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TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 44—STANDARDS FOR SUGAR AND SUGAR CANE PRODUCTS

UNITED STATES STANDARDS FOR GRADES OF SUGARCANE SIRUP

EDITORIAL NOTE: Subpart B of Part 44, including §§ 44.21 to 44.26, has been superseded by §§ 52.3101 to 52.3120 of this chapter, published in Federal Register Document 57–2028, page 1707, issue dated Saturday, March 16, 1957.

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

PROCLAMATION OF RESULTS OF MARKETING QUOTA REFERENDA

Sections 723.805 to 723.807 are added as set forth below and the headnote for Part 723 is amended to read as set forth above.

Sec.

723.805 Basis and purpose.

723.806 Proclamation of the results of the cigar-binder (types 51 and 52) tobacco marketing quota referendum for the three-year period beginning October 1, 1957.

723.807 Proclamation of the results of the cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco marketing quota referendum for the three-year period beginning October 1, 1957.

AUTHORITY: §§ 723.805 to 723.807 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply sec. 312, 52 Stat. 46, as amended; 7 U. S. C. 1312.

§ 723.805 *Basis and purpose.* Sections 723.805, 723.806 and 723.807 are issued to announce the results of the cigar-binder (types 51 and 52) tobacco and cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco marketing quota referenda for the three marketing years beginning October 1, 1957. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed national marketing quotas for cigar-binder (types 51 and 52) tobacco and cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco for the 1957–58, 1958–59 and 1959–60 marketing years, and announced the amount of the national marketing quota for cigar-binder (types 51 and 52) tobacco and cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco for the 1957–58 marketing year (22 F. R. 367). The Secretary announced (22 F. R. 385) that referenda would be held February 13, 1957, to determine whether cigar-binder (types 51 and 52) tobacco producers and cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco producers were in favor of or opposed to marketing quotas for the three marketing years beginning October 1, 1957.

§ 723.806 *Proclamation of the results of the cigar-binder (types 51 and 52) tobacco marketing quota referendum for the three-year period beginning October 1, 1957.* In a referendum of farmers engaged in the production of the 1956 crop of cigar-binder (types 51 and 52) tobacco held on February 13, 1957, 1,862 farmers voted. Of those voting, 1,825 or 98.0 percent favored quotas for a period of three years beginning October 1, 1957; 37 or 2.0 percent were opposed to quotas. Therefore, the national marketing quota of 23,200,000 pounds proclaimed January 15, 1957 (22 F. R. 367) for cigar-binder (types 51 and 52) tobacco for the 1957–58 marketing year will be in effect for such year and marketing quotas on cigar-binder (types 51 and 52) tobacco will be in effect for the three marketing years beginning October 1, 1957.

§ 723.807 *Proclamation of the results of the cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco marketing quota referendum for the three-year period beginning October 1, 1957.* In a referendum of farmers engaged in the production of the 1956 crop of cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco held February 13, 1957, 3,944 farmers voted. Of those voting, 3,712 or 94.1 percent favored quotas for a period of three years beginning Oc-

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

tober 1, 1957; 232 or 5.9 percent were opposed to quotas. Therefore, the national marketing quota of 34,600,000 pounds proclaimed January 15, 1957 (22 F. R. 367) for cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco for the 1957–58 marketing year will be in effect for such year and marketing quotas on cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco will be in effect for the three marketing years beginning October 1, 1957.

Since the only purpose of this proclamation is to announce the results of these referenda, it is hereby found and determined that with respect to this proclamation, application of the notice and procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary.

Done at Washington, D. C., this 18th day of March 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-2407; Filed, Mar. 27, 1957; 8:55 a. m.]

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

[Docket No. AO-222-A8]

PART 921—MILK IN OZARKS MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 921.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of the previously issued amendments thereto; and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Ozarks marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order amending the order, as amended, effective not later than April 1, 1957, so as to reflect current marketing conditions. Any delay beyond April 1, 1957, in the effective date of this order amending the order, as amended, will impair the orderly marketing of milk in the Ozarks marketing area. The changes effected by this order amending the order, as amended, do not require of persons affected, substantial or extensive preparation prior to the effective date. The provisions of said order are well known to handlers.

In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective April 1, 1957, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Ozarks marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused, or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (January 1957), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Ozarks marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as set forth below:

1. Amend § 921.7 by deleting the words following the semicolon in (b) "which milk is delivered from the farm to a pool plant or diverted from a pool plant to a nonpool plant for the account of a handler" and substituting therefor the following: "which milk is (1) delivered from the farm to a pool plant, or (2) diverted during any of the months of February through August, or to the extent of not more than 10 days' production during any of the months of September through January, by a handler from a pool plant to a nonpool plant for the account of a handler."

2. Revise § 921.8 to read as follows:

§ 921.8 *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of an approved plant or a pool plant;

(b) A cooperative association, with respect to the milk of its member producers which is delivered to the pool plant of another handler in a tank truck

owned or operated by or under contract to such cooperative association for the account of such cooperative association (such milk shall be considered as having been received by such cooperative association at the plant to which it is delivered); or

(c) Any cooperative association with respect to the milk from any producer member of such association which is diverted from a pool plant to a nonpool plant by such cooperative association for its account.

3. Amend § 921.11 to read as follows:

§ 921.11 *Pool plant.* "Pool plant" means:

(a) An approved plant from which not less than 15 percent of its receipts of producer milk during the month is disposed of as Class I milk in the marketing area to wholesale or retail outlets (including sales through vendors or plant stores);

(b) A supply plant from which a quantity of milk equal to at least 25 percent of its supply of milk from producers and from other pool plants is shipped to an approved plant during any of the months of April, May, or June, or 20 percent in any other month: *Provided,* That if such plant shall ship 20 percent or more of such supply to an approved plant during each of the months of September, October, November and December, such plant shall be designated as a pool plant during each of the subsequent months through the following August, unless such plant requests nonpool designation by means of written application to the market administrator; or

(c) Any supply plant which ships any milk to an approved plant which is a pool plant in any month during the period from the effective date hereof through August 31, 1957: *Provided,* That such supply plant shall not be a pool plant for the months of April, May, June, or July, unless such plant makes its milk available to other handlers for distribution as Class I milk in the marketing area. Such milk shall be considered to have been made available if the operator of such plant files with the market administrator on or before the first day of each of the preceding months of August through March a statement offering milk for sale and specifying terms and conditions of sale, including the price or handling charge above the Class I price; such offer to be posted in the market administrator's office.

4. Amend § 921.14 to read as follows:

§ 921.14 *Other source milk.* "Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month in the form of products designated as Class I milk pursuant to § 921.41 (a), except (1) such products approved by the appropriate health authority for distribution as Class I milk in the marketing area which are received from pool plants, or (2) producer milk; and

(b) Products designated as Class II milk pursuant to § 921.41 (b) (1) from any source (including those from a plant's own production) which are reprocessed or converted to another product in the plant during the month.

5. Amend § 921.15 to read as follows:

§ 921.15 *Producer-handler.* "Producer-handler" means a person who operates both a dairy farm(s) and a milk processing or bottling plant at which each of the following conditions is met during the month:

(a) Milk is received from the dairy farm(s) of such person but from no other dairy farm;

(b) Fluid milk products are disposed of on routes or through a plant store to retail or wholesale outlets in the marketing area; and

(c) The butterfat or skim milk disposed of in the form of a product designated as Class I milk pursuant to § 921.41 (a) does not exceed the butterfat or skim milk, respectively, received in the form of milk from the dairy farm(s) of such person and in the form of a product designated as Class I milk pursuant to § 921.41 (a) from pool plants of other handlers.

6. Amend § 921.41 (b) to read as follows:

(b) Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than those specified as Class I in paragraph (a) of this section;

(2) In inventory of products designated as Class I milk in § 921.41 (a) on hand at the end of the month;

(3) In shrinkage allocated to receipts of producer milk but not in excess of 2 percent of receipts of skim milk and butterfat, respectively, directly from producers (except producer milk diverted in producer cans to a nonpool plant pursuant to § 921.7) and pursuant to § 921.8 (b) from cooperative associations, plus 1.5 percent of receipts of skim milk and butterfat, respectively, transferred in bulk tanks from pool plants of other handlers, less 1.5 percent of skim milk and butterfat, respectively, disposed of in bulk tank lots to the pool plants of other handlers; and

(4) In shrinkage allocated to receipts of other source milk.

7. Amend § 921.42 (b) to read as follows:

(b) Prorate the resulting amounts between (1) the receipts of skim milk and butterfat in the net quantity of milk from producers, from cooperative associations pursuant to § 921.8 (b), and in bulk tanks from pool plants of other handlers, and (2) the receipts of skim milk and butterfat in other source milk.

8. Amend § 921.45 to read as follows:

§ 921.45 *Computation of skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and other obvious errors the reports submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler: *Provided,* That if any of the water contained in the milk from which a product is made is removed, the pounds of skim milk used or disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all the water originally associated with such solids.

9. Amend § 921.44 (d) by deleting "50" and substituting therefor "100".

10. Amend § 921.46 (a) by renumbering subparagraphs "(5)", "(6)" and "(7)" as "(6)", "(7)" and "(8)", respectively, and adding a new subparagraph (5) as follows:

(5) Subtract from pounds of skim milk remaining in Class II milk the pounds of skim milk contained in inventory of products designated as Class I milk in § 921.41 (a) on hand at the beginning of the month: *Provided,* That if the pounds of milk in such inventory shall exceed the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk remaining in Class I.

11. Amend § 921.51 (a) to read as follows:

(a) *Class I milk.* For each of the months of July through March the Class I price shall be the Class I price announced for such month under Part 903 of this chapter, regulating the handling of milk in the St. Louis marketing area, minus 27 cents, and for the months of April, May and June the price for Class I milk shall be the basic formula price for the preceding month plus 63 cents: *Provided,* That 15 cents shall be added to the price for Class I milk at pool plants located in Benton and Washington Counties, Arkansas.

12. Amend § 921.51 (b) (3) to read as follows:

(b) *Class II milk.* * * *

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph subtract 81 cents.

13. Amend § 921.70 by deleting paragraph (c) and adding new paragraphs (c) and (d) as follows:

(c) Add an amount computed by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of producer milk classified as Class II milk (other than as shrinkage) during the preceding month or the hundredweight of milk subtracted from Class I milk pursuant to § 921.46 (a) (5) and the corresponding step of § 921.46 (b), whichever is less; and

(d) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 921.46 (a) (8) and (b) by the applicable class prices.

14. Amend § 921.80 (a) (2) by deleting the words "pursuant to § 921.89" and substituting therefor the words "pursuant to § 921.87".

15. Amend § 921.84 to read as follows:

§ 921.84 *Payments to the producer-settlement fund.* On or before the twelfth day after the end of each month, each handler shall pay to the market administrator the amount by which the value of the milk received by such handler, as determined pursuant to § 921.70, is greater than the amount computed by multiplying the hundredweight of such

handler's milk by the uniform price adjusted by the producer butterfat and location differentials: *Provided,* That to this amount shall be added one-half of one percent of any amount due the market administrator pursuant to this section for each month or any portion thereof that such payment is overdue. Such payment shall be considered to be overdue on the 15th day after the end of the month to which the obligation applies.

16. Amend § 921.85 by changing the last period to a colon and adding the following proviso: "*And provided further,* That the market administrator may deduct from payments due handlers pursuant to this section any unpaid balance due the market administrator from such handler pursuant to §§ 921.84, 921.86, 921.87 (a) and 921.88."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 25th day of March 1957, to be effective on and after April 1, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57-2406; Filed, Mar. 27, 1957; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 5]

PART 35—FLIGHT ENGINEER CERTIFICATES

POLICIES AND INTERPRETATIONS

This supplement contains the policies and interpretations of the Civil Aeronautics Administration relative to the requirements for flight engineer certificates and the certification procedures therefor. It completely revises all existing rules, policies, and interpretations of the Administrator previously issued pursuant to Part 35.

The following policies and interpretations are hereby adopted:

1. Section 35.6-1 is revised and §§ 35.6-2 through 35.6-4 are added o read:

§ 35.6-1 *Practical experience as a flight engineer (CAA interpretations which apply to § 35.6 (c)).* The 100 hours of flight experience required by this section must have been gained on aircraft having four or more engines or two-engine aircraft having a flight engineer station—military or civil.

§ 35.6-2 *Graduates of approved flight engineer training courses (CAA interpretations which apply to § 35.6 (d)).* An applicant for a flight engineer certificate who presents a statement of graduation from an approved flight engineer training course need not meet the eligibility requirements of § 35.6 (a), (b), (c), or (e).

§ 35.6-3 *Requirements for approved flight engineer courses (CAA policies which apply to § 35.6 (d)).* A flight engineer course of ground and flight instruction adequate for the training of a flight engineer should meet the following minimum standards:

(a) *Training course outline and application for approval—(1) Application for approval.* The agency or applicant desiring approval of a flight engineer course must submit to the local CAA district office three copies of the course outline, a description of the facilities and equipment to be used, and a list of instructors with their qualifications, together with a letter to the Administrator requesting approval.

(2) *Training course outline.* (i) It is not mandatory that the training course outline have the subject headings arranged exactly as listed in subparagraph (4) of this paragraph. The general subjects are required items. The subheadings are for guidance and may be varied as required provided all pertinent subjects are covered. Each general subject of the outline shall be broken down in detail showing items to be covered.

(ii) A complete and separate course outline is required for each type of aircraft (Lockheed Constellation, Douglas DC-4, Douglas DC-6, Douglas DC-7, Boeing 377, etc.) for which approval of flight engineer training is requested.

(iii) Additional subjects, such as international law, flight hygiene, radio repair, flight radio operation, flight navigation, or others not closely associated with flight engineering, may not be included in hourly requirements of the approved training outline. If an operator desires to add such subjects to a training course outline, they should be separated from the required flight engineer subjects, and the time devoted thereto should not be applied toward meeting the established time minimums.

(3) *Format of training outline.* The ground course outline and the flight course outline should be combined in one loose-leaf binder and should include a table of contents divided into two parts; ground course and flight course. Each part of the table of contents must contain a list of the general subjects, together with hours allotted to each subject and the total classroom and flight hours.

(4) *Ground course outline.* (i) The following general subjects and classroom hours are considered the minimum coverage for the ground training portion of the flight engineer course:

Subject	*Classroom hours*
Theory of Flight and Aerodynamics	10
Basic Maintenance of Aircraft	20
Aircraft structures.	
Aircraft systems.	
Aircraft powerplants.	
Servicing methods and precautions.	
Aircraft Familiarization	90
Specifications.	
Construction features.	
Flight controls.	
Hydraulic system.	
Electrical system.	
Anti-icing and de-icing systems.	
Heating, ventilating, and supercharging.	
Vacuum system.	
Pitot static system.	
Instrumentation.	
Fuel system.	
Emergency equipment.	
Aircraft maintenance.	
Engine Familiarization	45
Specifications.	
Construction features.	
Lubrication.	
Ignition.	
Carburetion and induction.	
Accessories.	
Propellers.	
Instrumentation.	
Emergency equipment.	
Engine maintenance.	
Normal Operations (Ground and Flight)	50
Use and trouble shooting of all aircraft systems.	
Loading and C. G. computation.	
Use and trouble shooting of all engine systems.	
Cruise control.	
Power and fuel consumption computations.	
Meteorology applicable to engine operation.	
Emergency Operation	30
Use of portable fire extinguishers.	
Fuselage fire and smoke control.	
Engine fire control.	
Heating system fire control.	
Loss of engine power.	
Loss of electrical power.	
Propeller feathering and unfeatherings.	
Civil Air Regulations	5
Part 4.	
Part 18.	
Part 35.	
Part 40.	
Part 41.	
Part 43.	
Part 60.	
Total required classroom instruction time	250

(ii) Theory of Flight and Aerodynamics, Basic Maintenance of Aircraft, and Civil Air Regulations need not apply to any specific type of aircraft. The remaining major headings must apply to the same type aircraft in which the student receives the required minimum hours of flight training.

(5) *Flight course outline.* (i) The following subjects and flight training hours are considered the minimum coverage for the flight training portion of the flight engineer course:

Subject	
Normal Flight Duties and Operation:	
Power control.	
Power computation.	
Temperature control.	
Normal engine operation analysis.	
Fuel system management.	
Cabin pressure control.	
Operation of all systems.	
Long range operation.	
Fuel consumption computation.	
Recognition of Malfunctioning and Trouble Shooting:	
Analysis of abnormal engine operation.	
Analysis of trouble in all systems.	
Temporary repairs.	
Emergency Flight Duties and Operation:	
Engine fire control.	
Aircraft fire control.	
Smoke control.	
Loss of power in each system.	
Gear and flap, extension, and retraction.	
Propeller feathering and unfeathering.	
Runaway propellers.	
The minimum flight time shall be 15 hours.	

(ii) The flight training curriculum must provide for the minimum of fifteen hours of flight instruction in a specific type of aircraft having four engines or more. If a student is to receive flight training in more than one type aircraft, the flight time in one cannot be applied to the flight time in another for the

purpose of obtaining the required minimum.

(iii) The flight training may be given on any flights not engaged in the transportation of passengers for hire. The flight training, except emergency procedures, may also be conducted on any flights when the trainee holds a valid commercial pilot certificate, or both an airframe and powerplant mechanic certificate. In either of the above cases, the trainee must be under the constant and direct supervision of an airman holding a valid flight engineer certificate and designated by the air carrier or operator to conduct such training.

(iv) To obtain credit for flight instruction time, the student must occupy the seat provided for the regular flight engineer on the aircraft being flown and must operate the controls in a manner which will provide experience in the subjects listed in the flight course outline. Student observation of another crew member or another student performing such duties or operations is not considered adequate training.

(v) Only one student may be credited with flight time during any one period of flight. If two or more students are carried on the same flight, each student will be credited with only the flight time he has actually spent at the controls under the supervision of a qualified flight engineer.

(vi) A maximum of ten hours of the required flight training may be obtained in acceptable types of synthetic training devices. To be acceptable, the synthetic training device must closely resemble the flight engineer station and flight deck of the airplane in which the flight training will be given. Such resemblance need not include external similarity between the trainer and the airplane; however, the flight engineer station, controls, and instrumentation should be installed in such a manner that the student will not require extensive familiarization upon entering the actual airplane.

(vii) The instruments must be coupled to the various controls in such a manner that all instruments will respond automatically and normally to adjustment of pertinent controls.

(viii) A method will be provided to control pertinent instruments separately in order to present indications of malfunctioning to the student.

(b) *Equipment.* (1) Classroom equipment will include graphic displays for each general system of the aircraft and its powerplants.

(2) Aircraft suitable for the flight training, and synthetic training devices if used, must be available to the approved course operator to insure that the flight training may be completed without undue delay. The approved course operator may contract or obtain written agreements with other persons for the use of suitable aircraft and/or synthetic training devices. A copy of the contract or written agreement with another person will be attached to each of the three copies of the course outline submitted for approval. In all cases, the approved course operator is responsible for the nature and quality of instructions given.

(c) *Instructors.* (1) Sufficient classroom instructors must be available to prevent an excessive ratio of students to instructors.

(2) At least one individual who possesses a valid flight engineer certificate must be available for coordination of ground course instruction.

(3) Individuals who conduct flight training must possess valid flight engineer certificates.

(d) *Revision of training course.* (1) Requests for revisions to course outline, facilities, and equipment will follow procedures for original approval of the course. Revisions should be submitted in such form that an entire page or pages of the approved outline can be removed and replaced by the revisions.

(2) The list of instructors may be revised at any time without request for approval, provided the minimum requirement of paragraph (c) of this section is maintained.

(e) *Credit for previous training and experience.* (1) Credit may be granted by an operator to students for previous training and experience which is provable and comparable to portions of the approved curriculum. When granting such credit, the approved course operator should be fully cognizant of the fact that he is responsible for the proficiency of his graduates in accordance with paragraph (g) of this section.

(2) Where advanced credit is allowed, the operator should evaluate the student's previous training and experience in accordance with the normal practices of accredited technical schools. Before credit is given for any ground school subject or portion thereof, the student must pass an appropriate examination given by the operator. The results of the examination, a summary of the experience or training used as a basis for credit allowance, and the hours credited should be incorporated as a part of the student's records.

(f) *Student records and reports.* Approval of a course will not be continued in effect unless the course operator keeps an accurate record of each student, including a chronological log of all instruction, attendance, subjects covered, credits granted, examinations and examination grades, and unless he prepares and transmits to the Civil Aeronautics Administration not later than January 31 of each year, a report containing the following information:

(1) The names of all students graduated and date of graduation.

(2) The ground course grades of each student.

(3) The flight course grades of each student.

(4) The total ground course hours for each student.

(5) The total flight instruction time for each student.

(6) The total synthetic trainer time for each student.

(7) The names of all students failed or dropped, together with dates, school grades, and reasons for dropping.

(g) *Quality of instruction.* The quality of instruction should be such that at least eighty percent of the students who apply within ninety days after graduation will be able to qualify on the first attempt for certification as flight engineers.

(h) *Statement of graduation.* Each student who successfully completes the approved flight engineer course should be given a statement of graduation. An acceptable statement of graduation is:

CIVIL AERONAUTICS ADMINISTRATION,
Washington 25, D. C.

GENTLEMEN: This is to certify that _____
_____
(Name of graduate)
on _____ successfully
(Date of graduation)
completed a course of training for flight engineers which is approved by the Administrator of Civil Aeronautics.

Signed _____
Title _____
School _____

(i) *Discontinuance of approval.* Upon a finding by the Administrator that a course operator no longer meets the standards of original approval, the Administrator will notify the operator by letter that the course is no longer approved by the Administrator.

(j) *Duration.* The authority to operate an approved flight engineer training course will expire twenty-four months after the last day of the month of issuance.

