims, and the requirements of applicable law, rules and regulations, the lands released from withdrawal by paragraph 3, hereof, are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Until 10:00 a.m. on November 2, 1962, the State of Wyoming shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

b. All valid applications and selections under the nonmineral public land laws other than any from the State of Wyoming presented prior to 10:00 a.m. on

November 2, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

c. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws at 10:00 a.m. on November 2, 1962.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyo.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4579; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2675]

[Montana 044185 (SD)]

SOUTH DAKOTA

Withdrawal for Forest Service Administrative Site and Recreation Area

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the minerals in the following described national forest lands are hereby withdrawn from prospecting, location, entry and purchase under the mining laws of the United States in aid of programs of the Forest Service, Department of Agriculture, for utilization of the surface as an administrative site and a recreation area, as indicated:

BLACK HILLS MERIDIAN

BLACK HILLS NATIONAL FOREST

Nemo Work Center

T. 3 N., R. 5 E.,
Sec. 27, lot 7, exclusive of existing mining claims.

Strato Rim Scenic Strip

T. 1 S., R. 6 E.,
Sec. 12, lots 4, 5, 6, 8, E½NW¼SE¼ and E½W½NW¼SE¼, less patented portions;
Sec. 13, lot 1.

The areas described aggregate 132.90 acres.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4580; Filed, May 10, 1962; 8:46 a.m.]

[Public Land Order 2676]

[1938795, 1930719, 1761619, 1655904]

ALASKA

Amending Certain Orders Which Withdrew Lands for Use of the War Department for Military Purposes

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Orders No. 8102 of April 29, 1939; No. 8343 of February 10, 1940; No. 8755 of May 16, 1941; No. 8847 of August 8, 1941, and Public Land Orders No. 47 of October 12, 1942, and No. 95 of March 12, 1943, which withdrew public lands in Alaska for use of the War Department for military purposes, are hereby amended to the extent necessary to delete therefrom the following paragraph included therein, or added thereto by Executive Order No. 9526 of February 28, 1945, or Public Land Order No. 284 of June 12, 1945:

> The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (58 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

2. The orders of withdrawal referred to in paragraph 1, above, are hereby further amended by substituting the words "Department of the Army" for the words "War Department" wherever they appear.

3. The Department of the Interior shall retain jurisdiction of the mineral and vegetative resources of the lands.

4. The Department of the Army may issue permits revocable at will for authorized use of the lands included in this order; but authority to change the use specified by this order or to grant rights to others to use the lands, including grants of leases, licenses, easements and rights-of-way is reserved to the Secretary of the Interior or his authorized delegate, provided that no grants will be made under this authority without the approval of an authorized officer of the Department of the Army.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4581; Filed, May 10, 1962; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 250]

FISHERIES LOAN FUND PROCEDURES

Proposed Revision of Procedures

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 4 of the Fish and Wildlife Act of 1956 (70 Stat. 1119, 1121; 16 U.S.C. sec. 742c), it is proposed to revise 50 CFR Part 250 as set forth below. The purpose of the revision is to provide for procedural changes necessitated by transfer of certain acts formerly performed by the Small Business Administration to the Department of the Interior, to clarify the meaning of several sections, and to provide published standards that insurance underwriters furnishing insurance on property serving as collateral for a fisheries loan must meet. Due to the numerous changes being proposed, the procedures will be more readily understood if the entire Part is revised.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Commercial Fisheries, Washington 25, D.C., within 30 days of the date of publication of this notice is the FEDERAL REGISTER.

Part 250 is revised to read as follows:

Sec.

AUTHORITY: §§ 250.1 to 250.14 issued under sec. 4, 70 Stat. 1121; 16 U.S.C. 742c.

§ 250.1 Definitions of terms.

For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *Secretary.* The Secretary of the Interior or his authorized representative.

(b) *Person.* Individual, association, partnership or corporation, any one or all as the context requires.

(c) *State.* Any State, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

§ 250.2 Purposes of loan fund.

The broad objective of the fisheries loan fund created by the Fish and Wildlife Act of 1956 is to provide financial assistance which will aid the commercial fishing industry to bring about a general upgrading of the condition of both fishing vessels and fishing gear thereby contributing to more efficient and profitable fishing operations.

(a) Under section 4 of the act, the Secretary is authorized, among other things;

(1) To make loans for financing and refinancing of operations, maintenance, replacement, repair and equipment of fishing gear and vessels, and for research into the basic problems of fisheries.

(2) Subject to the specific limitations in the section, to consent to the modification, with respect to the rate of interest, time of payment of any installment of principal, or security, of any loan contract to which he is a party.

(b) All financial assistance granted by the Secretary must be for one or more of the purposes set forth in paragraph (a) of this section.

§ 250.3 Interpretation of loan authorization.

The terms used in the act to describe the purposes for which loans may be granted are construed to be limited to the meanings ascribed in this section.

(a) *Operation of fishing gear and vessels.* The words "operation of fishing gear and vessels" mean and include all phases of activity directly associated with the catching of fish and shellfish for commercial purposes.

(b) *Maintenance of fishing gear and vessels.* The words "maintenance of fishing gear and vessels" mean the normal and routine upkeep of all parts of fishing gear and fishing vessels, including machinery and equipment.

(c) *Replacement of fishing gear and vessels.* The words "replacement of fishing gear and vessels" contemplate the purchase of fishing gear or equipment, parts, machinery, or other items incident to outfitting for fishing to replace lost, damaged, worn, obsolete, inefficient, or discarded items of a similar nature, or the purchase or construction of a fishing vessel to operate the same type of fishing gear as a comparable vessel which has been lost, destroyed or abandoned or has become obsolete or inefficient. Any vessel lost, destroyed or abandoned more than two years prior to the date of receipt of the application shall not be considered eligible for replacement. In order to be eligible for replacement, an abandoned, obsolete or inefficient vessel must be permanently removed from commercial fishing, and if sold, must be sold subject to an agreement that it will not reenter the commercial fishery.

(d) *Repair of fishing gear and vessels.* The words "repair of fishing gear and vessels" mean the restoration of any worn or damaged part of fishing gear or fishing vessels to an efficient operating condition.

(e) *Equipment of fishing gear and vessels.* The words "equipment of fishing gear and vessels" mean the parts, machinery, or other items incident to outfitting for fishing which are purchased for use in fishing operations.

(f) *Research into the basic problems of fisheries.* The words "research into the basic problems of fisheries" mean investigation or experimentation designed to lead to fundamental improvements in the capture or landing of fish conducted as an integral part of vessel or gear operations.

§ 250.4 Qualified loan applicants.

(a) Any person residing or conducting business in any State shall be deemed to be a qualified applicant for financial assistance if such person:

(1) Owns a commercial fishing vessel of United States registry (if registration is required) used directly in the conduct of fishing operations, irrespective of the type, size, power, or other characteristics of such vessel;

(2) Owns any type of commercial fishing gear used directly in the catching of fish or shellfish;

(3) Owns any property, equipment, or facilities useful in conducting research into the basic problems of fisheries or possesses scientific, technological or other skills useful in conducting such research;

(4) Is a fishery marketing cooperative engaged in marketing all catches of fish or shellfish by its members pursuant to contractual or other enforceable arrangements which empower the cooperative to exercise full control over the conditions of sale of all such catches and disburse the proceeds from all such sales.

(b) Applications for financial assistance cannot be considered if the loan is to be used for:

(1) Any phase of a shore operation.

(2) Refinancing existing loans that are not secured by the fishing vessel or gear, or debts which are not maritime liens as defined in the Ship Mortgage Act of 1920 (46 U.S.C. 971).

(3) Refinancing existing mortgages or secured loans on fishing vessels and gear, or debts secured by maritime liens, except in those instances where the Secretary deems such refinancing to be desirable in carrying out the purpose of the Act.

(4) (i) Effecting any change in ownership of a fishing vessel (except for replacement of a vessel or purchase of the interest of a deceased partner), (ii) replenishing working capital used for such purpose or (iii) liquidating a mortgage given for such purpose less than 2 years prior to the date of receipt of the application.

(5) Replacement of fishing gear or vessels where the applicant or applicants owned less than a 20-percent interest in said fishing gear or vessel to be replaced or owned less than 20-percent interest in a corporation owning said fishing gear or vessel: *Provided,* That applications for a

replacement loan by an eligible applicant cannot be considered unless and until the remaining owners or shareholders shall agree in writing that they will not apply for a replacement loan on the same fishing gear or vessel.

(6) Repair of fishing gear or vessels where such fishing gear or vessels are not offered as collateral for the loan by the applicant.

(7) Financing a new business venture in which the controlling interest is owned by a person or persons who are not currently engaged in commercial fishing.

§ 250.5 Basic limitations.

Applications for financial assistance may be considered only where there is evidence that the credit applied for is not otherwise available on reasonable terms (a) from applicant's bank of account, (b) from the disposal at a fair price of assets not required by the applicant in the conduct of his business or not reasonably necessary to its potential growth, (c) through use of the personal credit and/or resources of the owner, partners, management, affiliates or principal stockholders of the applicant, or (d) from other known sources of credit. The financial assistance applied for shall be deemed to be otherwise available on reasonable terms unless it is satisfactorily demonstrated that proof of refusal of the desired credit has been obtained from the applicant's bank of account: *Provided*, That if the amount of the loan applied for is in excess of the legal lending limit of the applicant's bank or in excess of the amount that the bank normally lends to any one borrower, then proof of refusal should be obtained from a correspondent bank or from any other lending institution whose lending capacity is adequate to cover the loan applied for. Proof of refusal of the credit applied for must contain the date, amount, and terms requested. Bank refusals to advance credit will not be considered the full test of unavailability of credit and, where there is knowledge or reason to believe that credit is otherwise available on reasonable terms from sources other than such banks, the credit applied for cannot be granted notwithstanding the receipt of written refusals from such banks.

§ 250.6 Application.

Any person desiring financial assistance from the fisheries loan fund shall make application to the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington 25, D.C., on a loan application form furnished by that Bureau except that, in the discretion of the Secretary, an application made other than by use of the prescribed form may be considered if the application contains information deemed to be sufficient. Such application shall indicate the purposes for which the loan is to be used, the period of the loan, and the security to be offered.

§ 250.7 Processing of loan applications.

If it is determined, on the basis of a preliminary review, that the application is complete and appears to be in conformity with established rules and procedures, a field examination shall be made. Following completion of the field investigation the application will be forwarded with an appropriate report to the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington 25, D.C.

§ 250.8 Approval of loans.

The Secretary will evidence his approval of the loan by issuing a loan authorization covering the terms and conditions for making the loan. Documents executed in connection with a loan shall be in a form approved by the Secretary. Any modification of the terms of a loan following its execution must be agreed to in writing by the borrower and the Secretary.

§ 250.9 Interest.

The rate of interest on all loans which may be granted is fixed at 5 percent per annum.

§ 250.10 Maturity.

The period of maturity of any loan which may be granted shall be determined and fixed according to the circumstances but in no event shall the date of maturity so fixed exceed a period of 10 years.

§ 250.11 Security.

Loans shall be approved only upon the furnishing of such security or other reasonable assurance of repayment as the Secretary may require. The proposed collateral for a loan must be of such a nature that, when considered with the integrity and ability of the management, and the applicant's past and prospective earnings, repayment of the loan will be reasonably assured.

§ 250.12 Books, records, and reports.

The Secretary shall have the right to inspect such books and records of the applicant as the Secretary may deem necessary. Disbursements on a loan made under this part shall be made only upon the agreement of the loan applicant to maintain proper books of account and to submit such periodic reports as may be required by the Secretary during the period of the loan. During such period, the books and records of the loan applicant shall be made available at all reasonable times for inspection by the Secretary.

§ 250.13 Insurance required.

(a) If insurance of any type is required on property under the terms of a loan authorization or mortgage it must be in a form approved by the Secretary and obtained from an underwriter satisfactory to the Secretary and meeting at least one of the following requirements:

(1) An underwriter licensed by an insurance regulatory agency of a State to write the particular form of insurance being written.

(2) A foreign insurance company or club operating in the United States that has deposited funds in an amount and manner satisfactory to the Secretary in a bank chartered under the laws of a State or the United States of America, which funds are solely for the payment of insurance claims of United States vessels.

(3) A reciprocal or interinsurance exchange licensed by an insurance regulatory agency of a State to write the particular form of insurance being written.

(4) An insurance pool composed entirely of owners and operators of fishing vessels.

(b) Any underwriter (including a company, club, or pool) writing such insurance shall furnish such reasonable financial or operating data as the Secretary may require to determine the standing and responsibility of said underwriter.

§ 250.14 Penalties on default.

Unless otherwise provided in the loan agreement, failure on the part of a borrower to conform to the terms of the loan agreement will be deemed grounds upon which the Secretary may cause any one or all of the following steps to be taken:

(a) Discontinue any further advances of funds contemplated by the loan agreement.

(b) Take possession of any or all collateral given as security and the property purchased with borrowed funds.

(c) Prosecute legal action against the borrower.

(d) Declare the entire amount advanced immediately due and payable.

(e) Prevent further disbursement of and withdraw any funds advanced to the borrower and remaining under his control.

JAMES K. CARR,
Under Secretary of the Interior.

MAY 4, 1962.

[F.R. Doc. 62-4573; Filed, May 10, 1962; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Parts 8, 14]

[332.1]

COAL-TAR PRODUCTS

Liability for Duties; Entry of Imported Merchandise; Appraisement

Rescission of proposal to amend Customs Regulations to require additional information on customs invoices for entries of certain coal-tar intermediates dutiable under paragraph 27 of the Tariff Act of 1930, as amended.

After thorough consideration of the arguments, data and views, including suggestions and counter-proposals made in communications received from, or on behalf of foreign producers, importers, domestic producers, associations and others, the Bureau of Customs, whose proposal was published in the FEDERAL REGISTER of March 11, 1961 (26 F.R. 2126), has decided not to amend § 8.13 (h), Customs Regulations (19 CFR 8.13 (h)), proposed for the object of requiring technical information, enumerated in the proposal, on or in connection with customs or commercial invoices for import entries of the class of coal-tar intermediates defined in the proposal, dutiable under paragraph 27 of the Tariff Act of 1930, as amended (19 U.S.C. 1001,

paragraph 27), on the basis of the American selling price of any similar competitive article manufactured or produced in the United States, or, alternatively, United States value.

The Bureau will not amend § 14.5, Customs Regulations (19 CFR 14.5), concurrently proposed, in view of such negative disposition of the proposed additional invoicing requirement.

Notice is hereby given of the Bureau's rescission of the whole proposal.

The voluntary practice involving domestic producers of coal-tar intermediates, their products, and the Chief Chemist, Customs Laboratory, port of New York, N.Y., remains unaffected. The Chief Chemist there continues to accept from domestic producers and maintain the central reference file of technical specifications of coal-tar intermediates manufactured or produced in the United States.

Such file continues to be available to any customs laboratory during the process of making comparisons as between an imported coal-tar intermediate dutiable under paragraph 27 and any similar domestic product for the purpose of an eventual return of statutory value on the basis of the American selling price of a competitive domestic product reported by the chief chemist to be comparable to the import.

[SEAL] PHILIP NICHOLS, JR.,
Commissioner of Customs.

Approved: May 4, 1962.

JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 62-4602; Filed, May 10, 1962; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[9 CFR Part 301]

TURKEYS

Correction and Amendment to Decision and Proposed Marketing Agreement and Order

The following corrections are made in F.R. Doc. 62-3438 filed April 6, 1962, and published on April 7, 1962. (27 F.R. 3326)

1. On F.R. page 3327, column 1, third full paragraph, line 6, change the word "effects" to "affects".

2. On F.R. page 3327, column 3, third full paragraph, line 5, change the word "effects" to "affects".

3. On F.R. page 3330, column 2, last sentence before first full paragraph, change "on the farmer would not." to "in the former would not.".

4. On F.R. page 3338, column 2, third full paragraph, lines 14, 15, and 16, change the phrase "highest quantity of turkeys produced and marketed by him in any three of the four" to "quantity of turkeys produced and marketed by him in the three".

5. On F.R. page 3339, column 2, line 20, change "5%" to "50%".

6. The following amendments are hereby made to the Referendum Order, Referendum Regulations, Determination of Representative Period, and Designation of Referendum Agent:

On page 3345, column 1, delete that portion of the last paragraph headed: "Referendum Order; Referendum Regulations, Determination of Representative Period, and Designation of Referendum Agent", and also, delete in its entirety column 2, column 3, and on page 3346, column 1, down to the words, "dated: April 4, 1962," and insert in lieu thereof, the following:

Referendum order: Referendum regulations, determination of representative period, and designation of referendum agent. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended, 7 U.S.C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who during 1961 (which is hereby determined to be a representative period for the purpose of this referendum) were engaged in the production of turkeys in the production area to ascertain whether or not such producers favor the issuance of the annexed order regulating the handling of turkeys. The Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, United States Department of Agriculture is hereby designated agent of the Secretary to conduct such referendum.

The following procedure shall be applicable to the referendum in lieu of the procedure set forth in 15 F.R. 5176. The ballots used in the referendum shall contain a summary describing the terms and conditions of the order.

1. *Definitions.* For the purpose of the referendum, the following terms shall have the following meaning:

(a) *"ASC county committee"* means the group of persons elected within a county as the county committee pursuant to the regulations entitled Selection and Functions of Agricultural Stabilization and Conservation County and Community Committees (Part 7, Subtitle A, 7 CFR, as amended).

(b) "ASC State committee" means the group of persons designated in any State to act as the State Agricultural Stabilization and Conservation Committee.

(c) "ASCS State and county offices" means the State and county offices of the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture.

(d) "Deputy Administrator" means the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

(e) "Terms defined in order": The terms defined in §§ 301.1 to 301.20 of the annexed order shall have the meanings ascribed to those terms in that order.

2. *Eligible voter.* Each person who produced turkeys in the production area in the representative period shall be entitled to only one vote in the referendum. A cooperative association of producers, bona fide engaged in marketing turkeys, or in rendering services for or advancing the interest of the producers of turkeys, may, if it elects to do so, vote for the producers who are members of, stockholders in, or under contract with such association. No person who is an exempt producer as defined in § 301.15 or a producer-handler as defined in § 301.17 of the annexed order shall be entitled to a vote in the referendum.

3. *Volume of production.* Each ballot cast by, or on behalf of, a producer shall reflect the total quantity (liveweight) of turkeys marketed in 1961 of which he or it was the producer. If a contract-producer(s) and a producer-grower(s) are involved in the production of turkeys marketed from the same production facility, for the purposes of this referendum, the producer-grower's share in the turkeys shall be deemed to be a quantity (liveweight) of turkeys equal to one-half the total quantity (liveweight) of the production marketed during 1961 and the contract-producer's share shall be one-half of such production divided by the number of contract-producers thereof.

4. *Agencies conducting referendum.* The Deputy Administrator shall be in charge of conducting this referendum. Under the direction of the Deputy Administrator each ASC State committee shall be in charge of conducting the referendum in its State and each ASC county committee shall be in charge of conducting the referendum in its county.

5. *Period of referendum.* The period for voting in this referendum shall be June 18, 1962, to close of business June 22, 1962. However, contract-producers and cooperative associations voting for producers must file a "Certification of Turkeys Marketed in 1961" not later than June 8, 1962, to be eligible to vote.

6. *Notice of referendum.* The ASCS State and county offices will provide full and accurate public notice, without incurring advertising expense, of the time and place of balloting in the referendum, the time for certifying 1961 marketings, and the rules governing the eligibility to vote, by means of newspapers, radio, etc., or any other method they may deem desirable.

