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FEDERAL REGISTER

VOLUME 27 NUMBER 15

Washington, Tuesday, January 23, 1962

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Peace Corps

Effective upon publication in the FEDERAL REGISTER, paragraph (o) is added to § 6.368 as set out below.

§ 6.368 Peace Corps.

* * * * *

(o) One Deputy Associate Director, Office of Program Development and Operations.

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

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

[F.R. Doc. 62-727; Filed, Jan. 22, 1962; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

PART 725—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED AND VIRGINIA SUN-CURED TOBACCO

Proclamation of Results of Flue-Cured Tobacco Marketing Quota Referendum

§ 725.1309 Basis and purpose.

The purpose of this proclamation is to announce the results of the flue-cured tobacco marketing quota referendum for the three marketing years beginning July 1, 1962. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed national marketing quotas for flue-cured tobacco for the 1962–63, 1963–64 and 1964–65 marketing years and announced the amount of the national marketing quota for the 1962–63 marketing year (26 F.R. 10927). The Secretary announced (26 F.R. 10933) that a referendum would be held on December 12, 1961, to determine whether flue-cured tobacco farmers were in favor of or opposed to marketing quotas for the three marketing years beginning July 1, 1962. Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to this proclamation, application of the notice and public procedure requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary.

§ 725.1310 Proclamation of results of flue-cured tobacco marketing quota referendum beginning July 1, 1962.

In a referendum held on December 12, 1961, of farmers engaged in the production of the 1961 crop of flue-cured tobacco, 194,121 farmers voted. Of those voting, 190,515 or 98.1 percent, favored national marketing quotas for the three marketing years, 1962–63, 1963–64 and 1964–65, and 3,606 or 1.9 percent were opposed to quotas. Therefore, the national marketing quota of 1,166,900,000 pounds proclaimed by the Secretary on November 22, 1961 (26 F.R. 10927) for flue-cured tobacco for the 1962–63 marketing year will be in effect for such year and marketing quotas on flue-cured tobacco will be in effect for the three marketing years beginning July 1, 1962.

(Secs. 725.1309 and 1310 are issued under secs. 312, 375, 52 Stat. 46, as amended; 66, as amended; 7 U.S.C. 1312, 1375)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 17, 1962.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-709; Filed, Jan. 22, 1962; 8:47 a.m.]

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

[Lemon Reg. 2, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1) (i) and (ii) of § 910.302 (Lemon Regulation 2, 27 F.R. 392) are hereby amended to read as follows:

(i) District 1: 20,460 cartons;
(ii) District 2: 170,190 cartons.

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

Dated: January 17, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-708; Filed, Jan. 22, 1962; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 152; Amdt. 40-34; Supp. 36]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Carriage of Cargo in Passenger Compartments

Section 40.153 of Part 40 was revised by Civil Air Regulations Amendment 40–32 (26 F.R. 11354) issued November 27, 1961, to become effective January 2, 1962. This section provides a means by which cargo may be safely carried in the passenger compartment of an air carrier airplane.

Subsequent to the issuance of Amendment 40–32, certain air carriers requested reconsideration of § 40.153(a)(3) of that amendment which specified that approved cargo bins installed aft of passengers shall not be higher than the height of the passenger seats on the airplane. In addition, comments were received with regard to paragraphs (a)(1) and (4) which indicated a need for a clarification of the strength requirements which a cargo bin and its attachments must meet for approval.

The effective date of Amendment 40–32 was postponed from January 2, 1962, to January 20, 1962, by Amendment 40–33 (26 F.R. 12762). This postponement of the effective date was necessary to provide sufficient time for a complete reevaluation of the provisions of § 40.153(a)(3) and to make other clarifying changes.

As a result of this reevaluation it has been concluded that, regardless of its height, a properly loaded cargo bin which has been constructed and installed in the airplane to meet specific strength requirements will not adversely affect safety if it does not obscure any passenger's view of the "seat belt" or "no smoking" sign. Therefore, this amendment eliminates the height restriction for cargo bins and in lieu thereof adds provisions which (1) require proper distribution of the weight of the cargo within the bin, (2) prohibit use of bins which exceed the structural load limitation on components of the airplane, and (3) prohibit installing the bin in a location which will obscure any passenger's view of the "seat belt" or "no smoking" sign, unless an auxiliary sign, or some other approved means for notification of the passenger is provided.

The provisions of paragraphs (a) (1) and (4) of this amendment specify the strength which a cargo bin and its attachments must meet for approval. It was intended, in Amendment 40–32, that this strength be such that in the event the airplane was involved in a survivable crash involving high deceleration forces, the cargo bin would not shift forward or be dislodged and injure the passengers. To provide this safeguard, the strength of the bin and its attachments must be able to withstand at least the load factors and emergency landing conditions applicable to the passenger seats installed on the airplane. The combined weight of the cargo bin and its contents must be used to determine this strength. However, in view of the comments received, it appears that the wording of paragraphs (a) (1) and (4) of Amendment 40–32 did not make this strength requirement completely clear. Accordingly, this amendment rewords these paragraphs to specify more clearly the strength requirements which a cargo bin and its attachments must meet for approval.

In addition to the aforementioned changes, other editorial changes were made in this amendment for the purpose of clarification.

Since this amendment relaxes the height requirement of a previous rule which becomes effective January 20, 1962, and imposes no additional burden on any person, I find that notice and public procedure hereon are impractical and unnecessary, and good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing, effective January 20, 1962, Amendment 40–32 and Supplement No. 34 (26 F.R. 11354) are hereby rescinded and Part 40 (14 CFR Part 40) is amended as follows:

§ 40.153–1 [Deletion]

1. By deleting § 40.153–1.

2. By amending § 40.153 to read as follows:

§ 40.153 Carriage of cargo in passenger compartments.

Cargo shall not be carried in the passenger compartment of an airplane except as provided in either paragraph (a) or (b) of this section.

(a) Cargo carried aft of the foremost seated passengers shall be carried in an approved cargo bin. Approved cargo bins shall meet the requirements of subparagraphs (1) through (8) of this paragraph.

(1) The bin shall be capable of withstanding the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by a factor of 1.15. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(2) The maximum weight of cargo which the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin shall be conspicuously marked on the bin.

(3) The bin shall not impose any load on the floor or other structure of the airplane which exceeds the structural load limitations of such components.

(4) The bin shall be attached to the seat tracks or to the floor structure of the airplane, and its attachments shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by either the factor 1.15 or the seat attachment factor specified for the airplane, whichever is greater. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(5) The bin shall not be installed in a position which restricts access to or use of any required emergency exit, or the use of the aisle in the passenger compartment.

(6) The bin shall be fully enclosed and constructed of material which is at least flame resistant.

(7) Suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions.

(8) The bin shall not be installed in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(b) Cargo carried forward of the foremost seated passengers shall be carried either in approved cargo bins as specified in paragraph (a) of this section, or in accordance with the following requirements:

(1) It shall be properly secured by means of safety belts or other tiedowns having sufficient strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions;

(2) It shall be packaged or covered in a manner to avoid possible injury to passengers;

(3) It shall not impose any load on seats or the floor structure which exceeds the structural load limitation for those components;

(4) It shall not be located in a position which restricts the access to or use of any required emergency or regular exit, or the use of the aisle in the passenger compartment; and

(5) It shall not be located in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(Secs. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424, 1425)

Issued in Washington, D.C., on January 19, 1962.

ALAN L. DEAN,
Acting Administrator.

[F.R. Doc. 62–792; Filed, Jan. 22, 1962; 8:58 a.m.]

[Reg. Docket No. 152; Amdt. 41–42]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

Carriage of Cargo in Passenger Compartments

Section 41.136 of Part 41 was promulgated by Civil Air Regulations Amendment 41–40 (26 F.R. 11355) issued November 27, 1961, to become effective January 2, 1962. This section provides a means by which cargo may be safely carried in the passenger compartment of an air carrier airplane.

Subsequent to the issuance of Amendment 41–40, certain air carriers requested reconsideration of § 41.136(a)(3) of that amendment which specified that approved cargo bins installed aft of passengers shall not be higher than the height of the passenger seats on the airplane. In addition, comments were received with regard to paragraphs (a)(1) and (4) which indicated a need for a clarification of the strength requirements which a cargo bin and its attachments must meet for approval.

The effective date of Amendment 41–40 was postponed from January 2, 1962, to January 20, 1962, by Amendment 41–41 (26 F.R. 12762). This postponement of the effective date was necessary to provide sufficient time for a complete reevaluation of the provisions of § 41.136 (a)(3) and to make other clarifying changes.

As a result of this reevaluation it has been concluded that, regardless of its height, a properly loaded cargo bin which has been constructed and installed in the airplane to meet specific strength requirements will not adversely affect safety if it does not obscure any passenger's view of the "seat belt" or "no smoking" sign. Therefore, this amendment eliminates the height restriction for cargo bins and in lieu thereof adds provisions which (1) requires proper distribution of the weight of the cargo within the bin, (2) prohibit use of bins which exceed the structural load limitation on components of the airplane, and (3) prohibit installing the bin in a location which will obscure any passenger's view of the "seat belt" or "no smoking" sign, unless an auxiliary sign, or some

other approved means for notification of the passenger is provided.

The provisions of paragraphs (a) (1) and (4) of this amendment specify the strength which a cargo bin and its attachments must meet for approval. It was intended, in Amendment 41–40, that this strength be such that in the event the airplane was involved in a survivable crash involving high deceleration forces, the cargo bin would not shift forward or be dislodged and injure the passengers. To provide this safeguard, the strength of the bin and its attachments must be able to withstand at least the load factors and emergency landing conditions applicable to the passenger seats installed on the airplane. The combined weight of the cargo bin and its contents must be used to determine this strength. However, in view of the comments received, it appears that the wording of paragraphs (a) (1) and (4) of Amendment 41–40 did not make this strength requirement completely clear. Accordingly, this amendment rewords these paragraphs to specify more clearly the strength requirements which a cargo bin and its attachments must meet for approval.