(k) *Renewal.* Application for renewal of an approved flight engineer training course may be made by letter to the Administrator through the local CAA district office at any time within 60 days prior to the expiration date. Renewal of approval will depend upon the course operator meeting the current conditions for approval and having a satisfactory record as an operator.

§ 35.6–4 *Flight time as pilot-in-command (CAA policies which apply to § 35.6 (e)).* Flight time as copilot actually performing the duties and functions of a pilot-in-command under the surveillance of the pilot-in-command may be used for the purpose of fulfilling the requirement of § 35.6 (e).

2. Section 35.7–1 is revised to read:

§ 35.7–1 *Written examination (CAA policies which apply to § 35.7)*—(a) *Eligibility to take written examination.* The flight engineer written examination will be given to any person who meets the eligibility requirements of §§ 35.2 to 35.6.

(b) *The examination.* (1) The examination is of the multiple choice type and consists of the seven sections listed below covering the subjects listed in § 35.7 (a) to (f).

(i) Civil Air Regulations.

(ii) Theory of Flight and Aerodynamics.

(iii) Aircraft and Engine Performance.

(iv) Computations.

(v) Basic Meteorology.

(vi) Weight and Balance.

(vii) Basic Maintenance.

(2) The entire written examination will be taken at one session. The time limit is 6 hours except that at the discretion of the CAA inspector administering the examination, additional time may be allowed. An applicant will not be permitted to take the examination unless

the remaining hours that the office will be open exceed the time limit of 6 hours. To facilitate solution of problems concerning fuel consumption, horsepower and weight and balance, it is recommended that the applicant provide a navigational type computer and/or a slide rule. Pencils and paper will be furnished by the CAA inspector administering the examination.

(3) A minimum grade of 70 percent is required to pass each section. Subsequent to taking the written examination, the applicant will receive from the Airman Records Branch in Washington a Form ACA–578A which will indicate the grades he received on each section of the written examination.

(c) *Substitution of credit.* An applicant need not take the written examination on subject on which he has demonstrated satisfactory knowledge by reason of having passed a CAA examination on the particular subjects. The following substitutions are authorized:

(1) An applicant who holds an airline transport pilot certificate, or a valid Form ACA–578A indicating a passing grade on section 1 of the airline transport pilot written examination, need be examined only on sections 1, 3, 4, and 7.

(2) An applicant who holds a commercial pilot certificate, or a valid Form ACA–578A indicating passing grades on sections 3 and 4 of the commercial pilot written examination or a passing grade on the new unsectionalized commercial pilot written examination, need be examined only on sections 1, 3, 4, 6, and 7.

(3) An applicant who holds both an airframe and powerplant mechanic certificate, or valid Form ACA–578A indicating passing grades on all sections of both examinations, need be examined only on sections 1, 2, 3, 4, 5, and 6.

3. Section 35.8–1 is revised and § 35.8–2 is added to read:

§ 35.8–1 *Aircraft used in flight tests (CAA interpretations which apply to § 35.8).* The term "aircraft having four or more engines and incorporating a flight engineer station" includes military aircraft.

§ 35.8–2 *Practical examination (CAA policies which apply to § 35.8).* (a) The practical examination will not be given on flights engaged in the transportation of passengers for hire.

(b) The applicant must have successfully completed the written examination required by § 35.7 within 24 months prior to taking the practical examination. The 24-month limitation will not apply if the applicant has been continuously employed since taking the written examination in a capacity acceptable as qualifying experience in accordance with this part.

(c) The practical examination will include the applicable items listed on Form ACA–1863A. All the items listed under "emergency operation" may be simulated during flight with the exception of Item 49, Propeller Feathering and Unfeathering, and Item 52, Meto Power Application (missed approach). If it is desired to simulate the emergency procedures (except Items 49 and 52) this may be accomplished in the aircraft by explaining the failure or malfunction to the applicant and having him explain in detail the procedures he would follow. He should also be required to point out each appropriate control and its direction of movement.

4. Section 35.9–1 is revised to read:

§ 35.9–1 *Limited flight engineer certificates (CAA policies which apply to § 35.9 (b)).* Since the written examination for a limited flight engineer certificate is the same as that given for an unlimited flight engineer certificate, the holder of a limited certificate may have the limitation removed without retaking the written examination. However, he will be required to take the practical examination on an aircraft which meets the requirements of § 35.8.

5. The following sections are added to read:

§ 35.10–1 *Application for certificate (CAA policies which apply to § 35.10).* The application for a flight engineer certificate will be made on Form ACA–1863A.[1]

§ 35.10–2 *Statement of graduation from approved flight engineer course (CAA policies which apply to § 35.10).* An applicant who applies as a graduate of a flight engineer course found adequate by the Administrator will present a statement of graduation, signed by an official of the organization conducting the approved course. The statement will be attached to the application and made a part of the airman's record.

§ 35.12–1 *Temporary certificates (CAA policies which apply to § 35.12).* Upon successful completion of the written and practical examinations, the inspector administering the examination will issue a temporary certificate to the applicant. All permanent certificates are issued by the Washington office within 90 days of the date of issuance of the temporary certificate.

§ 35.14–1 *Reexamination of practical test (CAA policies which apply to § 35.14).* When the flight test portion of the practical examination has been failed, the 5 hours of additional instruction must be given in flight or in a synthetic trainer which meets the requirements specified in § 35.6–3 (a) (5).

§ 35.14–2 *Statements of instruction (CAA policies which apply to § 35.14).* An applicant for reexamination will not be required to be reexamined on those sections of the written or practical examination previously accomplished with satisfactory grades. Statements of instruction on subjects previously failed will be accepted only from the following individuals and under the conditions specified.

(a) *Certificated flight engineer.* All subjects of the written examination, and the practical examination.

(b) *Certificated ground instructor.* Section 1 of the written examination if rated on Civil Air Regulations, and sections 3 and 7 if rated on aircraft and aircraft engine.

(c) *Rated military flight engineer.* Sections 2 through 7 of the written examination and the practical examination if the military flight engineer is known to be qualified on the type of aircraft to be used by the applicant.

(d) *Operator of an approved flight engineer course.* All sections of the written examination and practical examination.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008, as amended; 49 U. S. C. 551, 552)

This supplement shall become effective April 30, 1957.

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57–2366; Filed, Mar. 27, 1957; 8:46 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 191]

PART 608—RESTRICTED AREAS

EAGLE RIVER, ALASKA

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.61, the Eagle River, Alaska, area (R–348), amended on October 31, 1951, in 16 F. R. 11066 is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Controlling agency
Eagle River, Alaska Restricted Area (R–348). WAC–Mt. McKinley (118).	"Beginning at latitude 61°27′00″, longitude 149°44′00″; thence to latitude 61°16′48″, longitude 149°43′30″; thence to latitude 61°17′36″, longitude 149°35′36″; thence to latitude 61°22′10″, longitude 149°33′48″; thence to latitude 61°24′40″, longitude 149°33′48″; thence to latitude 61°25′24″, longitude 149°30′00″; thence to latitude 61°29′30″, longitude 149°30′00″; thence to point of beginning."	Surface to 50,000 feet.	Continuous	CG, U. S. Army, Fort Richardson, Alaska.

[1] This form is available upon request at any CAA Air Carrier District Office, General Safety District Office, International District Office, International Field Office, or CAA, Washington 25, D. C., Attention: W–223.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on April 10, 1957.

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-2361; Filed, Mar. 27, 1957; 8:46 a. m.]

[Amdt. 192]

PART 608—RESTRICTED AREAS

KING COLE, LOUISIANA

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.26, the King Cole, Louisiana, Temporary Restricted Area, amended on March 5, 1957, in 22 F. R. 1328, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 30°30'00", longitude 93°30'00"; thence North along longitude 93°30'00" to latitude 31°00'00"; thence East along latitude 31°00'00" to longitude 93°00'00"; thence South along longitude 93°00'00" to U. S. Highway 190 near the town of Reeves, Louisiana; thence West along U. S. Highway 190 to the North Control Zone Extension of Lake Charles; thence around this Control Zone Extension back to latitude 30°30'00", thence West along latitude 30°30'00", to point of beginning".

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall be effective from April 1, 1957 through April 5, 1957.

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-2362; Filed, Mar. 27, 1957; 8:46 a. m.]

[Amdt. 193]

PART 608—RESTRICTED AREAS

SLEDGE HAMMER, LOUISIANA

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.26, the Sledge Hammer, Louisiana, Temporary Restricted Area, amended on March 6, 1957, in 22 F. R. 1378 is further amended by changing the "Effective Date" to read: "May 18, 1957, through May 21, 1957."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-2363; Filed, Mar. 27, 1957; 8:46 a. m.]

[Amdt. 5]

PART 612—AERONAUTICAL FIXED COMMUNICATIONS

FEES FOR CLASS "B" MESSAGES TRANSMITTED ON NEW YORK-LONDON RADIOTELETYPEWRITER CIRCUIT

This amendment to § 612.3 is promulgated to specifically provide for the acceptance of messages transmitted on the New York-London Radioteletypewriter Circuit and the method for assessing the fees for Class "B" messages sent on this circuit. A proprietary function of the Government is involved. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

1. Section 612.3 is revised by changing the period at the end of the second paragraph to a semicolon and by adding the following: "except that any message received at New York on the London-New York Aeronautical Fixed Telecommunications Network circuit shall be delivered without additional charge at New York, San Francisco, or Miami."

(Sec. 205, 52 Stat. 984, as amended, sec. 10, 62 Stat. 453; 49 U. S. C. 425, 1159. Interprets or applies secs. 301, 302, 52 Stat. 985, sec. 606, 56 Stat. 1067; 49 U. S. C. 451, 452, 5 U. S. C. 606)

This amendment shall become effective April 1, 1957.

[SEAL] S. A. KEMP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 57-2364; Filed, Mar. 27, 1957; 8:46 a. m.]

PART 618—HIGH DENSITY AIR TRAFFIC ZONES AND AIRPORTS

Pursuant to § 60.18 (f) of the Civil Air Regulations (22 F. R. 814 and 22 F. R. 1114) the Civil Aeronautics Board has delegated to the Administrator the authority to designate high density air traffic zones and airports within such zones, at which certain speed and communication requirements shall be applicable. This part is hereby adopted by the Administrator for the designation of such zones and airports. Initially, this part designates the Washington Control Zone as a high density air traffic zone, and the Washington National Airport as a high density airport. At such time as other high density air traffic zones and airports are designated by the Administrator they will be included in this part.

Prior to the issuance of the previous rules respecting the High Density Air Traffic Zone Rules for Washington, D. C. (20 F. R. 4682), extensive conferences and hearings were conducted by the Administrator to afford interested persons an opportunity to express their views and comments respecting such rules and the designation of Washington Control Zone as a High Density Air Traffic Zone. In the interest of safety in air commerce, further notice and public procedure in accordance with the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the redesignation of the Washington Control Zone as a High Density Air Traffic Zone, and the designation of the Washington National Airport as a High Density Airport is adopted to become effective on April 15, 1957.

Interested persons desiring to present written views or comments with respect to these designations are requested to submit them to the Director, Office of Flight Operations and Airworthiness, Civil Aeronautics Administration, Washington 25, D. C., on or before April 1, 1957. These designations will be reconsidered in accordance with the views and comments received.

A new Part 618 is added to read as follows:

Subpart A—Introduction

Sec.
618.1 Basis and purpose.
618.2 Definitions.

Subpart B—Designated High Density Air Traffic Zones

618.10 General.

Subpart C—Designated High Density Airports

618.100 General.

AUTHORITY: §§ 618.1 to 618.100 issued under sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551.

SUBPART A—INTRODUCTION

§ 618.1 *Basis and purpose.* Pursuant to the authority contained in section 601 (c) of the Civil Aeronautics Act of 1938, as amended (62 Stat. 1216), the Civil Aeronautics Board adopted § 60.18 (f) of this title (22 F. R. 814 and 22 F. R. 1114), delegating to the Administrator the authority to designate high density air traffic zones and airports at which the speed and communications requirements prescribed in § 60.18 (f) of this title shall apply. This part contains the high density air traffic zones and airports designated by the Administrator.

§ 618.2 *Definitions.* (a) Unless otherwise specified in this part, all words and phrases used in this part shall have the same meaning as those defined in the Air Traffic Rules of Part 60 of this title.

SUBPART B—DESIGNATED HIGH DENSITY AIR TRAFFIC ZONES

§ 618.10 *General.* The airspace above the areas described in this subpart, excluding any portion within a pro-

hibited area, are designated as High Density Air Traffic Zones.

Washington, D. C., High Density Air Traffic Zone. All the airspace within the current boundaries of the Washington Control Zone (Part 601 of this chapter) extending upwards from the surface to and including an altitude of 3000 feet above the surface.

SUBPART C—DESIGNATED HIGH DENSITY AIRPORTS

§ 618.100 *General.* The airports listed in this subpart are designated as High Density Airports.

Washington National Airport, Washington, D. C.

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-2365; Filed, Mar. 27, 1957; 8:46 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 130—OPERATION AND MAINTENANCE CHARGES

FLATHEAD INDIAN IRRIGATION PROJECT

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), and authority contained in the acts of Congress approved August 1, 1914, May 18, 1916, and March 7, 1928 (38 Stat. 583; 39 Stat. 142), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F. R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551, amendment No. 1; 16 F. R. 5454-5457), notice was given of the intention to modify §§ 130.16 and 130.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Montana, that are not subject to the jurisdiction of the several irrigation districts. There was published on February 21, 1957, in the daily issue of the FEDERAL REGISTER, notice of intention to modify §§ 130.16 and 130.17 of Title 25, Code of Federal Regulations, as follows:

Interested persons were thereby given opportunity to participate in preparing the modification by submitting data or written arguments within 30 days from the publication of the notice. No objections were submitted. Accordingly, §§ 130.16 and 130.17 are modified as follows:

§ 130.16 *Charges, Jocko Division.* (a) An annual minimum charge of $2.69 per acre, for the season of 1957 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and seventy-nine cents ($1.79) per acre foot or fraction thereof.

§ 130.17 *Charges, Mission Valley and Camas Divisions.* (a) (1) An annual minimum charge of $3.30 per acre, for the season of 1957 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and twenty cents ($2.20) per acre foot or fraction thereof.

(b) (1) An annual minimum charge of $3.20 per acre, for the season of 1957 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and thirteen cents ($2.13) per acre foot or fraction thereof.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

PERCY E. MELIS,
Area Director.

[F. R. Doc. 57-2368; Filed, Mar. 27, 1957; 8:46 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 2—GENERAL RULES AND REGULATIONS; NATIONAL RECREATION AREAS

TAMPERING WITH PARKED MOTOR VEHICLE

Part 2 is amended by adding a new § 2.33, reading as follows:

§ 2.33 *Tampering with a parked motor vehicle.* No person shall tamper with, or attempt to enter or start, or move or cause to be moved, a parked motor vehicle not lawfully under his control. This section shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials, in connection with their official duties.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

HATFIELD CHILSON,
Acting Secretary of the Interior.

MARCH 22, 1957.

[F. R. Doc. 57-2371; Filed, Mar. 27, 1957; 8:47 a. m.]

PART 3—NATIONAL CAPITAL PARKS REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Paragraph (i) *Dangerous weapons* of § 3.24 *Nuisances; disorderly conduct,* is amended to read as follows:

(i) *Dangerous weapons.* Carrying or possessing, while in any area covered by this part, a gun, air-gun, sling, dart, projectile thrower, knife with blade exceeding three (3") inches in length, or other dangerous instrument or weapon; except that the prohibition with regard to the possession and carrying of bows, arrows, and firearms shall not apply to the Chesapeake and Ohio Canal lands above Swain's Lock in the State of Maryland, when such bows are unstrung, the arrows in quivers, and such firearms are unloaded or broken or uncased and the party or parties in possession thereof are crossing canal property to gain access to legal shooting areas on private properties by the most direct and shortest route: *Provided,* That nothing in this paragraph shall be construed as to prevent the drill or activities of any organized military or semi-military body under an official permit.

2. Paragraph (d) *Archery* of § 3.15 *Athletics* is amended to read as follows:

(d) *Archery.* No bows and arrows shall be permitted in park areas, with the exception stated in § 3.24 (i), except in places designated by order of the Superintendent.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 22d day of March 1957.

HATFIELD CHILSON,
Acting Secretary of the Interior.

[F. R. Doc. 57-2372; Filed, Mar. 27, 1957; 8:47 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

BENEFITS PAYABLE TO LEGAL CUSTODIAN OR CUSTODIAN-IN-FACT; PAYMENTS TO BONDED OFFICER OF INDIAN RESERVATIONS

In § 13.205 the introductory paragraph immediately preceding paragraph (a) is amended to read as follows:

§ 13.205 *Amount of benefits payable by Veterans Administration to legal custodian or custodian-in-fact; payments to bonded officer of Indian reservations.* When a claimant under legal disability is found entitled to any benefit payable by the Veterans Administration, the accrued amount of which at the time of the execution of VA Form VB 2-555, Certificate of Legal Custody, is $700 or less, or the monthly rate of which is $70 or less, or if the finding is in favor of two or more claimants under legal disability and the accrued amount is $1,000 or less, or the combined monthly rates for two claimants amount to $100 or less, for three claimants $130 or less, plus month-

ly payments of $25 for each additional claimant, and no legal guardian or committee has been appointed, the awards shall be made upon proper finding to the person legally vested with the responsibility or care of such claimant or claimants: *Provided,* That the best interests of the claimant or claimants will be served thereby and the legal custodian is properly qualified. Discretion is vested in the Chief Attorney to exceed these limitations when the circumstances justify use of all of the accrued and monthly benefits payable for the support and/or education of the beneficiary. The limitations in this introductory paragraph are not to be applied in cases in which additional dependency and indemnity compensation in behalf of helpless children, the special allowance, the educational assistance allowance, or the special training allowance, are payable pursuant to §§ 4.449, 4.485, 21.3052, and 21.3229, respectively.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply 43 Stat. 613, as amended; 38 U. S. C. 450)

This regulation is effective March 28, 1957.

[SEAL] H. V. HIGLEY,
Administrator of Veterans Affairs.

[F. R. Doc. 57-2393; Filed, Mar. 27, 1957; 8:52 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART B—VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952

MISCELLANEOUS AMENDMENTS

1. In § 21.2012 paragraphs (a) and (c) are amended, and subparagraph (1) is added to paragraph (a) as follows:

§ 21.2012 *Commencement; time limitations*—(a) *Initiation of program.* The veteran must actually commence the active pursuit of the approved program of education of training not later than his delimiting date, i. e., enroll in and begin the course. A veteran who has timely initiated his program in accordance with the provisions of this paragraph must be in actual pursuit of his program on his delimiting date except where his attendance is interrupted for normal summer vacations, for other reasons established to have been beyond his control, or under conditions deemed by the Veterans Administration to be otherwise excusable. Notwithstanding the foregoing, where the veteran suspends pursuit of his program prior to his delimiting date under authority of paragraph (b) of this section and the period of suspension extends into and beyond such date, it will be held, without requiring any further showing upon the part of the veteran, that his failure to be in actual pursuit of his program on his delimiting date was for an excusable reason if the entire period of suspension occurring partly before and partly after the delimiting date does not exceed 12 consecutive months in length. If such period of suspension does exceed 12 consecutive months in the aggregate, the case will be subject in all respects to the requirements of the last two sentences of paragraph (b) of this section as to that portion of the suspension extending beyond such 12-month period: *Provided, however,* That in any event the veteran will be required to resume active pursuit of his program after his delimiting date not later than the date of expiration of the 12 months' aggregate period of suspension or not later than the date as of which the valid reason for continued suspension beyond the aggregate 12 months' period ceases to obtain, as the case may be.

(1) A program to be pursued exclusively by correspondence or which consists of correspondence study followed by residence study will be held to have been initiated (commenced) when the first correspondence lesson has been transmitted to the veteran by the institution.

* * * * *

(c) *Programs pursued by correspondence.* Enrollment on or before the statutory delimiting date in a program to be pursued exclusively by correspondence study will constitute the initiation of that program only. However, after the applicable delimiting date, a veteran who is pursuing a program exclusively by correspondence study may thereafter change to another program to be pursued exclusively by correspondence, exclusively by residence study, or a combination of correspondence and residence study pursued sequentially, provided all the conditions of § 21.2032 are met.

2. In § 21.2014 paragraph (c) (3) is amended to read as follows:

§ 21.2014 *Duration of veteran's education or training.* * * *

(c) *Charges against and exhaustion of entitlement.* * * *

(3) *Correspondence courses.* In the case of any veteran who is pursuing a program of education or training exclusively by correspondence, or by correspondence followed by residence study or by residence followed by correspondence, one-fourth of the elapsed time expended in the pursuit of the correspondence study shall be charged against the veteran's period of entitlement for the correspondence study portion of the veteran's program. Elapsed time for computation purposes will commence to run as of the date the first lesson of the course enrolled for was supplied to the veteran by the enrolling institution and will terminate as of the date the last lesson supplied was serviced by that institution (§ 21.2055 (a) (1)).

3. In § 21.2030 former paragraph (e) is redesignated paragraph (f) and a new paragraph (e) is added as follows:

§ 21.2030 *Selection of program.* * * *

(e) A program of education may be pursued partly in residence and partly by correspondence for the attainment of a predetermined and identified objective under the following conditions:

(1) The correspondence and residence portions are pursued sequentially; that is, not concurrently.

(2) It is the practice of the institution to permit a student to pursue a part of his course by correspondence in partial fulfillment of the requirements for the attainment of the specified objective.

(3) The total credit established by correspondence does not exceed the maximum for which the institution will grant credit toward the specified objective.

(f) The pursuit of education or training under Public Law 550, 82d Congress, in any educational institution or training establishment located outside the continental limits of the United States, or its possessions, is permitted only if the veteran's program is pursued in an approved institution of higher learning. In the case training is to be, or is being, pursued at an approved institution of higher learning located in a foreign country, the veteran's application will be denied or his pursuit of the program will be discontinued, as the case may be, upon a finding by the Veterans Administration that his enrollment in or the pursuit of such a program is or would be against his best interests or the best interests of the Government of the United States. For the purposes of this paragraph, only institutions of collegiate or university rank giving educational courses leading to recognized degrees, licentiates, or the equivalent, will be approved as institutions of higher learning.