7. *Place and manner of voting by producers.* Voting is to start on June 18, 1962. A ballot may be cast on Form ASCS-213 by personal delivery to the polling place on or before the close of business June 22, 1962, or mailing it to the polling place on or before June 22, 1962. The date of the postmark will be considered the date of mailing. Polling places for producers will be as follows:

(a) *Producer-growers.* The ASCS county office serving the county in which the producer-growers principal place of turkey production is located shall be the producer-grower's polling place.

(b) *Contract-producers.* Contract-producers doing business with producer-growers in more than one State or in more than one county within a State shall cast their ballot at the ASCS State office in the State in which the contract-producer's principal place of business is located. If a contract-producer does business in only one county the ballot

of such contract-producer shall be cast at the ASCS county office serving that county.

8. *Eligibility for voting*—(a) *Producer-grower.* A producer-grower, to be eligible to vote in the referendum, must file a "Certification of Turkeys Marketed in 1961" at the ASCS county office which is his polling place, prior to the close of business of such office on June 22, 1962.

(b) *Contract-producers.* To be eligible to vote in the referendum, a contract-producer must, not later than the close of business on June 8, 1962, file with the ASCS State or county office, which is his polling place, a "Certification of Turkeys Marketed in 1961" together with a list of producer-growers by county showing the name and address of each producer-grower with whom the contract-producer had a proprietary risk type contract for the production of turkeys in 1961, and each such producer-grower's volume of marketings of turkeys in 1961 which were produced under such contract.

Each ASCS State or county office shall mail "Certification of Turkeys Marketed in 1961" to all producers of whom the respective State or county office has knowledge. The mailing of the certification form is not a determination of the eligibility to vote. If a producer does not receive a certification form by mail he can obtain one from the ASCS State or county office upon request.

9. *Register of eligible voters.* Upon the receipt from the producer of the "Certification of Turkeys Marketed in 1961", the applicable ASC State or county committee shall determine the eligibility to vote of each producer and verify the volume of marketing in 1961 by each such producer. They shall maintain a Register of Eligible Voters and record thereon the names and addresses of each producer eligible to vote together with the verified volume of turkey marketings which each producer is eligible to vote.

10. *Issuance of ballots to eligible producers*—(a) *Verified ballots.* After a producer has been enrolled on the Register of Eligible Voters the ASCS State or county office shall issue such producer a ballot with the certified volume of marketings in 1961 inserted thereon. Along with the ballot the producer shall be given a plain envelope marked "BALLOT" and also a postage paid envelope addressed to the ASCS State or county office, whichever applies, marked again "Ballot" and containing the producer's name, address, and space for his signature. The producer shall mark the ballot "Yes" or "No", seal it in the plain envelope, enclose it in the addressed envelope, and then cast the ballot in the manner provided in section 7.

(b) *Unverified ballots.* In the event that the ASCS State or county office is unable to verify the eligibility of a producer or the quantity of marketings in 1961 which he is eligible to vote, or if there is a question as to the eligibility or volume of eligible marketings of the producer and such questions are not reconciled by mutual agreement of the producer and the ASCS State or county office, then the producer shall be issued a ballot on which is inserted the producer's claimed marketings together with the envelopes provided for in subparagraph (a) except that the postage paid envelope shall be marked "Ballot (C)".

11. *Place and manner of voting by cooperative associations.* A cooperative association voting for its producers, shall qualify with the ASCS State office in which the association's principal place of business is located. If all of the association's eligible producers are located in only one county, the ballot of such association shall be cast in the ASCS county office of such county, otherwise it shall cast its ballot at the ASCS State office in the State in which its principal place of business is located. Such association may cast one ballot for all eligible producers who on the date the vote is cast are members of, stockholders in, or are under contract to sell their turkeys through the association in 1962. In order to qualify for voting, the cooperative association must file with the ASCS State office, not later than June 8, 1962, each of the following: (1) A certified copy of the Articles of Incorporation and By-Laws of the Association, and (2) a certified copy of the resolution adopted by its Board of Directors authorizing it to vote for its producers. In addition, it will file with the ASCS State or county office, whichever is its polling place, a "Certification of Turkeys Marketed in 1961" and a list(s), by county, containing the name and address of the cooperative association, the name and address of each producer whose principal place of turkey production is in the county, and the quantity of turkeys marketed in 1961 which such producer is eligible to vote. If the cooperative association qualifies to vote, the ASCS State or county office, whichever is the association's polling place, will record on a ballot the number of producers for whom the association is eligible to vote and the total quantity (liveweight) of turkeys marketed by such producers in 1961. Such ballots shall then be sent to the cooperative association. The cooperative association shall return the marked ballot to its polling place by June 22, 1962, or if mailed, the ballot must be postmarked not later than June 22, 1962. In the event two cooperative associations have the same person as a producer, the ASCS State or county office shall try to obtain an agreement from the associations as to which will vote for the producer. If the associations cannot agree as to which will vote for the producer, such producer and his 1961 marketings shall not be included on the ballot furnished either cooperative association and such producer may file a "Certification of Turkeys Marketed in 1961" and cast his own ballot.

12. *Review of ballots.* The applicable ASC State and county committees shall review the ballots cast and shall not count any ballot that is marked in such a way that it cannot be determined how the voter intended to vote as well as any ballot in which the volume of marketings inserted by the State or county office has been altered. Upon receipt of ballots marked "Ballots (C)", the ASCS county office shall transmit them to the ASCS State office. The State office shall then make a determination of the eligibility of the producer to vote and/or of the producer's eligible marketings in 1961. If such producer is determined eligible to vote, the volume of turkey marketings in 1961 which he is eligible to vote shall be inserted on the ballot (if such volume is other than that claimed by the producer) and the ballot shall be counted. Unreconciled questions on the eligibility and volume of marketings of contract-producers and qualifications of cooperative associations and eligibility and volume of marketings of their producers shall also be handled under this procedure.

13. *Canvass of ballots.* The ASC State and county committees will make a count of the voters determining (a) the number of eligible producers favoring issuance of the order and their volume of production, and (b) the number of eligible producers disapproving issuance of the order and their volume of production. All certifications of turkeys marketed in 1961, all ballots and the Register of Eligible Voters shall be treated as confidential and the contents thereof shall not be divulged except as the Secretary may direct. Reports and summaries of the voting shall be sent to the Deputy Administrator through the ASCS State offices in accordance with instructions issued by the Deputy Administrator. The ASCS State and county offices shall not release any information as to voting in the State or county either before or after the announcement by the Secretary of the referendum results except as directed by the Secretary.

14. *Additional instructions and forms.* The Deputy Administrator is hereby authorized to prescribe additional instructions and forms, not inconsistent with the provisions of this referendum order, to govern the procedure to be followed in the conduct of this referendum.

Copies of the text of the annexed order may be examined in the Office of the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington, D.C. Certification of Turkeys Marketed in 1961 forms, and copies of the text of the proposed order may be obtained from any ASCS State or county office.

Issued in Washington, D.C., May 8, 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-4612; Filed, May 10, 1962; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 772 Stat. 1786; 21 U.S.C.

348(b)(5)), notice is given that a petition (FAP 760) has been filed by Archer-Daniels-Midland Company, Post Office Box 532, Minneapolis 40, Minn., proposing the issuance of a regulation to provide for the safe use of esters of fatty (C_{10}–C_{20}) acids and fatty (C_{14}–C_{18}) alcohols as plasticizers and/or lubricants employed in the manufacture of polystyrene intended for use in contact with food.

Dated: May 7, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-4598; Filed, May 10, 1962; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 782) has been filed by Shell Chemical Company, Division of Shell Oil Company, 1700 K Street NW., Washington 6, D.C., proposing amendment of § 121.1020 (21 CFR 121.1020) to provide for the following tolerances for residues of inorganic bromides (calculated as Br) that may be concentrated in certain processed foods from application of 1,2-dibromo-3-chloropropane as a nematocide to the growing crops:

	Parts per million
Dried apricots	25
Dried peaches	30
Raisins	105
Dried figs	250
Concentrated tomato products	250

Dated: May 7, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-4599; Filed, May 10, 1962; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 62-WE-45]

FEDERAL AIRWAYS

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.6006, 600.6138, and 600.1508 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 6 is designated in part from the Medicine Bow, Wyo., VOR via the intersection of the Medicine Bow VOR 108° and and the Sidney, Nebr., VOR 292° True radials; to the Sidney VOR. Low altitude VOR Federal airway No. 138 north alternate is designated in part from the Medicine Bow VOR via the intersection of the Medicine Bow VOR 108° and the Cheyenne, Wyo., VORTAC 323° True radials; to the Cheyenne VORTAC. Intermediate altitude VOR Federal airway No. 1508 is designated in part from the Medicine Bow VOR via the intersection of the Medicine Bow VOR 105° and the Sidney VOR 294° True radials; to the Sidney VOR. The Federal Aviation Agency has under consideration the alteration of Victor 6 from the Medicine Bow VOR via the intersection of the Medicine Bow VOR 106° and the Sidney VOR 292° True radials; to the Sidney VOR as a 10-mile wide airway for a distance of 45 nautical miles from the Medicine Bow VOR, thence expanding in graduated steps of one mile in width for every 5 nautical miles in length to the intersection of the Medicine Bow VOR 106° and the Sidney VOR 292° True radials, thence decreasing in width of one mile for every 5 nautical miles in length to 45 nautical miles from the Sidney VOR, thence as a 10-mile wide airway to the Sidney VOR. Also under consideration is the realignment of Victor 138 north alternate via the Medicine Bow VOR 106° in lieu of the 108° True radial. In addition, it is proposed to redesignate this segment of Victor 1508 via the alignment of Victor 6.

The proposed realignment of Victor 6 would improve air navigation by locating the intersection of the en route radials of the Medicine Bow and Sidney VOR's in proximity to both the midpoint and the navigation changeover point between these VOR's. It would also permit utilization of lower minimum en route altitudes along the airway. The increased airway width would provide protection for aircraft operating along this airway while at a distance greater than 45 nautical miles from either navigation facility. The realignment of Victor 138 north alternate would retain the alignment of a segment of this airway with Victor 6. The realignment of Victor 1508 via the alignment of Victor 6 would provide for orderly transition between the low altitude and intermediate altitude airway structures.

The control areas associated with these airway segments are so designated that they would automatically conform to the altered airways. The vertical extent of these airway segments would remain as designated pending review of the adjacent airspace. Separate actions will be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 7, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-4558; Filed, May 10, 1962; 8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 62-EA-18]

CODED JET ROUTE

Proposed Revocation of Segment

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to § 602.100 of the regulations of the Administrator, the substance of which is stated below.

Jet Routes Nos. 26 and 30 are designated in part from Appleton, Ohio, to Gordonsville, Va. The Federal Aviation Agency is considering the revocation of these segments of J-26 and J-30 as they do not connect major terminals and they have no associated jet advisory areas. Also, the military use of these segments of J-26 and J-30 is very light and no increase is expected in the future. Therefore, it appears that the retention of these segments is unjustified as route assignments in the continental control area and they may be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with

this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 4, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–4559; Filed, May 10, 1962; 8:45 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 62–WA–7]

JET ROUTES AND JET ADVISORY AREAS

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 602 of the regulations of the Administrator, the substance of which is stated below.

The FAA has under consideration the designation of a jet route from the Tulsa, Okla., VORTAC via the Flippin, Ark., VOR to the Nashville, Tenn., VORTAC. In addition it is proposed to designate a radar jet advisory area within 16 miles either side of the proposed jet route from flight level 240 to flight level 390 inclusive. The jet route as proposed herein would provide a more direct route for civil turbojet aircraft operating between Tulsa and Nashville. The radar jet advisory area proposed herein would provide a defined area along the route wherein jet advisory service would be available.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 4, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–4560; Filed, May 10, 1962; 8:45 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

ORGANIZATION AND FUNCTIONS AND DELEGATIONS OF AUTHORITY

I—*General.* The Agricultural Stabilization and Conservation Service (hereinafter sometimes referred to as ASCS) was established June 5, 1961 by the Secretary of Agriculture pursuant to the authority vested in him by Sec. 161, Revised Statutes (5 U.S.C. 22), and Reorganization Plan No. 2 of 1953. This Service is responsible for the planning, coordinating, and administering of agricultural stabilization and conservation policies and programs which include acreage allotment and marketing quota programs; programs of Commodity Credit Corporation to stabilize, support, and protect farm income and prices, to assist in the maintenance of balanced and adequate supplies of agricultural commodities, to sell in domestic outlets surplus commodities and to otherwise dispose of such commodities (except as authority is assigned to the Foreign Agricultural Service with respect to policies and programs for export sales and subsidies and barter and to the Agricultural Marketing Service for the distribution of food (19 F.R. 74, as amended by 26 F.R. 8403)), and to finance the commercial sale and exportation of surplus commodities; International Wheat Agreement; International Sugar Agreement; milk, tobacco, and other assigned commodity marketing agreements and orders; emergency feed assistance programs for the relief of agriculture from the effects of any major disaster; the agricultural conservation program and practices assigned ASCS under the Soil Conservation and Domestic Allotment Act, as amended, and the Agricultural Act of 1961; the conservation reserve program; the land retirement program; and sugar programs and activities under the provisions of the Sugar Act of 1948, as amended. This Service also determines the surplus agricultural commodities in CCC inventory which are available for disposition, conducts procurement, processing, shipment, payment, and related service operations on surplus removal and supply operations directed by the Agricultural Marketing Service and by other agencies, performs commodity disposal, handling, shipment, payment and related services for the Foreign Agricultural Service with respect to export sale and subsidy and barter operations, and carries out assigned mobilization and defense activities. The principal office of the Agricultural Stabilization and Conservation Service is at Washington, D.C., in the Administration Building of the U.S. Department of Agriculture. It consists of offices and divisions listed in the following paragraph.

II—*Organization, Agricultural Stabilization and Conservation Service.* A. The following is a listing of the ASCS by reporting lines.

1. Administrator:

Associate Administrator.

2. Deputy Administrator, State and County Operations:

Bin Storage Division.
Compliance and Aerial Photography Division.
Defense Services Staff.
Disaster Livestock Feed Staff.
Area Directors.
ASCS State Offices.
ASCS County Offices.

3. Deputy Administrator, Price and Production:

Cotton Division.
Grain Division.
Livestock, Dairy, and Poultry Division.
Milk Marketing Orders Division.
Oils and Peanut Division.
Price Division.
Sugar Division.
Tobacco Division.

4. Deputy Administrator, Commodity Operations:

Inventory Management Division.
Transportation Services Division.
ASCS Commodity Offices: Cincinnati, Dallas, Evanston, Kansas City, Minneapolis, New Orleans, Portland.
Cotton Products and Export Operations Office, New York, N.Y.

5. Deputy Administrator, Conservation:

Conservation Analysis Division.
Conservation Programs Division.
Soil Bank Division.

6. Deputy Administrator, Management:

Investigation Division.[1]
Internal Audit Division.[1]
Administrative Services Division.
Budget Division.
Fiscal Division.
Information Division.[1]
Operations Analysis Staff.
Personnel Management Division.
Data Processing Center, Kansas City, Mo.

III—*Functional responsibilities.* The following are the responsibilities of the organizational units of the Agricultural Stabilization and Conservation Service, listed in accordance with reporting lines.

A. *Administrator.* The Administrator, who is also the Executive Vice President of the Commodity Credit Corporation, is responsible to the Assistant Secretary in charge of Agricultural Marketing and Stabilization for the general direction and supervision of programs assigned to the Agricultural Stabilization and Conservation Service.

Associate Administrator. The Associate Administrator acts for and assists the Administrator in formulating and administering the policies and programs of ASCS and CCC. The Associate Administrator is also Vice President of the CCC. In the absence or unavailability of the Administrator, the Associate Administrator exercises the powers and performs the duties of the Administrator of ASCS and the Executive Vice President of CCC.

B. *Deputy Administrator, State and County Operations.* The Deputy Administrator, State and County Operations, is primarily responsible for State and county office operations; CCC-owned storage facility operations; compliance with conservation, production adjustment programs and eligibility for price support and other related programs administered through State and county offices; disaster livestock feed programs; policy for implementing production adjustment programs and the payment and production aspects of the Sugar Act; and carries out defense activities including policy for implementing defense production goals and programs. The Deputy Administrator, State and County Operations, provides administrative direction and supervision to Area Directors and assigned Divisions, Staffs and Offices, namely: Bin Storage, Compliance and Aerial Photography, Disaster Livestock Feed Staff, Defense Services Staff, Area Directors, ASCS State and county offices, and the ASCS Caribbean Area Office. The Deputy Administrator, State and County Operations, is also Vice President of the Commodity Credit Corporation.

1. *Bin Storage Division.* The Bin Storage Division formulates and administers programs pertaining to CCC Bin storage operations including: managing the inventories within the bin sites; contracting for and maintaining of bin sites; the protection, quality maintenance and handling of commodities stored therein; and supervision of sales of grain by county offices.

2. *Compliance and Aerial Photography Division.* The Compliance and Aerial Photography Division formulates and administers an overall plan and policy to insure that State and county Committees determine each farm operator's compliance with acreage allotments, acreage bases, permitted acreages, sugar proportionate shares (when established in acres) and certain aspects of conservation practices under Soil Bank and Agricultural Conservation programs. It coordinates and develops complete policies, procedures, methods, and forms for determining compliance with conservation, production adjustment and eligibility for price support and other related programs administered through State and county offices; and it administers the aerial photography program for ASCS.

a. *Aerial Photography Laboratories.* The Compliance and Aerial Photography Division maintains two Aerial Photography Laboratories which plan, organize,

[1] See paragraphs F, F (1), (2), and (6) for policymaking authority.

and direct the photogrammetric service for ASCS and cooperating agencies. The Chiefs of Aerial Photography Laboratories report to the Director, Compliance and Aerial Photography Division.

3 *Disaster Livestock Feed Staff.* The Disaster Livestock Feed Staff is primarily responsible for the operations of emergency feed programs for the relief of agriculture from the effects of any major disaster. It establishes and maintains adequate working arrangements with State and county USDA Disaster Committees to investigate and support requests to the President for major disaster designation or to the Secretary for designation of an emergency area, and for other purposes. It reappraises conditions for recommending program termination or extension.

4. *Defense Services Staff.* The Defense Services Staff coordinate services to USDA State and County Defense Boards and USDA Regional Liaison Representatives. It coordinates the formulation and issuance of all handbooks, and instructions pertaining to USDA defense activities. It provides a centralized service on damage assessment of resources under USDA jurisdiction and carries out other defense activities as assigned.

5. *Area Directors.* The Area Directors have responsibility within specific geographic areas for the administration of assigned Agricultural Stabilization and Conservation programs within ASCS State and county offices and the ASCS Caribbean Area Office. The Area Directors also carry out assigned defense activities. The Area Directors report to the Deputy Administrator, State and County Operations.

a. *ASCS State Offices and ASCS Caribbean Area Office.* ASCS State and ASCS Caribbean Area Offices recommend and suggest agricultural program provisions applicable to the State or Area. They coordinate the execution of agricultural conservation and stabilization, production adjustment, price support, conservation reserve, sugar conditional payments programs, and other assigned programs, and participate in the establishment and administration of marketing agreements and orders, and carry out assigned defense activities. The ASCS State Offices direct and coordinate the activities of county offices. The ASC State Committee and the Director of the ASCS Caribbean Area Office report to the Area Director having responsibility for the geographic area to which the specific State or Area is assigned. The Hawaii ASC State Committee does not have any responsibility for the sugar conditional payments program. This program is carried out in Hawaii under the direction of the State Executive Director who, for this purpose, reports to the Southwest Area Director.