In addition to the aforementioned changes, other editorial changes were made in this amendment for the purpose of clarification.

Since this amendment relaxes the height requirement of a previous rule which becomes effective January 20, 1962, and imposes no additional burden on any person, I find that notice and public procedure hereon are impractical and unnecessary, and good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing, effective January 20, 1962, Amendment 41–40 (26 F.R. 11355) is hereby rescinded and Part 41 of the Civil Air Regulations (14 CFR Part 41, as amended) is amended by adding a new § 41.136 to read as follows:

§ 41.136 Carriage of cargo in passenger compartments.

Cargo shall not be carried in the passenger compartment of an airplane except as provided in either paragraph (a) or (b) of this section.

(a) Cargo carried aft of the foremost seated passengers shall be carried in an approved cargo bin. Approved cargo bins shall meet the requirements of subparagraphs (1) through (8) of this paragraph.

(1) The bin shall be capable of withstanding the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by a factor of 1.15. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(2) The maximum weight of cargo which the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin shall be conspicuously marked on the bin.

(3) The bin shall not impose any load on the floor or other structure of the airplane which exceeds the structural load limitations of such components.

(4) The bin shall be attached to the seat tracks or to the floor structure of the airplane, and its attachments shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by either the factor 1.15 or the seat attachment factor specified for the airplane, whichever is greater. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(5) The bin shall not be installed in a position which restricts access to or use of any required emergency exit, or the use of the aisle in the passenger compartment.

(6) The bin shall be fully enclosed and constructed of material which is at least flame resistant.

(7) Suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions.

(8) The bin shall not be installed in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(b) Cargo carried forward of the foremost seated passengers shall be carried either in approved cargo bins as specified in paragraph (a) of this section, or in accordance with the following requirements:

(1) It shall be properly secured by means of safety belts or other tiedowns having sufficient strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions;

(2) It shall be packaged or covered in a manner to avoid possible injury to passengers;

(3) It shall not impose any load on seats or the floor structure which exceeds the structural load limitation for these components;

(4) It shall not be located in a position which restricts the access to or use of any required emergency or regular exit, or the use of the aisle in the passenger compartment; and

(5) It shall not be located in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(Secs. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424, 1425)

Issued in Washington, D.C., on January 19, 1962.

ALAN L. DEAN,
Acting Administrator.

[F.R. Doc. 62–793; Filed, Jan. 22, 1962; 8:59 a.m.]

[Reg. Docket No. 152; Amdt. 42–37]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

Carriage of Cargo in Passenger Compartments

Section 42.66 of Part 42 was promulgated by Civil Air Regulations Amendment 42–35 (26 F.R. 11356) issued November 27, 1961, to become effective January 2, 1962. This section provides a means by which cargo may be safely carried in the passenger compartment of an air carrier airplane.

Subsequent to the issuance of Amendment 42–35, certain air carriers requested reconsideration of § 42.66(a)(3) of that amendment which specified that approved cargo bins installed aft of passengers shall not be higher than the height of the passenger seats on the airplane. In addition, comments were received with regard to paragraphs (a) (1) and (4) which indicated a need for a clarification of the strength requirements which a cargo bin and its attachments must meet for approval.

The effective date of Amendment 42–35 was postponed from January 2, 1962, to January 20, 1962, by Amendment 42–36 (26 F.R. 12762). This postponement of the effective date was necessary to provide sufficient time for a complete reevaluation of the provisions of § 42.66 (a)(3) and to make other clarifying changes.

As a result of this reevaluation it has been concluded that, regardless of its height, a properly loaded cargo bin which has been constructed and installed in the airplane to meet specific strength requirements will not adversely affect safety if it does not obscure any passenger's view of the "seat belt" or "no smoking" sign. Therefore, this amendment eliminates the height restriction for cargo bins and in lieu thereof adds provisions which (1) require proper distribution of the weight of the cargo within the bin, (2) prohibit use of bins which exceed the structural load limitation on components of the airplane, and (3) prohibit installing the bin in a location which will obscure any passenger's view of the "seat belt" or "no smoking" sign, unless an auxiliary sign, or some other approved means for notification of the passenger is provided.

The provisions of paragraphs (a) (1) and (4) of this amendment specify the strength which a cargo bin and its attachments must meet for approval. It was intended, in Amendment 42–35, that this strength be such that in the event the airplane was involved in a survivable crash involving high deceleration forces, the cargo bin would not shift forward or be dislodged and injure the passengers. To provide this safeguard, the strength of the bin and its attachments must be able to withstand at least the load factors and emergency landing conditions applicable to the passenger seats installed on the airplane. The combined weight of the cargo bin and its contents must be used to determine this strength. However, in view of the comments received, it

appears that the wording of paragraphs (a) (1) and (4) of Amendment 42–35 did not make this strength requirement completely clear. Accordingly, this amendment rewords these paragraphs to specify more clearly the strength requirements which a cargo bin and its attachments must meet for approval.

In addition to the aforementioned changes, other editorial changes were made in this amendment for the purpose of clarification.

Since this amendment relaxes the height requirement of a previous rule which becomes effective January 20, 1962, and imposes no additional burden on any person, I find that notice and public procedure hereon are impractical and unnecessary, and good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing, effective January 20, 1962, Amendment 42–35 (26 F.R. 11356) is hereby rescinded and Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) is amended by adding a new § 42.66 to read as follows:

§ 42.66 Carriage of cargo in passenger compartments.

Cargo shall not be carried in the passenger compartment of an airplane except as provided in either paragraph (a) or (b) of this section.

(a) Cargo carried aft of the foremost seated passengers shall be carried in an approved cargo bin. Approved cargo bins shall meet the requirements of subparagraphs (1) through (8) of this paragraph.

(1) The bin shall be capable of withstanding the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by a factor of 1.15. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(2) The maximum weight of cargo which the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin shall be conspicuously marked on the bin.

(3) The bin shall not impose any load on the floor or other structure of the airplane which exceeds the structural load limitations of such components.

(4) The bin shall be attached to the seat tracks or to the floor structure of the airplane, and its attachments shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by either the factor 1.15 or the seat attachment factor specified for the airplane, whichever is greater. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(5) The bin shall not be installed in a position which restricts access to or use of any required emergency exit, or the use of the aisle in the passenger compartment.

(6) The bin shall be fully enclosed and constructed of material which is at least flame resistant.

(7) Suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions.

(8) The bin shall not be installed in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(b) Cargo carried forward of the foremost seated passengers shall be carried either in approved cargo bins as specified in paragraph (a) of this section, or in accordance with the following requirements:

(1) It shall be properly secured by means of safety belts or other tiedowns having sufficient strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions;

(2) It shall be packaged or covered in a manner to avoid possible injury to passengers;

(3) It shall not impose any load on seats or the floor structure which exceeds the structural load limitation for those components;

(4) It shall not be located in a position which restricts the access to or use of any required emergency or regular exit, or the use of the aisle in the passenger compartment; and

(5) It shall not be located in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(Sec. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424, 1425)

Issued in Washington, D.C., on January 19, 1962.

ALAN L. DEAN,
Acting Administrator.

[F.R. Doc. 62–791; Filed, Jan. 22, 1962; 8:58 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1038; Amdt. 391]

PART 507—AIRWORTHINESS DIRECTIVES

Vickers Viscount 745D and 810 Series Aircraft

Review of the results of the inspections of Vickers Viscount 745D and 810 Series aircraft shows that an increase in the inspection interval for certain flap motors required by Amendment 69, 24 F.R. 10714 (AD 59–26–3) will not adversely affect the current level of safety. Accordingly, the inspection interval in paragraph (a) (2) is being extended from 2,000 flights to 4,000 flights. Also, reference is being made to later issues of the manufacturer's service documents.

Since this amendment relaxes a requirement and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended as follows:

Amendment 69, 24 F.R. 10714, Vickers Viscount 745D and 810 Series aircraft, is amended by:

1. Changing paragraph (a) (2) to read:

(2) Flap Motors, P/N C.9601/1 (i.e. those embodying clutch drive shaft, P/N N145421), at periods not exceeding 4,000 flights.

2. Changing the parenthetical reference statement to read:

(Vickers-Armstrongs PTL 183, issue 5, Modification D.2766 (700 Series), PTL 61, issue 5, Modification FG.1294 (800/810 Series) and Rotax Modification No. 3017C cover this subject.)

This amendment shall become effective January 23, 1962.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on January 17, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62–685; Filed, Jan. 22, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61–KC–52]

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

Revocation of Control Zone

The purpose of this amendment to Part 601 of the regulations of the Administrator is to revoke the Goshen, Ind., control zone (§ 601.2101).

There is no control tower at Goshen Airport and the Flight Service Station has been decommissioned. Weather observations, previously reported by the Flight Service Station, are no longer available. Therefore, action is taken herein to revoke the Goshen control zone.

Since the change effected by this amendment reduces a burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), Part 601 (14 CFR Part 601) is amended

by revoking the following section: § 601.2101 *Goshen, Ind., control zone.*

This amendment shall become effective 0001 e.s.t., April 5, 1962.

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

Issued in Washington, D.C., on January 16, 1962.

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

[F.R. Doc. 62-686; Filed, Jan. 22, 1962; 8:45 a.m.]

[Airspace Docket No. 61-SW-115]

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

Revocation of Control Zone

The purpose of this amendment to § 601.1983 of the regulations of the Administrator is to revoke the Columbus, N. Mex., control zone.

Weather and communications are no longer provided at Columbus, therefore, the Federal Aviation Agency has determined that the Columbus control zone is no longer justified as an assignment of controlled airspace and action is taken herein to revoke the Columbus control zone.

Since the change effected by this amendment reduces a burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

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

In § 601.1983 (14 CFR 601.1983) "Columbus, N. Mex.: FAA intermediate field excluding the portion which lies outside the continental United States" is deleted.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

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

Issued in Washington, D.C., on January 16, 1962.

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

[F.R. Doc. 62-687; Filed, Jan. 22, 1962; 8:45 a.m.]