4. In § 21.2052 paragraph (e) is amended to read as follows:

§ 21.2052 *Rates of education and training allowances.* * * *

(e) *Correspondence course.* The education and training allowance of an eligible veteran for correspondence study pursued exclusively or in sequence with residence study as a program shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the same course or courses. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the veteran and the institution.

(1) No education and training allowance will be paid for correspondence courses pursued by a veteran concurrently with institutional on-farm, training on the job, or institutional training in residence.

(2) The established charge for a correspondence course shall not be considered to be more than the lowest charge which is customarily paid by a nonveteran-student under any payment plan exclusive of a cash discount arrangement for advance payments.

(3) The training institution offering approved correspondence courses will transmit to the Director, Vocational Rehabilitation and Education Service, Veterans Administration, Washington 25, D. C., a list of all approved courses, and any additions or changes made subsequently thereto, and a certified statement of the established charges to nonveterans for each course. Such statement will list consecutively the lessons in each course, the books, supplies, tools, and equipment to be supplied with each lesson, other pertinent charges, the established practices in detail of servicing a lesson or lessons, and the standards for determining completed lessons, including a statement of the grading

policy and methods of determining progress.

(4) Only such charges for books, supplies, tools, and equipment in the same quantity and quality as are necessary and are required to be purchased by nonveterans may be charged to veterans. Only those items furnished directly by the institution to enrollees as a part of the course may be included as a part of the established charges for the course. Where items of equipment are furnished on a rental basis to nonveterans, only the rental charge shall be considered in reporting the established charges for the course. Where books, supplies, tools, and equipment are furnished at the end of the course or after completion of regular lessons and such were not needed for the successful completion of the course of education and training, the charges therefor will not be included in computing the established charges for the course.

(5) In the event an institution desires to change its charges for courses after submittal of a statement of charges and services as set forth in this paragraph, such proposed charges will be promptly reported to the Director, Vocational Rehabilitation and Education Service, Veterans Administration, Washington 25, D. C., together with the effective date applicable to nonveteran-students. Where the Director, Vocational Rehabilitation and Education Service, determines on the basis of the information submitted that it is necessary to revise the education and training allowance for veterans enrolling after the effective date of such changes, the institution and the regional offices will be notified of the change in courses and charges which will affect the computation of the education and training allowance and the effective date thereof. The education and training allowance of an eligible veteran who is already enrolled in such course will continue to be based on established charges and services in effect on the date of his enrollment despite any changes made subsequent thereto.

(6) For the purpose of payment of an education and training allowance, a lesson will be considered as completed by the veteran and serviced by the institution when:

(i) The lesson assignment has been completed by the veteran in accordance with the criteria of the institution and has been submitted to the institution for review, and

(ii) The institution has reviewed and graded the lesson and provided the veteran in writing with its evaluation and comments in accordance with its standards and has recorded the results of such servicing.

(*a*) Only one servicing of a lesson may be charged to the veteran.

(iii) The books, supplies, tools, and equipment, including complete kits of such items, prescribed throughout the sequence of lessons, and approved as necessary and required for the successful pursuit of the lessons completed and serviced, have been furnished by the school and received by the veteran in the order and manner established by the course as approved.

(Sec. 261, 66 Stat. 663; 38 U. S. C. 971)

This regulation is effective March 28, 1957.

[SEAL] H. V. HIGLEY,
Administrator of Veterans Affairs.

[F. R. Doc. 57-2394; Filed, Mar. 27, 1957; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1393, Correction]

[71797]

ARIZONA AND NEW MEXICO

PARTIALLY REVOKING DEPARTMENTAL ORDERS OF NOVEMBER 26, 1906, JANUARY 15, 1908, AND JUNE 11, 1908, WHICH RESERVED LANDS FOR USE OF THE FOREST SERVICE AS ADMINISTRATIVE SITES; CORRECTION

MARCH 25, 1957.

In Federal Register Document 57-1696, appearing as Public Land Order No. 1393 at pages 1431-1432 of the issue for Thursday, March 7, 1957, the date in the last paragraph is amended to read "March 14, 1957", and "February 28, 1957" is added as the date of the order.

E. J. THOMAS,
Acting Director.

[F. R. Doc. 57-2403; Filed, Mar. 27, 1957; 8:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 57-263]

[Rules Amdts. 1-8 and 3-62]

PART 1—PRACTICE AND PROCEDURE

PART 3—RADIO BROADCAST SERVICES

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March 1957;

The Commission has under consideration the Agreement Between the United States of America and the United Mexican States Concerning Radio Broadcasting in the Standard Broadcast Band, signed by the Government of the United States through its duly authorized representatives on January 29, 1957, subject to ratification, and the existing relationship between the United States and Mexico in the field of standard broadcasting.

The Commission concludes that the grant of applications at this time for assignments which could not be permitted to remain in force under the said Agreement would impede the entry into force and subsequent implementation of the Agreement in the United States and Mexico; that the maintenance of the proper relationship in the field of standard broadcasting between the countries requires that action on assignments which could not be permitted to remain in force under the Agreement should be deferred at this time; and that, therefore, to make such assignments would be contrary to the public interest.

In the light of the above-mentioned considerations, the Commission is amending its present policy with respect to applications involving objectionable interference to Mexican stations of which we have been duly notified, as contained in Part 3 of the Commission's rules in a note under § 3.28 (b), to take into account the existence and status of the United States/Mexican Agreement.

At the same time, appropriate amendments are being made to certain procedural provisions of Part 1 of the rules, which were adopted to take into account the policy enunciated in § 3.28 (b), above, and which presently appear as a footnote to the title to Subpart D of Part 1.

Corresponding editorial changes are also being made in Part 1 and Part 3 of the rules.

The adoption of the policy set forth in the note to § 3.28 (b), as amended, is a foreign affairs function within the meaning of section 4 of the Administrative Procedures Act, and, therefore, prior publication of notice of proposed rule making is unnecessary. The effective implementation of this policy requires that certain procedural provisions of Part 1 of the Commission's rules be amended accordingly.

The amendments adopted herein are issued pursuant to authority contained in sections 4 (i) and 303 (r) of the Communications Act of 1934, as amended.

It is ordered, That effective March 20, 1957, Parts 1 and 3 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: March 25, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

A. Part 1 is amended as follows:

1. Delete footnote designator 1 after the title to Subpart D and delete footnote 1.

2. Add the following new § 1.300 following the title of Subpart D.

§ 1.300 *Procedure respecting standard broadcast applications involving other North American countries.* (a) The special procedural provisions set forth in paragraphs (b) to (e) of this section with respect to the consideration of applications for standard broadcast station assignments are adopted in order to take into account the policy set out in the note to § 3.28 (b) of this chapter. (That note has reference to consideration by the Commission of applications for standard broadcast station assignments pending action with respect to ratification and entry into force of provisions of (1) the North American Regional Broadcasting Agreement, Washington, 1950, referred to herein as NARBA, (2) the Agreement between the United States of America and the United Mexican States concerning Radio Broadcasting in the Standard Broadcast Band,

Mexico, D. F. 1957, referred to herein as the U. S./Mexican Agreement, and (3) the existing relationship in the field of standard broadcasting between the United States and a North American country not signatory to either of these agreements, referred to herein as a non-signatory country.) The procedure set forth in paragraphs (b) to (e) of this section is applicable to all applications before the Commission for standard broadcast station assignments except those already being held in a pending status in connection with Dockets Nos. 6741 and 8333.

(b) Whenever it appears with respect to an application not in hearing status that a grant thereof would be inconsistent with the NARBA or the U. S./Mexican Agreement, or that the operation proposed therein would cause objectionable interference to a station in a non-signatory country, such application shall be placed in the pending file and, except as provided in this section, shall not receive further consideration or action pending modification of the policy set forth in the note to § 3.28 (b) of this chapter. Where it appears that any such application is mutually exclusive with an application or applications, the grant of which would not be inconsistent with these agreements and would not result in objectionable interference to any station in a non-signatory country, such application will be designated for hearing in consolidation with the application or applications with which it is in conflict. In such cases, the question of consistency with the NARBA or the U. S./Mexican Agreement or objectionable interference to stations in a non-signatory country shall be made a matter of issue in the hearing.

(c) (1) Whenever it appears with respect to any application which has been designated for hearing by itself or with other applications in any consolidated proceeding that a grant of the application or each and every one of the applications involved would be inconsistent with the NARBA or the U. S./Mexican Agreement or would result in objectionable interference to a station in a non-signatory country, and where the hearing involved has not been commenced, such application or applications will be removed from the hearing docket and placed in the pending file. Where the hearing involved has commenced such application or applications will be placed in the pending file, but will not be removed from the hearing docket. Such action shall be by order and may be taken by the Commission.

(2) Whenever it appears with respect to one or more, but not all, of the applications in any consolidated proceeding that a grant of such application or applications would be inconsistent with the NARBA or the U. S./Mexican Agreement or would result in objectionable interference with stations in a non-signatory country, and where consistency with the agreements or interference to stations in a non-signatory country is not already a matter at issue in the proceeding, the notice of hearing will be amended to include an appropriate issue, and if the record has been closed it will be reopened for the purpose of taking testimony with respect to such issue. Such action will be taken by the Commission upon its own motion, upon motion of any party to the proceeding or the Chief of the Broadcast Bureau.

(3) In any proceeding in which after the hearing has commenced it becomes necessary to place the applications involved in the pending file or to add, with respect to any application or applications, an issue concerning consistency with the NARBA or the U. S./Mexican Agreement or interference to stations in a non-signatory country, the applicants concerned will, notwithstanding the status of proceeding and the provisions of § 1.365 (a), be afforded a reasonable opportunity to amend for the purpose of achieving consistency with these agreements and eliminating interference to a non-signatory country.

(4) In any proceeding in which there is an issue concerning consistency with the NARBA or the U. S./Mexican Agreement or interference to stations in a non-signatory country, the presiding officer will include in his decision a finding on this issue. However, neither the presiding officer nor the Commission will take this factor into account in arriving at a determination whether the grant of any application in the proceeding would serve the public interest. The presiding officer and the Commission will adhere to the policy outlined below in taking final or intermediate action upon the applications involved in such proceedings.

(i) Applications will be granted where such action would not be inconsistent with the NARBA or the U. S./Mexican Agreement, would not result in interference to a station in a non-signatory country and would otherwise be in the public interest.

(ii) Applications will be denied (*a*) which are mutually exclusive with an application granted in accordance with subdivision (i) of this subparagraph and (*b*) where a denial is required for reasons independent of the question whether grant of application would be consistent with the NARBA or the U. S./Mexican Agreement or would result in objectionable interference to a station in a non-signatory country.

(iii) Applications will be placed in the pending file without removal from the hearing docket (*a*) where a grant would be inconsistent with the NARBA or the U. S./Mexican Agreement or would result in interference to a station in a non-signatory country but would otherwise be in the public interest; and (*b*) where a denial would be based upon comparative consideration with an application placed in the pending file in accordance with (*a*) of this subdivision.

(d) Whenever any application is placed in the pending file pursuant to paragraphs (b) or (c) of this section, the applicant concerned will be notified of the Commission's action in the matter. Any interested applicant who believes that an application has been erroneously placed in the pending file, may petition the Commission for a review of its action. Petitions requesting that an application be placed in the pending file will also be entertained. All petitions filed pursuant to this paragraph must be filed in quintuplicate and be accompanied by an affidavit of a qualified radio engineer setting forth the engineering basis for the petition. Upon receipt of a petition filed in accordance with this paragraph, the Commission will review the action to which the petition is directed and provide opportunity for the submission by interested parties of any further data that may be required for full consideration of the matter.

(e) As a matter of general practice, except as provided in the procedure set forth in paragraphs (b) to (d) of this section, applications consistent with the NARBA and the U. S./Mexican Agreement which do not propose operations which would cause interference to stations in a non-signatory country will be considered and acted upon by the Commission in accordance with its established procedure, even though the NARBA or the U. S./Mexican Agreement may not yet have entered into force. In particular cases involving applications consistent with both agreements but in which special considerations of an international nature require that a different procedure be followed, the applicant or applicants involved will be formally advised to that effect.

3. Delete the text of footnote 1 to the title of Subpart G and substitute the following:

[1] See § 1.300.

B. Part 3 is amended as follows:

The note to § 3.28 (b) is amended to read as follows:

NOTE: Pending action with respect to ratification and entry into force of the North American Regional Broadcasting Agreement, Washington, 1950 (referred to herein as NARBA), and the Agreement between the United States of America and the United Mexican States Concerning Radio Broadcasting in Standard Broadcast Band (referred to herein as the U. S./Mexican Agreement) no assignment for a standard broadcast station will be made which would be inconsistent with the terms of these agreements.

On an interim basis while protection by countries not signatory to either of these agreements continues for assignments in the United States, no assignment for a standard broadcast station will be made which would cause objectionable interference to a duly notified station in a North American country which is not signatory to the NARBA or the U. S./Mexican Agreement (i. e., Haiti). For purposes of this paragraph, interference will, in general, be determined in accordance with the engineering standards set forth in the NARBA.

The Haitian stations considered to be duly notified will be those notified and accepted in accordance with past agreements, and those subsequently notified in substantial accordance with the procedures and understandings that have pertained thus far.

Engineering standards now in force domestically differ in some respects from those specified for international purposes. For example, the engineering standards specified for international purposes will be used to determine (1) the extent to which interference might be caused by a proposed station in the United States to a station in another North American country and (2) whether the United States should register an objection to any new or changed assignment notified by another North American country. The domestic standards in effect in the United States will be used to determine the extent to which interference exists

or would exist from a foreign station where the value of such interference enters into a calculation (1) of the service to be rendered by a proposed operation in the United States or (2) of the permissible interfering signal from one station in the United States towards another United States station.

In general, an application for standard broadcast station assignment, the grant of which would be consistent with provisions of the NARBA and the U. S./Mexican Agreement and would not cause objectionable interference to a duly notified station in a North American country not signatory to either agreement, will be considered and acted upon by the Commission in accordance with its rules and established procedure for action upon such applications, even though these agreements may not yet have entered into force. However, in particular cases such applications may also present considerations of an international nature which require that a different procedure be followed. In such cases the procedure to be followed will be determined by the Commission in the light of the special considerations involved.

Special provisions of a procedural nature respecting the consideration of applications for standard broadcast station assignments pending action with respect to ratification and entry into force of NARBA and the U. S./Mexican Agreement, and respecting the consideration of applications the grant of which would cause objectionable interference to duly notified station in countries not signatory to either of these agreements are set out in § 1.300 of this chapter.

[F. R. Doc. 57-2396; Filed, Mar. 27, 1957; 8:53 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 115—SOUTHEASTERN ALASKA AREA SALMON FISHERIES, GENERAL REGULATIONS

BAG LIMIT

Basis and purpose. Because the recently established personal use bag limit for king salmon in Southeastern Alaska is unduly restrictive on certain forms of sport fishing, it has been determined that some relaxation can be permitted.

Therefore, effective immediately upon publication in the FEDERAL REGISTER, § 115.50 is amended in paragraph (b) to read as follows:

(b) A bag limit of either: (1) Fifty pounds and one fish, or (2) three fish.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

ROSS LEFFLER,
Assistant Secretary of the Interior.

MARCH 25, 1957.

[F. R. Doc. 57-2412; Filed, Mar. 26, 1957; 1:47 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[46 CFR Parts 30, 38]

[CGFR 57-16]

NAVIGATION AND VESSEL INSPECTION REGULATIONS

PUBLIC HEARING ON PROPOSED CHANGES REGARDING LIQUEFIED INFLAMMABLE GASES

The Merchant Marine Council will hold a public hearing on Tuesday, May 7, 1957, commencing at 9:30 a. m. in Room 4120, Coast Guard Headquarters, 13th and E Streets, N. W., Washington, D. C., for the purpose of receiving comments, views, and data on certain proposed changes in the navigation and vessel inspection regulations as generally described in Items I to XVI, inclusive, which were published in the FEDERAL REGISTER dated March 7, 1957, 22 F. R. 1433-1439. Requests have been received concerning changes in 46 CFR 30.10-39, 38.05-1, and 38.10-1, dealing with requirements governing the transportation of liquefied inflammable gases. Therefore, an Item XVII has been added to the Agenda which will be considered at the public hearing of the Merchant Marine Council to be held on May 7, 1957.

The proposed changes in 46 CFR 30.10-39, 38.05-1, and 38.10-1 are set forth below under the heading "Item XVII—Liquefied Inflammable Gases." Copies of the proposed changes will be mailed to persons and organizations who have expressed a continued interest in the subject under consideration and have requested that copies be furnished them. Copies of the proposed changes will be also furnished to others so long as they are available and requests should be addressed to the Commandant (CMC), United States Coast Guard, Washington 25, D. C. After the extra copies for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

Comments on the proposed regulations set forth below are invited. Each oral or written comment is considered and evaluated. If it is believed the comment, view, or suggestion clarifies or improves the proposed amendment, it is changed accordingly and after adoption by the Commandant the regulation is published in the FEDERAL REGISTER. Each person who desires to submit written comments, views, or data should submit them so that they will be received prior to April 30, 1957, by the Commandant (CMC), United States Coast Guard Headquarters, Washington, D. C.

ITEM XVII—LIQUEFIED INFLAMMABLE GASES

Since the scope of the regulations in 46 CFR Part 38 has been revised so that the same requirements apply to the transportation of liquefied petroleum gas as to any other liquefied inflammable gas, the need for retaining classes of liquefied inflammable gases no longer exists. It is, therefore, proposed to amend 46 CFR 30.10-39 to read as follows;

§ 30.10-39 *Liquefied inflammable gas—TB/ALL.* The term "liquefied inflammable gas" means any inflammable gas having a Reid vapor pressure exceeding 40 pounds which has been compressed and liquefied for the purpose of transportation.

As a result of changing the scope of 46 CFR Part 38 these regulations will now govern the transportation of liquefied inflammable gases as defined in the proposed regulation 46 CFR 30.10-39. Since the liquefied inflammable gases other than liquefied petroleum gas usually have a lower vapor pressure than the liquefied petroleum gases, it is proposed to provide less stringent requirements for the carriage of any liquefied inflammable gas other than a liquefied petroleum gas in tanks designed for a lower pressure than that presently specified. It is proposed to provide the same minimum design pressure and minimum plate thickness for tanks containing liquefied inflammable gases as are presently provided in 46 CFR Part 39 when such vessels carry inflammable or combustible liquids having lethal characteristics. To accomplish these changes it is proposed to amend 46 CFR 38.05-1 (b), (c), and (e) to read as follows:

§ 38.05-1 *Design and construction—TB/ALL.* * * *

(b) Unlagged cargo tanks subject to atmospheric temperatures shall be designed for a pressure not less than the vapor pressure of the gas at 115° F., in pounds per square inch gage, but for not less than 30 pounds per square inch gage.

(c) Where cargo tanks are lagged as required by § 38.05-20, the tanks shall be designed for a pressure of not less than the vapor pressure of the gas at 105° F., in pounds per square inch gage, but for not less than 30 pounds per square inch gage.

* * * * *

(e) The shell and head thickness of cargo tanks shall be not less than $\frac{5}{16}$ inch.

The present requirements in 46 CFR 38.10-1 (c) with respect to valves, fittings, and accessories on tanks containing liquefied inflammable gases were initially intended to apply to cargo tanks located below the weather deck of vessels or in hopper type barges. Some vessels have tanks located on deck, in which case the requirements that liquid and vapor connections shall be located near the highest point on the tank above the weather deck have been difficult to meet. In some instances troublesome reach rods have been installed or ladders and walkways had to be provided. It is considered that liquid and vapor connections can be satisfactorily located below the highest point on the tank when the tank is located above the weather deck so that any leakage would immediately vaporize and the vapors cannot drift to a lower level of the vessel where they would create a hazard. It is, therefore, pro-

posed to amend 46 CFR 38.10–1 (c) to read as follows:

§ 38.10–1 *Valves, fittings and accessories—TB/ALL.* * * *

(c) Each tank shall be provided with the necessary fill and discharge liquid and vapor shut-off valves, safety relief valves, liquid level gaging devices, thermometer well and pressure gage, and shall be provided with suitable access for convenient operation. Connections to tanks installed below the weather deck shall be made to a trunk or dome extending above the weather deck. Tanks installed on hopper barges shall have all pipe connections attached to the top of the tanks. Connections to the tanks shall be protected against mechanical damage and tampering. Other openings in the tanks, except as specifically permitted by this subchapter, are prohibited.

The authority for the regulations regarding the transportation of liquefied inflammable gases is in R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. These regulations interpret or apply R. S. 4417a, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.

Dated: March 22, 1957.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 57–2390; Filed, Mar. 27, 1957; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES

BLACKFEET INDIAN IRRIGATION PROJECT, MONTANA

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946, 60 Stat. 239, and the acts of Congress, approved August 1, 1914, 38 Stat. 583; May 18, 1916, 39 Stat. 142; and March 7, 1928, 45 Stat. 210; 25 U. S. C. 387, 1940 ed, notice is hereby given of intention to amend §§ 130.130, 130.131 and 130.132 of Title 25 CFR. This amendment to be effective for the irrigation season of 1957, which begins April 1, 1957, and thereafter until further notice.

Interested persons are hereby given fifteen days from date of publication in the FEDERAL REGISTER to participate in preparing the proposed amendments by submitting their views and data or arguments in writing to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D. C.