(1) *ASCS County Offices.* ASCS County Offices recommend and suggest to the ASC State Committee agricultural program provisions applicable to the county. They execute agricultural conservation and stabilization, production adjustment, price support, conservation reserve, sugar conditional payments programs and other assigned programs requiring direct dealings with the farmer, and participate in the establishment and administration of marketing agreements and orders. They also carry out assigned defense activities. The ASC County Committees report to their particular ASC State Committee. The Hawaii ASCS county offices do not have any responsibility for the sugar conditional payments program.

C. *Deputy Administrator, Price and Production.* The Deputy Administrator, Price and Production, is primarily responsible for program formulation, policy relating thereto, and interagency coordination of: milk, tobacco and other assigned commodity marketing agreements and orders; the determination of national and State acreage allotments and marketing quotas, and scope of other production adjustments; and price support, including acquisition of inventories, domestic sales programs, and other disposal programs assigned to ASCS, but excluding inventory management operations. The Deputy Administrator, Price and Production, has responsibility for coordinating assigned activities relating to surplus removal, purchase, diversion, and export sales and subsidy operations. He provides administrative direction and supervision to assigned international commodity agreements and to assigned divisions, namely: Cotton, Grain, Livestock, Dairy and Poultry, Milk Marketing Orders, Oils and Peanut, Price, Sugar, and Tobacco Divisions; and carries out assigned defense activities including: program and policy formulation relating to requirements and distribution of nonfood production requisites; analysis of on-farm production resources and capabilities, determination of scope of national and State defense production goals and programs for crops and livestock, salvage and storage of food on farms; and program and policy formulation relating to rehabilitation of facilities on farms. The Deputy Administrator, Price and Production, is also Vice President of the Commodity Credit Corporation.

1. *Commodity Divisions.* There are six Commodity Divisions each of which report to the Deputy Administrator, Price and Production. These divisions and the specific commodity assignments of each are as follows:

Commodity Division and Specific Assignments

Cotton—Upland cotton, extra long staple cotton, cotton products, cottonseed, linters, and other fibers.

Grain—Grain, grain products, and related commodities; and operations under the International Wheat Agreement. The Grain Division also carries out assigned responsibility for farm storage facility and mobile dryer loans.

Livestock, dairy, and poultry—Livestock, meat products, wool, mohair, poultry, poultry products, and milk, butterfat, and their products.

Oils and peanut—Peanuts, tung nuts, castor beans, fats, oils, and other assigned commodities.

Sugar—Sugar, sugarcane, sugar beets, honey, sugar-containing products, and other assigned commodities; also activities pertinent to the Sugar Act of 1948, and the International Sugar Agreement.

Tobacco—Tobacco, tobacco products and by-products, and naval stores. The Tobacco Division also formulates and administers policies and programs pertaining to tobacco marketing agreements and orders.

With respect to commodities assigned, general responsibilities of the Commodity Divisions include:

a. Formulating and administering policies and programs pertaining to marketing agreements and orders, as assigned, production, production adjustments, price support, foreign supply, purchase, domestic sale and other disposal operations assigned to ASCS performing services for AMS with respect to surplus removal and supply operations and for FAS with respect to export sale and subsidy operations and barter and carrying out assigned defense activities.

b. Preparing instructions and procedures for signature of appropriate Deputy Administrator with respect to programs carried out through ASCS State and county offices, ASCS Commodity Offices and agents of CCC; and reviewing the progress of such programs through inspection and reports.

2. *Milk Marketing Orders Division.* The Milk Marketing Orders Division formulates and administers policies and programs for milk marketing agreements and orders and related programs under the terms of the Agricultural Marketing Agreement Act of 1937; and carries out assigned defense activities.

3. *Price Division.* The Price Division administers a price program by developing guides and standards for use in establishing prices, differentials, and margins in connection with price support, inventory, sales, disposal, surplus removal, diversion, export payment, import control, foreign trade and related programs. The Division carries out assigned defense activities including: determination of requirements for manpower, equipment, supplies, and services; domestic distribution of farm equipment, feed, seed, and fertilizer, including the use of related facilities; and rehabilitation of on-farm facilities.

D. *Deputy Administrator, Commodity Operations.* The Deputy Administrator, Commodity Operations, is primarily responsible, within established policies, for all operations carried out by the ASCS Commodity Offices and the Cotton Products and Export Operations Office (NYC); and for the coordination of ASCS–CCC operations with other governmental and nongovernmental organizations participating in ASCS–CCC programs. The Deputy Administrator, Commodity Operations, formulates and interprets policy with respect to inventory management operations beginning at acquisition of inventory, excepting disposition. The Deputy Administrator, Commodity Operations, provides administrative supervision and direction to assigned divisions and offices; and carries out assigned defense activities including operations of defense programs relating to the stockpiling of CCC-owned commodities and furnishing data concerning CCC stocks for damage assessment. Assigned divisions and offices are: Inventory Management, Transportation Services, ASCS Commodity Offices, and Cotton Products and Export Operations

Office (New York, N.Y.). The Deputy Administrator, Commodity Operations, is also Vice President of the Commodity Credit Corporation.

1. *Inventory Management Division.* The Inventory Management Division formulates and administers the inventory management program for ASCS–CCC including: policies and programs for storage, storage standards, storage and handling agreements, the examination and approval of warehouses, diversification and care of commodities; management of inventories considering program requirements and storage availability including reconcentration of loan or inventory stocks; emergency storage, such as the fleet storage program. It carries out assigned defense activities including furnishing data concerning CCC stocks to the Defense Services Staff for damage assessment.

2. *Transportation Services Division.* The Transportation Services Division formulates and recommends policies with respect to inland movements of ASCS–CCC commodities. Provides technical transportation advice and assistance on such commodities. Furnishes specialized services. Negotiates charters and books ocean shipping space for assigned programs. Carries out assigned responsibilities under the Cargo Preference Act; and carries out assigned defense activities.

3. *Cotton Products and Export Operations Office (New York, N.Y.).* The Cotton Products and Export Operations Office administers the export equalization payments program for cotton products. It has the responsibility on loss and damage claims arising on section 416 commodities while in transit from port of export or while in foreign storage. It acts as liaison with shipping agents and others for ASCS Commodity Offices on commodity exports.

4. *ASCS Commodity Offices.* There are seven ASCS Commodity Offices which report to the Deputy Administrator, Commodity Operations. For assigned programs, these offices conduct operations with respect to commodity loans, purchases, shipment, storage, sales, other disposals, and export financing; conduct necessary fiscal examination, payment, and accounting work as assigned; and carry out assigned defense activities. These Commodity Offices are located at the following addresses:

Cincinnati ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 222 East Central Parkway, Cincinnati 2, Ohio.

Dallas ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 500 South Ervay Street, Dallas 1, Tex.

Evanston ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 2201 Howard Street, Evanston, Ill.

Kansas City ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 560 Westport Road, Kansas City 41, Mo.

Minneapolis ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 6400 France Avenue South, Minneapolis 10, Minn.

New Orleans ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Wirth Building, 120 Marais Street, New Orleans 16, La.

Portland ASCS Commodity Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 1218 Southwest Washington Street, Portland 5, Oreg.

E. *Deputy Administrator, Conservation.* The Deputy Administrator, Conservation, is primarily responsible for program policy formulation and interpretation of agricultural conservation, conservation reserve and other programs and practices under land retirement programs; and for the correlation of conservation activities of ASCS with those of other organizations within and outside of the Department. He provides administrative direction and supervision to assigned divisions, namely: Conservation Analysis Division, Conservation Programs Division, and Soil Bank Division; and carries out assigned defense activities including plans and programs for the rehabilitation of farmland.

1. *Conservation Analysis Division.* The Conservation Analysis Division formulates and administers an analysis program for the national agricultural conservation program and other programs and practices under land retirement or special programs; participates in the development and evaluation of national, regional and State needs for conservation of agricultural resources. It performs economic and statistical analyses; evaluates programs and practices; develops criteria for and projections of necessary intensity of programs; and determines farm participation and accomplishments with respect to conservation programs.

2. *Conservation Programs Division.* The Conservation Programs Division formulates and administers policies and programs relating to the agricultural conservation program authorized under sections 7 to 15, 16(a) and 17 of the Soil Conservation and Domestic Allotment Act of 1936, and the Emergency Conservation Measures, including defense plans and programs for rehabilitation of farmland.

3. *Soil Bank Division.* The Soil Bank Division formulates and administers conservation reserve policies and programs of the Soil Bank, including the development of annual rental provisions and the list of practices and rates of payments for practices approved for cost-sharing under the conservation reserve phase of the Soil Bank program.

F. *Deputy Administrator, Management.* The Deputy Administrator, Management, is primarily responsible for the overall management operations within established programs in ASCS–CCC. He provides administrative supervision and direction to assigned staffs, divisions and offices; and carries out assigned defense activities. Assigned staffs, divisions and offices are: Investigation, Internal Audit, Administrative Services, Budget, Fiscal, Information, and Personnel Management Divisions, the Operations Analysis Staff, and the Data Processing Center, Kansas City, Missouri. The Deputy Administrator, Management, is also Vice President of the Commodity Credit Corporation.

1. *Investigation Division.* The Investigation Division formulates and administers an investigations program for all operations of ASCS–CCC, in accordance with policies determined by the Administrator.

a. *Field Offices.* Field Offices of the Investigation Division develop and execute investigation practices, procedures and surveys within their geographic areas. The Chiefs of Field Offices, Investigation Division, report to the Director, Investigation Division. Field Offices are located at the following addresses and serve the States and area as shown:

Field Office, Investigation Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Room 1050, 80 Lafayette Street, New York 13, N.Y.	Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, New Jersey.
Field Office, Investigation Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 50 Seventh Street N.E., Atlanta 23, Ga.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and the Caribbean Area.
Field Office, Investigation Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 1212 North Lake Shore Drive, Chicago 10, Ill.	Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.
Field Office, Investigation Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 4400 General Bruce Drive, Temple, Tex.	Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas.
Field Office, Investigation Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Room 314, 417 Market Street, San Francisco 5, Calif.	Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.

2. *Internal Audit Division.* The Internal Audit Division formulates and administers a comprehensive internal audit program covering all operations of ASCS, CCC, their agents and contractors, in accordance with policies determined by the Administrator.

a. The Internal Audit Division, ASCS, Washington, D.C., conducts audits of divisions and offices of Agricultural

Stabilization and Conservation Service and the Commodity Credit Corporation located in Washington, D.C. (including the Washington Field Office, Fiscal Division, ASCS and the Eastern Aerial Photography Laboratory, Compliance and Aerial Photography Division, ASCS). It also conducts audits of ASCS State and county offices in the following States: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, and Virginia (except agents and contractors under the peanut programs), and the Cotton Products and Export Operations Office, New York, N.Y.

b. *Field Offices.* Field Offices of the Internal Audit Division conduct audits within their geographical areas. The Chiefs of Field Offices, Internal Audit Division report to the Director, Internal Audit Division. Field Offices are located at the following addresses and audit ASCS State, county and commodity offices, and other offices as shown:

Field Office, Internal Audit Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 881 Peachtree Street NE., Atlanta 9, Ga.	Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Caribbean Area, and agents and contractors under the peanut program in Virginia. ASCS Commodity Offices at Cincinnati, Ohio, and New Orleans, La.
Field Office, Internal Audit Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 1607 West Howard Street, Chicago 26, Ill.	Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Montana, North Dakota, Ohio, South Dakota, Wisconsin. ASCS Commodity Offices at Evanston, Ill., and Minneapolis Minn.
Field Office, Internal Audit Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 4400 General Bruce Drive, Temple, Tex.	Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, Texas, Wyoming. ASCS Commodity Offices at Dallas, Tex., and Kansas City, Mo. Denver Field Offices, Administrative Services, Fiscal and Personnel Management Divisions, Denver, Colo.
Field Office, Internal Audit Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 821 Market Street, Room 324, San Francisco 3, Calif.	Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, Washington. ASCS Commodity Office at Portland, Oreg. Western Aerial Photography Laboratory, Salt Lake City, Utah.
Field Office, Administrative Services Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 560 Westport Road, Kansas City 41, Mo.	Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming.

3. *Administrative Services Division.* The Administrative Services Division formulates and administers an administrative services program on records, procedures, reports, forms, communications, procurement, property, leasing, printing, and related office services; installs, maintains, operates or supervises the operation of administrative services in Washington and field offices, including ASCS county offices. The ASCS Caribbean Area Office and the following States are served by the Administrative Services Division, Washington, D.C.

Alabama.	Indiana.
Arkansas.	Iowa.
Connecticut.	Kentucky.
Delaware.	Louisiana.
Florida.	Maine.
Georgia.	Maryland.
Illinois.	Massachusetts.
Michigan.	Pennsylvania.
Mississippi.	Rhode Island.
Missouri.	South Carolina.
New Hampshire.	Tennessee.
New Jersey.	Vermont.
New York.	Virginia.
North Carolina.	West Virginia.
Ohio.	Wisconsin.

a. *Field Office.* The Field Office of the Administrative Services Division in Kansas City, Mo., directs and coordinates the management of administrative services within the designated geographical area which comprises its territory. The field office is located at the following address and serves all ASCS offices in Kansas City, Mo., the New Orleans ASCS Commodity Office (New Orleans, La.), and all ASCS State and field offices in the States shown:

4. *Budget Division.* The Budget Division formulates and administers ASCS and CCC budget plans, policies, presentations, and procedures, covering all funds utilized, including administrative expense funds, corporate capital funds, funds appropriated for payments to farmers, funds allocated from other sources, and other funds and coordinates all activities related to legislation affecting ASCS and CCC programs. It exercises technical direction over budgetary activities of ASCS field offices.

5. *Fiscal Division.* The Fiscal Division formulates and administers fiscal and claims policies for ASCS and CCC; develops, implements and installs systems, accounts, methods, and procedures relating to CCC financing and to accounting for programs and program activities financed with ASCS, CCC and other funds, including administrative funds; analyzes financial and operating data and prepares financial statements; exercises technical direction over fiscal activities of ASCS offices and fiscal agents.

a. *Field Offices.* Field Offices of the Fiscal Division are responsible for the operation of accounting systems to provide control over appropriated and other funds of ASCS, including funds of other agencies made available to ASCS for activities within the jurisdictional area: and direct and coordinate assigned fiscal and claims work within their designated geographical areas.

Field Office (Washington), Fiscal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington 25, D.C.	ASCS Divisions and Offices in Washington. ASCS State Offices and field offices of the Internal Audit Division, and Investigation Division located in the following States: Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. The Eastern Aerial Photography Laboratory of the Compliance and Aerial Photography Division, Asheville, N.C., the ASCS Caribbean Area Office, San Juan, P.R., the Cotton Products and Export Operations Office (in New York City), and the ASCS Commodity Office located in Cincinnati, Ohio.
Field Office (Denver), Fiscal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Federal Center, Building 53, Denver 25, Colo.	ASCS State Offices and field offices of Internal Audit Division and Investigation Division located in the following States: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming. The Western Laboratory of the Compliance and Aerial Photography Division, the ASCS Commodity Offices located in Evanston, Ill., Dallas, Tex., Kansas City, Mo., Minneapolis, Minn., New Orleans, La., and Portland, Oreg., and the Data Processing Center, Kansas City, Mo.

6. *Information Division.* The Information Division formulates and administers a comprehensive information service program, including current releases, background statements, technical and popular publications, educational services, annual and special reports, radio and television scripts, and other information material for authorized dissemination to the public and to the trade. Overall information policy is determined by the Administrator.

7. *Operations Analysis Staff.* The Operations Analysis Staff provides national leadership and coordination to agency efforts at achieving progressive management policies and operating systems with special emphasis on mechanization and data processing, organizational planning, work measurement, manpower utilization, management improvement, and related activities.

8. *Personnel Management Division.* The Personnel Management Division formulates and administers a personnel management program, including organization analysis. The Division installs, maintains, operates, coordinates or supervises the operation of the personnel management program in ASCS Washington and field offices. The ASCS Caribbean Area and the following States are served by the Personnel Management Division, Washington, D.C.:

Alabama.	Mississippi.
Arkansas.	Missouri.
Connecticut.	New Hampshire.
Delaware.	New Jersey.
Florida.	New York.
Georgia.	North Carolina.
Illinois.	Ohio.
Indiana.	Pennsylvania.
Iowa.	Rhode Island.
Kentucky.	South Carolina.
Louisiana.	Tennessee.
Maine.	Vermont.
Maryland.	Virginia.
Massachusetts.	West Virginia.
Michigan.	Wisconsin.

a. *Field Office.* The Field Office of the Personnel Management Division in Kansas City, Mo., directs and coordinates the execution of position classification, employment, employee training, employee relations, incentives, information, safety, promotion, and related functions within the designated geographical area which comprises its territory. The field office is located at the following address and serves all ASCS offices in Kansas City, Mo., and all ASCS State and division field offices in the States shown:

Field Office, Personnel Management Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 560 Westport Road, Kansas City 41, Mo.	Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming.

9. *Data Processing Center, Kansas City, Mo.* The Data Processing Center, Kansas City, Mo., plans and conducts a centralized data processing and accounting function applicable for grain price-support loan, purchase agreement, and inventory programs and for other ASCS programs and activities as assigned.

IV—*Contracting and claims officers and representatives of the Secretary*—A. *CCC Contracting Officers.* CCC Contracting Officers are appointed by the Executive Vice President, CCC, or by Division and ASCS Commodity Office Directors with the approval of the Executive Vice President of the Commodity Credit Corporation and may to the extent authorized by their appointment execute contracts relating to activities of the Commodity Credit Corporation for which the Division or office is responsible. The names of such officers and information with respect to their authority may be obtained from the appropriate Director.

B. *Representatives of the Secretary.* Representatives of the Secretary are appointed by Division and ASCS Commodity Office Directors, subject to the written approval of the Administrator, Agricultural Stabilization and Conservation Service, and may, to the extent authorized by their appointment, execute contracts relating to the activities under commodity programs approved pursuant to section 32 of the act of August 24, 1935, as amended, or section 6 of the National School Lunch Act for which the division or office is responsible. The names of such officers and information with respect to their authority may be obtained from the appropriate Director.

C. *CCC Claims Officers.* CCC Claims Officers are appointed by the Executive Vice President, CCC; or by Division and ASCS Commodity Office Directors with the approval of the Executive Vice President of the Commodity Credit Corporation and may settle certain types of claims by and against the Commodity Credit Corporation. The names of such officers and information with respect to their authority may be obtained from the appropriate director.

D. *Contract Disputes Board for Commodity Credit Corporation.* The members of Contract Disputes Board for CCC are appointed by the Board of Directors of CCC with the approval of the Secretary of Agriculture. The Board has jurisdiction to act for and on behalf of CCC and its officers (a) to consider and determine appeals by claimants on contract claims against CCC involving doubtful or disputed questions of fact or law where settlement or adjustment cannot otherwise be effected under established policies and procedures, (b) upon request of the Executive Vice President or other officer of CCC, to exercise the authority of the Executive Vice President or other officer in connection with (1) any contract claim by or against CCC, including settlement and adjustment of any such claim, and (2) the suspension or debarment of any contractor, and (c) to act for the head of the agency or for any other officer of CCC to whom appeals may be taken from findings of fact by a contracting officer under any contract disputes provision which provides a method for final and conclusive determination of disputed questions of fact. The decisions of the Board on all matters falling within its jurisdiction are final for administrative purposes within the Department of Agriculture. The names of such members and information with respect to their authority may be obtained from the Secretary, Commodity Credit Corporation.