[Airspace Docket No. 61-WA-207]

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

Alteration of Control Zone

The purpose of this amendment to § 601.2143 of the regulations of the Administrator is to alter the Fort Myers, Fla., control zone.

The Fort Myers VOR will be relocated to a new site on Page Airport on or about March 8, 1962. Therefore, action is taken herein to alter the Fort Myers control zone so that it will be compatible with the relocated navigational aid. In addition, the alteration will exclude the area within a 1-mile radius of the Cape Coral, Fla., Airstrip. Such action is taken herein. This will result in a reduction of the amount of controlled airspace presently designated in the control zone.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2143 (14 CFR 601.2143) is amended to read:

§ 601.2143 Fort Myers, Fla., control zone.

Within a 5-mile radius of Page Field (latitude 26°35'19" N., longitude 81°52'01" W.), Fort Myers, Fla., excluding the portion within a 1-mile radius of the Cape Coral Airstrip (latitude 26°33'56" N., longitude 81°57'07" W.); within 2 miles either side of the Fort Myers VOR 215° radial extending from the 5-mile radius zone to 8 miles SW of the VOR; and within 2 miles either side of a line bearing 040° and 220° from the Fort Myers RBN extending from the 5-mile radius zone to 8 miles SW of the RBN.

This amendment shall become effective 0001 e.s.t. April 5, 1962.

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

Issued in Washington, D.C., on January 16, 1962.

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

[F.R. Doc. 62-688; Filed, Jan. 22, 1962; 8:45 a.m.]

[Airspace Docket No. 61-FW-22]

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

Description of Transition Area; Correction

The purpose of this amendment to § 601.10805 of the regulations of the Administrator is to correct the description of the Salt Flat, Texas, transition area.

In the description of the Salt Flat transition area published in the FEDERAL REGISTER on December 6, 1961, effective January 11, 1962 (Airspace Docket No. 61-FW-22, 26 F.R. 11674) the "INT of the Carlsbad, N. Mex., VOR 256°" should have read "INT of the Carlsbad, N. Mex., VOR 236°". Therefore, action is taken to correct this transition area description.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

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

In the text of § 601.10805 (26 F.R. 11675) "INT of the Carlsbad, N. Mex., VOR 256°" is deleted and "INT of the Carlsbad, N. Mex., VOR 236°" is substituted therefor.

This amendment shall become effective upon date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on January 16, 1962.

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

[F.R. Doc. 62-689; Filed, Jan. 22, 1962; 8:45 a.m.]

[Airspace Docket No. 61-HO-8]

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

Designation of Transition Area; Modification

On December 6, 1961, there was published in the FEDERAL REGISTER (26 F.R. 11675) an amendment to Part 601 of the regulations of the Administrator which designated the Kailua, Kona, Hawaii, transition area.

Upon publication of the amendment, a geographical coordinate was inadvertently omitted from the description of the transition area as presented in the notice. Therefore, action is taken herein to add this coordinate.

Since this amendment corrects an ommission and imposes no additional burden on any person, the effective date of the final rule as initially adopted may be retained.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately Airspace Docket No. 61-HO-8 (26 F.R. 11675) is hereby modified as follows:

In the description of the Kailua, Kona, Hawaii, transition area, "thence to point of beginning." is deleted and "to latitude 19°38'15" N., longitude 156°17'40" W.; thence to point of beginning." is substituted therefor.

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

Issued in Washington, D.C., on January 16, 1962.

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

[F.R. Doc. 62-690; Filed, Jan 22, 1962; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8397 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Phoenix Pharmaceutical Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.85 *Government approval, action, connection or standards;* § 13.85–60 *Standards, specifications, or source;* § 13.170 *Qualities or properties of product or service;* § 13.170–52 *Medicinal, therapeutic, healthful, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Phoenix Pharmaceutical Company et al., Hartford, Conn., Docket 8397, Oct. 5, 1961]

In the Matter of Phoenix Pharmaceutical Company, a Corporation, The Vitamin Center, Inc., a Corporation, and Aaron Honiberg and Julian Gross, Individually and as Officers of Both of Said Corporations

Consent order requiring two associated concerns in Hartford, Conn.—one the retail outlet for the other—to cease representing falsely in advertising in newspapers, circulars, magazines, etc., that their various vitamin preparations were U.S. Government standard formulations, and that they would be beneficial in the treatment of such conditions as excessive fatigue, nervous irritability, low resistance, etc., as in the order below in detail set out.

The order to cease and desist is as follows:

It is ordered, That Phoenix Pharmaceutical Company, a corporation, and its officers, and Aaron Honiberg and Julian Gross, individually and as officers of this said corporation, and The Vitamin Center, Inc., a corporation, and its officers, and Aaron Honiberg and Julian Gross, individually and as officers of this said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the preparations designated "Vitagran—Formulation No. 115," "Phoenix No. 215 Vitagran-Forte," "Phoenix No. 116 Multi-Thera," "#110 Vegerol," "#114 Stressvite," "Phoenix #117 B-Plexol," "#119 Super-Plex," "#310 Vegerol Plus B-Plexol," "#50 Gerichol," and "Geri-Aids—Formulation No. 108," or any other preparations of substantially similar composition or possessing substantially similar properties, under whatever name or names sold, do forthwith cease and desist, directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That their preparations, or any of them are United States Government standard formulations:

(b) That "Vitagran—Formulation No. 115," "Phoenix No. 215 Vitagran-Forte" or "Phoenix No. 116 Multi-Thera" will be of benefit in the treatment of excessive fatigue, nervous irritability, restless sleep, low resistance or loss of appetite, unless such advertisement expressly limits the effectiveness of the preparations to those persons whose symptoms have been caused by an established deficiency of one or more of the nutrients provided by the preparations and, further, unless the advertisement clearly and conspicuously reveals the fact that in the great majority of persons these symptoms are caused by conditions other than those which may respond to treatment by the use of the preparations, and that in such persons the preparations will not be of benefit.

(c) That "#114 Stressvite", "Phoenix #117 B-Plexol" or "#119 Super-Plex" will be of benefit in the treatment of lack of pep, weakness, tiredness, nervousness or digestive difficulty, unless such advertisement expressly limits the effectiveness of the preparations to those persons whose symptoms have been caused by an established deficiency of one or more of the nutrients provided by the preparations, and, further, unless the advertisement clearly and conspicuously reveals the fact that in the great majority of persons these symptoms are caused by conditions other than those which may respond to treatment by the use of the preparations, and that in such persons the preparations will not be of benefit.

(d) That "#310 Vegerol Plus B-Plexol" will be of benefit in the treatment of underweight, exhaustion, premature aging or loss of youthful vitality or appearance unless such advertisement expressly limits the effectiveness of the preparation to those persons whose symptoms have been caused by an established deficiency of one or more of the nutrients provided by the preparation, and, further, unless the advertisement clearly and conspicuously reveals the fact that in the great majority of persons these symptoms are caused by conditions other than those which may respond to treatment by the use of the preparation and that in such persons the preparation will not be of benefit.

(e) That "#110 Vegerol":

(1) Will be of benefit in the treatment of premature aging, restless sleep, nervous irritability, loss of strength or poor digestion, unless such advertisement expressly limits the effectiveness of the preparation to those persons whose symptoms have been caused by an established deficiency of one or more of the nutrients provided by the preparation, and, further, unless the advertisement clearly and conspicuously reveals the fact that in the great majority of persons these symptoms are caused by conditions other than those which may respond to treatment by the use of the preparation, and that in such persons the preparation will not be of benefit.

(2) Will improve liver function or fat metabolism.

(f) That "#50 Gerichol" will be of benefit in the treatment of cardiac conditions, or will lower the blood cholesterol level.

(g) That "Geri-Aids—Formulation No. 108" will improve liver function or fat metabolism.

2. Disseminating or causing the dissemination of any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparations, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: September 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–696; Filed, Jan. 22, 1962; 8:46 a.m.]

[Docket 8429 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Rodless Decorations, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties;* § 13.1053–80 *Textile Fiber Products Identification Act.* Subpart—Misbranding or mislabeling; § 13.1185 *Composition;* § 13.1185–80 *Textile Fiber Products Identification Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1845–70 *Textile Fiber Products Identification Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852–70 *Textile Fiber Products Identification Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Rodless Decorations, Inc. et al., New York, N.Y., Docket 8429, Oct. 3, 1961]

In the Matter of Rodless Decorations, Inc., a Corporation, and Charles Druck, Individually and as an Officer of Said Corporation

Consent order requiring New York City manufacturers to cease violating the Textile Fiber Products Identification Act by labeling as "100% 'Dacron' polyester, trim consists of all cotton", curtains which contained no "Dacron" polyester; by failing to label curtains with the true generic names of constituent fibers and "other fibers" present, and the percentage of each by weight; by failing to keep proper records showing the fiber content of their products; and by fur-

nishing false guaranties that their products were not misbranded or falsely invoiced.

The order to cease and desist is as follows:

It is ordered, That respondents Rodless Decorations, Inc., a corporation and its officers, and Charles Druck individually, and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported, in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of textile fiber products which have been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of textile fiber products, whether in their original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber products" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain records of fiber content of textile fiber products manufactured by them, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the Regulations thereunder.

C. Furnishing false guaranties that textile fiber products are not misbranded or falsely invoiced, under the provisions of the Textile Fiber Products Identification Act.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in the aforesaid initial decision, as modified.

Issued: September 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-726; Filed, Jan. 22, 1962; 8:49 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.475]

PART 51—PASSPORTS

Correction

In F.R. Doc. 62-459 appearing at page 344 of the issue for Friday, January 12, 1962, the file line at the end of the document is corrected to read "[F.R. Doc. 62-459; Filed, Jan. 11, 1962; 12:30 p.m.]".

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

MISCELLANEOUS AMENDMENTS

1. Section 3.253 is revoked.

§ 3.253 Notice of material increase in income or change in status. [Revoked]

2. The cross references immediately following § 3.253 are deleted.

3. Section 3.256 is revised to read as follows:

§ 3.256 Annual income and net worth questionnaires.