The proposed amendment is as follows:

§ 130.130 *Basic assessment.* Pursuant to the acts of Congress approved August 1, 1914, May 18, 1916, and March 7, 1928, 38 Stat. 583; 39 Stat. 142; 45 Stat. 210; 25 U. S. C. 385, 387, the basic rate of assessment of operation and maintenance charges against the irrigable lands to which water can be delivered under the Blackfeet Indian Irrigation Project, Montana, for the season of 1957 and subsequent years until further notice, is hereby fixed at $1.80 per acre for the assessable area under constructed works, water to be delivered on demand based upon an estimated per acre quota of the available supply.

§ 130.131 *Excess water assessment.* Additional water when available, in excess of 1½ acre feet per acre per annum may be delivered upon request at the rate of $1.00 per acre foot, or fraction thereof.

§ 130.132 *Payment.* (a) The assessments fixed in § 130.130 shall be due April 1 of each year and shall be payable on or before that date.

(b) The assessments fixed in § 130.131 for excess water shall be paid at the time of request for delivery thereof or previous to the time of delivery.

(c) To all charges assessed against lands in non-Indian ownership and Indian lands under lease to non-Indian lessees which are not paid on or before July 1 of each year there shall be added a penalty of one-half of 1 percent per month or fraction thereof from the due date, April 1, so long as the delinquency continues.

(d) In the event an Indian water user is unable to pay the assessment when due, water may be furnished upon certification by the Superintendent of the reservation that the landowner or his Indian lessee has agreed that the assessment will be paid from the proceeds of the crops or from any other sources of income, or if a written certificate is issued by the Superintendent stating that such Indians are financially unable to pay. In such cases, the unpaid charges shall be entered on the accounts as a first lien against the land without penalty for delinquency.

(e) All payments must be made to the Bureau of Indian Affairs through the Blackfeet Agency, Browning, Montana.

HATFIELD CHILSON,
Acting Secretary of the Interior.

MARCH 22, 1957.

[F. R. Doc. 57–2374; Filed, Mar. 27, 1957; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 914]

NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

FINDINGS AND DETERMINATIONS WITH RESPECT TO THE CONTINUANCE OF THE AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the applicable provisions of Marketing Agreement No. 117, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), notice was given in the FEDERAL REGISTER on January 25, 1957 (22 F. R. 500), that a referendum would be conducted among the growers who, during the period November 1, 1955, through October 31, 1956 (which period was determined to be a representative period for purposes of such referendum), had been engaged, in the State of Arizona and that part of the State of California south of the 37th Parallel, in the production of navel oranges for market to determine whether such growers favor continuance of the said amended marketing agreement and order.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period February 11 through February 20, 1957, both dates inclusive, it is hereby found and determined that the continuance of the said amended marketing agreement and order is favored by the requisite majority of such growers.

Dated: March 25, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57–2357; Filed, Mar. 27, 1957; 8:45 a. m.]

[7 CFR Parts 925, 1008]

[Docket Nos. AO–226–A4, AO–275–A1]

MILK IN PUGET SOUND, WASHINGTON, AND INLAND EMPIRE MARKETING AREAS

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND TO ORDERS REGULATING HANDLING

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a joint public hearing to be held in the Federal Office Building, Room 216, First and Marion Streets, Seattle, Washington, on April 5, 1957, beginning at 10:00 a. m., local time.

Subject and issues involved in the hearing. The public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreements heretofore approved by the Secretary of Agriculture, and to the orders, in effect, regulating the handling of milk in the Puget Sound, Washington, and Inland Empire marketing areas (7 CFR Parts 925 and 1008 et seq.). The proposed amendments set forth below have not received the approval of the Secretary of Agriculture.

The following amendments to the order regulating the handling of milk in the Puget Sound, Washington, marketing area are proposed by the United Dairymen's Association:

1. Amend §§ 925.51 and 925.52 to substitute the price of 93-score butter at Chicago plus three cents in lieu of the applicable butter quotations for the San Francisco market described therein whenever the latter are not available.

2. Include such provision or provisions as are necessary to provide any other

legal and suitable alternative to accomplish the same or similar purposes as proposal No. 1 above.

3. Delete § 925.13 (b) and all references thereto in other provisions of the order.

The following amendments to the order regulating the handling of milk in the Inland Empire marketing area are proposed by the Inland Empire Milk Producers Association and the Spokane Milk Producers Association:

4. Amend §§ 1008.51 and 1008.52 to substitute the price of 93-score butter at Chicago plus three cents in lieu of the applicable butter quotations for the San Francisco market described therein whenever the latter are not available.

5. Add the following as § 1008.54:

§ 1008.54 *Use of equivalent prices.* If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

The following amendment to the order regulating the handling of milk in the Puget Sound, Washington, marketing area is proposed by the Dairy Division:

6. Consider the following language in connection with proposal No. 2 above:

§ 925.55 *Use of equivalent prices.* If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Copies of this notice of hearing, and of the Puget Sound, Washington, order, now in effect, may be obtained from the Market Administrator, 200 Bigelow Building, 4th and Pike Streets, Seattle 1, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Copies of this notice of hearing, and of the Inland Empire order, now in effect, may be obtained from the Market Administrator, West 933 Third Avenue, Room 212, Spokane 4, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: March 25, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-2359; Filed, Mar. 27, 1957; 8:45 a. m.]

[7 CFR Part 987]

[Docket No. AO-252-A4]

MILK IN CENTRAL MISSISSIPPI MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED TENTATIVE MARKETING AGREEMENT AND ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Jackson, Mississippi, January 25, 1957 (22 F. R. 417), upon a proposed tentative marketing agreement and order, as amended, regulating the handling of milk in the Central Mississippi marketing area.

Upon the basis of the evidence introduced at the hearing, and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on March 7, 1957, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Said decision, containing notice of opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 12, 1957 (22 F. R. 1589).

Within the period reserved therefor, interested persons filed exceptions to certain of the findings, conclusions and actions recommended by the Deputy Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto.

To the extent that suggested findings and conclusions proposed by interested persons are inconsistent with the findings and conclusions contained herein, the specific or implied requests to make such findings and reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions herein set forth.

The material issues, findings and conclusions of the recommended decision (22 F. R. 1589, Doc. 57-1834) are hereby approved and adopted as the issues, findings and conclusions, and general findings of this decision as if set forth in full herein.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed order, as amended, and as hereby further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement upon which a hearing has been held.

Determination of representative period. The month of January 1957, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, amending the order, regulating the handling of milk in the Central Mississippi marketing area is approved or favored by producers, as defined under the terms of the order, as amended, and as hereby proposed to be further amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Marketing agreement and order, as amended. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Central Mississippi Marketing Area", and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Central Mississippi Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and proposed to be hereby further amended.

This decision filed at Washington, D. C., this 25th day of March 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Central Mississippi Marketing Area

§ 987.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Central Mississippi marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

posed to amend 46 CFR 38.10–1 (c) to read as follows:

§ 38.10–1 *Valves, fittings and accessories—TB/ALL.* * * *

(c) Each tank shall be provided with the necessary fill and discharge liquid and vapor shut-off valves, safety relief valves, liquid level gaging devices, thermometer well and pressure gage, and shall be provided with suitable access for convenient operation. Connections to tanks installed below the weather deck shall be made to a trunk or dome extending above the weather deck. Tanks installed on hopper barges shall have all pipe connections attached to the top of the tanks. Connections to the tanks shall be protected against mechanical damage and tampering. Other openings in the tanks, except as specifically permitted by this subchapter, are prohibited.

The authority for the regulations regarding the transportation of liquefied inflammable gases is in R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. These regulations interpret or apply R. S. 4417a, as amended, sec. 3, 68 Stat. 675; 46 U. S. C. 391a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.

Dated: March 22, 1957.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 57–2390; Filed, Mar. 27, 1957; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES

BLACKFEET INDIAN IRRIGATION PROJECT, MONTANA

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946, 60 Stat. 239, and the acts of Congress, approved August 1, 1914, 38 Stat. 583; May 18, 1916, 39 Stat. 142; and March 7, 1928, 45 Stat. 210; 25 U. S. C. 387, 1940 ed, notice is hereby given of intention to amend §§ 130.130, 130.131 and 130.132 of Title 25 CFR. This amendment to be effective for the irrigation season of 1957, which begins April 1, 1957, and thereafter until further notice.

Interested persons are hereby given fifteen days from date of publication in the FEDERAL REGISTER to participate in preparing the proposed amendments by submitting their views and data or arguments in writing to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D. C.

The proposed amendment is as follows:

§ 130.130 *Basic assessment.* Pursuant to the acts of Congress approved August 1, 1914, May 18, 1916, and March 7, 1928, 38 Stat. 583; 39 Stat. 142; 45 Stat. 210; 25 U. S. C. 385, 387, the basic rate of assessment of operation and maintenance charges against the irrigable lands to which water can be delivered under the Blackfeet Indian Irrigation Project, Montana, for the season of 1957 and subsequent years until further notice, is hereby fixed at $1.80 per acre for the assessable area under constructed works, water to be delivered on demand based upon an estimated per acre quota of the available supply.

§ 130.131 *Excess water assessment.* Additional water when available, in excess of 1½ acre feet per acre per annum may be delivered upon request at the rate of $1.00 per acre foot, or fraction thereof.

§ 130.132 *Payment.* (a) The assessments fixed in § 130.130 shall be due April 1 of each year and shall be payable on or before that date.

(b) The assessments fixed in § 130.131 for excess water shall be paid at the time of request for delivery thereof or previous to the time of delivery.

(c) To all charges assessed against lands in non-Indian ownership and Indian lands under lease to non-Indian lessees which are not paid on or before July 1 of each year there shall be added a penalty of one-half of 1 percent per month or fraction thereof from the due date, April 1, so long as the delinquency continues.

(d) In the event an Indian water user is unable to pay the assessment when due, water may be furnished upon certification by the Superintendent of the reservation that the landowner or his Indian lessee has agreed that the assessment will be paid from the proceeds of the crops or from any other sources of income, or if a written certificate is issued by the Superintendent stating that such Indians are financially unable to pay. In such cases, the unpaid charges shall be entered on the accounts as a first lien against the land without penalty for delinquency.

(e) All payments must be made to the Bureau of Indian Affairs through the Blackfeet Agency, Browning, Montana.

HATFIELD CHILSON,
Acting Secretary of the Interior.

MARCH 22, 1957.

[F. R. Doc. 57–2374; Filed, Mar. 27, 1957; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 914]

NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

FINDINGS AND DETERMINATIONS WITH RESPECT TO THE CONTINUANCE OF THE AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the applicable provisions of Marketing Agreement No. 117, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), notice was given in the FEDERAL REGISTER on January 25, 1957 (22 F. R. 500), that a referendum would be conducted among the growers who, during the period November 1, 1955, through October 31, 1956 (which period was determined to be a representative period for purposes of such referendum), had been engaged, in the State of Arizona and that part of the State of California south of the 37th Parallel, in the production of navel oranges for market to determine whether such growers favor continuance of the said amended marketing agreement and order.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period February 11 through February 20, 1957, both dates inclusive, it is hereby found and determined that the continuance of the said amended marketing agreement and order is favored by the requisite majority of such growers.

Dated: March 25, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57–2357; Filed, Mar. 27, 1957; 8:45 a. m.]

[7 CFR Parts 925, 1008]

[Docket Nos. AO–226–A4, AO–275–A1]

MILK IN PUGET SOUND, WASHINGTON, AND INLAND EMPIRE MARKETING AREAS

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND TO ORDERS REGULATING HANDLING

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a joint public hearing to be held in the Federal Office Building, Room 216, First and Marion Streets, Seattle, Washington, on April 5, 1957, beginning at 10:00 a. m., local time.

Subject and issues involved in the hearing. The public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreements heretofore approved by the Secretary of Agriculture, and to the orders, in effect, regulating the handling of milk in the Puget Sound, Washington, and Inland Empire marketing areas (7 CFR Parts 925 and 1008 et seq.). The proposed amendments set forth below have not received the approval of the Secretary of Agriculture.

The following amendments to the order regulating the handling of milk in the Puget Sound, Washington, marketing area are proposed by the United Dairymen's Association:

1. Amend §§ 925.51 and 925.52 to substitute the price of 93-score butter at Chicago plus three cents in lieu of the applicable butter quotations for the San Francisco market described therein whenever the latter are not available.

2. Include such provision or provisions as are necessary to provide any other

legal and suitable alternative to accomplish the same or similar purposes as proposal No. 1 above.

3. Delete § 925.13 (b) and all references thereto in other provisions of the order.

The following amendments to the order regulating the handling of milk in the Inland Empire marketing area are proposed by the Inland Empire Milk Producers Association and the Spokane Milk Producers Association:

4. Amend §§ 1008.51 and 1008.52 to substitute the price of 93-score butter at Chicago plus three cents in lieu of the applicable butter quotations for the San Francisco market described therein whenever the latter are not available.

5. Add the following as § 1008.54:

§ 1008.54 *Use of equivalent prices.* If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

The following amendment to the order regulating the handling of milk in the Puget Sound, Washington, marketing area is proposed by the Dairy Division:

6. Consider the following language in connection with proposal No. 2 above:

§ 925.55 *Use of equivalent prices.* If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Copies of this notice of hearing, and of the Puget Sound, Washington, order, now in effect, may be obtained from the Market Administrator, 200 Bigelow Building, 4th and Pike Streets, Seattle 1, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Copies of this notice of hearing, and of the Inland Empire order, now in effect, may be obtained from the Market Administrator, West 933 Third Avenue, Room 212, Spokane 4, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: March 25, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-2359; Filed, Mar. 27, 1957; 8:45 a. m.]

[7 CFR Part 987]

[Docket No. AO-252-A4]

MILK IN CENTRAL MISSISSIPPI MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED TENTATIVE MARKETING AGREEMENT AND ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Jackson, Mississippi, January 25, 1957 (22 F. R. 417), upon a proposed tentative marketing agreement and order, as amended, regulating the handling of milk in the Central Mississippi marketing area.

Upon the basis of the evidence introduced at the hearing, and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on March 7, 1957, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Said decision, containing notice of opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 12, 1957 (22 F. R. 1589).

Within the period reserved therefor, interested persons filed exceptions to certain of the findings, conclusions and actions recommended by the Deputy Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto.

To the extent that suggested findings and conclusions proposed by interested persons are inconsistent with the findings and conclusions contained herein, the specific or implied requests to make such findings and reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions herein set forth.

The material issues, findings and conclusions of the recommended decision (22 F. R. 1589, Doc. 57-1834) are hereby approved and adopted as the issues, findings and conclusions, and general findings of this decision as if set forth in full herein.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed order, as amended, and as hereby further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement upon which a hearing has been held.

Determination of representative period. The month of January 1957, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, amending the order, regulating the handling of milk in the Central Mississippi marketing area is approved or favored by producers, as defined under the terms of the order, as amended, and as hereby proposed to be further amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Marketing agreement and order, as amended. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Central Mississippi Marketing Area", and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Central Mississippi Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and proposed to be hereby further amended.

This decision filed at Washington, D. C., this 25th day of March 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Central Mississippi Marketing Area

§ 987.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Central Mississippi marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Central Mississippi marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete § 987.16 and substitute the following:

§ 987.16 *Producer-handler.* "Producer-handler" means any person who operates a dairy farm and a distributing plant which, during the month, received no other source milk (except own production), producer milk, or milk from a pool plant.

[F. R. Doc. 57-2358; Filed, Mar. 27, 1957; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 11957; FCC 57-265]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, Table of Assignments, Television Broadcast Stations (Providence, Rhode Island-New Haven, Connecticut-New Bedford, Massachusetts).

1. Notice is hereby given of rule making in the above-entitled matter.

2. The Commission issued its report and order last June in the general television allocation proceeding in Docket No. 11532 (13 Pike and Fischer, R. R. 1571-1595), outlining a long-range program designed to improve the television allocation structure. At the same time we considered what action might be taken to improve the opportunities for more effective competition among a greater number of stations in individual communities and areas pending a resolution of the long-range program, and we specified therein the bases on which we would consider channel changes in the interim. In furtherance of this interim program, the Commission initiated a number of rule making proceedings proposing channel changes for various communities. Since March 1, 1957, we have released decisions in some nine of these cases.[1] In one of these cases—the Hartford, Connecticut-Providence, Rhode Island proceeding in Docket No. 11748—we originally proposed to substitute Channel 61 for Channel 3 in Hartford, Connecticut, and to reassign Channel 3 to Providence, Rhode Island, by making certain other changes in assignments. However, upon consideration of all the comments and counterproposals submitted and the numerous factors involved, we determined in our Report and Order (FCC 57-181) released March 1, 1957, that the public interest would best be served by the retention of Channel 3 in Hartford. We believe, however, that, in accordance with the policies adopted by the Commission in the general allocation proceeding and currently being pursued with respect to proposed channel changes, the merits of assigning a third VHF channel to the Providence area by means other than those considered in the Hartford-Providence proceeding should be explored.

3. This objective could be accomplished by shifting Channel 8 from New Haven, Connecticut, to the Providence area and substituting Channel 6 for Channel 8 at New Haven by deleting Channel 6 from New Bedford, Massachusetts. The deletion of Channel 6 from Albany-Schenectady-Troy, New York, would also be required, but we need not consider that change here since the shift of Channel 6 from Albany-Schenectady-Troy to Syracuse, New York, is the subject of the proceeding in Docket No. 11751 (See report and order, FCC 57-178, released March 1, 1957). However, Channel 8 could also be assigned to New Bedford or to Fall River, Massachusetts, as well as to Providence. We are therefore inviting comments on the proposed reassignment of Channel 8 to the hyphenated communities of Providence-Fall River-New Bedford by substituting Channel 6 for Channel 8 in New Haven and deleting Channel 6 from New Bedford. However, in utilizing Channel 8 and Channel 6, as proposed, the transmitters would have to be located so as to meet the minimum spacing and coverage requirements. The changes proposed are as follows:

City	Channel No.	
	Present	Proposed
Providence, R. I., Fall River, Mass., New Bedford, Mass.		8+
New Bedford, Mass.	6+, 28-, 34+	28-, 34+
New Haven, Conn.	8+, 59+	6+, 59+

[1] Vail Mills, Albany-Schenectady-Troy (N. Y.), Docket No. 11751; Elmira (N. Y.), Docket No. 11758; Springfield (Ill.)-St. Louis (Mo.), Docket No. 11747; Peoria (Ill.)-Davenport (Iowa)-Rock Island-Moline (Ill.), Docket No. 11749; Hartford (Conn.)-Providence (R. I.), Docket No. 11748; Madison (Wisc.), Docket No. 11754; Evansville (Ind.), Docket No. 11757; Fresno-Santa Barbara (Calif.), Docket No. 11759; and New Orleans (La.)-Lake Charles-Lafayette (La.)-Houma (La.)-Beaumont-Port Arthur (Texas), Docket No. 11752.

4. Any interested party who is of the view that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before April 29, 1957, a written statement setting for his comments. Comments supporting the proposed amendments may also be filed on or before the same date. Comments in reply to original comments may be filed within 15 days from the last date for filing said original comments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established.

5. Parties submitting comments in this proceeding are requested to direct their attention to the matters discussed in paragraph 31 of the Commission's report and order in Docket No. 11532. Data indicating television coverage should be filed in accordance with the Commission's notice and order, released November 6, 1956, in Docket Nos. 11532 and 11747, et seq. (FCC 56-1080).

6. Authority for the adoption of the amendments proposed herein is contained in sections 1, 4 (i), 301, 303 (c), (d), (f), (g) and (r), 307 (b) and 316 of the Communications Act of 1934, as amended, and section 4 of the Administrative Procedure Act.

7. In accordance with the provisions of § 1.764 of the rules, an original and 14 copies of all written comments shall be furnished the Commission.

Adopted: March 20, 1957.

Released: March 25, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2397; Filed, Mar. 27, 1957; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 54326]

COAL, COKE, AND BRIQUETTES IMPORTED FROM CANADA AND WEST GERMANY

TAXABLE STATUS

MARCH 21, 1957.

Coal, coke made from coal, and coal or coke briquettes imported from the following countries and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1957, inclusive, will not be subject to the tax of 10 cents per 100 pounds prescribed in section 4531, Internal Revenue Code of 1954:

Canada.
West Germany.

Certain countries from which there have been no importations of coal or allied fuels since January 1, 1955, are not

included in the above list. Further information concerning the taxable status of coal or allied fuels imported during the calendar year 1957 from countries not listed above will be furnished upon application therefor to the Bureau.

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F. R. Doc. 57-2391; Filed, Mar. 27, 1957; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Billings Area Office Redelegation Order 1, Amdt. 2]

PROSPECTING PERMITS

REDELEGATION OF AUTHORITY

Order 1 (20 F. R. 277) as amended (21 F. R. 1906) is further amended to add a new paragraph under the heading Functions Relating to Lands and Minerals, to read as follows:

SEC. 2.16 *Mineral leases and permits.* * * *

(c) The approval of tribal and allotted non-exclusive prospecting permits, issued on approved forms, including those with a preferential right to lease not more than 40 acres, provided the royalty rates have been approved by the Commissioner of Indian Affairs.

PERCY E. MELIS,
Area Director.

MARCH 22, 1957.

Approved: March 22, 1957.

GLENN L. EMMONS,
Commissioner.

[F. R. Doc. 57-2367; Filed, Mar. 27, 1957; 8:46 a. m.]

Bureau of Land Management

[57382]

MINNESOTA

NOTICE OF FILING OF PLATS OF SURVEY AND ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MARCH 22, 1957.

Plats of survey of omitted lands described will be officially filed in the Eastern States Land Office, Washington 25, D. C., effective at 10:00 a. m., on April 30, 1957.

FOURTH PRINCIPAL MERIDIAN, MINNESOTA

T. 56 N., R. 7 W., Lake County,
Sec. 32, lot 6, 1.56 acres;
Sec. 32, lot 7, 0.20 acre;
Sec. 32, lot 8, 0.26 acre;
Sec. 33, lot 1, 0.91 acre.
T. 33 N., R. 19 W., Chisago County,
Sec. 2, lot 10, 0.40 acre.