V—*Delegations of authority*—A. *Administrator.* The Administrator formulates and administers programs assigned to ASCS under delegated authority from the Secretary of Agriculture (19 F.R. 74, as amended). This includes authority to execute any document, authorize any expenditure, promulgate any rule, regulation, order, or instruction required by law or deemed by him to be necessary and proper to the discharge of the functions assigned to the ASCS, and take any other actions incident to the discharge of such functions. This authority is exercised under the general direction and supervision of the Assistant Secretary in charge of Agricultural Marketing and Stabilization and is subject to the general responsibilities of the Secretary to the President and to Congress.

In no case does any delegation of authority to the Administrator preclude the Secretary, Under Secretary, or the appropriate Assistant Secretary, from exercising any of the powers or functions so delegated. With the exception of authorities which are restricted from redelegation, the Administrator may delegate his authority and provide for the redelegation thereof to appropriate officers and employees. General delegations of authority are cited in paragraph V B and C.

B. *Members of the Administrator's Immediate Staff.* Subject to any restrictions on redelegation of authority by heads of agencies, the Administrator has delegated to the Associate Administrator authority to act for him in his absence or inability to act, including the exercise of all powers and authorities which he himself holds, and to the Deputy Administrator, State and County Operations, the Deputy Administrator, Price and Production, the Deputy Administrator, Commodity Operations, the Deputy Administrator, Conservation, and the Deputy Administrator, Management, authority to establish and interpret policies, institute activities and operations, execute documents, issue instructions and orders, and perform any other actions necessary to the performance of their assigned functions and responsibilities, as currently assigned or as hereafter assigned to them. Except when redelegation is specifically prohibited, this authority includes the power of redelegation.

In the absence of the Administrator, and the Associate Administrator, the Deputy Administrators shall serve as Acting Administrator in the order of precedence set forth above. In the absence of the Administrator, Associate Administrator, and all Deputy Administrators, the Executive Assistant to the Administrator shall serve as Acting Administrator.

c. *Directors of Divisions and ASCS Commodity Offices.* Under the general supervision and direction of the Admin-

istrator or of the Deputy Administrator who has been specifically assigned responsibility for direction of the programs and activities involved, the directors of all divisions of the ASCS and directors of all ASCS commodity offices are authorized, in connection with the performance of their assigned functions and responsibilities, to execute contracts, agreements, and other documents, to perform any other actions necessary thereto, and to settle and adjust CCC claims within limitations established by the Commodity Credit Corporation. All authorities shall be exercised within the confines of administrative and functional areas of jurisdiction and, in the case of commodity divisions and ASCS commodity offices, in accordance with commodity assignments. All authorities and responsibilities relating to Commodity Credit Corporation shall be exercised in accordance with the by-laws of Commodity Credit Corporation. Current functions and responsibilities are set forth in paragraph III C, D. With the exception of authorities which are restricted from redelegation, this authority includes the power of redelegation. This statement of authority shall not be construed as waiving any restrictions, limitations, or requirements stated in the specific delegation of authority or imposed in governing policies, rules, regulations, or procedures.

VI—*Availability of records and information.* Any person desiring information or to make submittals or requests with respect to the programs and functions of this Service, should address his request to: Administrator, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., or to the Director of the particular division or office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. The records of the Service and its Divisions and Offices are available for examination in accordance with rules and designations of records issued by the Secretary.

VII—*Prior authorization and delegations.* The statement of Organization and Functions and Delegations of Authority of Commodity Stabilization Service issued November 9, 1960 (25 F.R. 10708), is hereby superseded. All subdelegations of authority relating to any function covered by such superseded statement or by this statement shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked. Nothing herein shall affect the validity of any action heretofore taken under previous delegations or subdelegations of authority or assignment of functions.

Signed at Washington, D.C., this 4th day of May 1962.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

Approved: May 7, 1962.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 62-4611; Filed, May 10, 1962; 8:50 a.m.]

[Amdt. 2]

HYBRID CORN AND HYBRID SORGHUM SEED

Section 32 Diversion Program

The regulations published in 27 F.R. 2812 are hereby amended to clarify eligibility of sorghum seed.

Paragraph 7 *Seed eligible for diversion* is amended to read as follows:

7. *Seed eligible for diversion.* Only hybrid grain sorghum seed meeting minimum standards for pure seed and germination for certified seed in the State where it was grown is eligible for diversion under this program. Sorghum seed that has been tested and found to meet the standards and labelled as seed or eligible to be labelled as seed is eligible without new tests being made even if the first test is out of date. New tests for pure seed and germination do not have to be made at time of diversion unless such tests have not previously been made. Only flat grades of hybrid corn seed will be eligible for diversion under this program. For the purposes of this program, flat grades of corn seed shall be corn seed which passes through a $^{14}/_{64}$-inch by $^{3}/_{4}$-inch slot screen and remains on a $^{16}/_{64}$-inch round-hole screen. All seed must have been completely processed prior to diversion, except that it need not be sized, treated with fungicides or insecticides, or bagged, and must have been produced in the continental United States either (a) by the applicant on land owned or rented by the applicant or (b) for the applicant under contract between the applicant and farmers.

Dated: May 8, 1962.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-4613; Filed, May 10, 1962; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Programs

[File 23-729]

INTERTECHNIK, G.m.b.H. ET AL.

Default Order Denying Export Privileges

In the matter of Intertechnik, G.m.b.H., Wilhelm Heinrich Schlachet, Fanica Schlachet, 1 Liliengasse, Vienna I, Austria; Deutsche Intertechnik, G.m.b.H., Neue Mainzerstrasse 14-16, Frankfurt, West Germany, Respondents, File 23-729.

The Director, Investigations Staff, Bureau of International Programs (formerly the Bureau of Foreign Commerce), U.S. Department of Commerce (hereinafter referred to as BIP), by charging letter dated December 6, 1961, charged the above named respondents with violations of the Export Control Act of 1949, as amended, and the regulations issued thereunder.

It was alleged in the said charging letter that Wilhelm Heinrich Schlachet and Fanica Schlachet, his wife, were managers and sole owners of Intertechnik, G.m.b.H. (They are collectively referred to herein as Intertechnik unless otherwise indicated. Deutsche Intertechnik was a related company managed by Wilhelm Schlachet.) It was alleged that Intertechnik placed an order with a U.S. exporting firm which filed with BIP on the basis of said order an application for a license to export 100 crystal diodes, Type IN 150, to Intertechnik as purchaser, and Friedrich Pfanhauser, of Vienna, as ultimate consignee, on the basis of a consignee-purchaser statement purportedly signed by Pfanhauser for the purposes of such application. But, as alleged, despite diligent check in Vienna by U.S. officials Pfanhauser could not be located in Vienna or elsewhere as being a person in business. From these facts it was alleged that Intertechnik was attempting to obtain a strategic commodity by submitting false and misleading statements to the U.S. supplier to be passed on to the BIP to obtain an export license.

It was further charged that Deutsche Intertechnik ordered from the Frankfurt, Germany subsidiary of a U.S. supplier one U.S. origin wave guide frequency meter with accessories. It was alleged that Wilhelm Schlachet had assured the Frankfurt subsidiary that the U.S. origin instrument and accessories were for the buyer's use in its own test laboratory, but it in fact intended to sell the U.S. commodities and dispose of them to unauthorized uses and destination without the required prior approval by the BIP.

It was also alleged that Wilhelm Schlachet sought the aid of another U.S. supplier to supply Intertechnik with a large number of strategic commodities of U.S. origin, for which validated export licenses could be obtained on the basis of false "end-use statements", supplied by Intertechnik, to state that the commodities shipped thereunder would be used in Austria, but would in fact be transshipped to Hungary or other bloc country in direct violation of the U.S. export control law.

The respondents were thereby alleged to have committed violations of the Export Control Act of 1949, as amended and the Export Regulations issued thereunder.

The charging letter was served on the respondents in accordance with the provisions of § 382.3 of the Export Regulations, and upon failure of all the respondents to answer the charging letter they were deemed to be in default and the matter was referred to the Compliance Commissioner in accordance with § 382.4 of the Export Regulations. The Compliance Commissioner held a default proceeding at which evidence and argument were presented in support of the charges on behalf of the Director of the Investigations Staff by a member of the Office of General Counsel, U.S. Department of Commerce. The Compliance Commissioner made findings, reached the conclusion that the violations as charged had been established and reported to me his findings and conclu-

sions, together with his recommendation that the respondents be denied all export privileges for the duration of the period of export controls.

Now, after considering the entire record consisting of the charges, the evidence submitted in support thereof, and the report and recommendations of the Compliance Commissioner, I hereby make the following findings of fact:

1. At all times hereafter mentioned Wilhelm Heinrich Schlachet (also known as Wilhelm Schlachet) and Fanica Schlachet, his wife, were managers and owners of Intertechnik, G.m.b.H. (hereafter collectively referred to as Intertechnik). Deutsche Intertechnik, G.m.b.H., was a related company managed by Wilhelm Schlachet.

2. On the basis of an order received from Intertechnik, which was accepted by a U.S. supplier, the latter filed with BIP an application for a license to export 100 crystal diodes, Type IN 150, to Intertechnik with Friedrich Pfanhauser, 17 Gestettengasse, Vienna, designated in a Form FC 842 signed by him as ultimate consignee. Diligent efforts by U.S. officials in Austria through inquiry of Wilhelm Schlachet and otherwise failed to locate Pfanhauser at the Vienna address or to establish that such a person even existed. The export license was refused.

3. Intertechnik had knowingly attempted to obtain the crystal diodes from the U.S. supplier by submitting to it a false and misleading Form FC 842, to conceal the true interest in the proposed export transaction.

4. Deutsche Intertechnik ordered in Frankfurt, West Germany, from the West German subsidiary of a second U.S. supplier, one U.S. origin wave guide frequency meter with accessories. The order was accepted on the basis of assurances by Wilhelm Schlachet that the said instrument and accessories were for use by Deutsche Intertechnik in its own test laboratory, which in fact did not exist.

5. The pro forma invoice and the formal commercial invoice for the above transaction carried the destination control clause required by law to state that the shipment contained U.S. origin commodities licensed for use in West Germany and West Berlin only, and that unauthorized re-export of the same without prior BIP approval was prohibited by law.

6. Wilhelm Schlachet later claimed he had shipped the instrument and accessories to Friedrich Pfanhauser, previously mentioned herein, who then had only a postal box number in Hanover, West Germany. Despite diligent efforts by U.S. authorities to locate Pfanhauser in West Germany or elsewhere he has never been found or even shown to exist. Wilhelm Schlachet and Deutsche Intertechnik had received the above mentioned instrument and accessories of U.S. origin and disposed of them to unauthorized uses and destination in violation of the U.S. export control law as set forth in the destination control clauses.

7. Wilhelm Schlachet met in Vienna with a U.S. sales representative of a third U.S. supplier for export of U.S. origin commodities of a strategic nature, and Schlachet proposed a series of orders and transactions for U.S. origin commodities to be covered by validated export licenses to be supported by false end-use statements to be supplied the exporter by Intertechnik, with certifications that the end user and destination would be in Austria but with the intention that when received there by Intertechnik they would be transshipped and re-exported by it to Hungary without the prior BIP approval as required by the U.S. Export Regulations.

From these findings I have reached the following conclusions:

That by the foregoing actions, Intertechnik, G.m.b.H., Wilhelm Schlachet, Fanica Schlachet, and Deutsche Intertechnik, G.m.b.H.,

(a) Knowingly caused, aided, abetted, induced, procured, and permitted the doing of acts which were prohibited by the United States export control law and licenses and regulations issued thereunder, in violation of § 381.2 of the Export Regulations.

(b) Made directly and through third persons false and misleading statements to BIP and likewise concealed material facts from BIP concerning the ultimate destination and use of commodities in, and true parties in interest to, U.S. export transactions, in violation of § 381.5 of the Export Regulations.

(c) Solicited the commission of, and attempted to bring about violations of the export control law and regulations and licenses issued thereunder, in violation of § 381.3(a) of the Export Control Regulations.

(d) Engaged in unethical activities and demonstrated that they do not possess the required integrity and ethical standards, as provided in § 384.2(a) of the Export Regulations.

Having concluded that the recommended action is fair, just and necessary to achieve the effective enforcement of the law: *It is hereby ordered:*

I. All outstanding licenses in which any of the respondents appear or participate as purchaser, intermediate or ultimate consignee, or otherwise are hereby revoked and shall be returned forthwith to the Bureau of International Programs for cancellation.

II. So long as export controls shall be in effect all of the named respondents and each of them hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing denials of export privileges, participation in an exportation is deemed to include and prohibit participation by any respondent or related party directly or indirectly in any manner or capacity (a) as a party or as a representative of a party to any validated export license application, or documents to be submitted therewith, (b) in the preparation or filing of any export license application or of any documents to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities or technical data, in whole or in part exported or to be exported from the United States, and (e) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

III. Such denial of export privileges shall extend not only to the respondents, but also to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. During the time when any respondent or related party is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Programs, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any such respondents or related party, or whereby any such respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

V. Should any respondent against whom this order has been issued in default desire to contest this order, he may apply upon good cause shown, together with evidentiary data in support thereof, to set aside his default and vacate the order against him entered herein. The application shall be submitted to the Director, Office of Export Control, Bureau of International Programs, Washington 25, D.C., in accordance with the requirements in § 382.4(b) of the Export Regulations and will be disposed of in accordance with the procedure set forth herein.

Dated: May 9, 1962.

FORREST D. HOCKERSMITH,
Acting Director,
Office of Export Control.

[F.R. Doc. 62-4608; Filed, May 10, 1962; 8:49 a.m.]

FEDERAL RESERVE SYSTEM

MORGAN NEW YORK STATE CORP.

Order Denying Application Under Bank Holding Company Act

In the matter of the application of Morgan New York State Corporation for prior approval of the acquisition of 100 percent of the voting shares of Morgan Guaranty Trust Company of New York and of six banking institutions in upstate New York.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842) and § 222.4(a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application on behalf of Morgan New York State Corporation, Albany, N.Y., for the Board's prior approval of action whereby Morgan New York State Corporation would become a bank holding company through acquisition of 100 percent of the voting shares of Morgan Guaranty Trust Company of New York; Manufacturers and Traders Trust Company, Buffalo; Lincoln Rochester Trust Company, Rochester; First Trust & Deposit Company, Syracuse; the State bank or trust company into which would be converted The National Commercial Bank and Trust Company of Albany; the State bank or trust company into which would be converted First-City National Bank of Binghamton, N.Y.; and the State bank or trust company into which would be converted The Oneida National Bank and Trust Company of Central New York, Utica.

A notice of receipt of application was published in the FEDERAL REGISTER on July 27, 1961 (26 F.R. 6751), which provided an opportunity for submission of comments and views regarding the proposed acquisition; following receipt of comments and views, the Board ordered a public oral presentation of views which was conducted before the Board on December 7, 1961, and at which all persons requesting opportunity to appear, and did so appear, were heard and were given opportunity to submit further written expressions of views; and all comments and views received in the course of these proceedings have been considered by the Board.

Accordingly, it is ordered, For the reasons set forth in the Board's Statement [1] of this date, that said application be and hereby is denied.

Dated at Washington, D.C., this 4th day of May, 1962.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 62-4622; Filed, May 10, 1962; 8:50 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to the Federal Reserve Bank of New York. Concurring statement of Governor Mitchell also filed as part of the original document and available upon request.

DEPARTMENT OF THE TREASURY

Bureau of Customs

[AA 643.3-w]

LIGNIN VANILLIN FROM CANADA

Purchase Price; Foreign Market Value

MAY 7, 1962.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of lignin vanillin imported from Canada is less or likely to be less than the foreign market value as defined by sections 203 and 205 respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of lignin vanillin from Canada pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

The complaint in this case was made by the firm of Sharretts, Paley & Carter on behalf of Sterling Drug Inc.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F.R. Doc. 62-4601; Filed, May 10, 1962; 8:49 a.m.]

Comptroller of the Currency

NATIONAL BANK EXAMINATION OFFICES

Notice of New Regional Organization

On May 3, 1962, the Comptroller of the Currency announced a reorganization and expansion of the National Bank Examination Offices throughout the country to take effect August 1, 1962. Three new regional offices will be established at Denver, Colo.; Memphis, Tenn.; and Portland, Oreg. As a result of the announced reorganization there will be 14 Regional Offices, each to be headed by a Regional Chief National Bank Examiner, located as follows:

National Bank Region	Regional Office	Regional Chief National Bank Examiner
Number 1 Maine. New Hampshire. Vermont. Massachusetts. Rhode Island. Connecticut.	Boston, Mass.	Elmer J. Peterman.
Number 2 New York. New Jersey.	New York, N.Y.	Frank W. Krippel.
Number 3 Pennsylvania.	Philadelphia, Pa.	Marshall Abrahamson.
Number 4 Indiana. Ohio. Kentucky.	Cleveland, Ohio	Chalmer L. DeRemer.
Number 5 West Virginia. Maryland. Delaware. Virginia. North Carolina.	Richmond, Va.	Norman R. Dunn.
Number 6 South Carolina. Georgia. Florida.	Atlanta, Ga.	John D. Gwin.
Number 7 Illinois. Michigan.	Chicago, Ill.	Joseph G. Lutz.
Number 8 Arkansas. Tennessee. Louisiana. Mississippi. Alabama.	Memphis, Tenn.	William A. Robson.
Number 9 North Dakota. South Dakota. Minnesota. Wisconsin.	Minneapolis, Minn.	Cyril B. Upham.
Number 10 Nebraska. Kansas. Iowa. Missouri.	Kansas City, Mo.	Paul L. Ross.
Number 11 Oklahoma. Texas.	Dallas, Tex.	Clarence B. Redman.
Number 12 Wyoming. Colorado. Utah. New Mexico. Arizona.	Denver, Colo.	John R. Thomas.
Number 13 Washington. Oregon. Idaho. Montana. Alaska.	Portland, Oreg.	Kenneth W. Leaf.
Number 14 California. Nevada. Hawaii.	San Francisco, Calif.	James C. Osborn.

The new regional organization of the National Banking System will follow State boundaries, eliminate split States existing under the presently constituted arrangement, and will redistribute examination work on a more efficient basis. It will also provide better utilization of available personnel, more efficient management of all examining functions, and give long overdue recognition to the fast economic growth of the Northwestern States, the Rocky Mountain States, and the Southern States in the new Regions.

Mr. W. A. Robson, presently Chief National Bank Examiner at St. Louis, has been transferred to Memphis as Regional Chief National Bank Examiner.

Mr. J. R. Thomas, presently Assistant Chief National Bank Examiner at the Washington Headquarters, has been transferred to the new Denver Region as Regional Chief National Bank Examiner.

Mr. Kenneth W. Leaf, presently Assistant Chief National Bank Examiner at the Washington Headquarters, has been transferred to the new Portland Region as Regional Chief National Bank Examiner.

Dated: May 4, 1962.