A questionnaire will be sent once each calendar year to each payee who is receiving pension or dependency and indemnity compensation, whose entitlement is subject to an annual income (and net worth where applicable) limitation (38 U.S.C. 415(e) and 506(b)).

4. In § 3.500, paragraph (h) is amended to read as follows:

§ 3.500 General.

* * * * *

(h) Dependency of parent (§§ 3.4 (a), (b)(2), 3.250 and 3.660). End of month in which evidence shows dependency ceased.

5. Section 3.660 is revised to read as follows:

§ 3.660 Material change in income, net worth or change in status.

(a) *Requiring reduction or discontinuance*—(1) *Dependency and indemnity compensation.* If, after approval of an award of dependency and indemnity compensation or the submission of an annual income questionnaire, the payee begins to receive additional income at a rate which if continued will cause his income to exceed the income limitation applicable to the rate of dependency and indemnity compensation being paid or by reason of a change in marital status he would not be eligible to receive the rate of dependency and indemnity compensation which was awarded, he must notify the Veterans Administration of such fact. The award to each payee will be adjusted as of the last day of the month (1962 and thereafter) in which such additional income was received or the change in marital status occurred. Where parents are living together, an overpayment will be established for each parent who was in receipt of dependency and indemnity compensation. Any overpayment created under this paragraph will be subject to recovery if not waived. (38 U.S.C. 415(f)).

(2) *Compensation to dependent parent.* If, after approval of an award of compensation to a dependent parent, the payee's status changes either as to income, property, dependents, or any other factor so that dependency no longer exists he must notify the Veterans Administration of such fact. The award of compensation will be discontinued as of the last day of the month (1962 and thereafter) in which the dependency ceased to exist.

(3) *Pension.* If, after approval of an award or the submission of an annual income (and net worth where applicable) questionnaire, the payee begins to receive additional income at a rate which if continued will cause his income to exceed the income limitation applicable to the rate of pension being paid, or if by reason of a change in marital or dependency status or increase in net worth he is not eligible to receive the rate of pension which was awarded he must notify the Veterans Administration of such fact. The award to the payee will be adjusted as of the last day of the month (1962 and thereafter) in which such additional income was received, net worth increased or the change in marital or dependency status occurred. Any overpayment created under this paragraph will be subject to recovery if not waived.

(b) *Requiring award or increase*—(1) *Dependency and indemnity compensation*—(i) *Income*—(a) *Anticipated income.* Dependency and indemnity compensation or increased dependency and indemnity compensation may be awarded on the basis of anticipated income. Where a claim was disallowed, discontinued, or reduced for the prior year because the actual income exceeded the statutory limitation or was in an amount as to require payment at a reduced rate, an award or increased award may be effective January 1 of the next calendar year if evidence is received not later than that calendar year that the income will not exceed the statutory limitation or will fall within a lower income increment. Where there is doubt as to the extent of anticipated income, payment of dependency and indemnity compensation may be withheld or paid at the lowest level consistent with the report of income. The withheld amount may be awarded when actual income is ascertained.

(b) *Actual income.* Where a claim was disallowed, award deferred or made at a lower rate based on anticipated income, an award or increased award may

be made from the first of that calendar year if evidence is received within the same or the next calendar year showing the income was less than the statutory limitation or was within a lower income increment.

(ii) *Change in marital status.* Where a change in marital status occurs which would permit payment at a higher rate, the increased rate will be effective the date of receipt of the evidence showing the change in status. Income will be computed in accordance with § 3.251(g).

(2) *Pension*—(i) *Income*—(*a*) *Anticipated income.* Pension or increased pension may be awarded on the basis of anticipated income. Where a claim was disallowed, discontinued, or reduced for the prior year because the actual income exceeded the statutory limitation or was in an amount as to require payment at a reduced rate, an award or increased award may be effective January 1 of the next calendar year if evidence is received not later than that calendar year that the income will not exceed the statutory limitation or will fall within a lower income increment. Where there is doubt as to the extent of anticipated income, payment of pension may be withheld or paid at the lowest level consistent with the report of income. The withheld amount may be awarded when actual income is ascertained.

(*b*) *Actual income.* Where payment was deferred or award was made at a lower rate based on anticipated income, an award or increased award may be made from the first of that calendar year if evidence is received within the same or next calendar year showing the income was less than the statutory limitation or was within a lower income increment.

(ii) *Change in marital status or status of dependents.* Where a change in marital status or status of dependents occurs which would permit payment at a higher rate, the increased rate will be effective from the date of receipt of the evidence showing the change in status. In such cases income will be computed in accordance with § 3.252(e).

(iii) *Reduction in net worth or change in circumstances.* Where a claim has been disallowed because of the net worth provisions of 38 U.S.C. 522 or 543, and evidence is received of a reduction in net worth or a change in circumstances such as health, acquisition of a dependent, increase in rate of depletion of "corpus of estate", benefits will be paid from the date of receipt of the evidence.

6. The cross reference immediately following § 3.660 is deleted.

7. Section 3.661 is revised to read as follows:

§ 3.661 Income and net worth questionnaires.

(a) *Determination and entitlement.* (1) Where the questionnaire shows a change in income, net worth, marital status, status of dependents or change in circumstances affecting the application of the net worth provisions, the award will be adjusted in accordance with § 3.660.

(2) Where there is doubt as to the extent of anticipated income payment of dependency and indemnity compensation or pension will be in accordance with § 3.660(b)(1)(i)(*a*) or (b)(2)(i)(*a*).

(b) *Failure to return questionnaire.* Discontinuance will be effective the first of the year for which the income or net worth was to be reported or the effective date of the award, whichever is the later date.

(1) *Adjustment of overpayment.* If evidence of entitlement is thereafter received adjustment in the retroactive discontinuance of benefits will be made for all periods of entitlement from the date of discontinuance of payments.

(2) *Resumption of benefits.* Payment may be made, if otherwise in order, from the date of last payment if evidence of entitlement is received within one year from the date the claimant is notified of the termination of pension; otherwise benefits may not be paid for any period prior to date of receipt of evidence establishing entitlement.

8. A new cross reference is added immediately following § 3.661.

CROSS-REFERENCE: Material change in income, net worth or change in status. See § 3.660.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective January 23, 1962.

[SEAL] W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-721; Filed, Jan. 22, 1962; 8:48 a.m.]

PART 7—SOLDIERS' AND SAILORS' CIVIL RELIEF

Miscellaneous Amendments

1. In § 7.26, paragraph (d) is amended to read as follows:

§ 7.26 Application.

* * * * *

(d) Upon receipt of a report from the insurer on VA Form 9-381, the Chief Actuary, will determine if the policy is entitled to the protection of the act, and the insurer and the insured will be notified of the decision.

2. In § 7.29, paragraph (e) is amended to read as follows:

§ 7.29 Maturity.

* * * * *

(e) The statement of account will show the amount of indebtedness by reason of the premiums with interest and the credits, if any, then available and will be subject to audit and approval by the Chief Actuary. The statement of account will include the rate of interest charged on all indebtedness, the dates of debit and credit entries, and such other information as may be deemed necessary in making an audit of the account. If there is a balance due by the United States to the insurer, payment in favor of the insurer will be certified.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective January 23, 1962.

[SEAL] W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-722; Filed, Jan. 22, 1962; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 13928, 12404 (RM-116, 139)]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Second Memorandum Opinion and Order; Correction

In the matter of amendment of Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations to align that part with the Geneva (1959) Radio Regulations to the extent practicable, Docket No. 13928; allocation of frequencies, amendment of Part 2 of the Commission's rules and regulations, Docket No. 12404; petition filed by Lorac Service Corporation, Tulsa, Oklahoma, May 1, 1959, RM-116; petition filed by Hastings-Raydist, Inc., Hampton, Virginia, September 22, 1959, RM-139.

The Second Memorandum Opinion and Order (FCC 61-1235) in the above-entitled matter, adopted by the Commission on October 18, 1961, is hereby corrected as follows:

Under Geneva footnotes to the table in § 2.106, enter the definition of Geneva footnote 182 in its proper numerical sequence.

(182) The frequency 410 kc/s is designated for the maritime radionavigation service (radio direction-finding). Other allocated services in the band 405–415 kc/s shall not cause harmful interference to radio direction-finding. In the band 405–415 kc/s no frequency shall be assigned to coast stations.

Released: January 17, 1962.

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

[F.R. Doc. 62-742; Filed, Jan. 22, 1962; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Coast Guard

[33 CFR Parts 126, 143]

[46 CFR Parts 2, 24, 25, 30, 31, 32, 33, 35, 38, 39, 43, 45, 51, 52, 54, 55, 56, 61, 70, 71, 72, 75, 76, 78, 90, 91, 92, 93, 95, 97, 98, 110, 111, 136, 146, 147, 160, 162, 167, 176, 181]

[CGFR 61-59]

NAVIGATION AND VESSEL INSPECTION REGULATIONS

Public Hearing on Proposed Changes

1. The Merchant Marine Council will hold a Public Hearing on Monday, March 12, 1962, commencing at 9:30 a.m., in the Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D.C., for the purpose of receiving comments, views, and data on the proposed changes to the vessel inspection rules and regulations as set forth in Items I to IX, inclusive, of the Merchant Marine Council Public Hearing Agenda, CG-249, dated March 12, 1962. This agenda contains the changes proposed, and for certain items the present and proposed regulations are set forth in comparison form, together with the reasons for the changes where necessary.

2. This document contains a general description of the proposed changes in the navigation and vessel inspection regulations, together with the statutory authorities for making such changes. The complete description of the proposed changes are set forth in a separate pamphlet entitled "Merchant Marine Council Public Hearing Agenda" (CG-249), dated March 12, 1962. Copies of this pamphlet agenda are mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished to them. Copies of the agenda will be furnished, upon request to the Commandant (CMC), United States Coast Guard Headquarters, Washington 25, D.C., so long as they are available. After the supply of extra copies is 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.