FIFTH PRINCIPAL MERIDIAN, MINNESOTA

T. 120 N., R. 22 W., Hennepin County,
Sec. 18, lot 8, 1.20 acres.

The lots in T. 56 N., R. 7 W., consist of islands in Lake Superior; the lot in T. 33 N., R. 19 W., is an island in the St. Croix River; and the lot in T. 120 N., R. 22 W., is an island in Diamond Lake.

All of the lots in Secs. 32 and 33, T. 56 N., R. 7 W., were disposed of by the United States by a patent issued on December 5, 1952, on the basis of an adjustment to the survey, and therefore are not subject to entry.

Available information indicates that Lot 10, Sec. 2, T. 33 N., R. 19 W., is situated from 12 to 30 feet above the normal water level of the St. Croix River, has a shallow rock soil, and supports a scattered stand of pine and hardwood timber. Lot 8, Sec. 18, T. 120 N., R. 22 W., is swampy in character, being located from 12 to 18 inches above the normal water level of Diamond Lake. It has a sandy rocky soil, with a vegetation cover of swamp type grasses and trees.

These surveys were made as an administrative measure to provide legal designation and area for islands omitted in the original surveys.

No application may be allowed under the homestead or small tract or any other nonmineral public land laws unless lands have already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merit. The lands will not be subject to occupancy or disposition until they have been classified.

1. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

2. All valid applications, under the Homestead and Small Tract Laws, by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on April 30, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on July 30, 1957, will be governed by the time of filing.

3. All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on July 30, 1957, will be considered filed simultaneously at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

All inquiries relating to the lands should be addressed to the Acting Manager, Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

H. K. SCHOLL,
Acting Manager.

[F. R. Doc. 57-2369; Filed, Mar. 27, 1957; 8:47 a. m.]

[73156]

MINNESOTA

NOTICE OF FILING OF PLATS OF SURVEY AND ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

Plats of survey of omitted lands described below, accepted July 5, 1956, will be officially filed in the Eastern States Land Office, Washington 25, D. C., effective at 10 a. m., on April 30, 1957.

4TH PRINCIPAL MERIDIAN, MINNESOTA

T. 58 N., R. 24 W., Itasca County,
Sec. 5, lot 11, 0.54 acre, Balsam Lake.
T. 56 N., R. 26 W.,
Sec. 4, lot 8, 0.43 acre, Deer Lake;
Sec. 4, lot 9, 0.96 acre, Deer Lake;
Sec. 5, lot 7, 0.19 acre, Deer Lake;
Sec. 27, lot 7, 9.55 acres, Bass Lake.
T. 57 N., R. 26 W.,
Sec. 34, lot 5, 1.42 acres, Deer Lake;
Sec. 34, lot 6, 1.23 acres, Deer Lake.

5TH PRINCIPAL MERIDIAN, MINNESOTA

T. 110 N., R. 26 W., Le Sueur County,
Sec. 26, lot 9, 1.98 acres, Emily Lake.

The lots described comprise islands in lakes, the names of which are shown opposite the land description.

Available information indicates that the islands consist chiefly of high, sandy and rocky lands, situated from 4 to 15 feet above the water level of the lakes. They support for the most part, a growth of hardwood and conifer timber and brush. The island in Bass Lake is swampy in character.

These surveys were made as an administrative measure to provide legal designation and area for islands omitted in the original surveys.

No application may be allowed under the homestead or small tract or any other nonmineral public land laws unless lands have already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merit. The lands will not be subject to occupancy or disposition until they have been classified.

1. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

2. All valid applications, under the Homestead and Small Tract Laws, by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on April 30, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on July 30, 1957, will be governed by the time of filing.

3. All valid applications and selections under the nonmineral public land laws,

other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on July 30, 1957, will be considered as filed simultaneously at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

All inquiries relating to the lands should be addressed to the Acting Manager, Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

H. K. SCHOLL,
Acting Manager.

[F. R. Doc. 57-2370; Filed, Mar. 27, 1957; 8:47 a. m.]

FLORIDA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LAND

MARCH 25, 1957.

The Department of Agriculture has filed application, BLM 043416, for the withdrawal of the land described below from all forms of appropriation subject to valid existing rights.

The land is included in Phosphate Reserve No. 16, created by Executive Order of February 3, 1913.

The land is within the boundaries of the Apalachicola National Forest and the applicant wishes its addition to the forest.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, a separate notice will be sent to each interested party of record.

The land involved in the application is in Leon County, Florida,

T. 1 S., R. 2 W., Tall. Mer.,
Sec. 14, Fractional NE¼NE¼, containing 1.07 acres.

H. K. SCHOLL,
Acting Manager.

[F. R. Doc. 57-2404; Filed, Mar. 27, 1957; 8:54 a. m.]

[69494]

IDAHO

PARTIALLY REVOKING DEPARTMENTAL ORDER OF JUNE 18, 1908, WHICH WITHDREW LAND FOR USE OF THE FOREST SERVICE AS THE GRAYS LAKE ADMINISTRATIVE SITE; CORRECTION

MARCH 25, 1957.

The order of October 20, 1955, appearing as Federal Register Document 55-8617, at page 8053 of the issue for October 26, 1955, which revoked the departmental order of June 18, 1908, so far as the latter order withdrew the NW¼SW¼, sec. 26, T. 4 S., R. 43 E., Boise Meridian, for use of the Forest Service, Department of Agriculture, as the Grays Lake Administrative Site, is hereby corrected by deleting the restoration paragraph, being all that part of the order following the words "The area described contains 40 acres".

The lands are included in the withdrawal made by departmental order of January 24, 1912, for reservoir purposes in connection with the Grays Lake Reservoir.

E. J. THOMAS,
Acting Director.

[F. R. Doc. 57-2405; Filed, Mar. 27, 1957; 8:54 a. m.]

Office of the Secretary

BADLANDS NATIONAL MONUMENT, S. DAK.

ORDER ADJUSTING BOUNDARIES, AND TRANSFERRING CERTAIN LANDS ELIMINATED THEREFROM, AND OTHER LANDS, TO DEPARTMENT OF AGRICULTURE

Pursuant to authority contained in the act of May 7, 1952 (66 Stat. 65): *It is ordered*, That:

1. Subject to valid existing rights, the exterior boundaries of Badlands National Monument in the Counties of Pennington, Jackson, and Washington, State of South Dakota, are hereby adjusted to encompass the following described lands:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

T. 1 S., R. 14 E.,
Sec. 34, S½ and S½N½;
Sec. 35, S½ and S½N½;
Sec. 36, S½ and S½N½.
T. 1 S., R. 15 E.,
Sec. 31, All;
Sec. 32, All;
Sec. 33, S½;
Sec. 34, S½S½;
Sec. 35, SW¼SW¼.
T. 2 S., R. 14 E.,
Secs. 1 to 3, inclusive: All;
Secs. 10 to 15, inclusive: All;
Sec. 16, E½
Sec. 21, E½;
Secs. 22 to 27, inclusive: All;
Sec. 28, E½;
Secs. 35 and 36, All.
T. 2 S., R. 15 E.,
Sec. 1, SW¼;
Secs. 2 to 36, inclusive: All.
T. 2 S., R. 16 E.,
Sec. 7, Lots 3 and 4, E½SW¼, and SE¼;
Sec. 8, S½;
Secs. 16 to 22, inclusive: All;
Sec. 23, S½;
Secs. 26 to 30, inclusive: All;
Sec. 31, Lots 1 and 2, E½NW¼, and NE¼;
Sec. 32, N½ and SE¼;
Secs. 33 to 35, inclusive: All.
T. 3 S., R. 13 E.,
Sec. 24, E½E½, SW¼SE¼, and SE¼SW¼;
Sec. 25, E½ and E½W½;
Sec. 34, S½;
Secs. 35 and 36, All.
T. 3 S., R. 14 E.,
Secs. 1 and 2: All;
Secs. 11 to 16; inclusive: All;
Sec. 17, S½, S½NW¼ and NE¼;
Sec. 18, S½, S½NE¼;
Secs. 19 and 20: All;
Sec. 21, N½;
Sec. 22, N½ and E½SE¼;
Secs. 23 to 26, inclusive: All;
Sec. 27, E½E½;
Secs. 29 and 30: All;
Sec. 31, N½.
T. 3 S., R. 15 E.,
Secs. 3 to 10, inclusive: All;
Sec. 11, S½SW¼ and NW¼SW¼;
Sec. 14, N½NW¼ and SW¼NW¼;
Secs. 15 to 20, inclusive: All.
T. 3 S., R. 16 E.,
Secs. 1 and 2: All;
Sec. 3, Lots 1, 2, 3 and 4, S½N½ and SE¼;
Sec. 11, N½ and SE¼;
Secs. 12 and 13: All.
T. 3 S., R. 17 E.,
Sec. 6, Lots 6 and 7 and E½SW¼;
Secs. 7 to 24, inclusive: All;
Sec. 27, NW¼;
Sec. 28, N½.
T. 3 S., R. 18 E.,
Secs. 13 to 30, inclusive: All;
Sec. 32, N½;
Sec. 33, N½;
Sec. 34, N½ and E½SE¼;
Sec. 35, All;
Sec. 36, N½.
T. 3 S., R. 19 E.,
Sec. 18, W½;
Sec. 19, W½;
Sec. 30, W½.
T. 4 S., R. 13 E.,
Sec. 2, W½;
Secs. 3, 4 and 5, inclusive: All;
Sec. 6, E½;
Sec. 7, E½;
Secs. 8, 9 and 10, inclusive: All;
Sec. 11, W½;
Secs. 15, 16 and 17, inclusive: All;
Sec. 18, E½;
Sec. 19, fractional, Lots 1 and 2;
Sec. 20, fractional, Lots 1, 2, 3 and 4;
Sec. 21, fractional, Lots 1, 2, 3 and 4;
Sec. 22, fractional, Lots 1, 2, 3 and 4.
T. 4 S., R. 18 E.,
Sec. 2, NW¼NW¼;
Sec. 15, Lot 1.

SIXTH PRINCIPAL MERIDIAN, SOUTH DAKOTA

T. 43 N., R. 44 W.,
Sec. 21, fractional: All.

Containing 111,529.82 acres, more or less.

2. Subject to valid existing rights, administrative jurisdiction over the hereinafter described lands, eliminated from the Monument boundaries, in the Counties of Pennington and Jackson, State of South Dakota, is hereby transferred from the Department of the Interior to the Department of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525; 7 U. S. C., 1952 ed., secs. 1010-1013), and the related provisions of Title IV thereof:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

T. 2 S., R. 14 E.,
Sec. 33, E½;
Sec. 34, All.
T. 2 S., R. 16 E.,
Sec. 31, S½;
Sec. 32, SW¼.
T. 3 S., R. 13 E.,
Sec. 13, All;
Sec. 23, S½;
Sec. 24, NW¼, N½SW¼, SW¼SW¼, W½NE¼ and NW¼SE¼;
Sec. 25, W½W½;
Sec. 26, All;
Secs. 31 to 33, inclusive, All;
Sec. 34, N½.
T. 3 S., R. 14 E.,
Sec. 3, All;
Sec. 4, E½;
Sec. 9, E½;
Sec. 10, All;
Sec. 17, N½NW¼;
Sec. 18, NW¼ and N½NE¼;
Sec. 22, W½SE¼;
Sec. 27, W½E½.

T. 3 S., R. 16 E.,
Sec. 24, All.
T. 3 S., R. 19 E.,
Sec. 18, E½;
Sec. 19, E½;
Sec. 30, E½;
Sec. 31, N½.
T. 4 S., R. 13 E.,
Sec. 6, W½;
Sec. 7, W½;
Sec. 18, W½;
Sec. 19, fractional, Lots 3 and 4.

Containing 11,234.09 acres, more or less.

3. Subject to valid existing rights, administrative jurisdiction over the hereinafter described lands, inadvertently omitted from previous orders transferring lands to the Department of Agriculture pursuant to this act, is transferred from the Department of the Interior to the Department of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the Bankhead-Jones Farm Tenant Act, supra.

BLACK HILLS MERIDIAN, SOUTH DAKOTA

T. 3 S., R. 13 E.,
Sec. 28, NE¼SW¼.
T. 3 S., R. 15 E.,
Sec. 14, E½NE¼.

Containing 120 acres, more or less.

HATFIELD CHILSON,
Acting Secretary of the Interior.

MARCH 22, 1957.

[F. R. Doc. 57-2373; Filed, Mar. 27, 1957; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case 225]

WILLIAM KURT SAMUEL WALLERSTEINER ET AL.

ORDER DENYING EXPORT PRIVILEGES

In the matter of William Kurt Samuel Wallersteiner, Watford Chemical Company, Ltd., 22/32 Copperfield Road, Canal Road, London, E. 3, England; Anglo-Continental Exchange Ltd., 31 Throgmorton Street, London, E. C. 2, England; Britannia Shipping Company Ltd., Ibex House, Minories, London, E. C. 3, England; The Loyal Trust, Vaduz, Liechtenstein; Standard Chemie, A. G., St. Albangraben 8, Basel, Switzerland; Respondents, Case No. 225.

The respondents, William Kurt Samuel Wallersteiner, Watford Chemical Company, Ltd., The Loyal Trust, Standard Chemie, A. G., Britannia Shipping Company Ltd., and Anglo-Continental Exchange Ltd., having been charged by the Agent-in-Charge, Investigation Staff, Bureau of Foreign Commerce, Department of Commerce, with violations of the Export Control Act of 1949, as amended, and regulations promulgated thereunder; and

The said respondents all having been duly served with the charging letter and having appeared herein; and

All respondents except Anglo-Continental Exchange Ltd. having submitted proposals for consent dispositions of the charges, to which proposals the Agent-in-Charge, Investigation Staff, has agreed, this case was referred to the Compliance Commissioner, who held a hearing at which all respondents were represented by counsel.

The Compliance Commissioner, having heard and considered all the evidence submitted in support of the charges and all the evidence and arguments submitted by Anglo-Continental Exchange Ltd. in opposition thereto and having considered also the consent order proposals submitted on behalf of the respondents other than Anglo-Continental Exchange Ltd., has transmitted to the undersigned Acting Director, Office of Export Supply, Bureau of Foreign Commerce, Department of Commerce, his written report, including findings of fact and findings that violations have occurred, and his recommendation that (a) the consent proposals be accepted and (b) that respondents be denied export privileges as hereinafter provided, together with which report there have been transmitted also the transcript of testimony at the hearing, all exhibits submitted, the charging letter, answers, consent proposals, and correspondence.

In connection with the consent proposals, as well as the remedial action recommended against Anglo-Continental Exchange Ltd., the fact that all the respondents have been denied by temporary order all export privileges since May 6, 1955, has been taken into account.

After reviewing and considering the entire record of this case and the Compliance Commissioner's Report and Recommendation, I hereby make the following findings of fact:

1. On or about the 19th day of March 1954, Standard Chemie A. G. entered into an agreement with China-Export Corporation, a purchasing agent for the Communist Chinese, pursuant to which agreement, among other things, Standard Chemie agreed to sell and China-Export agreed to buy 31,000 packages of aureomycin for $241,800.

2. At the time of the making of that contract, Standard Chemie was owned and controlled by respondent William Kurt Samuel Wallersteiner and said William Kurt Samuel Wallersteiner also, at that time, owned and controlled respondents Anglo-Continental Exchange Ltd., Britannia Shipping Company Ltd., The Loyal Trust, and Watford Chemical Company Ltd.

3. Wallersteiner, for the purpose of having exported from the United States the aureomycin required for said contract, entered into an arrangement with a firm in Yugoslavia whereby that firm would appear to be the ostensible purchaser and ultimate consignee of the aureomycin but would in fact never have anything else but constructive delivery thereof, the actual control always to be retained by a Wallersteiner company or agent to effectuate ultimate delivery to the China-Export Corporation at Gdynia, Poland.

4. Wallersteiner then caused The Loyal Trust to open a letter of credit through the facilities of the Anglo-Continental Exchange Ltd. with a bank in New York whereby payment would be effected to a New York supplier, who was informed by Anglo-Continental and Watford that the firm in Yugoslavia was the purchaser and ultimate consignee of the 31,000 packages of aureomycin which the firm in New York was supplying. The New York supplier sold the aureomycin to the Wallersteiner group for $46,810.

5. It developed that the firm in Yugoslavia could not permit its name or facilities to be used in the transaction, and Wallersteiner then caused inquiries to be made to the Bureau of Foreign Commerce whether the shipment could be made to a firm in England instead of to the firm in Yugoslavia.

6. At the time that the firm in Yugoslavia became unable to participate in the transaction, the aureomycin had already been exported from the United States and was en route to Rotterdam.

7. Wallersteiner's attorney in the United States informed Wallersteiner and the Anglo-Continental Exchange Ltd. that the aureomycin could be transshipped legally from Yugoslavia to England. Anglo-Continental Exchange Ltd. also received a copy of a letter written by the Department of Commerce to Loyal Trust in its care, in which it was stated that "any commodity which has been exported from the United States may be reexported from any destination to any other destination, provided that at the time of reexportation, the commodity may be exported directly from the United States to the new country of destination under certain general license provision."

8. Wallersteiner and The Loyal Trust, with the knowing assistance of Anglo-Continental Exchange Ltd., thereupon entered into an arrangement with a firm in England, pursuant to which arrangement that firm became the ostensible consignee in England of the said 31,000 packages of aureomycin, but which firm, in fact, acted only as a broker or intermediary for the immediate resale or turnover of said aureomycin to Standard Chemie A. G.

9. The said 31,000 packages of aureomycin, on Wallersteiner's instructions, were then shipped from Rotterdam to England to the order of the firm in England and Anglo-Continental Exchange Ltd. subsequently received the documents of title therefor.

10. Anglo-Continental Exchange Ltd. did then turn over said documents of title to Britannia Shipping Company Ltd. for the purpose of having Britannia Shipping Company Ltd. transship the said 31,000 packages of aureomycin to Gdynia, Poland.

11. Britannia Shipping Company Ltd., with knowledge that such transshipment was not lawful under the laws of the United States, did then transship the said 31,000 packages of aureomycin to Gdynia, Poland.

12. Anglo-Continental Exchange Ltd., upon the instructions of Wallersteiner and Standard Chemie, did then obtain and receive the documents of title covering said shipment from England to Gdynia, Poland, and did thereafter transmit them to an East German bank for the purpose of having the aureomycin delivered to the East German or Communist Chinese purchaser.

13. The respondents Wallersteiner, Watford Chemical Company Ltd., Bri-

tannia Shipping Company Ltd., The Loyal Trust, Standard Chemie A. G., and Anglo-Continental Exchange Ltd. acted in concert for the purpose of accomplishing the transshipment to Gdynia, Poland of the 31,000 packages of aureomycin, originally exported from the United States, with the knowledge that the export control regulations of the United States made unlawful an exportation or transshipment to Gdynia, Poland of goods exported from the United States, without prior permission and authority from the Bureau of Foreign Commerce, and they did engage in the conduct set forth above for the purpose and with the intention of circumventing such regulations.

14. At the time that Anglo-Continental Exchange Ltd. informed the supplier in the United States that the firm in Yugoslavia was the purchaser, it had knowledge that that firm was not, in fact, the puchaser and ultimate consignee. It also had knowledge, at that time, that Loyal Trust or Oestawa Handelshaus A. G. of Vaduz, Liechtenstein (another Wallersteiner company) was furnishing the funds for and was to receive control of the documents of title.

15. At the time that Anglo-Continental Exchange Ltd. authorized payment of the purchase price for the said aureomycin to the American exporter, it had knowledge or should have known that the firm in Yugoslavia which had been the ostensible original purchaser thereof, was not, in fact, the real purchaser thereof.

16. At the time that Anglo-Continental Exchange Ltd. turned over the documents of title to Britannia Shipping Co. Ltd., it knew that the purpose and intention of that firm, in receiving such documents of title, was to forward the aureomycin, which was the subject thereof, to Gdynia, Poland, and it did turn over said documents of title to that firm for that purpose.

17. In order to export the said aureomycin from the United States, the seller's supplier thereof in the United States was required to and did make representations and certifications in a shipper's export declaration to the effect that the firm in Yugoslavia was the ultimate consignee and that Yugoslavia was the place and country of ultimate destination.

18. The said seller's supplier made such representations and certifications on the shipper's export declaration, and also on a bill of lading, in reliance on the communications received by the seller from The Loyal Trust, Watford Chemical Company Ltd., and Anglo-Continental Exchange Ltd., the seller, in turn, having transmitted to its said supplier the information received by it.

And, the following are my conclusions:

A. That the respondents William Kurt, Samuel Wallersteiner, Watford Chemical Company Ltd., Anglo-Continental Exchange Ltd., The Loyal Trust, and Standard Chemie A. G. knowingly made false and misleading statements and representations, and concealed material facts, in connection with the submission, issuance, and use of export control documents, and in connection with effecting an exportation from the United States and the reexportation, transshipment and diversion of such exportation, in violation of § 381.5 of the Export Regulations, as then in effect.

B. That the respondents William Kurt Samuel Wallersteiner, Watford Chemical Company Ltd., Anglo-Continental Exchange Ltd., The Loyal Trust, Standard Chemie A. G., and Britannia Shipping Company Ltd. knowingly disposed of, diverted, transshipped and reexported a commodity to an unauthorized Soviet Bloc destination contrary to prior representations and notification of prohibition against such action in violation of §§ 370.2, 371.4, 371.8, 381.5 (d), and 381.6 of the Export Regulations, as then in effect.

C. That the respondents William Kurt Samuel Wallersteiner, Watford Chemical Company Ltd., The Loyal Trust, and Standard Chemie A. G. bought, received, sold, disposed of, transported, and they with Anglo-Continental financed, and forwarded an exportation from the United States, knowing that with respect to such exportation violations of the Export Control Law and Regulations had occurred, were about to and were intended to occur, in violation of § 381.4 of the Export Regulations, as then in effect.