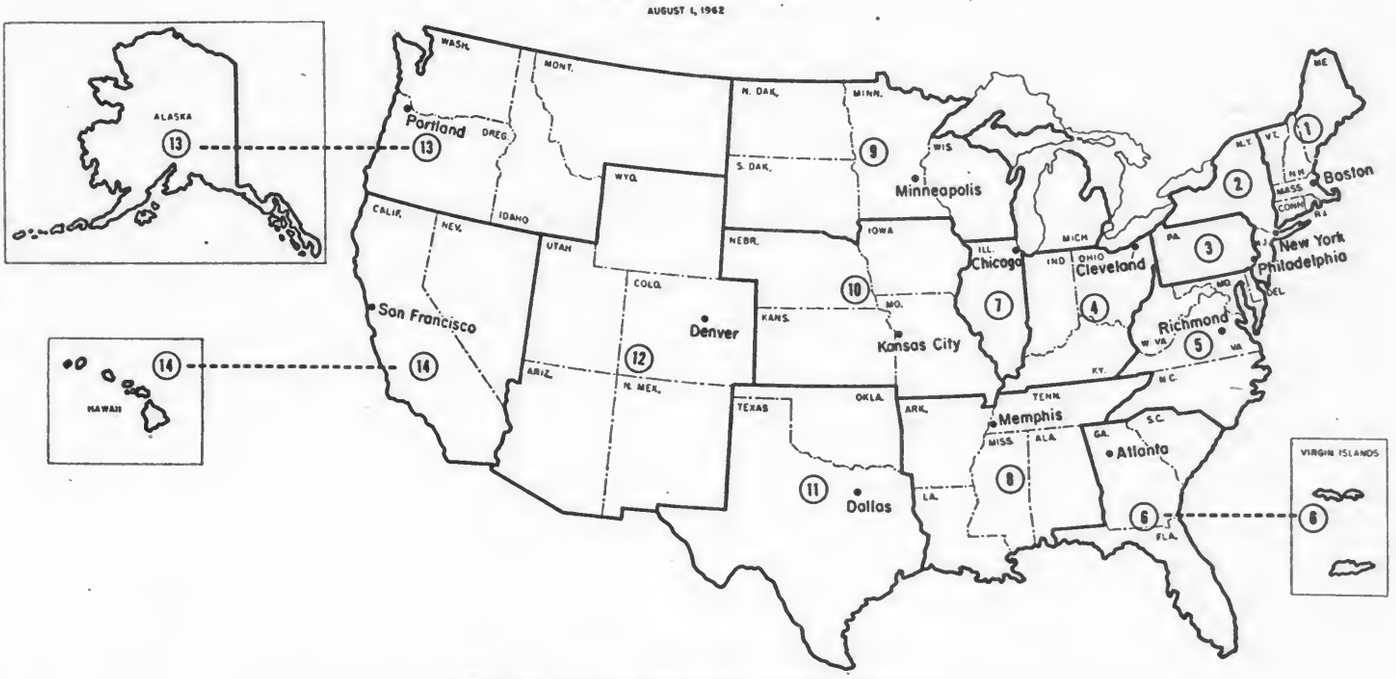
[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

COMPTROLLER OF THE CURRENCY

THE NATIONAL BANKING SYSTEM

Regional Organization

AUGUST 1, 1962



[F.R. Doc. 62–4533; Filed, May 10, 1962; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Order E–18310; Docket No. 11582 etc.]

CAPITAL AIRLINES, INC.; COMPETITIVE TRUNKLINE SERVICE INVESTIGATION

Order Disposing of Motions for Dismissal or Deferral, Petition for Clarification and Reconsideration, and Petitions for Leave To Intervene

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 7th day of May, 1962.

In the matter of the applications of Capital Airlines, Inc., Dockets Nos. 11582, 11583, 11584, 11585, for amendments of certificates of public convenience and necessity under Section 401 of the Federal Aviation Act of 1958, as amended.

In the matter of competitive trunkline service investigation, Docket 13296, on segments 1, 2, and 3 of United's Route 51.

Order E–17851, December 19, 1961, instituted an investigation known as the Competitive Trunkline Service Investigation, Docket 13296, and made certain carriers parties to the investigation.

United Air Lines, Inc. (United) requests that the Board dismiss the above-entitled proceeding or indefinitely defer further procedural steps therein. It alleges, inter alia, that: (1) The ability of the markets to support the services of Delta Air Lines, Inc. (Delta), Eastern Air Lines, Inc. (Eastern) and United was fully considered in the United-Capital Merger Case and the absence of any new unforeseen circumstances since then renders this case premature; (2) a meaningful record cannot be developed at this time, since it would be made without any opportunity for the markets in question to prove their traffic generating capabilities with service by three financially sound carriers operating modern equipment under normal conditions; (3) the investigation is untimely since carriers are discussing merger proposals which may change route patterns in this proceeding and the Board should create a favorable climate for mergers; (4) mandatory route deletions and modifications are injurious to both the carriers and the public and should be undertaken only as a last resort; (5) traffic will catch up to capacity as it has done before; therefore, a solution to excessive competition is the withholding of new competitive awards; and (6) the Board should set forth its full program to institute route alignment proceedings before processing any such proceedings. United also requests that Order E–17851 be clarified to specifically provide that the routes of United, American, Braniff, Eastern, Delta and National are in issue as in paragraph 1 thereof.

Eastern answered United's motion urging denial and that the proceeding go forward expeditiously. Delta requested denial of United's motion to dismiss or defer the proceeding, and, in the alternative, asked for deferral of further procedural steps until decision by the U.S. Court of Appeals for the District of Columbia in the appeals taken to that court from the United-Capital Merger Case.

The Raleigh-Durham Airport Authority (Raleigh-Durham) filed a reply in support of United's motion for dismissal or deferral. It also petitioned for clarification and reconsideration of Order E–17851, the order instituting this investigation. United filed an answer in opposition to Raleigh-Durham's petition for clarification. Eastern also filed an answer to this petition and suggested that the issues raised therein could best

be treated at the prehearing conference when the scope of the proceeding would be explored. The carrier did not support expansion of the issues, as suggested by Raleigh-Durham, because of the need for expedition and lack of showing of any justification for such expansion.

The Asheville and Hendersonville, North Carolina, Chamber of Commerce (Asheville and Hendersonville) also petitioned for dismissal of this proceeding. Petitions for leave to intervene were filed by Piedmont Aviation, Inc., Greensboro-High Point Airport Authority, Northeast Airlines, Inc., Southern Airways, Inc., Memphis Chamber of Commerce, the City of Memphis, Mayor and City Council of Baltimore, Baltimore Association of Commerce and the Greater Baltimore Committee, Inc., City of Philadelphia, Huntsville-Madison County Airport Authority, Peninsula Airport Commission, Asheville and Hendersonville, and the City of Charlotte and the Charlotte Chamber of Commerce.

We will deny United's motion to dismiss or defer this proceeding. Contrary to United's allegation, the Board did not consider, nor did the parties litigate, the public convenience and necessity issues respecting the operations of United, as successor to Capital, over the New York-Atlanta-New Orleans segment in the United-Capital Merger Case. We were not persuaded at that time that the public convenience and necessity did not require the continued certification of Capital on this segment. For that reason, in part, we declined to impose the nontransfer conditions urged by other carriers. We made it clear, however, that we would take another look at the matter in the future in the event of unforeseen circumstances developing with regard to these routes. United claims that no unforeseen circumstances have developed which require a need for the present investigation. We disagree. Thus, for example, United has accelerated its entrance into the key Route 51 markets to a degree not indicated by the carrier's representations in the Merger Case, with a resulting sizable increase in available seats due to the introduction of turbo-jet equipment.

United says that the industry has withstood other periods of excessive competition and there is no need for drastic route realignment proceedings. It claims that traffic will catch up with capacity as it has done before. United also believes that the Board should set forth its full program to institute route realignment proceedings before processing any such proceedings.

The poor earnings experience of the domestic airline industry during 1961 is a matter of public record. It emphasizes the need for a review of multiple trunkline competition, and reenforces our belief that we should move forward promptly with the proceeding. United has not convinced us that we should dismiss the proceeding or defer action until the Board has developed a full program for route realignment proceedings with the undue delay this would cause in disposition of the investigation. United will, of course, have every opportunity in the investigation to urge on the merits that adverse action should not be taken with respect to its routes.

Eastern's answer (at p. 11) states that it is clear that the investigation is directed toward United's Route 51 operations, and thus, the certificates of carriers other than United cannot be amended as a result of this proceeding. Eastern's understanding is incorrect. In Order E–17851, the Board stated that it "has become increasingly aware of the need for a review of multiple trunkline competition in various areas of the trunkline route structure" and that the review herein will encompass "all trunkline authorizations between New Orleans and the Northeast via Atlanta, and between Memphis and the Northeast." Likewise paragraph 1 of said Order refers specifically to the competitive trunkline authorizations on segments 1, 2, and 3 of United's Route 51. Thus, the routes of American, Braniff, Delta, Eastern, National, as well as that of United, are in issue.

Raleigh-Durham requests that the proceeding be expanded to include, in the event of suspension or deletion of any carrier on any route serving Raleigh-Durham, questions of redesignating that point on other routes of the suspended carrier or on routes of other trunkline parties to this case. In the order instituting this investigation we made it clear that requests for new or additional service other than between Huntsville and Washington/New York will not be considered herein. National defense considerations dictate the one exception. As now defined, the scope of this proceeding involves a multiplicity of issues relating to six carriers and numerous air markets. Grant of Raleigh-Durham's request would result in a whole series of new issues, including the public convenience and necessity for new and additional authorizations, and thereby unduly expand the scope of this investigation.

Our instant action, of course, will not deprive the city of a fair hearing. For the city, at the hearing, will have an opportunity to demonstrate the need for the service it now holds and the adverse impact upon it of any diminution of such service. Rather than await the prehearing conference to delimit the breadth of this investigation, as Eastern requests, we deem it more appropriate to dispose of Raleigh-Durham's request in the instant order.

As to Delta's request for deferral, on January 25, 1962, the United States Court of Appeals for the District of Columbia Circuit affirmed Order E–16605, the order approving the United-Capital Merger; [1] therefore, we shall deny Delta's motion.

As indicated above, Asheville and Hendersonville seek dismissal of this proceeding because of the alleged insufficient length of time the area has had to demonstrate what can result from adequate, dependable air service. These reasons, together with the others advanced, are not sufficient to dismiss this proceeding. Evidence in support of such allegations can be introduced at the hearing to establish the continuing need, if any, for the present pattern of air service to the area.

The petitions for leave to intervene allege adequate interest in this investigation and otherwise conform to the Board's rules of practice, and, therefore, will be granted.

Accordingly, it is ordered, That:

1. United Air Lines' request for dismissal or deferral; Delta Air Lines' request for deferral; Asheville's and Hendersonville's request for dismissal; and Raleigh-Durham's request for clarification and reconsideration of Order E–17851 be and they hereby are denied:

2. Piedmont Aviation, Inc.; Northeast Airlines, Inc.; Southern Airways, Inc.; Greensboro-High Point Airport Authority; Chambers of Commerce of Memphis, Asheville, Charlotte, and Hendersonville; the Cities of Memphis, Philadelphia and Charlotte; Mayor and City Council of Baltimore, Baltimore Association of Commerce and the Greater Baltimore Committee, Inc.; Huntsville-Madison County Airport Authority and the Peninsula Airport Commission be and they hereby are granted leave to intervene; and

3. This order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62–4603; Filed, May 10, 1962; 8:49 a.m.]

[1] Northwest Airlines et al. v. Civil Aeronautics Board, C.A.D.C. Nos. 16355, 16356, and 16396.

[Docket 9767]

SERVICE TO SHEBOYGAN AND MANITOWOC, WIS., AREA

Notice of Hearing

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 102, 204 and 401 thereof, that the above-entitled proceedings are hereby assigned for hearings on July 17, 1962, at 10:00 a.m. (local time) in Room 498, U.S. Post Office and Courthouse Building, 517 East Wisconsin Avenue, Milwaukee, Wis., before Examiner Edward T. Stodola.

Without limiting the scope of the issues raised by the pleadings in this proceeding or by the Board order remanding this matter for further hearings, particular attention will be directed to the following questions:

I. In addition to the issues of the original proceeding in Docket 9767, do the public convenience and necessity require, and should the Examiner and the Board order, the alteration, amendment, or modification of North Central's certificate of public convenience and necessity under section 401(g) of the Federal Aviation Act of 1958, as amended, so as (a) to designate Sheboygan and Manitowoc, Wis., as a single point on Segments 1 or 2 and/or 10 of North Central's Route 86; and (b) to authorize service through a single designated airport?

II. If the public convenience and necessity require that Sheboygan and Manitowoc, Wis., be served through a

single airport to be designated by the Board, would the Sheboygan County Airport or the Manitowoc County Airport better serve the public need for service to Sheboygan-Manitowoc as a single certificated point?

For further details with respect to the issues involved in these remanded proceedings, interested persons are referred to the orders and notices entered herein, particularly Order E–18024, dated February 14, 1962, and the Examiner's Notice to Parties dated February 26, 1962, each of which is on file with the Docket Section of the Civil Aeronautics Board.

Notice is hereby further given that any person other than parties of record desiring to be heard in these remanded proceedings shall file with the Board on or before July 13, 1962, a statement setting forth the issues of fact or law raised by this case which he desires to controvert.

Dated at Washington, D.C., May 8, 1962.

[SEAL] EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 62–4604; Filed, May 10, 1962; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14622–14624; FCC 62–481]

FRANKLIN BROADCASTING CO., INC. (WCEF) ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Franklin Broadcasting Co., Inc. (WCEF), Parkersburg, W. Va., Has: 1050 kc, 1 kw, Day, Requests: 1050 kc, 5 kw, Day, Docket No. 14622, File No. BP–14191; Oakland Radio Station Corporation, Oakland, Md., Requests: 1050 kc, 500 w, Day, Docket No. 14623, File No. BP–14413; Dennis A. Sleighter and Willard D. Sleighter, Everett, Pa., Requests: 1050 kc, 250 w, Day, Docket No. 14624, File No. BP–14580; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of May 1962;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially and otherwise qualified to construct and operate the instant proposals; and

It further appearing, that, the following matters are to be considered in connection with the aforementioned issues specified below:

1. The instant applications involve varying degrees of interlinking interference. Mutually destructive interference exists between the applications of Oakland Radio Station Corporation (BP–14413) and that of Dennis A. Sleighter and Willard D. Sleighter (BP–14580).

2. The proposed operation of Station WCEF would cause interference to Station WBUT, Butler, Pennsylvania and WZIP, Cincinnati, Ohio, and the proposed operation of the Oakland Radio Station Corporation would cause interference to Station WBUT.

3. Simultaneous operation of the WCEF proposal and the Oakland proposal would result in interference to the Oakland proposal which would affect more than ten percent of the population in the primary service area in contravention of § 3.28(d)(3) of the Commission's rules.

4. Neither the antenna system of the proposal by Oakland Radio Station Corporation (BP–14413) nor that of Dennis A. Sleighter and Willard D. Sleighter (BP–14580) has been approved by the Federal Aviation Agency.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant proposals requesting a new operation and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WCEF and the availability of other primary service to such areas and populations.

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and the interference that each of the instant proposals would receive from all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

4. To determine whether the following proposals would cause objectionable interference to the stations indicated, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations:

Subject Proposal and Existing Station	
BP–14191	WBUT, Butler, Pa.
	WZIP, Cincinnati, Ohio.
BP–14413	WBUT, Butler, Pa.

5. To determine whether the interference received by the proposal of Oakland Radio Station Corporation or that of Dennis A. Sleighter and Willard D. Sleighter from any of the other proposals herein and any existing stations would affect more than ten percent of the population within their normally protected primary service areas in contravention of § 3.28(d)(3) of the Commission rules and, if so, whether circumstances exist which would warrant a wavier of said section.

6. To determine whether there is a reasonable possibility that the tower heights and locations proposed by Oakland Radio Station Corporation and by Dennis A. Sleighter and Willard D. Sleighter would constitute a menace to air navigation.

7. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

8. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the instant applications should be granted.

It is further ordered, That WBUT, Inc., Butler, Pa., and Greater Cincinnati Radio Inc., Cincinnati, Ohio, licensees of Stations WBUT and WZIP, respectively, are made parties to the proceeding.

It is further ordered, That the Federal Aviation Agency is made a party to the proceeding.

It is further ordered, That, in the event of a grant of the application of Oakland Radio Station Corporation the construction permit shall contain the following conditions: "This authorization is subject to compliance by permittee with any applicable procedures of the FAA."

It is further ordered, That, in the event of a grant of the application of Dennis A. Sleighter and Willard D. Sleighter (BP–14580), the construction permit shall contain the following conditions:

The permittee shall submit sufficient field intensity measurement data to show that the radiation has been reduced to 175 mv/m/kw as proposed.

This authorization is subject to compliance by permittee with any applicable procedures of the FAA.

It is further ordered, That, in the event of a grant of the application of Franklin Broadcasting Co., Inc., the construction permit shall contain the following conditions: "The permittee shall submit with the application for license antenna resistance measurements made in accordance with § 3.54 of the Commission rules."

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of

the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4614; Filed, May 10, 1962; 8:50 a.m.]

[Docket Nos. 14585, 14586; FCC 62M-646]

GROSSCO, INC., AND VALLEY BROADCASTING CO.

Order Continuing Hearing

In re applications of Grossco, Inc., West Hartford, Conn., Docket No. 14585, File No. BPH-3222; The Valley Broadcasting Company, Ansonia, Conn., Docket No. 14586, File No. BPH-3241; for construction permits (FM).

To formalize the agreements and rulings made on the record at a prehearing conference held on May 7, 1962, in the above-entitled matter concerning the future conduct of this proceeding;

It is ordered, This 7th day of May 1962, that:

Engineering exhibits shall be exchanged on July 16, 1962;

Lay exhibits shall be exchanged on August 13, 1962;

Notification of Witnesses August 31, 1962; and

Hearing presently scheduled for May 31, 1962, is rescheduled for September 11, 1962.

Released: May 8, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4615; Filed, May 10, 1962; 8:50 a.m.]

[Docket No. 14625; FCC 62-483]

HAWKEYE BROADCASTING, INC. (KOEL)

Order Designating Application for Hearing on Stated Issues

In re application of Hawkeye Broadcasting, Inc. (KOEL), Oelwein, Iowa, Docket No. 14625, File No. BP-14012, Has: 950 kc, 500 w, 1 kw-LS, DA-2, U, Class III-B, Req: 950 kc, 500 w, 5 kw-LS, DA-2, U, Class III-B; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of May 1962;

The Commission having under consideration the above-captioned and described application:

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing, that the instant proposal of Station KOEL will cause electrical interference to Station KRSI, St. Louis Park, Minnesota, and Station KIOA, Des Moines, Iowa; and

It further appearing, that, in view of the outstanding proposed rule-making proceeding in Docket No. 14419 with respect to presunrise operation with daytime facilities, a grant of the proposal in this proceeding, prior to a final decision in Docket No. 14419, should be appropriately conditioned; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below;

It is ordered, That, pursuant to section 309(c) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KOEL and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Station KOEL, would cause objectionable interference to Station KRSI and Station KIOA or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That Radio Suburbia, Inc., St. Louis Park, Minn., and Swanco Broadcasting, Inc. of Iowa, Des Moines, Iowa, licensees of Stations KRSI and KIOA respectively, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the subject application, the construction permit shall be conditioned as follows:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

Before program tests are authorized, permittee shall submit new common point impedance measurements and sufficient field intensity measurement data to clearly show that the new construction and the adjustment of the daytime directional array has not adversely affected the operation of the nighttime directional array.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: May 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4616; Filed, May 10, 1962; 8:50 a.m.]