3. Comments on the proposed regulations are invited. If it is believed a comment, view, or suggestion clarifies or improves a proposed regulation or amendment, it is changed accordingly, and, after adoption by the Commandant, the revised regulation is published in the FEDERAL REGISTER. Each person who desires to submit written comments, views or suggestions in connection with the proposed regulations as set forth in the agenda should submit them so that they will be received prior to March 9, 1962, by the Commandant (CMC), United States Coast Guard Headquarters, Washington 25, D.C. Comments, views or suggestions may be presented orally or in writing at the hearing before the Merchant Marine Council on March 12, 1962. In order to insure consideration of comments and facilitate checking and recording, it is essential that each comment be submitted on a separate Form CG-3287, showing the section number, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG-3287 is attached to each copy of the pamphlet agenda. Additional copies of this form may be obtained upon request from the Commandant (CMC) or from any Coast Guard District Commander, or it may be reproduced by typewriter or otherwise.

4. Each item in the agenda has been given a general title, intended to encompass the specific proposals presented. It is urged that each item be read completely because the application of proposals to specific employment or types of vessels may be found in more than one item. For example, Item V contains proposals applicable only to tank vessels, but Items III, IV, and VI also contain proposals affecting tank vessels.

ITEM I—RULES AND REGULATIONS FOR MILITARY EXPLOSIVES AND HAZARDOUS MUNITIONS

5. The regulations in 46 CFR 146.29-1 to 146.29-100 are applicable to the shipment of military explosives and hazardous munitions by, for or to the various agencies of the Department of Defense. These regulations apply when such shipments are made on commercial vessels which are subject to the Dangerous Cargo Statute in R.S. 4472, as amended (46 U.S.C. 170). The last revision of these regulations was published in 1958. In order to take care of all changes which have occurred since then, it is proposed to revise the regulations in 46 CFR 146.29-1 to 146.29-100, inclusive, and numerous editorial changes are proposed to make the language parallel to that used currently by the Interstate Commerce Commission and the Department of Defense. For example, words have been changed from "shell" to "cartridge" or "projectile" and "smokeless powder" to "propellant explosive."

6. It is proposed to change 46 CFR 146.29-11 (definitions and abbreviations) to differentiate between hazardous munitions which are fuels and oxidizers for missile propulsive systems when shipped with military explosives, and such fuels and oxidizers which may be shipped on a vessel not carrying military explosives. In the latter case, these different materials would be shipped under regulations in this part which are applicable to similar materials when moving in commercial shipments. The definitions falling under related terms have been put in alphabetical order and a new definition has been added to define a "van."

7. It is proposed to amend 46 CFR 146.29-29 (smoking), to permit smoking aboard a ship in a special room designated for use by ship's personnel as a "smoking room" provided miscellaneous firefighting equipment is present, the portholes, vents, and doors are effectively screened, and an electric cigarette lighter is installed.

8. It is proposed to amend 46 CFR 146.29-41 (weight per draft), to specify the cargo handling gear requirements when lifting portable magazines and vans.

9. It is proposed to amend 46 CFR 146.29-57 ("on deck stowage") by adding new requirements to provide for the stowage "on deck" of military explosives in deck boxes, portable magazines, or vans.

10. It is proposed to amend 46 CFR 146.29-73 (preparation of magazines, decks, hatches and holds for handling military explosives) to require that overhead deck beams, as well as bilges, shall be examined and cleaned of any residue of previous cargo.

11. It is proposed to amend 46 CFR 146.29-75 (location of magazines and ammunition stowage) to permit stowage of chemical ammunition except Class II-J in refrigerator spaces under certain conditions.

12. It is proposed to amend 46 CFR 146.29-81 (magazine stowage A) to provide for uprights spaced on 24-inch centers in lieu of 18-inch centers when ¾-inch plywood is used for the magazine bulkhead.

13. It is proposed to amend 46 CFR 146.29-89 (portable magazine stowage) to specify the stowage location for the portable magazine for compatibility purposes; to delete the requirement that wooden portable magazines be constructed watertight; to require that the magazines when stowed "on deck" be protected from the direct rays of the sun and the elements; and to require that the portable magazines be marked with the names of the military explosives stowed therein.

14. It is proposed to amend 46 CFR 146.29-93 (stowage of blasting caps, detonators, primer detonators, etc.) to except blasting caps stowed in portable magazines "on deck" from the requirement that Class VIII ammunition shall be stowed at least 8 feet from the vessel's side.

15. It is proposed to amend 46 CFR 146.29-99 (explosives admixture chart) to permit stowage of Class IV-A military explosives with other classes having a fire hazard only; and by deleting Class X-E compatability.

16. It is proposed to amend 46 CFR 146.29-100 (classification handling and stowage chart) by changing the various classes to include new explosives; deleting items which are no longer in the De-

partment of Defense stock; providing for the use of portable magazines for those classes of military explosives requiring ammunition stowage; inserting a new Class IV–C to cover missiles shipped with liquid fuel and oxidizer; and deleting Class X–E because these items are no longer in service in the Department of Defense.

17. The authority for the dangerous cargo regulations is in R.S. 4405, as amended, 4462, as amended, and 4472, as amended (46 U.S.C. 375, 416, 170). These regulations also interpret or apply sec. 3, 68 Stat. 675 (50 U.S.C. 198); E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM II—DANGEROUS CARGOES

18. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been necessitated by corresponding changes made in the regulations of the Interstate Commerce Commission governing land transportation of the same commodities. R.S. 4472, as amended (46 U.S.C. 170), requires that the Coast Guard accept and adopt such definitions, descriptions, descriptive names, classifications, specifications of containers, packing, marking, labeling and certification of explosives or other dangerous articles or substances to the extent as are or may be established from time to time by the Interstate Commerce Commission insofar as they apply to shippers by carriers engaged in interstate and foreign commerce by water. 46 CFR 146.02–19 makes these Dangerous Cargo Regulations applicable to all types of carriers. Therefore, amendments applying only to shippers' requirements upon which the Interstate Commerce Commission has already complied with the Administrative Procedure Act are not included in this Agenda for the 1962 Merchant Marine Council Public Hearing, but will be published as a separate document in the FEDERAL REGISTER.

19. Miscellaneous changes to the Dangerous Cargo Regulations are proposed to clarify certain requirements. The amendment to 46 CFR 146.02–22 (preservation of records) will specify that the Commandant's authorized representative may also procure records for examination. The new regulation designated 146.03–1 will define the abbreviation "MIN" as used in these regulations. The amendment to 46 CFR 146.03–19 (inside containers) will provide that inside containers and packing must meet the requirements of the ICC. The amendment to 46 CFR 146.04–5 (list of explosives and other dangerous articles and combustible liquids) will add new items to the commodity list. The amendments to 46 CFR 146.06–8 (handling on board vessels) are revised to make the requirements compatible with the regulations in 46 CFR 146.07 which apply to handling of dangerous cargo in vans and portable containers. The amendment to 46 CFR 146.08–10 (tank containers) will clarify the requirements and provide that railroad and highway vehicles equipped with tanks containing explosives or other dangerous articles or substances must be specifically permitted by the tables in this part in order to be transported on board passenger ferry vessels. The amendment to 46 CFR 146.10–50 (stowage of explosives or other dangerous articles or substances on board barges) is amended to provide for the carriage of radioactive materials by barges.

20. In order to clarify requirements regarding explosives, various changes are proposed. The amendment to 46 CFR 146.20–17 (stowage of explosives in holds containing coal) will specify that the authorization must be granted by the Commandant. The amendment to 46 CFR 146.20–35 (handling explosives) will cancel requirements regarding the use of power-operated equipment since this subject is now in a new section.

21. It is proposed to amend 46 CFR 146.22–25 (exemptions for inflammable solids and oxidizing materials) by adding a new item to the list of nonexempted materials. The amendment to 46 CFR 146.22–30 (authorization to load or discharge ammonium nitrate and ammonium nitrate fertilizers) will permit certain ammonium nitrate products to be shipped in multiwall paper bags and ICC approved plastic bags enclosed in metal barrels or drums under the same conditions which apply to drums containing loose material. The changes in 46 CFR 146.22–100 (table E) will provide shipping requirements for new items contained in ICC Change Order No. 51 and permit the use of new containers now authorized by the ICC.

22. The proposed changes in requirements coverning compressed gases are intended to clarify shipping requirements. The amendment to 46 CFR 146.24–100 (table G) provides for the transportation of liquified petroleum gas without designating the vapor pressures. The categories determined by the designated vapor pressures have been eliminated and one entry will be used. The container and filling requirements will be as determined by the ICC.

23. It is proposed to change the exemptions and stowage and handling requirements for radioactive materials in order that these requirements will be in line with the recommendations of the Federal Radiation Council. The changes in 46 CFR 146.25–25 (exemptions for radioactive materials) and 146.25–35 (stowage and handling of radioactive materials on board vessels) will establish limitations regarding exposures and will specify stowage requirements in terms of distance rather than by radiation intensities. The maximum permissible dose for a 7-day period is revised downward from 300 milliroentgens to 100 milliroentgens of gamma radiation or equivalent. This reduction is in line with the current Atomic Energy Commission limitation.

24. It is proposed to amend 46 CFR 146.26–5 (application of regulations governing combustible liquids) to make a specific reference to proposed new regulations in 46 CFR Part 98 (Cargo and Miscellaneous Vessels) which apply to the transportation of combustible liquids in portable cargo tanks.

25. It is proposed to amend 46 CFR 146.27–100 (table K) to require that the shipping papers for empty cylinders shall bear a statement of identification of the most recent lading to permit ready identification of the residue in the event of a cylinder failure.

26. It is proposed to amend 46 CFR 147.05–100 (table S) to require that only slow burning cellulose acetate film be used as ships' stores and supplies.