D. That the respondents William Kurt Samuel Wallersteiner, Watford Chemical Company Ltd., Anglo-Continental Exchange Ltd., The Loyal Trust, Standard Chemie A. G., and Britannia Shipping Company Ltd. knowingly caused, procured and permitted the doing of acts prohibited by the Export Regulations, in violation of §§ 381.2 and 381.3 of the Export Regulations, as then in effect.

As stated above, all the respondents have been subject to an order which has resulted in the denial of their export privileges since May 6, 1955. This order was an interim order and was issued pending the completion of a related proceeding involving violations similar to that herein involved. All but Anglo-Continental Exchange Ltd. submitted consent proposals, the acceptance of which has been recommended by the Compliance Commissioner and their provisions are hereinafter adopted. In recommending the consent proposal submitted on behalf of Britannia Shipping Company Ltd., which proposes that the entire period of denial of export privileges be ineffective during a period of probation or good behavior, the Compliance Commissioner said,

> Brittania Shipping Company Ltd. also has submitted a consent proposal and its position herein differs from that of the Wallersteiner respondents mentioned above in that the present ownership, control, management and staff of Britannia Shipping Company Ltd. are wholly independent of and have no relation whatever to the Wallersteiner interests.
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> * * * * *
>
> Britannia Shipping Company Ltd. was owned or controlled, at the time of the happening of the events involved herein, by Wallersteiner. All ownership and control has been transferred to new interests of good repute. There is now no one in a key position in Britannia who is connected with the Wallersteiner interests, and the Investigation Staff appears to be satisfied that remedial action against Britannia be suspended upon condition that it comply in all respects with the order and the export control regulations during the period to which it has consented. That being the case, I see no reason to disapprove that consent proposal.

In finding that violations were committed by Anglo-Continental Exchange Ltd., which had contended that it did not knowingly participate in the unlawful acts but had acted only in a ministerial capacity as a bank carrying out its customers' instructions, the Compliance Commissioner said,

> The legal situation with which we are here confronted is not whether [one or another officer or other officers] knew what was happening or whether they personally participated. It is rather a question whether what did happen was sufficient to fasten responsibility on Anglo-Continental. In this connection, referring to his argument that neither Hamburg nor Bideaux had knowledge, [Anglo's attorney] agreed, saying, "I recognize that that does not necessarily mean that the bank can escape responsibility because certain officers knew and others did not." Therefore, in finding the bank's responsibility, I do not have to and do not find that either Hamburg or Bideaux had any personal knowledge of the documents or activities.

Now, after careful consideration of the entire record and being of the opinion that the recommendations of the Compliance Commissioner are fair and just and that this order is necessary to achieve effective enforcement of the law:

It is hereby ordered:

I. Except as qualified in Part III, Subdivisions (A) and (B) thereof, the respondents, henceforth and for the duration of export controls, 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, whether such exportation has heretofore or hereafter been completed. 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 of the respondents, 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, (b) in the preparation or filing of any export license application or document to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control documents, (d) in the receiving, ordering, buying, selling, delivering, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (e) in financing, forwarding, transporting, or other servicing of such exports from the United States.

II. Such denials of export privileges, to the extent that any respondents may be affected thereby, shall extend not only to each of them, but also to any person, firm, corporation, or business organization with which any of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade in which may be involved exports from the

United States or services connected therewith.

III. (A) William Kurt Samuel Wallersteiner, Watford Chemical Company Ltd., The Loyal Trust, Standard Chemie A. G., and Anglo-Continental Exchange Ltd., without further order of the Bureau of Foreign Commerce, shall have their export privileges restored to them conditionally, on March 11, 1960, the condition for such restoration being that during the period following the date hereof and until March 11, 1960, the said respondents shall comply in all respects with this order and thereafter, so long as export controls shall be in effect, with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

(B) Anything in Part I hereof to the contrary notwithstanding, the effectiveness of this order denying export privileges to Britannia Shipping Company Ltd. shall be stayed and it shall not be operative as to Britannia Shipping Company Ltd. upon the condition that during three years following the date hereof said Britannia Shipping Company Ltd. and parties related to it shall not knowingly violate any export control law or regulation and, upon the expiration of said three years, if Britannia Shipping Company Ltd. and related parties have not knowingly violated any export control law or regulation, then so much of Part I as refers to Britannia Shipping Company Ltd. shall become null, void and of no further effect.

IV. The privileges so conditionally permitted to the respondents, including Britannia Shipping Company Ltd., under Parts III (A) and III (B) hereof, may be revoked summarily and without notice upon a finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that any such respondent at any time hereafter has knowingly failed to comply with the conditions applicable to him or it as set forth in Parts III (A) and III (B) hereof, in which event Part I hereof, insofar as it shall apply to such respondent, shall then be and become effective so long as export controls shall be in effect, without thereby preventing the Bureau of Foreign Commerce from taking such other and further action based on such violation as it shall deem warranted. In the event that such supplemental order is issued, such respondents and related parties as are involved therein shall have the right to appeal therefrom, as provided in the export regulations.

V. No person, firm, corporation, or other business organization, whether in the United States or elsewhere, during any time when any respondent or related party is prohibited under the terms hereof from engaging in any activity within the scope of Part I hereof, shall, without prior disclosure to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly, in any manner or capacity, (a) apply for, obtain, or use any export license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, (b) order, receive, buy, sell, deliver, use, dispose of, finance, transport, forward, or otherwise service or participate in, any exportation from the United States, on behalf of or in any association with such respondent or related party, or (c) do any of the foregoing acts with respect to any exportation in which such respondent or related party may have any interest or obtain any benefit of any kind or nature, direct or indirect.

Dated: March 25, 1957.

FRANK W. SHEAFFER,
Acting Director,
Office of Export Supply.

[F. R. Doc. 57-2388; Filed, Mar. 27, 1957; 8:51 a. m.]

LEON YOUSSEM

ORDER DENYING EXPORT PRIVILEGES FOR AN INDEFINITE PERIOD

In the matter of Leon Youssem, 12 Avenue des Arts, Brussels, Belgium, Respondent.

The respondent, Leon Youssem, is the subject of an investigation concerning approximately 200 tons of paraffin wax originally exported from the United States to Belgium and from there allegedly transshipped to Poland without permission from the Department of Commerce; and the Agent in Charge, Investigation Staff, Bureau of Foreign Commerce, has applied for an order denying to said Leon Youssem all export privileges for an indefinite period by reason of his failure and refusal to respond to written interrogatories duly served on him. The application was made pursuant to § 382.15 of the Export Regulations (15 CFR Ch. III, Subch. B) and, in accordance with the practice thereunder, was referred to the Compliance Commissioner of the Bureau of Foreign Commerce who, after considering evidence in support thereof, has recommended that it be granted.

Now, upon receipt of the Compliance Commissioner's recommendation, after reviewing and considering the evidence submitted in support of the application, being of the opinion that there is reasonable ground to believe that the respondent had obtained approximately 200 tons of paraffin wax exported from the United States under general license authorizing its shipment to Belgium and had unauthorizedly diverted and transshipped it to Poland, a destination other than the destination to which it was lawfully shipped, and finding further that interrogatories were duly served on the respondent and that he, without reasonable cause and without adequate explanation, has failed and refused to answer or furnish written information and documents in response to those interrogatories; and, having concluded (a) that this order is reasonable and necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended, and (b) that it is advisable that persons in the United States and in other parts of the world be informed by publication of this order of the provisions hereafter set forth so that the respondent may be prevented from receiving and transshipping commodities exported from the United States: *It is hereby ordered:*

(1) All outstanding validated export licenses in which the respondent appears or participates as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation;

(2) The respondent, his successors or assigns, partners, representatives, agents, and employees, are hereby denied all privileges of participating directly or indirectly in any manner, form, 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, participation in an exportation shall include and prohibit said respondent's and such other persons' and firms' participation (a) as a party or as a representative of a party to any validated export license application; (b) in the obtaining or using of any validated or general export license or other export control document; (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported from the United States; and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States;

(3) This denial of export privileges shall apply not only to the respondent, but also to any person, firm, corporation, or business organization with which he now or hereafter may be related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States or services connected therewith;

(4) This order shall remain in effect until the respondent satisfactorily answers or furnishes written information or documents in response to the interrogatories heretofore served on him or gives adequate reason for his failure or refusal to respond, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations;

(5) No person, firm, corporation, or other business organization, within the United States or elsewhere, and whether or not engaged in trade relating to exports from the United States, shall, without prior disclosure of the facts to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly in any manner, form, or capacity (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 of commodities from the United States, or (b) order, receive, buy, use, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States,

or in a reexportation of any commodity exported from the United States, with respect to which any of the persons or companies within the scope of paragraphs (2) and (3) hereof have any interest or participation of any kind or nature, direct or indirect.

(6) A certified copy of this order shall be served on the respondent by registered mail.

(7) In accordance with the provisions of § 382.11 (c) of the Export Regulations, the respondent may move, at any time prior to the cancellation or termination hereof, to vacate or modify this indefinite denial order by filing an appropriate application therefor, supported by evidence, with the Compliance Commissioner and he may request oral hearing thereon, which, if requested, will be held before the Compliance Commissioner at Washington, D. C. at the earliest possible date.

Dated: March 25, 1957.

FRANK W. SHEAFFER,
Acting Director,
Office of Export Supply.

[F. R. Doc. 57-2395; Filed, Mar. 27, 1957; 8:52 a. m.]

Federal Maritime Board

BOARD OF PORT COMMISSIONERS, OAKLAND, CALIF. AND HOWARD TERMINAL

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8085-A, between the Board of Port Commissioners, City of Oakland, California, and Howard Terminal, covering lease of the City of Oakland's Grove Street Pier, Market Street Pier and Quay Wall Area adjacent to the Market Street Pier to Howard Terminal, for the period February 1, 1957 through January 31, 1958, subject to all the terms and conditions set forth in Agreement No. 8085, except as specifically amended by Agreement No. 8085-A. Agreement No. 8085 expired on January 31, 1957.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: March 25, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 57-2389; Filed, Mar. 27, 1957; 8:51 a. m.]

Office of the Secretary

[Appeals Board Docket FC-35; B. F. C. Case 211 A]

ZEMANEK & CO., LTD., AND FRANZ GINTZ

APPEALS BOARD DECISION CONCERNING APPEAL FROM ORDER DENYING EXPORT PRIVILEGES

In the matter of Zemanek & Co., Ltd., Franz Gintz, Director, 46-47 Chancery Lane, London, W. C. 2, England.

Zemanek & Company, Ltd., and Franz Gintz, its Director, both of London, England, hereinafter referred to as appellants, have appealed from the order denying export privileges issued May 21, 1956, by John C. Borton, Director, Office of Export Supply, Bureau of Foreign Commerce. (21 F. R. 3609, 5/25/56)

The order, in principal part, stemmed from a transshipment of about 500 tons of asbestos exported from the U. S. to Hamburg, West Germany, and in turn transshipped to Czechoslovakia in violation of U. S. Export Regulations.

Appellants chose to have their appeal heard on the record and submitted a comprehensive brief in support thereof.

The record shows that these appellants, during the time they entered into and consummated the transaction involved, already were under a suspension order (18 F. R. 5372) revoking export license privileges for a period of two years for a violation of export control regulations very closely parallel in nature to the actions at issue in this appeal.

The record shows that the asbestos in point was exported from the United States to Hamburg aboard the SS. "Abbedyjk" and was transshipped in bond to a firm in Czechoslovakia.

Also, the record contains a letter (photostat) from a Czechoslovakian company addressed to the Hamburg consignee which states that the Czech company had concluded a purchase and sales contract which obligated the appellants, as a supplier, to deliver asbestos and the Czech company had obligated itself, as a purchaser, to duly make payments to the appellants for this asbestos.

The appellants' arguments do not disturb the above facts.

In the appellants' interest, the Appeals Board carefully questioned counsel for the Bureau of Foreign Commerce at considerable length at the hearing on the record and most carefully examined the appellants' documents in support of their appeal and finds:

1. That the appellants, having received a charging letter, a copy of the Compliance Commissioner's report, of some sixteen pages, and a copy of the order denying export privileges, of over four pages, all dealing in detail with the prior similar type of suspension, which the appellants were under during the time they entered into and completed the subject transaction of this appeal, had foreknowledge that their actions in the subject matter constituted a violation of U. S. export privileges.

2. That the aforesaid actions of these appellants were not only a knowing violation of U. S. export regulations but a knowing violation of the earlier suspension order then in effect.

3. That, in view of the above, there are no extenuating circumstances in this matter that would warrant any other decision than complete support of the order.

Therefore, it is ordered That, The appeal be denied.

FREDERIC W. OLMSTEAD,
Chairman,
Appeals Board.

MARCH 21, 1957.

[F. R. Doc. 57-2387; Filed, Mar. 27, 1957; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 1705-6]

AIRFREIGHT RATE CASE; MINIMUM RATES FOR AIRFREIGHT FORWARDERS

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that the oral argument in the above-entitled proceeding now assigned to be held on March 27, 1957, is indefinitely postponed.

Dated at Washington, D. C., March 25, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-2408; Filed, Mar. 27, 1957; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10984, 11873; FCC 57-272]

RCA COMMUNICATIONS, INC., AND WESTERN UNION TELEGRAPH CO.

ORDER ASSIGNING PROCEEDINGS FOR CONSOLIDATED PUBLIC HEARING ON STATED ISSUES

In the matter of RCA Communications, Inc., v. The Western Union Telegraph Company, Docket No. 10984; lawfulness of certain actions of defendant with respect to handling of certain traffic originating in Canada and destined to points in Asia and Oceania. RCA Communications, Inc., v. The Western Union Telegraph Company, Docket No. 11873; complaint for money damages.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March 1957;

The Commission having under consideration:

(a) Pleadings in Docket No. 10984, consisting of:

(1) A petition filed on March 24, 1954, by RCA Communications, Inc. (RCAC) wherein it is alleged that The Western Union Telegraph Company (Western Union) has been and is violating section 222 of the Communications Act of 1934, as amended (act), as well as the "Formula, Pursuant to Section 222 (e) (1) and (2) of the Communications Act, For

the Distribution of Out-Bound Traffic Destined to Canada, Handled by The Western Union Telegraph Co. Following Merger With Postal Telegraph, Inc." (Canadian Formula), and the "Formula, Pursuant to Section 222 (e) (1) of the Communications Act, for the Distribution of Outbound International Traffic Handled by The Western Union Telegraph Company following Merger with Postal Telegraph, Inc." (International Formula), introduced as Exhibit 31 and Exhibit 306A, respectively, and approved or prescribed by the Commission in Docket No. 6517, Application for Merger of Western Union and Postal Telegraph (Separate Report of the Commission on Formulas for the Distribution of International Traffic), 10 F. C. C. 184 (1943), by failing to transfer to RCAC certain telegraph traffic destined to Asiatic and Oceanic points which originates in Canada with Canadian National Telegraphs (CNT) and comes into the control of Western Union, and wherein it is requested that the Commission issue a declaratory ruling that Western Union has been acting in violation of the act and the Canadian and International Formulas and is required to transfer to RCAC the aforementioned traffic destined at least to points specified in the petition;

(2) An opposition to the aforementioned petition of RCAC, filed by Western Union on April 26, 1954, wherein it is alleged that the jurisdiction of the Commission is not properly invoked, that RCAC seeks equitable relief and must show it has "clean hands" as a prerequisite to maintaining its action, and wherein it is denied that Western Union has violated or is violating either the Act or the aforementioned Formulas by failing to transfer the traffic at issue to RCAC, and wherein it is requested that the Commission rule that Western Union has not violated the Formulas as alleged and is not required to transfer such traffic to RCAC;

(3) A reply of RCAC to the opposition of Western Union, filed on May 3, 1954, wherein the allegations in the Western Union opposition are denied and wherein the original request for a ruling is reiterated;

(4) A motion for leave to file a supplemental statement calling attention to the decision in Western Union v. United States, 217 F. 2d 579 (1954), filed January 10, 1955, by RCAC, accompanied by such statement; and

(5) An answer to such supplemental statement, filed January 17, 1955, by Western Union;

(b) The pleadings in Docket No. 11873, consisting of:

(1) A formal complaint filed on March 24, 1954, by RCAC incorporating the above-mentioned petition by reference; alleging substantial monetary damage resulting from the Western Union action alleged in the petition; requesting an award of damages; requesting that consideration of the complaint be deferred until a ruling has been made upon the petition, and requesting that Western Union be required to maintain complete records with respect to traffic involved pending settlement of the question of damages;

(2) An answer to the aforementioned complaint of RCAC, filed by Western Union on December 26, 1956, incorporating by reference the above-mentioned opposition of Western Union to the RCAC petition, denying that it acted illegally, and requesting dismissal of the complaint;

It appearing, that, since the claims by RCAC asserted in Docket No. 10984 were considered by the International Formula Committee, as required by section XI of the International Formula, and since Western Union has not complied with the resolution of the International Formula Committee requesting that Western Union resume the handling of the traffic at issue herein as it was handled at the time the International Formula was adopted, the matter is now properly before the Commission;

It further appearing, that, the issuance of a declaratory ruling is a matter within the sound discretion of the Commission and that the pleadings before the Commission in Docket No. 10984 which look toward the eventual recovery of damages for alleged past violations of the Formula, are not proper subjects for the exercise of such discretion;

It further appearing, that, no prejudice will result if the RCAC petition in Docket No. 10984 is treated as a formal complaint, and that the interests of justice and the prompt and speedy dispatch of the Commission's business would be furthered by treating Docket No. 10984 as a formal complaint proceeding;

It further appearing, that, good cause, namely, that the decision considered in the supplemental statement of RCAC was not issued at the time the RCAC initial pleadings were filed, has been shown by RCAC to justify a grant of its motion in Docket No. 10984 to file a supplemental statement, and that Western Union does not oppose the grant of such motion;

It further appearing, that, the pleadings in Docket No. 11873 are not properly the basis for a separate proceeding unrelated to the pleadings in Docket No. 10984, but should be considered in conjunction with such pleadings in one proceeding;

It further appearing, that deferment of consideration of the amount of damages, if any, until after the Commission has ruled on the lawfulness of the Western Union practices at issue will be conducive to the efficient and expeditious disposition of other issues raised in the pleadings;

It further appearing, that, issues are presented by the pleadings in Docket Nos. 10984 and 11873 which should be determined on the basis of a public hearing;

It is ordered, That, the motion of RCAC for leave to file a supplemental statement is hereby granted, and such supplemental statement and the answer thereto of Western Union are accepted for filing;

It is further ordered, That, the RCAC request for a declaratory ruling is denied;

It is further ordered, That the proceedings in Docket Nos. 10984 and 11873 shall be consolidated and that, pursuant to sections 201, 206, 207, 208, 209, and 222 of the act, a public hearing shall be held at a time and place to be specified in a subsequent order upon the substantive issues presented by the pleadings therein, as a formal complaint proceeding and without in any way limiting the scope of such hearing on such issues, shall include the following matters:

(a) Whether the Commission may, under the provisions of section 222 of the act, or otherwise, approve or prescribe formula provisions relating to the distribution of such telegraph traffic at issue herein which originates in Canada and transits the continental United States over the facilities of Western Union or any part thereof en route to points without the continental United States and if so, whether the Commission, in fact, did approve or prescribe such provisions;

(b) Whether the Commission may, under the provisions of section 222 of the act, or otherwise, approve or prescribe formula provisions whereby Western Union or any part thereof is required to handle the traffic at issue in such manner that all such traffic actually transits the United States en route to destination and, if so, whether the Commission, in fact, did approve or prescribe such provisions;

(c) Whether the Canadian Formula approved by the Commission pursuant to section 222 of the act requires Western Union to transfer to RCAC such telegraph traffic at issue which transists or is required to transit the continental United States over the facilities of Western Union; and in this connection

(1) Whether the term "Western Union" as used in the second sentence of section 8 of such Formula means the same as the term "consolidated or merged carrier" used in subsections 222 (e) (1) and (2), and defined by subsection 222 (a) (4), of the act, and, if not, what is the difference between the meaning of these two terms and what is the authority for such difference;

(2) Whether the second sentence of section 8 of such Formula means (i) that the pattern for the distribution of transiting traffic as it existed immediately prior to the aforementioned merger was to be frozen and maintained exactly as it existed immediately prior to merger, or (ii) that Western Union was to have the same freedom to make arrangements with other carriers for the distribution of such transiting traffic as it would have had if there had been no merger;

(3) Whether the first sentence of section 8 of such Formula imposes any obligation upon RCAC with respect to traffic that it handles which originates outside the United States and transits the United States to or through Canada, and if so, the nature and extent of such obligation;

(d) Whether the International Formula prescribed by the Commission pursuant to section 222 of the Communications Act requires Western Union or any part thereof to transfer to RCAC such telegraph traffic at issue which transits or is required to transit the continental United States over the facilities of Western Union, and in this connection

(1) Whether section IX of such Formula creates any legal obligations, and in particular

(i) Whether the first paragraph of section I of such Formula (a) limits the scope of such Formula solely to traffic

originating in the continental United States and so deprives the provisions of Section IX thereof of legal effect, or (*b*) refers only to the system of distribution established in sections I through VIII of such Formula;

(ii) Whether the words "It is understood" in section IX indicate such section is intended to be informative rather than mandatory;

(iii) Whether the words "this formula" in section IX refer only to the system of distribution established in sections I through VIII of such Formula, thereby leaving transiting traffic within the scope of the Formula and subject to distribution in accordance with section IX thereof; and if not,

(iv) Whether the clause "this formula does not cover any telegraph traffic originating outside the United States and transiting the United States" in section IX renders the remainder of such section without legal effect; and

(2) If section IX of such Formula creates any legal obligations how shall it be applied, and in particular

(i) Whether the handling of such traffic at issue herein which transits the continental United States constitutes "domestic telegraph operations" within the meaning of sub-section 222 (a) (5), or "international telegraph operations" within the meaning of sub-section 222 (a) (6), of the act,