[Docket No. 14547; FCC 62M-645]

BILL S. LAHM

Order Scheduling Prehearing Conference

In re application of Bill S. Lahm, Wisconsin Rapids, Wis., Docket No. 14547, File No. BMP-9407; for additional time to construct Radio Station WRNE.

The Hearing Examiner having under consideration his order herein of April 26, 1962;

It is ordered, This 7th day of May 1962, that a further prehearing conference for the purpose of establishing the procedures and dates to govern this hearing will be held on May 17, 1962, at 9:00 a.m. at the offices of the Commission in Washington, D.C.

Released: May 8, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4617; Filed, May 10, 1962; 8:50 a.m.]

[Docket No. 14504; FCC 62M-642]

PIONEER STATES BROADCASTERS, INC.

Order Changing Place of Hearing

In re application of Pioneer States Broadcasters, Inc., West Hartford, Conn., Docket No. 14504, File No. BP-14060; for construction permit.

The Chief Hearing Examiner having under consideration a petition on behalf of the Commission's Broadcast Bureau, filed April 26, 1962, requesting a change in the place of hearing in the above-entitled proceeding from Washington,

D.C., to Torrington, Conn., and an opposition by the applicant filed May 1, 1962;

It appearing, that, in its order of hearing designation herein, the Commission stated that although, in form, the instant application is for a new radio station at West Hartford, Conn., it is, in fact, a proposal to move the applicant's existing facility (WBZY) from Torrington to West Hartford, Conn.;

It appearing further, that, in support of its petition, the Bureau alleges that numerous persons and representatives of civic and school organizations desire to be heard on this application "which would have the effect of removing the only outlet available to them in certain of the areas presently served by the applicant";

It appearing further that the determination of the existence of "good cause" to warrant a field hearing in this proceeding is unaffected by the applicant's opposition thereto which is found to be without merit; and that it is appropriate and in the public interest to permit sessions of the hearings in this proceeding to be held in Torrington, Conn., in order that interested citizens and the representatives of local public service groups who desire to be heard upon the applicant's proposal may be accorded a full opportunity to present their testimony;

It is ordered, This 7th day of May 1962, that the petition is granted and that sessions of the hearings in the above-entitled proceeding will be held in Torrington, Connecticut.

Released: May 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4618; Filed, May 10, 1962; 8:50 a.m.]

[Docket Nos. 14626, 14627; FCC 62-487]

REDDING-CHICO TELEVISION, INC., AND NORTHERN CALIFORNIA EDUCATIONAL TELEVISION ASSOCIATION, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Redding-Chico Television, Inc., Redding, Calif., Docket No. 14626, File No. BPCT-2875; for a construction permit for a new Commercial Television Broadcast Station; Northern California Educational Television Association, Inc., Redding, Calif., Docket No. 14627, File No. BPCT-2890; for a construction permit for a new Non-Commercial Educational Television Broadcast Station.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of May 1962;

The Commission having under consideration the above-captioned applications, each requesting a construction permit for a television broadcast station to operate on Channel 9 assigned to Redding, Calif.; and

It appearing that the above-captioned applications are mutually exclusive in that operation by both of the applicants, as proposed, would result in mutually destructive interference and that, therefore, a hearing is necessary in order to determine, on a comparative basis, which of the above-captioned applications would better serve the public interest, convenience and necessity; and

It further appearing that the following matters are to be considered in connection with the issues specified below:

The proposal of Redding-Chico Television, Inc. (BPCT-2875).

(1) The cash requirements for construction and initial operation, based on information contained in the application, cannot be determined, since it is unknown what portion of the $50,000 for "miscellaneous and initial operation" will be available for the latter. In addition, the terms of repayment of the $25,000 note held by the bank cannot be determined. Applicant proposes to finance the construction and initial operation by means of loans from stockholders of $50,000, stock subscriptions of $90,000 and existing capital of $26,000; a total of $166,000. However, it cannot be determined that the parties who have entered into subscription and loan agreements have sufficient current and liquid assets, in excess of current liabilities, to meet their commitments (with the exception of Messrs. Goodwin and Smullin); nor can it be determined that Mr. Spight is financially qualified to construct the tower and transmitter building. Therefore, it cannot be determined that the applicant is financially qualified.

(2) Mr. William B. Smullin, Secretary-Treasurer and a Director of applicant, is (a) President, Director and a 78.5 percent stockholder of Redwood Broadcasting Company, Inc. (licensee of KIEM and KIEM-TV, Eureka, Calif.; KRED (FM), Eureka, California; 50 percent stockholder of Southern Oregon Broadcasting Company, and 50 percent stockholder of Oregon Broadcasting Company (CATV)—all stock holdings are voted by Mr. Smullin); (b) Secretary-Treasurer and a Director of Southern Oregon Broadcasting Company (licensee of KBES-TV, Medford, Oreg.; KOTI (TV), Klamath Falls, Oreg.; KGPO (FM), Grants Pass, Oregon; KAGI (AM), Grants Pass, Oregon; Television Broadcast Translator Stations K70AU, Cave Junction, Oreg., and K71AK and K73AK, Cow Creek, Oreg.; and, holds 50 percent of the stock of South West Oregon Television Broadcasting Corporation—the stock is voted by Mr. Smullin); (c) Vice-President, Secretary-Treasurer and a Director of South West Oregon Television Broadcasting Corporation (licensee of KPIC-TV, Roseburg, Oreg.); and, (d) Vice-President and a Director of Oregon Broadcasting Company (owns and operates community antenna television systems in Grants Pass, Klamath Falls, Medford, and Roseburg, Oreg.). Mr. G. Edward Goodwin, 12.5 percent stockholder of applicant, is Vice-President, Assistant Secretary, Director and 4 percent stockholder of Redwood Broadcasting Company, Inc. Mr. Earl D. Cothran, Assistant Secretary-Treasurer of applicant, is Treasurer of Redwood Broadcasting Company, Inc., and a Director of Southern Oregon Broadcasting Company. Redwood Broadcasting Company, Inc., 20 percent stockholder of applicant, is a 50 percent stockholder of both Southern Oregon Broadcasting Company and Oregon Broadcasting Company. In view of the above-mentioned interests, it appears appropriate to consider the size, extent and location of the areas served, the number of people served, and the extent of other competitive services to the areas in question; and such other factors as will tend to demonstrate that the concentration of control involved will or will not be in contravention of § 3.636(a)(2) of the Commission's rules.

(3) Redwood Broadcasting Company, Inc., is licensee of Television Station KIEM-TV, Eureka, Calif., and, in the event the subject application were to be granted, the City Grade field intensity contour of the proposed station would overlap the City Grade field intensity contour of KIEM-TV by approximately 12 miles; the Grade A field intensity contour of the proposed station would overlap the Grade A field intensity contour of KIEM-TV by approximately 29 miles; and, the Grade B field intensity of the proposed station would overlap the Grade B field intensity contour of KIEM-TV by approximately 81 miles. Southern Oregon Broadcasting Company is licensee of Television Station KBES-TV, Medford, Oreg., and, in the event the subject appliaction were to be granted, the Grade B field intensity contour of the proposed station would overlap the Grade B field intensity contour of KBES-TV by approxmiately 12 miles. Southern Oregon Broadcasting Company is also the licensee of Television Station KOTI (TV), Klamath Falls, Oreg., and, in the event the subject application were to be granted, the Grade A field intensity contour of the proposed station would overlap the Grade B field intensity of KOTI (TV) by approximately 11 miles; and, the Grade B field intensity contour of the proposed station would overlap the Grade B field intensity contour of KOTI (TV) by approximately 24 miles. In view of the foregoing an issue is included with respect to a possible violation of § 3.636(a)(1) of the Commission's rules.

It further appearing that upon due consideration of the above-captioned applications, the Commission finds that pursuant to section 309(e) of the Communications Act of 1934, as amended, a hearing is necessary; that Redding-Chico Television, Inc., is legally and technically qualified to construct, own and operate the proposed television broadcast station, and is otherwise qualified except with respect to issues "2" and "3" below; and that Northern California Educational Television Association, Inc., is

legally, technically, financially and otherwise qualified to construct, own and operate the proposed television broadcast station.

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether Redding-Chico Television, Inc. is financially qualified to construct, own and operate the proposed television broadcast station.

2. To determine whether a grant of the Redding-Chico Television, Inc., application would be consistent with the provisions of § 3.636(a)(2) of the Commission's rules.

3. To determine whether a grant of the Redding-Chico Television, Inc. application would be consistent with the provisions of § 3.636(a)(1) of the Commission's rules.

4. To determine on a comparative basis, which of the proposed operations would better serve the public interest, convenience and necessity in light of the significant differences between the applicants as to:

(a) The background and experience of each bearing on its ability to own and operate the proposed television broadcast station.

(b) The proposals of each with respect to the management and operation of the proposed television broadcast station.

(c) The programming services proposed in each of the above-mentioned applications.

5. To determine in light of the evidence adduced pursuant to the foregoing issues which of the applications should be granted.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon a sufficient allegation of facts in support thereof, by the addition of the following issue: To determine whether the funds available to the applicants will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the date of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in the Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: May 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4619; Filed, May 10, 1962; 8:50 a.m.]

[Docket No. 14510 etc.; FCC 62-478]

ROCKLAND BROADCASTING CO. ET AL.

Memorandum Opinion and Order Designating Application for Consolidated Hearing on Stated Issues

In re applications of Sidney Fox, George Dacre, Harry Edelstein d/b as Rockland Broadcasting Company, Blauvelt, N.Y., Docket No. 14510, File No. BP-13477, Requests: 1300 kc, 500 w, DA-D; Delaware Valley Broadcasting Co. (WAAT), Trenton, N.J., Docket No. 14511, File No. BP-14054, Has: 1300 kc, 250 w, Day (Class IV), Requests: 1300 kc, 5 kw, DA-2, U (Class III); Rockland Radio Corporation, Spring Valley, N.Y., Docket No. 14512, File No. BP-14461, Requests: 1300 kc, 500 w, DA-D; Rockland Broadcasters, Inc., Spring Valley, N.Y., Docket No. 14513, File No. BP-14462, Requests: 1300 kc, 1 kw, DA-D; Asbury Park Press, Inc. (WJLK), Asbury Park, N.J., Docket No. 14514, File No. BP-14469, Has: 1310 kc, 250 w, U (Class IV), Requests: 1310 kc, 250 w, 1 kw-LS, DA-D, U (Day: Class III; Night: Class IV); City of Camden (WCAM), Camden, N.J., Docket No. 14616, File No. BP-14638, Has: 1310 kc, 250 w, U (Class IV), Requests: 1310 kc, 250 w, 1 kw-LS, U (Day: Class III; Night: Class IV); for construction permits.

1. The Commission has before it for consideration (a) a "Petition for Reconsideration and Other Relief", filed March 12, 1962 by The City of Camden, (WCAM or petitioner, hereinafter); (b) an opposition to the petition filed March 22, 1962, by Asbury Park Press, Inc. (WJLK, hereinafter); and (c) a reply to the opposition submitted March 29, 1962 by WCAM. Petitioner, licensee of Station WCAM, Camden, N.J., requests that the Commission reconsider its action of February 6, 1962, designating for hearing the first five applications captioned above. Upon such reconsideration, petitioner requests that its own application for an increase in the daytime power of Station WCAM be consolidated in the hearing proceeding and, additionally, that WCAM be made a party respondent in that hearing with regard to its existing operation.

2. The facts upon which petitioner bases its asserted right to have the WCAM application consolidated with that of WJLK are, briefly, as follows: On September 21, 1960, the Commission issued a public notice, commonly known as a "cut-off list," announcing that certain applications, including that of Rockland Broadcasting Company (Rockland, hereinafter) would be ready and available for study on November 4, 1960. The notice further stated, in relevant part, that any conflicting proposal "in order to be considered with any application appearing in the attached list", must be filed prior to the close of business on November 3, 1960. Petitioner's application, which was not filed until January 19, 1961, does not involve interference with the Rockland proposal. It does, however, involve slight interference with a proposal to increase the power of Station WAAT, Trenton, N.J., and extensive interference with a power increase application for Station WJLK, Asbury Park, N.J. The latter two proposals, which involve interlinking interference conflicts with the Rockland application, were filed on or before November 3, 1960, and were, therefore, consolidated for hearing with the Rockland proposal.[1] Petitioner's application, not having been timely filed with the Rockland application, was not consolidated in the hearing proceeding.

3. Petitioner contends that its proposal must be consolidated in the hearing involving the WAAT and WJLK applications, basing this claim upon the decision of the U.S. Court of Appeals for the District of Columbia in Ridge Radio Corporation v. F.C.C., 292 F. 2d 770, 21 R.R. 2060 (1961). Upon consideration of all factors involved, we are of the opinion that WCAM is correct in its contentions.

4. In Ridge Radio, supra, the Court held that a cut-off list, of the type here involved,[2] was inadequate to deprive the applicant in that case of the right to a consolidated hearing, inasmuch as the list failed to give notice that applications not themselves on a cut-off list, but in a chain of conflict with applications thereon, were entitled to "umbrella" protection of the cut-off order. We note that the WCAM application was filed prior to the time that either the WAAT application or the WJLK application appeared on a public notice as ready and available for processing. Petitioner's application was excluded from the hearing proceeding involving those applications only because it was not timely filed with the "lead" application, that of Rockland Broadcasting Company, with which the WCAM proposal involved no direct conflict. Since, under the holding in the Ridge case, the cut-off list upon which Rockland appeared was defective with respect to WCAM, and since WCAM has filed a timely petition for reconsideration of the order creating the hearing proceeding from which it was excluded, we hold that petitioner's request for consolidation must be granted.[3]

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[1] FCC 62-151, Adopted Feb. 6, 1962; Released Feb. 12, 1962.

[2] The wording of the cut-off notices has subsequently been changed, but the wording involved in the Rockland cut-off list antedated substantial change.

[3] See also, Community Service Broadcasters, Inc., FCC 61-1204, released Oct. 17, 1961, involving substantially similar circumstances. Cf. Community Service Broadcasters, Inc., 22 RR 849, 851 (1962), in which consolidation was denied owing to the applicant's failure to file a petition for reconsideration of the

5. Petitioner has also requested that WCAM be made a party respondent in the Rockland hearing because, it is argued, WCAM's existing operation will receive substantial interference from the proposed operation of WJLK and this interference would constitute a modification of petitioner's license under section 316 of the Communications Act. It is clear that to make WCAM a "party respondent"—with no enlargement of the designated issues in the proceeding—would give petitioner no further rights than those it obtained through consolidation as a full party in the hearing. What WCAM really seeks is enlargement of issues to include an issue regarding interference to its existing operation and it is in this sense that we have considered the WCAM request.[4]

6. Stations WCAM, WJLK and WAAT are Class IV facilties operating with a power of 250 watts on Class III (regional) channels. Upon an increase of power to one kilowatt daytime, over minimum power for a Class III operation, any one of these three stations would become a Class III facility with regard to its daytime operation. § 3.29 of the Commission's rules provides that Class IV stations presently authorized to operate on regional channels "will not be protected against interference from Class III stations." Accordingly, the existing operation of WCAM is not entitled to protection against Station WJLK, should the latter become a Class III operation. (Conversely, WJLK's existing operation is not protected against a WCAM proposal which would raise that station to Class III status.)

In view of the foregoing: *It is ordered,* This 2d day of May 1962, that the instant petition filed by The City of Camden is granted to the extent indicated herein, and is denied in all other respects.

It is further ordered, That the application of the City of Camden, BP–14638, for an increase in the daytime power of Station WCAM, Camden, New Jersey, is consolidated in the hearing proceeding involving the applications of Delaware Valley Broadcasting Co., Docket No. 14511, and Asbury Park Press, Inc., Docket No. 14514.

It is further ordered, That the issues in the above-mentioned hearing will not be changed or enlarged by reason of the addition of the City of Camden as a party to the proceeding, except that Issue No. 2 shall be amended to read as follows:

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations of Station WAAT, Station WJLK, and Station WCAM and the availability of other primary service to such areas and populations.

hearing order within the thirty day period provided by § 1.191 of the rules and section 405 of the Communications Act.

[4] Petitioner has filed a concurrent "Petition to Intervene" in the Rockland hearing, pursuant to § 1.104 of the Commission's rules. Since petitioner would obtain no more rights as an intervenor than it will possess as a full party to the hearing, the petition to intervene may be regarded as moot.

It is further ordered, That, in the event of a grant of the WCAM proposal, the authorization shall be subject to the following conditions:

(1) Permittee shall submit with the application for license measurement data to establish that the proposed transmitter complies with §§ 3.48 and 2.524 of the rules.

(2) Before program tests are authorized, permittee shall submit sufficient filed intensity measurement data to establish that the radiation has been reduced to essentially 175 mv/m/kw, as proposed.

It is further ordered, That, to avail itself of the opportunity to be heard, The City of Camden, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advice the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: May 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62–4620; Filed, May 10, 1962; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. IT–5656]

COMPANIA ELECTRICA MATAMOROS, S.A. AND CENTRAL POWER AND LIGHT CO.

Notice of Application

MAY 4, 1962.

Take notice that on April 9, 1962, Compania Electrica Matamoros, S.A. (Matamoros Company), incorporated under the laws of the Republic of Mexico, with its principal place of business at Matamoros, Tamaulipas, Mexico, and Central Power and Light Company (Central), incorporated under the laws of the State of Texas, with its principal place of business at Corpus Christi, Tex., filed a joint application for a supplemental order, pursuant to section 202(e) of the Federal Power Act, authorizing an increase in the amount and rate of transmission of electric energy which Matamoros Company and Central (Applicants) are presently authorized to transmit from the United States to Mexico.

By Commission order issued August 2, 1957, in the above docket, (18 FPC 110), Applicants were authorized to transmit electric energy from the United States to Mexico in an amount not to exceed 80,000,000 kilowatt-hours per year at a rate of transmission not in excess of 26,000 kilowatts. Applicants now seek authorization to export up to 110,000,000 kilowatt-hours of electric energy per year at a rate not to exceed 35,000 kilowatts.

The amount of electric energy proposed to be exported, like that amount presently exported pursuant to the aforementioned authorization, is to be transmitted by Matamoros Company from points near Brownsville, Tex., to points near Matamoros, Tamaulipas, Mexico, over certain electric facilities specified in three Presidential Permits held by Matamoros Company and signed by the President of the United States on August 26, 1941 (Docket No. IT–5656), on February 18, 1948 (Docket No. IT–6053), and on April 14, 1951 (Docket No. E–6336). Central will continue to be the supplier of the energy to be exported.

Any person desiring to be heard or to make any protest with reference to the application should, on or before May 25, 1962, file with the Federal Power Commission, Washington 25, D.C., a petition or protest in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–4570; Filed, May 10, 1962; 8:45 a.m.]

[Docket No. G–4715]

SOUTHERN NATURAL GAS CO. AND TENNESSEE GAS TRANSMISSION CO.

Notice of Petition To Amend

MAY 4, 1962.

Take notice that on March 14, 1962, Southern Natural Gas Company (Southern), P.O. Box 1513, Houston 1, Tex., and Tennessee Gas Transmission Company (Tennessee), P.O. Box 2511, Houston 1, Tex., filed in Docket No. G–4715 a joint petition to amend the certificate of public convenience and necessity heretofore issued in said docket, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

By order of the Commission issued February 25, 1955, in the subject docket, Petitioners were authorized to exchange natural gas. Southern was authorized to deliver gas from production owned or controlled by it in the Franklin Field, St. Mary Parish, La., to Tennessee's lines in that field, and Tennessee was authorized to return gas by delivering equivalent quantities to Southern at a point approximately 12 miles south of the Franklin Field, near Tennessee's gas receiving station at the end of its Bayou Sale lateral line.