27. The authority for dangerous cargo regulations is in R.S. 4405, as amended, 4462, as amended, and 4472, as amended (46 U.S.C. 375, 416, 170). These regulations also interpret or apply sec. 3, 68 Stat. 675 (50 U.S.C. 198); E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM III—VESSEL OPERATIONS AND INSPECTIONS

IMMEDIATE REPORTING OF SPILLAGES, ETC., OF DANGEROUS MATERIALS OR LIQUIDS

28. The Coast Guard is assigned responsibility concerning the promotion of safety of life and property, including the protection of naval vessels, harbors, piers, and waters of the United States (see 14 U.S.C. 2, 88, 91; 50 U.S.C. 191; and Executive Order 10173, as amended). One responsibility arises in the inadvertent or accidental spillage of hazardous or dangerous materials, including combustible or inflammable liquids, which may create conditions endangering the vessel from which the spillage occurred, other vessels, or port facilities. The "SS Amoco Virginia" casualty, which occurred at Houston, Tex., on November 8, 1959, pointed up the need for the earliest possible notification of accidental spillage of any commodity which might create a hazard to safety. In this case, an early notification might have permitted measures, such as closing the channel, that would have prevented the ignition of the inflammable and combustible liquid on the water and the subsequent spreading of the fire to the "Amoco Virginia," two barges and dock facilities. This casualty resulted in the loss of 8 lives, injuries to 18 persons, and damage in excess of $2,000,000.

29. It is proposed to add new regulations designated 46 CFR 35.15–7, 38.15–7, 39.15–7, 78.07–17, 97.07–17, 98.01–3, 136.04–1, and 146.02–35 as well as a similar requirement in 33 CFR 126.34 which are designed to provide immediate reporting of spillage, leakage, or discharge into the navigable waters of the United States of hazardous or dangerous material, including inflammable or combustible liquids, in any amount. Immediate reporting to the Coast Guard by the most expeditious means will permit early action to prevent or minimize damage or injury to vessels, harbors, or waters of the United States. The regulations in 46 CFR Chapter I, will apply to inspected vessels or vessels carrying regulated cargoes while the regulations in 33 CFR 126.34 will apply to all vessels (including foreign vessels and uninspected vessels), as well as to all piers, wharves, or waterfront facilities.

30. The authority to prescribe regulations requiring the immediate reporting of spillages, leakage, or discharge into the navigable waters of the United States of hazardous or dangerous materials, including inflammable or combustible liquids, is in R.S. 4405, as amended, and 4462, as amended, sec. 633, 63 Stat.

545; 46 U.S.C. 375, 416, 14 U.S.C. 633. Interpret or apply R.S. 4417a, as amended, 4450, as amended, 4472, as amended, sec. 1, 40 Stat. 220, as amended; 46 U.S.C. 391a, 239, 170, 50 U.S.C. 191; E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp. E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp.

MARINE CASUALTY INVESTIGATIONS

31. It is proposed to delete 46 CFR 136.07–40 and 136.07–42 which will remove from the regulations the present requirements for casualty investigations to be conducted jointly under the Marine Investigation Regulations in 46 CFR Part 136 and the Coast Guard Supplement, Uniform Code of Military Justice, whenever a Coast Guard vessel is involved in collision with a private vessel or whenever a marine casualty occurs within the scope of Coast Guard rescue operations and involves loss of life. The requirements of the regulations under the two procedures are not compatible and the deletion of 46 CFR 136.07–40 and 136.07–42 will serve merely to separate those functions. One of the principal purposes of an investigation under the Coast Guard Supplement, Uniform Code of Military Justice, is to inquire into and evaluate the effectiveness of existing operations, administrative and training procedures, and recommend ways and means for improvement. Frequently this necessitates collateral inquiries not bearing on the casualty itself, Coast Guard witnesses will continue to be made available in all investigations of marine casualties involving Coast Guard and private vessels as heretofore. This change will in no way modify the determinations required to be made by the investigative body as set forth in 46 CFR 136.07–1.

32. The authority to prescribe regulations for marine investigations is under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4450, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 142, sec. 3, 68 Stat. 675; 46 U.S.C. 239, 367, 390b, 50 U.S.C. 198.

PREVENTION OF OIL POLLUTION

33. After the approval on August 30, 1961, of the Oil Pollution Act (Public Law 87–167) the United States Government deposited its ratification of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954. The proposed amendments to the Tank Vessel Regulations (CG–123), Marine Engineering Regulations (CG–115), Cargo and Miscellaneous Vessel Regulations (CG–257), and Nautical School Ships (CG–269), are intended to revise current requirements or add new requirements so that all vessels regardless of tonnage will be provided with means to prevent oil from being pumped overboard within prohibited zones in order to limit possibility for unintentional violations of the Oil Pollution Act of 1961 and the 1954 Convention, as well as the Oil Pollution Act of 1924. The change made to Subchapter D (tank vessels) by the addition of a regulation designated 46 CFR 32.50–17 will provide for the collection of tank washings in tanks of adequate capacity on tank ships. The changes made to Subchapter F (marine engineering) by the addition of new regulations designated 46 CFR 55.07–25 and 55.10–35 and the changes made to 46 CFR 55.10–25 and 55.10–40 provide for the prevention of oil draining to the bilge in ships subject to these regulations. The change made in Subchapter I (cargo and miscellaneous vessels) by the addition of new regulations designated 46 CFR 93.13–1 to 93.13–10 will provide for the disposition of oily water ballast from ships of this type. The change made to Subchapter R (nautical schools) by the addition of a new regulation designated 46 CFR 167.20–35 will provide for the disposition of oily water ballast from nautical school ships.

34. The authority to prescribe regulations with respect to prevention of oil pollution is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4488, as amended, 41 Stat. 305, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 404; 46 U.S.C. 391, 391a, 392, 404, 411, 481, 363, 367, 50 U.S.C. 198, P.L. 87–167; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

PORTABLE CONTAINERS FOR COMBUSTIBLE LIQUID CARGOES

35. Requests have been received from various shippers and carriers for the use of large portable containers for combustible liquid cargoes to be transported on dry cargo vessels. The combustible liquids may be loaded either from shore hose connections after the portable tanks are secured in place or the cargo tanks may be filled ashore and lifted on and off the cargo vessels in a loaded condition. Under the provisions in 46 CFR 30.01–5 (tank vessels), dry cargo vessels may be granted a permit to carry liquid quantities of Grade D or E combustible liquid cargoes in bulk. Accordingly, the bulk movement of these grades of liquids has been authorized on certain cargo vessels subject to the provision that the portion of the vessel used for the carriage of combustible liquid cargo meets the requirement of Subchapter D (tank vessels) in addition to the requirements of Subchapter I (cargo vessels). However, the applicable regulations in Subchapters D and I are general in nature and do not prescribe specific requirements for tank design, testing and installations. Additionally, the requirements of the Tank Vessel Regulations for a fixed fire extinguishing system for cargo tanks do not appear to be practicable for the portable tank installations. The problem created by the shipment of combustible liquids on cargo vessels cannot be resolved by the application of the Dangerous Cargo Regulations since combustible liquids are not considered as regulated commodities on dry cargo vessels and therefore do not fall under the purview of such regulations.

36. As a guideline in establishing standards for portable containers, it was necessary to interpret the meaning of the phrase "drums, barrels, or other packages" as used in the Tanker Act and the Dangerous Cargo Act, as well as the phrase "combustible liquid cargo in bulk" as used in these acts. These interpretative rulings were published in the FEDERAL REGISTER of October 25, 1961 (26 F.R. 9997 and 9998), and designated 46 CFR 30.01–20, 90.05–30 and 146.02–30. These interpretations read as follows:

a. The phrase "drums, barrels, or other packages" as used in the Tanker Act (R.S. 4417a, as amended, 46 U.S.C. 391a), and the Dangerous Cargo Act (R.S. 4472, as amended, 46 U.S.C. 170), is interpreted to include portable containers having a maximum capacity of 110 U.S. gallons, which are actually loaded and discharged from vessels with their contents intact.

b. The phrase "combustible liquid cargo in bulk" as used in the Tanker Act (R.S. 4417a, as amended, 46 U.S.C. 391a), and the Dangerous Cargo Act (R.S. 4472, as amended, 46 U.S.C. 170), is interpreted to include portable containers of a capacity of more than 110 U.S. gallons, whether or not such containers are actually loaded and discharged from vessels with their contents intact.

37. As there appeared to be a need for regulations to prescribe requirements for the design, construction, handling and stowage of large portable tanks to be used to transport combustible liquids on cargo vessels, the Coast Guard requested the American Merchant Marine Institute to help formulate such regulations. As a result, a Portable Cargo Tank Committee, formed under the sponsorship of the American Merchant Marine Institute, developed standards for such portable cargo tanks. The proposed amendments designated 46 CFR 98.30–1 to 98.30–45, inclusive, have been developed on the basis of the standards proposed by the American Merchant Marine Institute Portable Cargo Tank Committee. Cross-reference to the new regulations will be added to Subchapter D (tank vessels) and Subchapter N (dangerous cargo), which are designated 46 CFR 30.01–5 and 146.26–5 (see Item II).

38. The authority for regulations regarding portable containers for combustible liquid cargoes is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4472, as amended; 46 U.S.C. 391a, 170.

INSPECTION OF FOREIGN VESSELS OF UNUSUAL DESIGN OR CONSTRUCTION

39. Because of the continued rapid advance in engineering techniques and applications, it has been evident, for the past several years, that new developments involving hazards not envisaged by international regulations or by existing shipbuilding design or construction standards, need to be given special consideration. In order to do this it is proposed to require the inspection of foreign vessels of unusual design or construction and involving potential unusual operating risks. The degree of inspection will be such as to provide that the risks of U.S. life and property when such vessels are in U.S. ports is not

greater than that which exists with vessels of more usual type. The potential need for the application of this principle is recognized by the provision of the 1960 Safety of Life at Sea Convention relative to nuclear ships which leave to each country the authority for accepting or rejecting the entry of such ships into their home waters. The proposed amendments or regulations designated 46 CFR 2.01–10, 2.01–13, 30.01–5, 70.05–3, 90.05–1, and 146.02–2(i) are considered necessary to provide for necessary inspection of foreign vessels of unusual design or construction and involving potential unusual operating risks.