(ii) Whether the term "consolidated or merged carrier" as used in sub-section 222 (e) (1) and defined by sub-section 222 (a) (4) of the act refers to the corporate entity of Western Union, or to that portion of the corporate entity which is engaged in "domestic telegraph operations" as defined in sub-section 222 (a) (5) of the act, or to something else and if so, to what,

(iii) Whether the term "Merged Company" as used in the Formula means the same as the term "consolidated or merged carrier" used in sub-sections 222 (e) (1) and (2), and defined by subsection 222 (a) (4) of the act and if not, what is the difference between the meanings of these two terms and what is the authority for such difference,

(iv) Whether the term "Western Union Cables" as used in such Formula means the same as the term "international telegraph operations of any domestic telegraph carrier" as used in subsection 222 (e) (4) of the act and if not, what is the difference between the meaning of these two terms and what is the authority for such difference, and in this connection

(a) What effect shall be given the divergent definitions of "Merged Company" and "Western Union Cables" set forth in the first unnumbered section and in the last paragraph of section III of such Formula,

(b) Whether that part of Western Union referred to in the pleadings herein as "Western Union Cables" may, for the purposes of sub-section 222 (e) of the act, engage in "domestic telegraph operations" as defined in sub-section 222 (a) (5) of the act, or whether it is restricted to "international telegraph operations" as defined in sub-section 222 (a) (6) of the act;

(v) Whether, if the handling of the traffic at issue which transits the continental United States is found to constitute "international telegraph operations" as defined in sub-section 222 (a) (6) of the act, it is "specifically routed" via "Western Union Cables" within the provisions of section III of the Formula and if so, whether the last provision of section IX of the Formula requires that it be turned over to "Western Union Cables";

(vi) Whether the clause in section IX of such Formula which reads "all such traffic handled by the Merged Company shall be turned over to the international carrier which would have handled the same if the consolidation or merger of Western Union and Postal Telegraph, Inc., had not occurred" means (*a*) that the pattern for the distribution of transiting traffic, as it existed immediately prior to merger, was to be frozen and maintained exactly as it existed immediately prior to merger, or (*b*) that Western Union was to have the same freedom to make arrangements with other carriers for the distribution of such transiting traffic as it would have had if there had been no merger;

It is further ordered, That the Hearing Examiner shall close the record herein for the purpose of preparing an initial decision on the issues raised, other than the amount of damages, without taking testimony on, or receiving other evidence with respect to, the amount of damages that may be due the complainant;

It is further ordered, That, should the Commission decide any of the issues raised herein, on which evidence had been received, in favor of the complainant, after the effective date of such determination the record herein shall be reopened on motion of the complainant and the Hearing Examiner herein shall at a time and place to be specified by him hold further hearings solely for the purpose of determining, in the light of the aforementioned Commission determination, the amount of damages, if any, to be awarded to the complainant;

It is further ordered, That, Western Union shall keep and maintain until further order, full and complete records with respect to all messages received from CNT pursuant to the 1915 contract between Western Union and CNT, segregated as to (1) messages which are handled in transit through the continental United States and (2) messages which do not transit the continental United States; and full and complete records of all monies received, retained, and paid out in connection with such messages;

It is further ordered, That, a copy of this order shall be served upon the parties complainant and defendant herein, upon each international telegraph carrier subject to the jurisdiction of this Commission and upon each telegraph carrier entitled to share in international fixed point-to-point telegraph traffic pursuant to any of the Formulas approved or prescribed by the Commission in Application for Merger of Western Union and Postal Telegraph (Separate Report of the Commission on Formulas, etc.) 10 F. C. C. 184, at 197–198 (1943).

It is further ordered, That, each of the persons other than the parties hereto ordered served herein may participate in the proceeding herein by filing a notice of intention to participate within twenty days after the date this order is released.

Released: March 25, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57–2398; Filed, Mar. 27, 1957; 8:53 a. m.]

[Docket Nos. 11763; 11764; FCC 57–254]

J. E. WILLIS AND CRAWFORDSVILLE BROADCASTERS, INC.

ORDER AMENDING ISSUES

In re applications of J. E. Willis, Lafayette, Indiana; Docket No. 11763, File No. BP–10253; Crawfordsville Broadcasters, Inc., Crawfordsville, Indiana; Docket No. 11764, File No. BP–10460; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March 1957;

The Commission having under consideration a petition to enlarge issues filed by J. E. Willis on December 7, 1956; an answer to said petition filed by Crawfordsville Broadcasters, Inc., on December 17, 1956; and a reply to said answer filed by the Broadcast Bureau on December 26, 1956;

It appearing, that, on the basis of the pleadings before us, at the time exhibits were exchanged between the applicants Crawfordsville Broadcasters submitted an exhibit containing what purported to be interview reports with people residing in Crawfordsville, Indiana; and that it was represented that these reports constituted verbatim reports of interviews conducted personally and jointly by two of Crawfordsville Broadcasters' principals, that the interview reports were transcribed from detailed notes which were made of the conversations, and that these reports were prepared for the purpose of showing the need for the service proposed by Crawfordsville Broadcasters;

It further appearing, that petitioner alleges that he interviewed eight of the persons who were the subjects of the aforesaid interview reports; that each of the eight denied in whole or in part the accuracy of the statements attributed to him; that one stated the interview with principals of Crawfordsville Broadcasters never occurred; and that others declared that one of the principals who were represented to have participated in the interview with them was not present;

It further appearing, that petitioner urges that the foregoing allegations warrant inclusion of an issue inquiring into the character qualifications of Crawfordsville Broadcasters; that the Broadcast Bureau concurs in this view; but that Crawfordsville Broadcasters asserts in opposition that the discrepancies heretofore noted were errors which occurred without any intention to mislead or mis-

represent, that the questioned documents were either corrected or not offered in evidence, and that, therefore, enlargement of the issues is not justified;

It further appearing, that sufficient facts have been alleged to raise questions concerning the character qualifications of Crawfordsville Broadcasters; that Crawfordsville Broadcasters' opposition does not deny the correctness of the charge of inaccuracies in the interview reports; and, accordingly, that the petition to enlarge should be granted;

It further appearing, that good cause has been shown for the late filing of the instant petition in that the facts alleged did not take place until after expiration of the period for timely filing;

It is ordered, That the petition to enlarge issues filed by J. E. Willis is granted and the issues are enlarged by addition of the following:

To determine the character qualifications of Crawfordsville Broadcasters to be a licensee of the Commission.

Released: March 25, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2399; Filed, Mar. 27, 1957; 8:53 a. m.]

[Docket No. 11871; FCC 57M-262]

PRESS WIRELESS, INC., AND WESTERN UNION TELEGRAPH CO.

NOTICE OF PRE-HEARING CONFERENCE

In the matter of Press Wireless, Inc., v. The Western Union Telegraph Company, Docket No. 11871; complaint with respect to delays in handling messages specifically routed via Press Wireless.

Notice is hereby given that a pre-hearing conference in the above-entitled proceeding will be held at 9:00 o'clock a. m., on Thursday, March 28, 1957, in the offices of this Commission, Washington, D. C.

Dated: March 22, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2400; Filed, Mar. 27, 1957; 8:54 a. m.]

[Docket Nos. 11925, 11926; FCC 57M-256]

NORTHWEST BROADCASTERS, INC., AND REV. HALDANE JAMES DUFF

STATEMENT AFTER PREHEARING CONFERENCE AND ORDER OF CONTINUANCE

In re applications of Northwest Broadcasters, Inc., Bellevue, Washington; Docket No. 11925, File No. BP-10521; Rev. Haldane James Duff, Seattle, Washington; Docket No. 11926, File No. BP-10638; for construction permits.

A prehearing conference in the above-entitled proceeding was held on March 21, 1957. In the interest of expedient disposition of the matter all parties agreed that the following timetable should govern future proceedings:

May 1, 1957—Exchange of exhibits;
May 13, 1957—Further prehearing conference;
May 27, 1957—Hearing.

Accordingly, it is ordered, This 21st day of March 1957, that the date now scheduled for hearing in the above matter, March 26, 1957, is hereby extended to May 27, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2401; Filed, Mar. 27, 1957; 8:54 a. m.]

[Docket No. 11953; FCC 57M-260]

WESTERN UNION TELEGRAPH CO.

ORDER CONTINUING HEARING

In the matter of The Western Union Telegraph Company, Docket No. 11953; complaint and petition for new and revised divisions of charges for the land-line handling of international message telegraph traffic.

It is ordered, This 22nd day of March 1957, that hearing in the above-entitled proceeding, which is presently scheduled to commence May 13, 1957 in Washington, D. C., is continued to May 15, 1957.

Released: March 25, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2402; Filed, Mar. 27, 1957; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-4149]

WARREN PETROLEUM CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

MARCH 22, 1957.

Take notice that Warren Petroleum Corporation (Applicant), a Delaware corporation with principal place of business in Tulsa, Oklahoma, on May 10, 1956, filed an application pursuant to section 7 (b) of the Natural Gas Act for permission on approval to abandon service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to abandon the sale for resale of natural gas in interstate commerce from production of its McCurdy-Moss Lease, located in the Blanconia and South Blanconia Fields, Bee County, Texas, to United Gas Pipe Line Company (United). Applicant states in its application that the wells on the McCurdy-Moss Lease have ceased to produce gas, have been plugged and abandoned and that the lease has been released of record.

Applicant sought authorization to make the afore-mentioned sale to United in an application for a certificate of public convenience and necessity, filed in Docket No. G-4149 on October 5, 1954. Docket No. G-4149 was consolidated with the consolidated proceeding, In the Matters of Gas Lands Co., et al., Docket Nos. G-2867, et al., for a hearing scheduled for May 16, 1956, by notice of the Secretary duly published in the FEDERAL REGISTER (21 F. R. 2576-77) on April 19, 1956. Prior to the scheduled hearing, Docket No. G-4149 was severed from said consolidated proceeding by notice published in the FEDERAL REGISTER (21 F. R. 3297) on May 18, 1956, and the hearing in Docket No. G-4149 was postponed to a date to be fixed thereafter by further notice. Postponement of the hearing was necessitated by the filing on May 10, 1956, of Applicant's motion to dismiss its application for certificate of public convenience and necessity in Docket No. G-4149, and motion for withdrawal of its Gas Rate Schedule No. 3 with Supplement Nos. 1, 2, 3 and 4 thereto.

Subsequently, by a letter from the Secretary dated May 21, 1956, Applicant was notified that its motion to dismiss its certificate application would be treated as a request for authority to abandon service pursuant to section 7 (b) of the Natural Gas Act as hereinbefore described. Applicant was further notified by a letter from the Secretary dated June 20, 1956, that its motion for withdrawal of its FPC Gas Rate Schedule No. 3 had been accepted for filing as a notice of cancellation of Rate Schedule No. 3, such cancellation to become effective upon the date of issuance of abandonment authorization in Docket No. G-4149.

This matter is one that 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 April 23, 1957, at 9:30 a. m., e. 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) 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 April 9, 1957. 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.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-2377; Filed, Mar. 27, 1957; 8:48 a. m.]

[Docket Nos. G–11532, G–11533]

TEXON GAS, INC. AND DORCHESTER CORP.

NOTICE OF APPLICATIONS, CONSOLIDATION, AND DATE OF HEARING

MARCH 22, 1957.

Texon Gas, Inc. (Texon), a Texas corporation, with its principal place of business in Dallas, Texas, filed an application on November 26, 1956, in Docket No. G–11532, pursuant to section 7 of the Natural Gas Act, for permission and approval to abandon the service to El Paso Natural Gas Company authorized April 18, 1955, in Docket No. G–4679, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application on file with the Commission and open for public inspection.

Dorchester Corporation, a Delaware corporation, with its principal place of business in Dallas, Texas, filed an application on November 26, 1956, in Docket No. G–11533, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity, authorizing it to continue the sale and operation of facilities which Texon in Docket No. G–11532 seeks permission and approval to abandon, all as more fully represented in the application on file with the Commission and open for public inspection.

Texon, as owner and operator of a gasoline plant, purchases and processes gas from the Big Lake Field, Reagan County, Texas, and sells the residue gas therefrom to El Paso Natural Gas Company. Texon proposes to sell its plant and related facilities, and to assign its gas purchase and gas sales agreements associated therewith to Dorchester Corporation, effective as of September 1, 1956.

These related matters should be heard on a consolidated record and 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 April 18, 1957, at 9:30 a. m., e. 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 applications: *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 the parties 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 April 9, 1957. 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.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57–2376; Filed, Mar. 27, 1957; 8:48 a. m.]

[Docket No. G–11568]

TEXAS ILLINOIS NATURAL GAS PIPELINE CO.

NOTICE OF APPLICATION AND DATE OF HEARING

MARCH 22, 1957.

Take notice that Texas Illinois Natural Gas Pipeline Company (Applicant), a Delaware corporation, with its principal office in Chicago, Illinois, filed on December 6, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing construction and operation of a tap and 1,000 feet of 4-inch lateral line together with a metering and regulating station to supply natural gas to Northern Illinois Gas Company (Northern Illinois) for resale in the Illinois towns of Fairbury, Chatsworth and Forrest, all as more fully represented in the application on file with the Commission and open to public inspection.

The estimated cost of the proposed facilities is $36,100.

Applicant represents that Northern Illinois Gas Company has been authorized by the Illinois Commerce Commission to construct, operate and maintain distribution facilities in and for the towns above named and to distribute and sell natural gas to the citizens thereof for ultimate consumption under a certificate of public convenience and necessity issued October 9, 1956.

This matter is one that 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 April 22, 1957; at 9:30 a. m., e. 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 said application: *Provided, however,* That the Commission may after a non-contested hearing, dispose of the proceeding 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 April 12, 1957. Failure of any party to appear at and participate in the proceeding shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57–2378; Filed, Mar. 27, 1957; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–3679]

KROY OILS LTD.

ORDER SUMMARILY SUSPENDING TRADING

MARCH 22, 1957.

In the matter of trading on the American Stock Exchange in the 20¢ par value Capital Stock of Kroy Oils Limited, File No. 1–3679.

I. The 20-cent par value Capital Stock of Kroy Oils Limited, an Alberta corporation (hereinafter called "registrant"), is listed and registered on the American Stock Exchange, a national securities exchange (hereinafter called "the exchange").

II. The Commission on November 2, 1956, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing to be held on November 20, 1956, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the Capital Stock of registrant on the exchange for failure to comply with section 13 of the act and the rules and regulations adopted thereunder, in that the Commission has reason to believe that a current report for the month of May 1956, on Form 8–K, filed by registrant with the Commission was false and misleading in certain respects set forth in said order. On March 14, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days from March 15, 1957, to March 24, 1957, inclusive.

III. On November 7, 1956, counsel representing registrant requested a postponement of the hearing under section 19 (a) (2) of the act in order to enable him to prepare for the hearing. Pursuant to this request, the Commission on November 7, 1956, issued its order postponing the date of said hearing to November 26, 1956. Said hearing has commenced but has not yet been concluded by Commission order or decision.

IV. The Commission has reason to believe that the false report filed by registrant as alleged in the order and notice of hearing referred to in paragraph II and the relationship between registrant and Great Sweet Grass Oils Limited, also subject to an order issued concurrently herewith under section 19 (a) (4) of the act, and also subject to an order and notice of hearing under section 19 (a) (2) of the act, which hearing has been consolidated with the hearing referred to in paragraph III, are such as to cause

widespread confusion and uncertainty in the market for registrant's shares. Under the circumstances recited in this order, the Commission is of the opinion that it would be impossible for the investing public to reach an informed judgment at this time as to the value of registrant's securities or for trading in such securities to be conducted in an orderly and equitable manner.

V. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the act and the Commission's Rule X-15C2–2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the act that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten days from March 25, 1957, to April 3, 1957, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57–2379; Filed, Mar. 27, 1957; 8:49 a. m.]

[File No. 1–3827]

GREAT SWEET GRASS OILS LTD.

ORDER SUMMARILY SUSPENDING TRADING

MARCH 22, 1957.

In the matter of trading on the American Stock Exchange in the $1.00 par value Capital Stock of Great Sweet Grass Oils Limited, File No. 1–3827.

I. The $1.00 par value Capital Stock of Great Sweet Grass Oils Limited (hereinafter called "registrant") is listed and registered on the American Stock Exchange, a national securities exchange (hereinafter called "the exchange").

II. The Commission on October 19, 1956, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act"), and on October 24, 1956, issued its amended order and notice of hearing under the act to determine at a hearing to be held November 13, 1956, whether it is necessary or appropriate for the protection of investors to suspend for a period not exeeding twelve months, or to withdraw, the registration of the Capital Stock of registrant on the exchange for failure to comply with section 13 of the act and the rules and regulations thereunder, in that the Commission had reason to believe that the reports filed by registrant on Form 8–K and Form 10–K were false and misleading in certain respects set forth in said orders. On October 31, 1956, the Commission issued its second amended order and notice of hearing under section 19 (a) (2) of the act restating the allegations in the original and amended orders and including allegations that the Commission had reason to believe that the registrant's current report on Form 8–K for the month of December, 1955, and amendments thereto, and that registrant's annual report on Form 10–K for its fiscal year ended December 31, 1955, and amendments thereto, were false and misleading in additional respects set forth in said order. On November 16, 1956, the Comtions in the original and amended orders and notice of hearing under section 19 (a) (2) of the act restating the allegations in the original and amended orders and including allegations that the Commission had reason to believe that the registrant's current report on Form 8–K for the month of August, 1955, was false and misleading in certain respects set forth in said order, and that the Form 8–K report for the month of December, 1955, and the Form 10–K report for the fiscal year ended December 31, 1955 were false and misleading in additional respects set forth in said order. On March 14, 1957, the Commission issued its order summarily suspending trading pursuant to section 19 (a) (4) of the act in said securities on the exchange for the reasons set forth in said order to prevent fraudulent, deceptive and manipulative acts or practices from March 15, 1957, to March 24, 1957, inclusive.

III. On November 7, 1956, counsel representing registrant requested a postponement of the hearing under section 19 (a) (2) of the act in order to enable him to prepare for the hearing. Pursuant to this request, the Commission on November 7, 1956, issued its order postponing the date of said hearing to November 26, 1956. Said hearing has commenced but has not yet been concluded by Commission order or decision.

IV. The Commission has reason to believe that the false reports filed by registrant as alleged in the orders and notices of hearing referred to in paragraph II and the relationship between registrant and Kroy Oils Limited, also subject to an order issued concurrently herewith under section 19 (a) (4) of the act, and also subject to an order and notice of hearing under section 19 (a) (2) of the act, which hearing has been consolidated with the hearing referred to in paragraph III, are such as to cause widespread confusion and uncertainty in the market for registrant's shares. Under the circumstances recited in this order, the Commission is of the opinion that it would be impossible for the investing public to reach an informed judgment at this time as to the value of registrant's securities or for trading in such securities to be conducted in an orderly and equitable manner.

V. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the act and the Commission's Rule X-15C2–2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the act that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of 10 days from March 25, 1957, to April 3, 1957, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57–2380; Filed, Mar. 27, 1957; 8:49 a. m.]

[File No. 24NY–3667]

BRITISH INDUSTRIES CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

MARCH 22, 1957.

I. British Industries Corporation, 164 Duane Street, New York, New York, a corporation incorporated under the laws of New York, filed with the Commission on April 23, 1954, a Notification on Form 1–A relating to a proposed offering of 3,750 shares of 50-cent par value common stock on behalf of Mrs. Kay L. Rockey, Selling Stockholder, to net the offeror $2.00 per share (the market value being 1⅞ bid, 2¼ asked) for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject issuer in that it has failed to file any Form 2–A reports of sales as required by Rule 224 under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon motion may, set the matter down for hearing at a place designated by the Commission for the pur-

pose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2381; Filed, Mar. 27, 1957; 8:49 a. m.]

[File No. 24NY-3477]

POSTMAN CO.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

MARCH 22, 1957.

I. Violla Rubber, 36 East 61st Street, New York, New York, and Clifford Hayman, 325 West 45th Street, New York, New York, issuers (the issuer to The Postman Company, a limited partnership under the laws of New York on the formation thereof), filed with the Commission on September 3, 1953, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of pre-formation limited partnership interests in an amount not to exceed $25,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject issuer in that it has failed to file any Form 2-A reports of sales as required by Rule 224 under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2382; Filed, Mar. 27, 1957; 8:49 a. m.]

[File No. 24NY-3574]

TRANSWORLD MERCANTILE CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

MARCH 22, 1957.

I. Transworld Mercantile Corporation, 100 Central Park South, New York 19, New York, a corporation incorporated under the laws of New York, filed with the Commission on December 29, 1953, a Notification on Form 1-A relating to a proposed offering of 100,000 shares of non-par, non-voting common stock to be offered at 50 cents a share for an aggregate offering price of $50,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject issuer in that it has failed to file any Form 2-A reports of sales as required by Rule 224 under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2383; Filed, Mar. 27, 1957; 8:50 a. m.]

[File No. 24NY-3554]

BY GEORGE CO.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

MARCH 22, 1957.

I. G. Donald Walden, 138-07A Jewel Avenue, Kew Garden Hills, New York, (the issuer to be The By George Company, a limited partnership under the laws of New York on the formation thereof), filed with the Commission on December 4, 1953, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of pre-formation limited partnership interests in an amount not to exceed $60,000 (which may be increased to $72,000 if a 20 percent involuntary overcall is made or to a total of $110,000 if, in addition, a voluntary overcall of $38,000 is made) for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject issuer in that it has failed to file any Form 2-A reports of sales as required by Rule 224 under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2384; Filed, Mar. 27, 1957; 8:50 a. m.]

[File No. 24NY-3591]

AIRCASTERS, INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

MARCH 22, 1957.