Petitioners request the Commission to amend the certificate issued to them in the subject docket as follows:

(1) To authorize a new delivery point in the immediate vicinity of Southern's existing Eloi Bay receiving station; and to authorize Tennessee to deliver to

Southern at the Eloi Bay delivery point, pursuant to the Franklin Exchange Agreement, up to 4,000 Mcf of gas per day, with a corresponding reduction in the amount of gas redelivered by Tennessee to Southern under the Franklin Exchange Agreement at the Bayou Sale delivery point; and

(2) To authorize Southern to tap its Eloi Bay lateral and to construct and operate measuring and receiving facilities at the Eloi Bay delivery point for the receipt of said gas from Tennessee.

Protests, requests for hearing, or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 25, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4571; Filed, May 10, 1962; 8:45 a.m.]

[Docket No. G-16584 etc.]

UNITED PRODUCING CO., INC., ET AL.

Notice of Severance

MAY 4, 1962.

Notice is hereby given that the matter of Everard W. Marks, Sr., et al., Docket No. CI62-476, heretofore scheduled for a hearing to be held in Washington, D.C., on May 8, 1962, at 9:30 a.m., e.d.s.t., in the consolidated proceeding entitled United Producing Company, Inc., et al., Docket Nos. G-16584, et al., is severed therefrom for such disposition as may be appropriate.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4572; Filed, May 10, 1962; 8:45 a.m.]

[Docket No. E-6582]

U.S. DEPARTMENT OF THE INTERIOR AND SOUTHWESTERN POWER ADMINISTRATION

Notice of Request for Approval of Rates and Charges

MAY 7, 1962.

Notice is hereby given that the Secretary of the Interior, on behalf of the Southwestern Power Administration (SWPA), has filed with the Federal Power Commission for confirmation and approval, pursuant to the Flood Control Act of 1944 (58 Stat. 887), certain proposed rates and charges for the sale of electric power generated at the Whitney Project for the 5-year period beginning June 1, 1962, all such rates and charges having been set forth in an agreement dated November 17, 1953, between the United States of America, represented by SWPA, and Brazos Electric Power Cooperative, Inc. (Cooperative). The proposed rates and charges represent a continuation for an additional 5-year period of rates and charges herein approved by the Commission for an initial 5-year period commencing December 23, 1954 (13 FPC 1632), and subsequently extended for a period ending May 31, 1962 (23 FPC 310).

The agreement provides inter alia for the delivery to Cooperative of the entire output of the Whitney Project, which includes 30,000,000 kwh per year of primary energy and an average of 51,760,000 kwh per year of secondary energy. Cooperative will pay an annual charge of $441,000 in equal monthly payments of $36,750, and will receive credit at specified rates in the event that SWPA fails to deliver the scheduled primary energy or spills water through no fault of the Cooperative.

The agreement, which extends for 35 years from the date of the commencement of service, provides that the rates and charges contained therein shall remain in force for a period of five years from the date of initial approval by the Commission, at which time and at the end of each succeeding 5-year period thereafter they shall be reviewed and redetermined.

The Secretary of the Interior states that current repayment studies indicate that all costs associated with the Whitney Project power operation will be repaid within a 53-year period beginning with the fiscal year 1956.

The contract agreement in its entirety is on file with the Commission and available for public inspection. Any person desiring to make comments or suggestions for Commission consideration with respect to the proposed rates and charges should submit the same in writing on or before May 21, 1962, to the Federal Power Commission, Washington 25, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4590; Filed, May 10, 1962; 8:47 a.m.]

[Docket No. CP62-195]

TEXAS GAS TRANSMISSION CORP.

Notice of Application and Date of Hearing

MAY 7, 1962.

Take notice that on February 16, 1962, as supplemented on February 27, 1962, and April 20, 1962, Texas Gas Transmission Corporation (Applicant), P.O. Box 1160, Owensboro, Ky., filed in Docket No. CP62-195 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

Applicant expects to increase the contract demands of 49 of its existing customers by 92,639 Mcf per day and requests certificate authorization to construct and operate the following facilities therefor:

(1) Approximately 78.61 miles of 30-inch pipeline in Louisiana, Tennessee, and Kentucky;

(2) Approximately 18.64 miles of 26-inch pipeline in Louisiana, Indiana, and Ohio;

(3) Approximately 17.60 miles of 12-inch pipeline in Indiana;

(4) Approximately 46.20 miles of 10-inch pipeline in Kentucky;

(5) Approximately 1.47 miles of 8-inch pipeline in Kentucky;

(6) One 1,500 horsepower compressor unit at the Jeffersontown, Kentucky, compressor station;

(7) One 2,000 horsepower compressor unit at the Lake Cormorant, Mississippi, compressor station; and

(8) One 2,000 horsepower compressor unit at the Greenville, Mississippi, compressor station.

Applicant further seeks authorization to operate the Leesville Field, Lawrence County, Ind., as a gas storage field and, in connection therewith, to construct and operate a meter and control station and approximately 8.5 miles of 16-inch pipeline connecting existing facilities of Applicant with the Leesville Field. Applicant was authorized by the Commission's order of May 3, 1961, in Docket No. CP61-73 (25 FPC 916), to construct and operate facilities for the evaluation of the characteristics and capabilities of the field. Applicant states that such testing facilities have been constructed and that they are inadequate for the proposed storage service. Therefore, Applicant requests permission and approval to abandon by removal a test meter station, together with approximately five miles of 4-inch pipeline and approximately 2 miles of 2-inch pipeline.

The total estimated cost of the proposed facilities is $17,103,000, which Applicant proposes to finance through the issuance of long-term debt securities.

These related matters should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 12, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 1, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4591; Filed, May 10, 1962; 8:48 a.m.]

[Docket No. G–20270, etc.]

UNITED FUEL GAS CO. ET AL.

Order Setting Date for Hearing on Limited Issues, Granting and Denying Motions for Consolidation, and Permitting Intervention

MAY 7, 1962.

United Fuel Gas Company, Docket No. G–20270; Atlantic Seaboard Corporation, Docket No. G–20272; United Fuel Gas Company et al., CP61–107.

By orders issued December 29, 1961, and February 19, 1962, in Docket No. G–20272 and by order issued March 20, 1962, in Docket No. G–20270, the Commission conditionally approved proposed settlements in said proceedings and provided for hearings on certain reserved issues, namely, the issues of rate design for United Fuel and for Atlantic Seaboard, the depreciation rates for United Fuel's properties, and the Btu adjustment provision in Atlantic Seaboard's contract demand service rate schedules.

On January 17, 1962, Baltimore Gas and Electric Company (Baltimore), an intervener in the proceedings in Docket Nos. G–20270 and G–20272, moved that the Commission consolidate said proceedings for hearing and decision. Baltimore states that the hearing and decision on rate design for Atlantic Seaboard Corporation (Atlantic Seaboard) will be substantially affected by the hearing and decision in the matter of United Fuel Gas Company (United Fuel), Atlantic Seaboard's supplier. It therefore appears appropriate to consolidate said proceedings for hearing and decision.

On December 19, 1961, Lynchburg Gas Company (Lynchburg) moved that the Commission consolidate for hearing and decision the certificate proceeding in Docket No. CP61–107 with the rate proceedings in Docket Nos. G–20270 and G–20272. United Fuel, et al. and Washington Gas Light Company (Washington) filed answers opposing Lynchburg's motion. In support of its motion Lynchburg stated, among other things, that the application for transfers of property in Docket No. CP61–107 would, if approved, affect the cost of service of the applicants and should therefore be considered and determined with the related rate proceedings. United Fuel, et al. and Washington answered, among other things, that hearings in the certificate proceeding were near completion and should not be delayed for other matters. We note that hearings in the certificate proceeding are now concluded, briefs have been filed, and the matter is before the Presiding Examiner for decision. We further note that our orders in the rate proceedings now provide for reflection, in respondents' cost of service and rates of any approval of transfers in the certificate proceeding. It therefore appears unnecessary and inappropriate to consolidate the certificate proceeding with the rate proceedings.

On February 19, 1962, Washington moved that the Commission require (1) United Fuel and Atlantic Seaboard to serve their testimony and exhibits in the above rate proceedings within fifteen days after issuance of the order fixing the date of hearing therein, (2) require interveners favoring respondents' position to serve supporting testimony and exhibits within 15 days thereafter, and (3) require opposing interveners to serve testimony and exhibits within 15 days after cross-examination of previously served presentations. Several parties filed answers opposing Washington's motion and proposing alternative procedures. The procedures requested by Washington appear to allow too little time for a full development of the issues reserved for hearing in these rate proceedings and may be otherwise inappropriate. We shall instead require United Fuel and Atlantic Seaboard to serve their testimony and exhibits on or before May 28, 1962, and shall set a hearing for June 18, 1962, when the witnesses for United Fuel and Atlantic shall adopt their testimony and exhibits and shall be presented for cross-examination. The Presiding Examiner shall prescribe further appropriate procedures.

On February 28, 1962, the city of Charlottesville, Virginia, petitioned to intervene in the above rate proceedings. Charlottesville should be permitted to participate in these proceedings but only to the extent of the issues reserved for hearing.

The Commission finds:

(1) Good cause exists for granting Baltimore's motion to consolidate Docket Nos. G–20270 and G–20272 for hearing and decision.

(2) Good cause has not been shown for granting Lynchburg's motion to consolidate the above certificate proceeding with the rate proceedings or for granting Washington's motion for certain procedures in the rate proceedings.

(3) A date should be set for the hearing in the above rate proceedings and appropriate hearing procedures should be prescribed, as hereinafter provided.

(4) The participation of the city of Charlottesville, Virginia, in the above rate proceedings on the reserved issues may be in the public interest.

The Commission orders:

(A) The rate proceedings in Docket Nos. G–20270 and G–20272 are consolidated for hearing and decision.

(B) Lynchburg's motion to consolidate the proceeding in Docket No. CP61–107 with said rate proceedings is denied.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held in the proceedings in Docket Nos. G–20270 and G–20272 commencing on June 18, 1962, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. Said hearing shall concern the issues reserved for hearing by order issued March 20, 1962 in Docket No. G–20270 and orders issued December 29, 1961, and February 19, 1962, in Docket No. G–20272.

(D) United Fuel and Atlantic Seaboard shall serve on or before May 28, 1962, upon all parties to the consolidated proceedings, their testimony and exhibits embodying their complete direct case-in-chief on the issues to be heard. At the beginning of the hearing the witnesses for said respondents shall adopt their testimony and exhibits and shall then be presented for cross-examination. The Presiding Examiner shall thereafter prescribe further appropriate procedures.

(E) Washington's motion for certain procedures in the above-consolidated rate proceedings is denied.

(F) The city of Charlottesville, Va., is permitted to intervene in the consolidated proceedings, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of Charlottesville shall be limited to matters affecting asserted rights and interests as specifically set forth in its petition and shall be further limited to the issues reserved for hearing: *And provided, further,* That admission of said intervener shall not be construed as recognition by the Commission that Charlottesville might be aggrieved because of any order or orders of the Commission entered in the subject proceedings.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–4592; Filed, May 10, 1962; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–4038]

ALABAMA POWER CO.

Notice of Proposed Issuance and Sale of First Mortgage Bonds at Competitive Bidding and Proposed Issuance and Sale of Common Stock to Holding Company

MAY 3, 1962.

Notice is hereby given that Alabama Power Co. ("Alabama"), 600 North 18th Street, Birmingham 2, Alabama, an electric utility subsidiary company of The Southern Co. ("Southern"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) and 12(f) of the Act and Rules 43 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Alabama proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $17,000,000 principal amount of First Mortgage Bonds, Series due 1992. The interest rate on the new bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Alabama (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by

competitive bidding. The bonds will be issued under the indenture dated as of January 1, 1942, between Alabama and Chemical Bank New York Trust Co., as Trustee, as heretofore supplemented by various indentures supplemental thereto and as to be further supplemented by a supplemental indenture to be dated as of June 1, 1962.

Alabama also proposes to issue and sell to Southern in May 1962 an aggregate of 80,000 shares of its no par value common stock for a cash consideration of $100 per share or a total consideration of $8,000,000. All of Alabama's presently outstanding common stock is owned by Southern. The acquisition of said 80,000 shares by Southern is included in a separate filing which is presently before this Commission. (See File No. 70–4039.)

The proceeds from the sale of the new bonds and the shares of common stock are to be used by Alabama for the construction or acquisition of permanent improvements, extensions, and additions to its property and for the payment of short-term bank loans amounting to $20,500,000 made for such purposes. Construction expenditures by the company for the year 1962 are estimated at $55,051,000.

Information as to fees and expenses to be incurred by Alabama in connection with the issuance and sale of the new bonds is to be supplied by amendment. Alabama estimates miscellaneous expenses of $500 and the expenditure of $3,200 for documentary tax stamps with respect to the issuance and sale of the common stock. The application states that the issuance and sale of the new bonds and the issuance and sale of the shares of common stock have been expressly authorized by the Alabama Public Service Commission, the State commission of the State in which Alabama is organized and doing business. It is further stated that no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 21, 1962, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 62–4582; Filed, May 10, 1962; 8:47 a.m.]

[File No. 37–60]

AMERICAN NATURAL GAS SERVICE CO.

Notice of Proposed Modifications in Organization and Conduct of Business of Subsidiary Service Company

MAY 4, 1962.

American Natural Gas Service Company ("Service Company"), Penobscot Building, Detroit 26, Michigan, a subsidiary service company which is wholly owned by American Natural Gas Company ("American Natural"), a registered holding company, has filed an amended declaration with this Commission pursuant to section 13 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 88 promulgated thereunder regarding proposed modifications in the organization and conduct of business of Service Company.

All interested persons are referred to said amended declaration, on file in the office of the Commission, for a statement of the transactions proposed therein which are summarized as follows:

American Natural also owns all of the common stocks of six operating subsidiary companies which are engaged principally in the production, purchase, transmission and storage of natural gas and in the distribution of gas at retail in the States of Michigan and Wisconsin. Consolidated operating revenues of the system amounted to $268,000,000 for the 12 months ended September 30, 1961. Service Company performs various technical and advisory services at cost for all associate companies in the American Natural holding company system. In the 12 months ended September 30, 1961, Service Company billed operating subsidiary companies $1,175,000 and American Natural $303,000 for services rendered.

Service Company was qualified as a subsidiary service company under the Act by an order of this Commission dated January 24, 1950 (American Natural Gas Service Company, 30 SEC 807). This order provides, among other things, that the salaries of officers of Service Company, who also are officers of American Natural, will be paid by Service Company in the first instance and will be charged entirely to American Natural, irrespective of the amount of time spent by such officers on subsidiary company matters; and that the salaries of the secretaries of such officers, together with the overhead and other expenses attributable to such officers and secretaries, will be paid and charged in like manner. At the present time, only one officer of Service Company also is an officer of American Natural, and he is the President of both companies. Such officer and his secretary are on the payroll of Service Company. American Natural has two other officers and two other employees all of whom are on the payroll of the company in its New York Office. All of the costs of that office are absorbed by American Natural. The total expenses of American Natural for the 12 months ended September 30, 1961, amounted to approximately $1,300,000 including the aforesaid service charges from Service Company.

In its amended declaration, Service Company requests that the 1950 order of the Commission be modified so as to permit Service Company to charge to all associate companies, including American Natural, on the basis of time actually spent, the salaries and related expenses of officers of Service Company, who also are officers of American Natural, and their secretaries, and the overhead expenses attributable to such officers and secretaries; provided, however, that at least 25 percent of the salaries and related expenses and overheads of the President of Service Company and his secretary will be charged to American Natural each month. The declaration also states that, with the possible exception of the election of one additional officer, no other changes are presently contemplated in the organization of American Natural.

Service Company states that the costs of services rendered to associate companies will be allocated among such companies in accordance with cost allocation procedures presently in effect. It is further stated that, if the proposed modifications had been in effect for the 12 months ended September 30, 1961, operating subsidiary companies would have been billed additional service charges of approximately $165,000, and that the service charges to American Natural would have been correspondingly lower. No charge will be made to associate companies for any of the costs of the New York Office of American Natural.

The amended declaration states that the President of Service Company and his secretary have devoted, and will continue to devote the great bulk of their time to the performance of services for operating subsidiary companies, that these services are primarily for the benefit of the subsidiary companies, and that such companies should bear an appropriate portion of the costs thereof.

The declaration further states that the proposed increase of $165,000 in service charges to the operating subsidiary companies is equivalent to approximately 0.06 percent of the consolidated gross operating revenues of the holding company system, and that such increase will not of itself serve as a basis for an increase in the present rates of any operating subsidiary company, although the additional charges will be included in the overall cost of utility service of such company in any future rate proceeding.

Service Company requests that the amended declaration be permitted to become effective forthwith, so as to allow temporary authority for the proposed modifications of Service Company's organization and conduct of business for a period of 18 months, or such longer pe-

riod as the Commission may determine, subject to further order of the Commission. Service Company agrees that, if the requested authorization is allowed, the company will furnish the Commission during the period of temporary authority with such reports as the Commission may request with respect to the organization and conduct of business of Service Company.

Notice is further given that any interested person may, not later than May 28, 1962, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as amended or as further amended, may be granted and permitted to become effective or the Commission may take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 62-4583; Filed, May 10, 1962; 8:47 a.m.]

[File No. 70-4040]

COLUMBIA GAS SYSTEM, INC., ET AL.

Notice of Filing Regarding Issuance and Sale of Unsecured Notes; Related Open Account Advances; Issuance and Sale of Long-Term Installment Notes and Common Stock

MAY 4, 1962.

In the matter of The Columbia Gas System, Inc., 120 East 41st Street, New York 17, N.Y.; United Fuel Gas Company, Amere Gas Utilities Company, Atlantic Seaboard Corporation, Columbia Gas of Kentucky, Inc., Virginia Gas Distribution Corporation, Kentucky Gas Transmission Corporation, 1700 MacCorkle Avenue SE., Charleston, W. Va.; The Ohio Fuel Gas Company, The Ohio Valley Gas Company, 99 North Front Street, Columbus 15, Ohio; The Preston Oil Company, 1600 Dublin Road, Columbus, Ohio; The Manufacturers Light and Heat Company, Cumberland and Allegheny Gas Company, Home Gas Company, Columbia Gas of New York, Inc., Columbia of Pennsylvania, Inc., Columbia of Maryland, Inc., 800 Union Trust Building, Pittsburgh 19, Pa.; Columbia Gulf Transmission Company, 1125 Brazos Street, Houston 2, Tex.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company and its wholly owned subsidiary companies, United Fuel Gas Company ("United Fuel"), Amere Gas Utilities Company ("Amere"), Atlantic Seaboard Corporation ("Seaboard"), Columbia Gas of Kentucky, Inc. ("Columbia of Kentucky"), Virginia Gas Distribution Corporation ("Distribution"), Kentucky Gas Transmission Corporation ("Kentucky Gas"), The Ohio Fuel Gas Company ("Ohio"), The Ohio Valley Gas Company ("Ohio Valley"), The Preston Oil Company ("Preston"), The Manufacturers Light and Heat Company ("Manufacturers"), Cumberland Allegheny Gas Company ("Cumberland"), Home Gas Company ("Home"), Columbia Gas of New York, Inc. ("Columbia of New York"), Columbia of Pennsylvania, Inc. ("Columbia of Pennsylvania"), Columbia of Maryland, Inc. ("Columbia of Maryland"), and Columbia Gulf Transmission Company ("Columbia Gulf"), have filed a joint application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 7, 9, 10, 12 (b) and (f) of the Act and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to the joint application-declaration on file at the office of the Commission for a statement of the proposed transactions which are summarized as follows:

The following subsidiary companies of Columbia plan to finance partially their construction requirements for 1962, estimated to aggregate $103,769,000, with funds available from internal sources. The balance will be financed through the issuance and sale to Columbia of installment notes, not to exceed the following amounts:

	Amount
Manufacturers	$8,600,000
United Fuel	5,000,000
Ohio	22,000,000
Ohio Valley	1,100,000
Amere	275,000
Seaboard	1,700,000
Distribution	750,000
Kentucky Gas	600,000
Columbia of Kentucky	2,000,000
Cumberland	450,000
Home	300,000
Columbia of New York	1,600,000
Columbia of Maryland	100,000
Columbia of Pennsylvania	5,800,000
Preston	4,400,000
Columbia Gulf	4,000,000
Total	58,675,000

In addition Preston proposes to issue and sell to Columbia shares of common stock at an aggregate par value of $1,000,000.