40. The authority for the regulations regarding inspection of foreign vessels of unusual design or construction is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 1, 40 Stat. 220, as amended; 46 U.S.C. 391a, 170, 50 U.S.C. 191; E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp., E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp.

VESSEL PLAN APPROVAL; VENTILATION AND HULL OPENING CLOSURES

41. The proposed revisions to 46 CFR Part 72 (construction and arrangement) are needed to clarify the requirements for ventilation and hull opening closures. The location of the means of operating the closures is required to be outside the space served by the system. This is a clarification of presently accepted practice. An editorial change for 46 CFR 72.10–5 includes passenger vessels carrying more than 150 passengers, a change made necessary by a recently published change to this Subchapter H (passenger vessels). These proposals are also in agreement with the action taken by the 1960 International Conference on Safety of Life at Sea. 46 CFR Part 71 (inspection and certification) is amended to include the field offices of Merchant Marine Technical Division, Coast Guard Headquarters, as authorized plan approval offices of the Commandant (MMT). This merely confirms present practice. 46 CFR Part 78 (operations) is amended to require that the location of ventilation fan shutdowns be shown on vessel's fire safety drawings. Since the shutdowns are part of the fire protection installation it is felt that their location on this drawing is needed for completeness. This change would also agree with the action taken in the 1960 International Conference on Safety of Life at Sea.

42. With respect to plan approval it is proposed to revise 46 CFR 71.65–15 and 71.65–20 to clarify requirements. Four copies of plans will be required. It is proposed to cancel 46 CFR 72.03–20 regarding segregation of spaces containing the emergency source of electrical power in order that requirements will be compatible with 46 CFR 72.05–5 and 72.05–10. The proposed amendment to 46 CFR 72.05–50 deals with ventilation systems and means for shutting them off. The proposed amendments to 46 CFR 72.10–5 and 72.10–25 are to clarify requirements regarding means of escape. It is proposed to amend 46 CFR 72.15–15, regarding ventilation, for closed spaces to provide for control of ventilating systems. The proposed amendment to 46 CFR 78.45–1, regarding display of plans, will require that plans required to be displayed on vessels shall show the locations of the remote means provided for stopping the fans.

43. It is proposed to add a new paragraph to 46 CFR 91.55–5 which will require submittal of general arrangement plans showing the arrangement or locations of the firefighting and fire-protection features of the vessel. This is standard practice on many new vessels and is considered necessary for ready reference to new crew members. The proposed change will agree with action taken by the 1960 International Conference on Safety of Life at Sea. A change to 46 CFR Part 97 (operations) would require posting of these plans. 46 CFR Part 91 (inspection and certification) is amended to include the field offices of Merchant Marine Technical Division, Coast Guard Headquarters, as authorized plan approval offices of the Commandant (MMT). This merely confirms present practice. A requirement for submitting four copies of each plan has been included as an amendment to 46 CFR 91.55–20. Four copies will be required when plan action is handled by a field office. It is proposed to amend 46 CFR Part 92 to require that means be provided for stopping ventilation fans and closing off all openings into the interior of the vessel. This is a clarification of presently accepted practice and agrees with the action taken by the 1960 International Conference on Safety of Life at Sea.

44. The proposed amendment to 46 CFR 91.55–5 deals with plan approval for structural fire protection required for cargo vessels of 4,000 gross tons and upward. The proposed amendment to 46 CFR 91.55–15 and 91.55–20 clarify requirements for submittal of plans to field technical offices. The proposed amendment to 46 CFR 92.15–10 deals with control of ventilation systems for closed spaces. The proposed regulation designated 46 CFR 97.36–1 will require posting of fire control plans on all self-propelled vessels and all barges with sleeping accommodations for more than 6 persons.

45. The authority for these regulations is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 3, 24 Stat. 129, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 363, 85a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

DRYDOCKING OR HAULING OUT VESSELS; AUTHORIZING ADMINISTRATIVE EXTENSIONS OF TIME

46. It is proposed to provide authority for the Commandant to permit extension of drydocking intervals under certain conditions by amendments to 46 CFR 31.10–20, 71.50–1, 91.40–1 and 176.15–1.

47. The authority to prescribe regulations regarding drydocking of vessels is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

GAS FREEING, INSPECTION AND TESTING REQUIRED WHEN MAKING ALTERATIONS, REPAIRS, ETC., INVOLVING HOT WORK

48. The regulation changes and additions proposed under this item will revise 46 CFR 35.01–1, 71.60–1 and 91.50–1. These changes are the result of study into casualties resulting in loss of life and involving inadequate or improper practices and procedures of gas freeing and related tests and inspections, including the maintenance of a safe condition throughout the operation, and other casualties where preservative coatings were applied to surfaces. These proposals are believed to be sufficiently broad to permit compliance with the existing organization and operating procedure of practically all shipyards and repair facilities. They are considered to be timely because of the increasing use of preservative coatings. These proposals were on the agenda of the Public Hearing of the Merchant Marine Council which was held on March 24, 1961. At that time requests were received for further time to study these proposals and this was granted. Notice was published in the FEDERAL REGISTER of September 30, 1961 (26 F.R. 9254), that these proposals were being studied further and that the revised proposals would be placed on the 1962 Merchant Marine Council Public Hearing Agenda.

49. The authority to prescribe regulations regarding gas freeing, inspection and testing of holds, etc., in which hot work will be performed, is in R.S. 4405, as amended, 4462, as amended, and 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

INSPECTION AND CERTIFICATION OF SEAGOING BARGES

50. The regulations in 46 CFR 90.05–25 (cargo and miscellaneous vessels) by its present wording which defines a "seagoing barge of 100 gross tons or over," makes the design or construction of such

barge a governing factor in determining whether it is subject to inspection and certification as a seagoing barge. This resulted in barges that do in fact navigate the high seas, although not designed to do so, being exempt from inspection insofar as the regulations have been concerned, as long as they returned to the port of departure from the high seas and did not touch at any other port. This situation applies particularly to scows and barges which carry debris, etc., beyond inland waters to the high seas for dumping and then return to port. Accordingly, it is proposed to amend 46 CFR 90.05–25 to do away with present inconsistencies regarding inspection of seagoing barges and more accurately reflect the intent of Congress as expressed in the Act of May 28, 1908, as amended by the Act of June 4, 1956 (46 U.S.C. 395(b)) and to place in 46 CFR 90.10–36 a definition of "seagoing barge." It is recommended that the proposed 46 CFR 90.10–36 will become effective on publication in the FEDERAL REGISTER and that the other proposed changes will become effective January 1, 1964. The effect of this amendment will be that all non-self-propelled vessels of 100 gross tons and over that in fact navigate the high seas or ocean will now be subject to inspection and certification, regardless of whether or not designed for service on the high seas and whether or not another port is visited. In addition, an amendment to 46 CFR 91.01–10 (certificate of inspection) is proposed in order to provide in these regulations for a limited certificate of inspection for certain non-self-propelled vessels of 100 gross tons and over proceeding on the high seas or ocean for the sole purpose of changing place of employment or making rare or infrequent voyages on the high seas or ocean and returning to the port of departure.

51. The authority to prescribe regulations regarding inspection and certification of seagoing barges is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply sec. 10, 38 Stat. 428, as amended; 46 U.S.C. 395.

INSPECTION AND CERTIFICATION OF MANNED SEAGOING BARGES

52. At the 1961 Coast Guard Western Area Conference on COTPMMS matters the subject of seagoing barges, which in fact are over 100 gross tons in size in terms of Custom measurement standards when considered without ballast exemption, was discussed. It was recommended to the Commandant that a regulation be promulgated so that an administrative determination could be made by the Commandant that such barges be made subject to all the various inspection regulations applicable to "seagoing barges of more than 100 gross tons." Therefore, it is proposed to amend 46 CFR 90.05–25 to enable the Commandant to make a determination that a seagoing barge which is manned is 100 gross tons or over, and therefore subject to inspection, when the gross register tonnage is not a valid criterion of the size of the seagoing barge.

53. The authority to prescribe regulations regarding inspection and certification of manned seagoing barges is in R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply sec. 10, 38 Stat. 428, as amended; 46 U.S.C. 395.

OXYGEN-TYPE BREATHING APPARATUS

54. Present regulations require one unit of self-contained breathing apparatus to be stowed at each end of a liquid chlorine barge. Should a casualty occur or a leak develop, it may not be possible to reach either. The likelihood of such an incident is greater during the critical period of filling or discharging. To assure ready availability of a breathing apparatus during this critical period, the proposed amendment to 46 CFR 98.20–70 will permit self-contained air-type as well as self-contained oxygen-type breathing apparatus to be carried. It will also require equipment that can be started and operated in the temperatures encountered, and to require at least one member of the operating party to have a self-contained breathing apparatus on his person during filling or discharge operations.

55. Present regulations in 46 CFR Part 98 require one ammonia gas mask to be stowed at each end of an anhydrous ammonia barge. Should a casualty occur or a leak develop, it may not be possible to reach either gas mask. The likelihood of such an incident is greatest during the critical period of filling or discharging. To assure ready availability of an ammonia gas mask during this critical period, the proposed amendment to 46 CFR 98.25–90 will require at least one member of the operating party to have an ammonia gas mask on his person during filling.

56. The authority to prescribe regulations regarding breathing apparatus on liquid chlorine and anhydrous ammonia barges is in R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. These regulations also interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

AUTOMATIC LIFT TOILET SEATS

57. It is no longer considered necessary to require that toilet seats shall be so constructed as to remain in an upright position when not in use. Therefore, it is proposed to delete this requirement from 46 CFR 32.40–1(d), 72.20–25(e), 72.20–90(d), 92.20–25(e), and 92.20–90(d).

58. The authority to prescribe regulations regarding accommodations is in R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416.