I. Aircasters, Inc., 157 Broad Street, Red Bank, New Jersey, a New Jersey corporation, filed with the Commission on January 21, 1954, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of 120,000 shares of $1.00 par value common stock for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject issuer in that it has failed to file any Form 2-A reports of sales as required by Rule 224

under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon motion may, set the matter dawn for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2385; Filed, Mar. 27, 1957; 8:51 a. m.]

[File No. 70-3389]

AMERICAN NATURAL GAS CO. AND AMERICAN LOUISIANA PIPE LINE CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER COUNSEL FEES

MARCH 22, 1957.

By its order issued July 29, 1955 (Holding Company Act Release No. 12953) issued under the Public Utility Holding Company Act of 1935, the Commission, among other things, granted an application and permitted to become effective a declaration filed by American Louisiana Pipe Line Company ("American Louisiana"), a subsidiary of American Natural Gas Company, a registered holding company, regarding a proposal by American Louisana to issue and sell an aggregate of $97,500,000 principal amount of bonds, of which $47,000,000 principal amount was issued and sold prior to February 1, 1956. In its order of July 29, 1955, the Commission reserved jurisdiction over the fees and expenses to be incurred in connection with the proposed issue and sale of bonds.

Subsequently, by orders issued January 25, 1956 (Holding Company Act Release No. 13902) and May 28, 1956 (Holding Company Act Release No. 13184), the Commission released jurisdiction in respect of certain fees and expenses, including counsel fees through February 29, 1956.

American Louisiana has now filed a supplemental application, stating that all work of counsel in connection with the issue and sale of its bonds has been completed, and requesting that the jurisdiction heretofore reserved be released in respect of the following final counsel fees in connection with the issue and sale of bonds:

	Amount of fee for services subsequent to 2-29-56
Company counsel: Sidley, Austin, Burgess & Smith	$11,500
Local Counsel—various States:	
Barnes, Hickam, Pantzer & Boyd	1,550
Sigmund Zamierowski	750
Byron, Sandidge and Holbrook	1,250
Porter, Stanley, Treffinger & Platt	1,200
Canada, Russell, Turner & Alexander	1,250
Wynn, Hafter, Lake & Tindall	1,200
Shotwell & Brown	2,000
Ohmer C. Burnside	700
	9,900
	21,400
Counsel for the bond purchasers: Sullivan & Cromwell	6,000
Total	27,400

It appearing that the above fees are not unreasonable, and the Commission deeming it appropriate to release the jurisdiction heretofore reserved in respect of such counsel fees:

It is ordered, That the jurisdiction heretofore reserved in respect of counsel fees in connection with the issue and sale by American Louisiana of $97,500,000 principal amount of bonds, be, and it hereby is, released; and that this order shall become effective, forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2386; Filed, Mar. 27, 1957; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended January 29, 1955, 20 F. R. 645, and January 29, 1957, 22 F. R. 554).

The following learner certificates were issued to the companies listed below manufacturing men's and boys' clothing. Each of the certificates authorized the employment of learners in the occupations of sewing-machine operating, final pressing, hand sewing, and finishing operations involving hand sewing at rates of not less than 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours of the authorized 480-hour learning period. Except as otherwise indicated below the certificates authorize the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes, effective March 1, 1957, and expiring August 31, 1957.

J. Capps & Sons, Ltd., Jacksonville, Ill.; authorizing the employment of learners in the occupations of sewing machine operating and hand sewing only (men's suits, topcoats, sportcoats, slacks).

Carroll Manufacturing Co., Westminster, Md. (men's sack coats and pants).

Craigmore Clothes, Inc., 500 South Throop Street, Chicago, Ill. (men's suits and sport coats).

Crisfield Manufacturing Co., Crisfield, Md. (men's pants and slacks).

Famous-Sternberg, Inc., 950 Poeyfarre Street, New Orleans, La. (men's suits, jackets and trousers).

Felix Di Arenzo, 20th and Erie Avenue, Philadelphia, Pa.; authorizing the employment of 3 learners for normal labor turnover purposes in the occupation of hand sewing, for a learning period of 480 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents per hour for the remaining 200 hours (men's clothing).

Friedman-Marks Clothing Co., 1400 West Marshall Street, Richmond, Va. (men's suits, sportcoats, and pants).

Hampstead Clothing Division, Webster Clothes, Inc., Hampstead, Md. (men's sack coats).

Hardwick Clothes, Inc., Cleveland, Tenn.; authorizing the employment of learners in the occupation of sewing machine operating only, for a learning period of 480 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours (men's and boys' tailored garments).

Hart Schaffner & Marx, 728 West Jackson Boulevard, Chicago, Ill.; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes in the manufacture of men's and boys' clothing only (men's suits, topcoats, overcoats).

Lion Manufacturing Co., Everett, Pa. (men's sack coats).

Malcomb Kenneth Co., 11 Leon Street, Boston, Mass. (men's topcoats, overcoats, sportcoats).

Merit Clothing Co., Martin, Tenn. (men's suits, sport coats).

Middleburg Manufacturing Co., Hanover, Pa. (men's slacks, pants, vests).

Mt. Union Manufacturing Co., Mount Union, Pa. (men's sack coats).

Palm Beach Co., Roanoke, Ala. (men's palm beach suits).

Picariello & Singer, Inc., 183 Orleans Street, East Boston, Mass. (boys' tailored suits, sportcoats, topcoats).

State Coat Front Co., Inc., 90 Wareham Street, Boston, Mass.; authorizing the employment of 3 learners for normal labor turnover purposes in the occupation of sewing machine operating only, for a learning period of 480 hours at rates of at least 80 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours (canvas coat fronts).

Staunton Manufacturing Co., Staunton, Va. (men's sack coats).

Stewartstown Manufacturing Co., Stewartstown, Pa. (men's sack coats and topcoats).

Westminster Manufacturing Co., Webster Clothes, Inc., 54 East Main Street, Westminster, Md. (men's topcoats and overcoats).

M. Wile & Co., Inc., 77 Goodell Street, Buffalo, N. Y.; effective 3-1-57 to 8-31-57; authorizing the employment of 25 learners for normal labor turnover purposes in the occupations of sewing machine operating, hand sewing, and finishing operations involving hand sewing, for a learning period of 480 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours of the authorized learning period (men's suits, sportscoats and overcoats).

The following learner certificates were issued to the companies listed below manufacturing men's and boys' clothing. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods are indicated.

Cameron & Co., Inc., Sport Coat Division, 2321 Oak Street, Napa, Calif.; effective 2-25-57 to 8-24-57; authorizing the employment of 10 learners for plant expansion purposes in the manufacture of men's sport coats only, in the occupations of sewing machine operating, final pressing, hand sewing, and finishing operations involving hand sewing; each for a learning period of 480 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours (men's sport coats).

DeMoulin Bros. & Co., Greenville, Ill.; effective 3-7-57 to 9-6-57; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operating, hand sewing, and finishing operations involving hand sewing; each for a learning period of 320 hours at rates of at least 85 cents an hour for the first 160 hours and not less than 90 cents an hour for the remaining 160 hours (academic and ecclesiastical caps and gowns).

Kewanee Headwear Co., 410 West Second Street, Kewanee, Ill.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 240 hours, at 85 cents an hour (caps).

Michaels Stern & Co., Inc., Liberty Street, Penn Yan, N. Y.; effective 3-2-57 to 9-1-57; authorizing the employment of 38 learners for plant expansion purposes, in the occupations of sewing machine operating, final pressing, and hand sewing; each for 480 hours learning period at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours (men's suits, sport coats, topcoats, and slacks).

Nani Sportswear, Ltd., 1311 Kamaile Street, Honolulu, T. H.; effective 3-1-57 to 2-28-58; authorizing the employment of 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours, at rates of at least 85 cents an hour for the first 320 hours and not less than 85 cents an hour for the remaining 160 hours (sportswear, jackets, swim suits).

Pattonsburg Manufacturing Co., Pattonsburg, Mo.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operating, hand sewing, and finishing operations involving hand sewing; each for a learning period of 240 hours at a rate of not less than 85 cents an hour (leather garments, headwear).

Raleigh Manufacturers, Inc., 414 Light Street, Baltimore, Md.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operating, final pressing, hand sewing, and finishing operations involving hand sewing; each for a learning period of 320 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 40 hours (men's suits, coats, and pants).

Raleigh Manufacturers, Inc., 519 West Pratt Street, Baltimore, Md.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operating, and final pressing; each for a learning period of 320 hours at rates of at least 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 40 hours (men's suits, coats, and pants).

Southern Handkerchief Manufacturing Co., Main and Hammond Streets, Greenville, S. C.; effective 3-14-57 to 9-13-57; authorizing the employment of 3 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 320 hours, at a rate of at least 85 cents an hour for the first 180 hours and not less than 90 cents an hour for the remaining 160 hours (handkerchiefs).

Texas Miller Products, Inc., Corsicana, Tex.; effective 2-25-57 to 8-24-57; authorizing the employment of 50 learners for plant expansion purposes in the manufacture of Navy enlisted men's hats only, in the occupation of sewing machine operating for a learning period of 240 hours at a rate of not less than 85 cents an hour (U. S. Navy hats).

The following learner certificates were issued to the companies listed below in the miscellaneous industries. The number or proportion of learners authorized, occupations, learning periods, and authorized rates are indicated.

American Uniform Co., Plant No. 2, Euclid Avenue, Cleveland, Tenn.; effective 3-1-57 to 8-31-57, authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes, in the occupation of sewing machine operating for a learning period of 320 hours at a rate of not less than 85 cents an hour (toweling, aprons, napkins, etc.).

Advertisers Manufacturing Co., 415 East Oshkosh Street, Fond du Lac County, Ripon, Wis.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupation of sewing machine operating for a learning period of 240 hours, at a rate of not less than 85 cents an hour (advertising caps, aprons, bags, etc.).

Bogene, Inc., 21-23 Lehman Street, Lebanon, Pa.; effective 3-4-57 to 9-3-57; authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operating, and heat sealing machine operating for learning periods of 240 hours and 160 hours, respectively, at a rate of not less than 85 cents an hour (garment bags, shoe bags, etc.).

Brooklyn Mailing Device Co., Inc., 233 South First Street, Brooklyn, N. Y.; effective 3-16-57 to 9-15-57; authorizing the employment of 2 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 160 hours at a rate of not less than 85 cents an hour (cotton mailing bags).

Collins of Texas, Medina, Tex.; effective 3-11-57 to 9-10-57; authorizing the employment of 2 learners for normal labor turnover purposes in the ocupations of machine stitching, die and clicker machine operating, hand cutting, pocketbook makers' helper, assembly and finishing; each for a learning period of 160 hours at a rate of 85 cents an hour (total training time at special minimum wage rates not to exceed 160 hours) (handbags and belts).

Cora Lee Fabrics Division of Craftspun Yarns, Inc., Kings Mountain, N. C.; effective 2-25-57 to 8-24-57; authorizing the employment of 5 learners for normal labor turnover purposes in the occupations of: (1) knitting machine operating for a learning period of 480 hours at rates of 85 cents an hour for the first 240 hours, and 90 cents an hour for the remaining 240 hours; (2) sewing machine operating for a learning period of 240 hours at rates of 85 cents an hour for the first 160 hours and 90 cents an hour for the remaining 80 hours; and (3) inspector/menders for a learning period of 160 hours at a rate of 85 cents an hour (curtains and draperies).

Dixie Paper Box Co., Inc., Hartsville, Tenn.; effective 3-1-57 to 8-31-57; authorizing the employment of 10 learners for expansion purposes in the occupations of basic hand and machine production operations with the exception of cutting, scoring, and slitting for a learning period of 240 hours, at rates of at least 85 cents an hour for the first 160 hours and not less than 90 cents an hour for the remaining 80 hours (paper boxes).

Eugene Israel, d/b/a Feature Stuffed Toy Co., 4417 North Lauber Way, Tampa, Fla.; effective 3-8-57 to 9-7-57; authorizing the employment of 6 learners for normal labor turnover purposes in the occupations of sewing machine operating and toy stuffing, each for a learning period of 160 hours, at a rate of 90 cents an hour (stuffed toys).

Grant County Manufacturing Co., Williamstown, Ky.; effective 3-1-57 to 8-31-57; authorizing the employment of 10 learners for normal labor turnover purposes, in the occupation of hand sewing for a learning period of 480 hours, at rates of at least 80 cents an hour for the first 320 hours and not less than 85 cents an hour for the remaining 160 hours (baseballs, soft balls, etc.)

Grant County Manufacturing Co., Corinth, Ky.; effective 3-1-57 to 8-31-57; authorizing the employment of 5 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 320 hours, at rates of at least 85 cents an hour for the first 160 hours and not less than 90 cents an hour for the remaining 160 hours (baseball uniforms and caps).

McGregor Sport Products, Inc., Findlay and John Streets, Cincinnati, Ohio; effective 3-1-57 to 8-31-57; authorizing the employment of 18 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours, at rates of at least 85 cents an hour for the first 160 hours and not less than 90 cents an hour for the remaining 160 hours (fielder's gloves, baseman's mitts, etc.).

Wagenvoord & Co., 306 North Grand Avenue, Lansing, Mich.; effective 3-1-57 to 8-31-57; authorizing the employment of 3 learners for normal labor turnover purposes in the occupation of book bindery, for a learning period of 320 hours at rates of at least 80 cents an hour for the first 160 hours and not less than 90 cents an hour for the remaining 160 hours (rebinding of books, etc.).

A. J. Weinstein Co., 308-310 Third Street, Carnegie, Pa.; effective 3-14-57 to 9-13-57; authorizing the employment of 2 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours, at a rate of 85 cents an hour (vacuum cleaner bags).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning periods and the learner rates are indicated.

Alfredo Manufacturing Corp., Rio Grande, P. R.; effective 3-4-57 to 9-3-57; authorizing the employment of 100 learners for expansion purposes in the occupations of cutting, sewing machine operating, and final pressing, each for a learning period of 480 hours at rates of 45 cents an hour for the first 240 hours and 50 cents an hour for the second 240 hours of the learning period (men's and boys' pajamas).

Atlantic Sportswear, Inc., Rio Piedras, P. R.; effective 2-17-57 to 8-16-57; authorizing the employment of 50 learners for expansion purposes in the occupation of sewing machine operating, for a learning period of 480 hours, at rates of 50 cents an hour for the first 240 hours and 55 cents an hour for the second 240 hours (men's and boys' jackets).

Consolidated Cigar Corp. of Puerto Rico, Caguas, P. R.; effective 2-21-57 to 5-9-57; authorizing the employment of 176 learners for expansion purposes in the occupations of: (1) sorting, and sizing and tying, each for a learning period of 240 hours; (2) inspecting, and machine stripping, each for a learning period of 160 hours; all at 50 cents an hour; and (3) cigar making, and packing for a learning period of 320 hours, at rates of 50 cents an hour for the first 160 hours and 58 cents an hour for the second 160 hours (cigar manufacturing).

Dentsply, Inc., Caguas, P. R.; effective 2-25-57 to 8-24-57; authorizing the employment of 26 learners for expansion purposes in the occupations of moulders, heater operators, drillers, carders, each for a learning period of 240 hours, at 53 cents an hour (artificial teeth).

Economy Industries, Inc., Rio Grande, P. R.; effective 2-12-57 to 8-11-57; authorizing the employment of 10 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 480 hours at rates of 45 cents an hour for the first 240 hours and 53 cents an hour for the second 240 hours (ladies' blouses).

Finrico, Inc., Cayey, P. R.; effective 3-1-57 to 2-28-58; authorizing the employment of 10 learners for normal labor turnover purposes in the occupations of machine stitching and pressing, each for a learning period of 320 hours at rates of 58 cents an hour for the first 160 hours and 68 cents an hour for the second 160 hours (full fashioned sweater finishing).

Finetex, Inc., Gurabo, P. R.; effective 2-19-57 to 8-18-57; authorizing the employment of 11 learners for plant expansion purposes in the occupations (1) of knitting and looping, each for a learning period of 480 hours, at rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the second 240 hours; and (2) machine stitching (seaming) and finishing work involving hand sewing, each for a learning period of 320 hours at rates of 58 cents an hour for the first 160 hours and 68 cents an hour for the second 160 hours (sweaters).

General Electric Instrument Corp., Caguas, P. R.; effective 2-15-57 to 5-11-57; authorizing the employment of 20 learners for plant expansion purposes in the occupation of final assembly of small panel instruments, exposure meters and small portable instruments (including packer and shipper), for a learning period of 480 hours at rates of 65 cents an hour for the first 240 hours and 75 cents an hour for the second 240 hours (electrical instruments) (supplemental certificate).

Glamourette Fashion Mills, Inc., Quebradillas, P. R.; effective 2-18-57 to 8-17-57; authorizing the employment of 40 learners for plant expansion purposes in the occupations of: (1) knitting, topping, and looping each for a learning period of 480 hours, at rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the second 240 hours; (2) machine stitching, pressing, hand sewing, and finishing work involving handsewing, each for a learning period of 320 hours, at rates of 58 cents an hour for the first 160 hours and 68 cents an hour for the second 160 hours; and (3) winding for a learning period of 240 hours, at a rate of 58 cents an hour (full fashioned sweaters).

Gordonshire Knitting Mills, Inc., Cayey, P. R.; effective 2-11-57 to 6-2-57; authorizing the employment of 32 learners for plant expansion purposes in the occupations of: (1) looping and mending, each for a learning period of 960 hours at rates of 46 cents an hour for the first 480 hours and 50 cents an hour for the second 480 hours; and (2) examining and knitting, each for a learning period of 240 hours at a rate of 46 cents an hour (seamless hosiery) (replacement certificate).

Hartman Tobacco Co. of Puerto Rico, Inc., Juncos, P. R.; effective 2-21-57 to 5-11-57; authorizing the employment of 100 learners for expansion purposes in the occupation of sorting, for a learning period of 160 hours, at a rate of 50 cents an hour (tobacco products) (replacement certificate).

Las Palmas Manufacturing Co., Inc., Hato Tejas, Bayamon, P. R.; effective 2-11-57 to 2-10-58; authorizing the employment of 10 learners for normal labor turnover purposes in the occupation of finger knitting, for a learning period of 480 hours at rates of 40 cents an hour for the first 240 hours and 45 cents an hour for the second 240 hours (knitted gloves).

Lisa, Inc., 1253 Las Palmas Street, Santurce, P. R.; effective 2-25-57 to 8-24-57; authorizing the employment of 10 learners for plant expansion purposes in the operating of sewing machine operating, for a learning period of 300 hours at a rate of 55 cents an hour (brassieres).

Marita Mills, Inc., Military Road No. 2 Km. 16.6, Toa Baja, P. R.; effective 2-25-57 to 8-24-57; authorizing the employment of 66 learners for plant expansion purposes in the occupations of: (1) knitting, topping, and looping, each for a learning period of 480 hours at rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the second 240 hours; (2) machine stitching, pressing, and hand sewing, each for a learning period of 320 hours at rates of 58 cents an hour for the first 160 hours and 68 cents an hour for the second 160 hours; and (3) winding and drying operating, each for a learning period of 240 hours, at a rate of 58 cents an hour (knitted full fashioned sweaters).

Northridge Knitting Mills, San German, P. R.; effective 2-4-57 to 8-3-57; authorizing the employment of 50 learners for plant expansion purposes in the occupations of: (1) knitting, topping, and looping each for a learning period of 480 hours at rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the second 240 hours; and (2) machine stitching (seaming and Cardigan sewing) and finishing, each for a learning period of 320 hours at rates of 58 cents an hour for the first 160 hours and 68 cents an hour for the second 160 hours (sweaters).

Pan American Products Corp., Caparra Heights, P. R.; effective 2-27-57 to 7-2-57; authorizing the employment of 52 learners for plant expansion purposes in the occupations of coiling machine operating, rounding, and circular spring operating each for a learning period of 480 hours at rates of 60 cents an hour for the first 240 hours and 70 cents an hour for the second 240 hours (wire fillers for ventilated cushions) (replacement certificate).

Tobacco Products Manufacturing Corp. of Puerto Rico, Caguas, P. R.; effective 2-21-57 to 5-14-57; authorizing the employment of 80 learners for plant expansion purposes in the occupations of: (1) sorting for a learning period of 240 hours; and (2) sizing for a learning period of 160 hours; both at the rate of 50 cents an hour (tobacco products) (replacement certificate).

Wm. H. Towles Corp. of Puerto Rico, Carolina, P. R.; effective 2-11-57 to 5-10-57; authorizing the employment of 20 learners for plant expansion purposes in the occupations of: (1) sewing machine operating for a learning period of 480 hours at rates of 45 cents an hour for the first 240 hours and 50 cents an hour for the second 240 hours; and (2) final inspection of completed garments, for a learning period of 160 hours at a rate of 45 cents an hour (men's pajamas and shorts).

Weston Puerto Rico, Inc., Penuelas Road 454, Ponce, P. R.; effective 2-4-57 to 8-3-57; authorizing the employment of 30 learners for plant expansion purposes in the occupations of coil winding, assembling, subassembling, and adjusting, each for a learning period of 480 hours at rates of 65 cents an hour for the first 240 hours and 75 cents an hour for the second 240 hours (electrical measuring instruments).

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9, October 14, 1955, 20 F. R. 7737).

Emmanuel Missionary College, Berrien Springs, Mich.; effective 2-25-57 to 8-31-57; authorizing the employment of 25 additional student-workers in the furniture industry in the occupations of woodworking machines operator, assembler, finisher, and related skilled and semiskilled occupations, for a learning period of 600 hours, at rates of 80 cents an hour for 300 hours and 85 cents an hour for 300 hours (supplemental certificate).

Each learner certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn in the manner provided in Part 528, and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

The student-worker certificate listed herein was issued upon the employer's representation that the employment of the student-worker at subminimum rates was necessary to prevent curtailment of opportunities for employment.

Signed at Washington, D. C., this 20th day of March 1957.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 57-2375; Filed, Mar. 27, 1957; 8:48 a. m.]