The installment notes are to be issued and sold periodically when funds are needed but not later than March 31, 1963. These notes will be unsecured, will be dated when issued, and will be due in 25 equal annual installments on January 15 of the years 1964 to 1988 inclusive. Interest will be payable semiannually at the rate which represents the approximate cost of money to Columbia on its next sale of debentures, scheduled for June, 1962. Any installment notes issued prior to such sale will bear interest at the rate of 5.1 percent per annum, the cost of money on Columbia's last sale of debentures.

To provide funds for five of its subsidiary companies to purchase inventory gas for storage, Columbia also proposes to issue and sell unsecured short-term notes to a group of commerical banks, for whom Morgan Guaranty Trust Company of New York will act as clearing agent, in an aggregate face amount not to exceed $75,000,000.

The notes are to mature as follows: $25,000,000 on February 28, 1963, $25,000,000 on March 28, 1963, and $25,000,000 on April 30, 1963. They will be dated as of the date of issuance, are to bear interest at the current prime rate of 4½ percent per annum and may be prepaid, on 5 days' notice, in whole or in part in order of maturity, without penalty, except prepayments cannot be made with funds borrowed from banks at a lower interest rate.

The names of the banks and the maximum participation of each bank are indicated below:

Morgan Guaranty Trust Company of New York	$26,000,000
Chemical Bank New York Trust Company	9,600,000
Mellon National Bank and Trust Company	7,500,000
The First National City Bank of New York	6,800,000
Bankers Trust Company	4,500,000
Irving Trust Company	4,500,000
Manufacturers Hanover Trust Company	6,800,000
Brown Brothers, Harriman & Company	1,200,000
Pittsburgh National Bank	2,400,000
The Cleveland Trust Company	1,200,000
The Union National Bank	750,000
The Ohio National Bank of Columbus	750,000
The Charleston National Bank	795,000
The First Huntington National Bank	390,000
First City National Bank of Binghamton	105,000
Huntington National Bank of Columbus	750,000
City National Bank and Trust Company	750,000
First & Merchants National Bank	210,000
Total	75,000,000

The proceeds from the sale of the short-term notes are to be advanced on open account to the subsidiary companies shown below from time to time as needed during 1962. The interest rate will be the same rate to be paid by Columbia on its short-term notes. The amounts of such advances shall not exceed those indicated below:

United Fuel	$20,000,000
Ohio	32,000,000
Manufacturers	14,400,000
Home	2,600,000
Seaboard	6,000,000
Total	75,000,000

The above advances, and Columbia's related notes to banks, are expected to be repaid from revenues collected by the subsidiary companies as the storage gas is withdrawn and sold during the coming winter heating season.

Approval of the issuance and sale of the installment notes is to be obtained by 10 of the subsidiary companies from

the regulatory commission of the States in which they are organized and doing business, as follows:

Columbia of Pennsylvania—Pennsylvania Public Utility Commission.
United Fuel [1]—Public Service Commission of West Virginia.
Amere—Public Service Commission of West Virginia.
Cumberland—Public Service Commission of West Virginia.
Ohio—Public Utilities Commission of Ohio.
Ohio Valley—Public Utilities Commission of Ohio.
Distribution—State Corporation Commission of Virginia.
Columbia of Kentucky—Kentucky Public Service Commission.
Home—Public Service Commission of New York.
Columbia of New York—Public Service Commission of New York.

It is stated that copies of the applicable State commission orders will be filed by amendment and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The estimated fees and expenses to be incurred by Columbia in connection with the proposed transactions aggregate $300. The aggregate fees and expenses to be paid by the several subsidiary companies in connection with their proposed transactions are estimated at $3,610 and consist of charges of the system service company of $1,300 and miscellaneous expenses of $2,310.

Notice is further given that any interested person may, not later than May 21, 1962, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants-declarants, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after that date, the joint application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 62-4584; Filed, May 10, 1962; 8:47 a.m.]

[1] United Fuel is also required to obtain approval of the Public Service Commission of West Virginia of the advances to it on open account.

[File No. 812-1503]

MEDICAL SECURITIES FUND, INC.

Notice of Filing of Application

MAY 4, 1962.

Notice is hereby given that Medical Securities Fund, Inc. ("Fund"), 1 Chase Manhattan Plaza, New York 5, N.Y., a management investment company has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting the Fund from sections 15(a), 16(a), and 32(a) to the extent that such sections require approval by shareholders of investment advisory agreements, election of directors and selection of independent public accountants, respectively, such order to be effective until the first annual meeting of the stockholders of the Fund, which is scheduled to be held on March 20, 1963.

The application states that the Fund presently has no stockholders. It intends to issue initially up to 2,000,000 shares of its common stock when its Registration Statement under the Securities Act of 1933 becomes effective. Prior to the effective date of the Registration Statement, the Fund proposes to enter into an investment advisory contract with Medical Funds Management Company, Inc. Since the Fund will not have any shareholders until after the effective date of the Registration Statement, it will not be possible to secure prior approval by the stockholders of the Fund of such advisory contract, as required by section 15(a) of the Act.

Similarly, the present directors of the Fund have not been elected by the stockholders as required by section 16(a) of the Act, and such election will not be possible prior to the proposed issuance of Common Stock of the Fund.

The application further states that the board of directors of the Fund has appointed Tait, Weller & Baker as its independent public accountants for its first fiscal year, ending December 31, 1962, such appointment having been in compliance with paragraph (1) of section 32(a) of the Act. It is expected that such appointment will be renewed, in compliance with such paragraph, for the fiscal year ending December 31, 1963. Such appointment and renewal thereof will be submitted for ratification at the first annual meeting of stockholders which is scheduled to be held on March 20, 1963. While the Fund believes that such submission for ratification will thus be made at the "next succeeding annual meeting of stockholders", within the meaning of section 32(a) of the Act, the fact that such submission will be made after the end of the Fund's first fiscal year may be deemed to be inconsistent with such section.

The Board of Directors of the Fund, the proposed investment advisory contract and the selection of independent public accountants for the Fund will, except as noted above, comply with the provisons of the Act in all respects. The present members of the Board of Directors are expected to stand for election, and the investment advisory contract and the selection of independent public accountants will be presented for approval and ratification at the first annual meeting of the stockholders which is scheduled to be held on March 20, 1963. The prospectus to be used by the Fund in connection with the sale of up to 2,000,000 shares of its Common Stock will contain full and appropriate disclosures concerning its directors, the investment advisory contract and its independent public accountants as of the effective date of the Registration Statement.

Notice is further given that any interested person may, not later than May 19, 1962 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of law or fact proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of your request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in the case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulation promulgated under the Act, an order disposing of the application herein may be issued by the Commission on the basis of the showing contained in said application, unless an order for hearing upon such application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 62-4585; Filed, May 10, 1962; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 635]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 8, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 64813. By order of April 30, 1962, the Transfer Board approved the transfer to Trans-Universal Van Lines, 7320 South Chicago Avenue, Chicago 19, Ill., of the operating rights remaining in Certificate No. MC 88447, issued May 15, 1958, to Frank Jacob, doing business as Jacob Van Lines, 7627 Cottage Grove Avenue, Chicago 19, Ill., after transfer of a portion of the operating rights therein pursuant to MC–FC 64245, consummated January 25, 1962, the operating rights being transferred herein authorize the transportation of household goods, over irregular routes, between points in a described portion of Illinois, a described portion of Indiana, a described portion of Michigan, and a described portion of Wisconsin, on the one hand, and, on the other, points in Colorado, Connecticut, Kentucky, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, and the District of Columbia, those in that part of Illinois south of U.S. Highway 36, and those in a described portion of Indiana.

No. MC–FC 64896. By order of May 1, 1962, the Transfer Board approved the transfer to Sartain Truck Line, Inc., Memphis, Tenn., of Certificate No. MC 85970 Sub-2, issued July 27, 1959, to W. D. Sartain, doing business as Sartain Truck Line, Memphis, Tenn., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Memphis, Tenn., and Union City, Tenn., serving the intermediate points of Newbern, Trimble, Obion, Troy, and Templeton, Tenn., with restriction. Robert Edwin Lee, 1318 Exchange Building, Memphis, Tenn., attorney for applicants.

No. MC–FC 64979. By order of April 30, 1962, the Transfer Board approved the transfer to Harry Block Trucking Company, Inc., Brooklyn, N.Y., of Certificate No. MC 87617, issued August 15, 1942, to Harry Block, doing business as Harry Block Trucking Co., Brooklyn, N.Y., authorizing the transportation of: New furniture, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in New York and New Jersey; from points in Pennsylvania and New York, N.Y., to various points in New York, and New Jersey; and new furniture and furniture parts, over irregular routes, from New York, N.Y., to Hanover, Lewisburg, Montgomery, Picture Rocks, and Williamsport, Pa. Abraham Freundlich, 261 Broadway, New York, N.Y., representative for applicants.

No. MC–FC 65002. By order of May 3, 1962, the Transfer Board approved the transfer to Red Line Transfer and Storage Company, Inc., Pine Bluff, Ark., of Certificates Nos. MC 106163 and MC 106163 Sub 14, issued June 5, 1958, and July 14, 1961, respectively, to W. H. King, Harry E. King, and Francis A. King, a partnership, doing business as Red Line Transfer and Storage Company, Pine Bluff, Ark., authorizing the transportation of: Seed, newsprint, paper, paper bags, and paper cups, from Memphis, Tenn., to Altheimer, Ark., rice and rice products, from Stuttgart, Ark., to Memphis, Tenn., general commodities, with exceptions, between Pine Bluff, Ark., and Memphis, Tenn.; and between Pine Bluff, Ark., and Pine Bluff Municipal Airport, Ark.; between Little Rock, Ark., on the one hand, and, on the other, points in Arkansas, not including Pine Bluff; between Pine Bluff, Ark., and the site of the U.S. Arsenal Plant at Baldwin, Ark., on the one hand, and, on the other, points in Arkansas; meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses, from Pine Bluff, Ark., to points in Arkansas; rejected shipments of the commodities specified immediately above, from destination points to Pine Bluff, Ark.; soap, soap products, and lard substitutes, from Pine Bluff, Ark., to points in Monroe County and 10 other counties in Arkansas; and general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Greenville, Miss., on the one hand, and, on the other, Little Rock, Pine Bluff, the site of the U.S. Arsenal Plant, at Baldwin, Ark., and other specified points in Arkansas. Louis Tarlowski, 601 Rector Building, Little Rock, Ark., attorney for applicants.

No. MC–FC 65012. By order of April 30, 1962, the Transfer Board approved the transfer to Julian F. Duncan, doing business as Duncan Transfer, Riverton, Va., of the operating rights in Certificate No. MC 110422, issued December 28, 1949, to Julian F. Duncan and Victor J. Myers, a partnership, doing business as Duncan Transfer, Riverton, Va., authorizing the transportation, over irregular routes, of rock wool, mortar, lime, apples, coal, fertilizer, livestock, insulated pins and brackets, and household goods, from, to and between specified points in Virginia, Maryland, West Virginia, and the District of Columbia, varying with the commodities transported. Eston H. Alt, P.O. Box 81, Winchester, Va., representative for applicants.

No. MC–FC 65019. By order of April 27, 1962, the Transfer Board approved the transfer to Gamecock Horse Transport, Inc., Towson, Md., of Certificate No. MC 1814 issued March 25, 1955, to Black Transportation Co., a corporation, Jacksonville Road, Mount Holly, N.J., authorizing the transportation of livestock (other than ordinary livestock), and in connection therewith, personal effects of attendants, supplies, and equipment, including mascots, used in the care and/or exhibition of such animals, over irregular routes, between points in New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. Francis N. Iglehart, Jr., 1445 Ten Ligh Street, Baltimore, Md., attorney for transferee.

No. MC–FC 65023. By order of April 27, 1962, the Transfer Board approved the transfer to Thomas C. Young and Helen Young, a partnership, doing business as Plateau Valley Stage Line, Collbran, Colo., of Certificate No. MC 10089, issued December 6, 1951, to Don Young and Thomas C. Young, a partnership, doing business as Plateau Valley Stage Line, Collbran, Colo., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over a regular route, between Grand Junction, Colo., and Collbran, Colo., with service to and from the intermediate and off-route points of Plateau City, Molina, Palisade, and Mesa, Colo. Keith G. Mumby, Haynie, Golden & Mumby, P. O. Box 1349, Grand Junction, Colo., attorney for applicants.

No. MC–FC 65024. By Order of May 2, 1962, the Transfer Board approved the transfer to Van Brunt & Son, Inc., Matawan, N.J., of Certificates Nos. MC 1486 and MC 1486 Sub 2, issued December 23, 1940, and June 7, 1950, respectively, to Harvey Van Brunt, doing business as Van Brunt & Son, Matawan, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities; household goods, over irregular routes, between points in 13 counties in New Jersey, on the one hand, and, on the other, points in New York, Pennsylvania, and Delaware; and general commodities, except household goods, commodities in bulk, and other specified commodities between Matawan, N.J., and New York, N.Y. Edward W. Currie, 123 Main Street, Matawan, N.J., attorney for applicants.

No. MC–FC 65027. By order of April 30, 1962, the Transfer Board approved the transfer to Armour C. Smith, doing business as Stockton Transfer Co. and Dawsons Van and Storage Co., 630 North California Street, Stockton, Calif., of Certificate No. MC 7203, issued November 18, 1953, to Stockton Transfer Co., a corporation, doing business as Stockton Transfer Co. and Dawson's Van & Storage, Stockton, Calif., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over irregular routes, between Stockton, Calif., and points within 2 miles of Stockton; and household goods as defined by the Commission, over irregular routes, between Rio Vista, Calif., and points in specified counties and areas in California, including points on the indicated portions of specified highways and those on the specified county lines.

No. MC–FC 65032. By order of April 30, 1962, the Transfer Board approved the transfer to J. M. Inge Trucking Company, Inc., Richmond, Va., of Permit No. MC 115887 issued June 6, 1961, to J. M. Inge, doing business as Henderson & Jenkins Richmond, Va., authorizing the transportation of fertilizer and fertilizer materials, except in bulk, in tank vehicles, over irregular routes, from Norfolk, Va., to points in Monroe, Greenbrier, Pocahontas, Nicholas, Fayette, Raleigh, Summers, Mercer, McDowell, Wyoming, Mingo, Logan, Boone, Kanawha, Clay, Wayne, Lincoln, Mason, Cabell, Putnam, and Jackson Counties, W. Va., restricted to a transportation service to be performed under a continuing contract, or contracts, with Swift & Company, Baltimore, Md. Jno. C. Goddin, Insurance Building, 10 South 10th

Street, Richmond 19, Va., attorney for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-4589; Filed, May 10, 1962; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 8, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37710: *Fertilizer and fertilizer materials to WTL territory.* Filed by Western Trunk Line Committee, Agent (No. A-2240), for interested rail carriers. Rates on fertilizer and fertilizer materials, in carloads, from points in Colorado and Utah, also Don and Georgetown, Idaho, to points in western trunk-line territory.

Grounds for relief: Carrier competition, modified short-line distance formula and grouping.

Tariff: Supplement 17 to Western Trunk Line Committee tariff I.C.C. A-4411.

FSA No. 37711: *Soda ash from Stauffer and Westvaco, Wyo.* Filed by Western Trunk Line Committee, Agent (No. A-2243), for interested rail carriers. Rates on soda ash (other than modified soda ash), in carloads, from Stauffer and Westvaco, Wyo., to Plainfield and Lake Zurich, Ill.

Grounds for relief: Market competition.

Tariff: Supplement 17 to Western Trunk Line Committee tariff I.C.C. A-4411.

FSA No. 37712: *Paper and paper articles from Ladysmith, Wis.* Filed by Western Trunk Line Committee, Agent (No. A-2241), for interested rail carriers. Rates on paper and paper articles, as described in the application, in carloads, from Ladysmith, Wis., to points in western trunk-line territory.

Grounds for relief: Market competition, and short-line distance formula.

Tariff: Supplement 27 to Western Trunk Line Committee tariff I.C.C. A-4389.

FSA No. 37713: *Wheat and flour from Texas points to Gulf Ports for export.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 438), for interested rail carriers. Rates on wheat and wheat flour, as described in the application, in carloads, from points in Texas on the Fort Worth and Denver Railway Company and the Panhandle and Santa Fe Railway Company, to Beaumont, Corpus Christi, Freeport, Galveston, Houston, Port Arthur, and Texas City, Tex., for export.

Grounds for relief: Unregulated motor-truck competition.

Tariff: Supplement 115 to Texas-Louisiana Freight Bureau tariff I.C.C. 899.

FSA No. 37714: *Alfalfa from and to points in Western Trunk Line territory.* Filed by Western Trunk Line Committee, Agent (No. 2244), for interested rail carriers. Rates on alfalfa, chopped or ground, as described in the application, in carloads, from points in Colorado, Kansas except Kansas City, Atchison, and Leavenworth), Nebraska (except Omaha and South Omaha) and South Dakota, to points in Illinois, Iowa, and Missouri, on traffic destined to points east of the Illinois-Indiana State Line.

Grounds for relief: Restore relationships and motor-truck competition.

Tariff: Western Trunk Line Committee tariff I.C.C. A-4436.

FSA No. 37715: *Chemicals from Wichita, Kans., to points in Illinois and St. Louis, Mo.* Filed by Western Trunk Line Committee, Agent (No. A-2245), for interested rail carriers. Rates on carbon tetrachloride, perchloroethylene, trichloroethylene, ethylene, dichloride, methylene chloride, sodium perborate, and trichloroethane, as described in the application, in carloads, from Wichita, Kans., to St. Louis, Mo., East St. Louis, Flinton, Thebes, and Cairo, Ill.

Grounds for relief: Market competition.

Tariffs: Supplements 51 and 18 to Western Trunk Line Committee tariffs I.C.C. A-4335 and A-4298, respectively.

FSA No. 37716: *Screened gravel from Attica, Ind., to Oakley, Ill.* Filed by Illinois Freight Association, Agent (No. 172), for interested rail carriers. Rates on screened gravel, in carloads, from Attica, Ind., to Oakley, Ill.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 145 to Wabash Railroad Company tariff I.C.C. 7844.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-4588; Filed, May 10, 1962; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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