ITEM IV—LIFESAVING AND FIRE PROTECTION

PAINTING OF LIFEBOAT INTERIORS

59. Effective January 1, 1961, the regulations required that the interiors of certain lifeboats be painted or colored international orange while the control handles for mechanical disengaging apparatus when used are required to be painted or colored red. This color scheme of international orange for lifeboat interiors and red for the mechanical disengaging gear control lever does not provide a satisfactory color contrast. Therefore, it is proposed to amend 46 CFR 33.25–5 (tank vessels), 78.47–60 (passenger vessels), 97.37–37 (cargo and miscellaneous vessels), 160.035–2 (lifeboat specification), and 167.37–25 (nautical school ships), when a mechanical disengaging apparatus is installed in a lifeboat, that a small area of the lifeboat interior, in way of the red mechanical disengaging gear control lever, shall be painted or otherwise colored white in lieu of the international orange, so as to provide a contrasting background for the red control handle. In addition, it is proposed to amend 46 CFR 33.25–5 (tank vessels) and 167.35–25 (nautical school ships), to require that an appropriate danger sign be on the control handles for mechanical disengaging apparatus when used. These proposals will be applicable to both existing lifeboat installations using mechanical disengaging apparatus and new installations, and when adopted will be in effect on and after 90 days after these regulations are published in the FEDERAL REGISTER.

60. The authority to prescribe regulations regarding lifeboats is in R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

DISTRESS SIGNALS ON PASSENGER VESSELS UNDER 100 GROSS TONS

61. Passenger vessels not exceeding 65 feet in length, operating in coastwise service, are required to provide 6 hand-held red flare distress and 6 hand-held orange smoke distress signals or 12 hand combination flare and smoke distress signals (46 CFR 180.35–5). Those passenger vessels over 65 feet in length and under 100 gross tons, operating in coastwise service, are required to provide 12 hand-held, rocket-propelled, parachute red flare distress signals (46 CFR 75.90–5). This proposal will amend 46 CFR 75.90–5 to permit the use of the same pyrotechnic signals on passenger vessels over 65 feet in length and under 100 gross tons, operating in coastwise service, as permitted on passenger vessels not exceeding 65 feet in length and subject to 46 CFR 180.35–5. At present these vessels have a temporary authorization permitting this substitution. While this proposal is a relaxation so far as expense is concerned, it is not considered a relaxation in safety standards. The hand-held red flare distress and hand-held orange smoke distress signals are considered sufficient and satisfactory for these passenger vessels when operating in the coastwise service.

62. The authority to prescribe regulations for distress signals on passenger vessels under 100 gross tons and over 65 feet in length is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4426, as amended, 4491, as amended, sec. 3, 54

Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 404, 489, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

SPECIFICATION FOR UNICELLULAR PLASTIC RING LIFE BUOY

63. It is proposed to revise the specification subpart 46 CFR 160.050 for the unicellular plastic ring life buoy in its entirety and to bring it up to date. The proposed amendments to 46 CFR 160.050–1 to 160.050–5, inclusive, will delete the use of nonsynthetic rigging materials (due to poor performance in the field) and permit the substitution of synthetic materials for rigging, will amplify the existing regulations as to production sampling and testing procedures, and will make editorial or other minor changes to bring the specification requirements up to date.

64. The authority to prescribe regulations regarding life buoys is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

SPECIFICATIONS FOR DISTRESS SIGNALS

65. With respect to the distress signal specifications which manufacturers of such approved equipment must follow, it is proposed to require the manufacturers of such signals to pay the costs of preapproval testing of distress signals. To accomplish this it is proposed to amend 46 CFR 160.021–7, 160.022–6, 160.023–7, 160.024–7, 160.036–7, and 160.037–7, which describe procedures for approval, to include a requirement for the manufacturer to pay the costs of preapproval testing distress signals submitted. It has been found that certain signal pistols and cartridges containing parachute red flare distress signals have not operated satisfactorily when the pistols and cartridges were manufactured by different companies. If replacement cartridges containing parachute red flare distress signals must be from the manufacturer of the signal pistol carried on board the vessel in order to assure satisfactory operation of such signal equipment, it is felt that this condition defeats the purpose for requiring such equipment and places an undue burden on the vessel operators and inspectors to have to check for such details. On reviewing the specification requirements for such equipment it was found that existing regulations do not provide construction limits which will assure interchangeability of pistols and cartridges. Therefore, it is proposed to amend 46 CFR 160.024–3 and 160.028–3 by appropriately defining construction limits. With respect to the equipment for the shoulder gun-type line-throwing appliance, it is proposed to amend the specification requirements in 46 CFR 160.031–4 to require that the service lines shall be of woven or braided nylon in lieu of linen or cotton, and each line shall be 600 feet long with a breaking strength of not less than 140 pounds.

66. The authority to prescribe regulations regarding distress signals is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

FIRE PROTECTION EQUIPMENT

67. It is proposed to add requirements to 46 CFR 25.30–10 (uninspected vessels), 75.50–10 (passenger vessels), 95.50–10 (cargo and miscellaneous vessels), and 181.30–10 (small passenger vessels) making it mandatory that nonfreezing type extinguishers be used in locations where freezing temperatures are expected. It is proposed to amend 46 CFR 76.15–5 (passenger vessels), 95.15–5 (cargo and miscellaneous vessels), and 181.20–20 (small passenger vessels) to increase the maximum quantity of carbon dioxide required from "200 pounds" to "225 pounds" where the system has a minimum nominal pipe size of ¾ inch. This proposal regarding carbon dioxide will bring Coast Guard requirements into agreement with the recommendations of the National Fire Protection Association as set forth in their pamphlet No. 12.

68. The authority to prescribe regulations regarding fire protection equipment is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347 as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 404, 489, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

PORTABLE FIRE EXTINGUISHERS

69. It is proposed to revise the regulations governing portable fire extinguishers to clarify and bring up to date the requirements for their inspection, marking, materials, and design features. The proposals also provide for new models of extinguishers found to be satisfactory for marine use.

70. For extinguishers which utilize a disposable nonrefillable container to store both the extinguishing agent and expellant pressure and not fitted with a pressure gage, the proposals include requirements regarding markings, maintenance, descriptions of checks which may be used to determine if the extinguishers needs to be reweighed or if disposable container needs to be replaced, and inspections. For such extinguishers it is proposed to also require the manufacturers to state where their reweighing to the manufacturer's standards once in each six months can be done. To accomplish this it is proposed to amend 46 CFR 71.25–20 (passenger vessels), 91.25–20 (cargo and miscellaneous vessels), and 176.25–25 (small passenger vessels) to provide inspection procedures for portable extinguishers of the dry chemical disposable container type and not fitted with a pressure gage. The amendments proposed to 46 CFR 162.028–3 (material specifications for extinguishers) will require the additional information and instruction markings required on stored pressure chemical extinguishers having disposable nonrefillable containers without pressure gages, as well as the nameplate markings required on replacement containers.

71. It is proposed to discontinue the permissibility of thinly applied platings of corrosion-resistant materials, such as cadmium, nickel, or chrome, for the protection of exposed ferrous parts of extinguishers by deleting this permission from 46 CFR 160.028–3 (material specifications for portable fire extinguishers). This proposal is based on 1 year exposure tests which showed that such thinly applied coatings do not provide suitable protection from corrosion.

72. It is proposed to cancel and remove from 46 CFR 162.028–3 the requirement that carbon dioxide-type extinguishers have a list of authorized recharge agents attached. This proposal is made because such lists are no longer considered to be necessary. Suitable recharging services for carbon dioxide extinguishers are now widely available, and may be easily located by consulting the yellow pages of a telephone directory of a large town or city.

73. It is proposed to cancel and remove from 46 CFR 162.028–3 the requirement that foam type extinguishers be fitted with a safety relief device. This proposal is based on the fact that currently the foam recharges available on the commercial market are sufficiently standardized so that excessive pressures will not occur if the wrong recharge should be placed and used in a foam-type extinguisher. This requirement for a safety relief device was originally based on the problem that there were rather wide differences in foam extinguisher design and construction which resulted in wide differences in the formulation and composition of the charges used.

74. The authority to prescribe regulations regarding portable fire extinguishers is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 8, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 489, 367, 526g, 526p, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

ITEM V—TANK VESSELS

VENTING OF COFFERDAMS

75. It is proposed to clarify 46 CFR 32.55–45 by specifically providing that voids adjacent to cargo tanks shall be fitted with vents. This section is a source of controversy between the Coast

Guard and the tank barge design agents. The designers contend that rake compartments and voids are not cofferdams, neither as defined by 46 CFR 30.10–13, nor in nautical dictionaries. Under their interpretation, flame screens are not required on rake or void vents. The Coast Guard follows the policy that while rake compartments and voids are not literally defined as cofferdams, they serve the same purpose and for all practical application are cofferdams and their vents will require flame screens. While this proposal appears to be retroactive in effect, it is felt that in fact it will not be because it expresses in words the present practice followed by the Coast Guard.

FIRE RETARDANT CONSTRUCTION

76. It is proposed to clarify the intent of the present regulations and to set forth a minimum standard of structural fire protection for new tank vessels in new regulations designated 46 CFR 32.57–1 to 32.57–10, inclusive, and by amendments to 46 CFR 32.60–1 and 32.60–25. For the greater part, these requirements are in general agreement with present practice, being an amplification of the information contained in Navigation and Vessel Inspection Circular No. 9–56. In addition, as one of the most important features of fire control is the elimination of drafts and flue effects, it is proposed to require means for closing off stairway openings. The regulations are to be further amended to prohibit the use of nitrocellulose-type motion picture film by a new proposal designated 46 CFR 35.30–40. Inasmuch as many of these proposals are also in general agreement with the 1960 Safety of Life at Sea Convention, little additional modification to these regulations will be required when the convention is ratified.

PUMP ROOM VENTILATION

77. The Committee on Tank Vessels of the American Petroleum Institute recommended a proposal regarding pump room ventilation. This proposal designated 46 CFR 32.60–20 revises minimum requirements for pump room ventilation on tank vessels, the construction or conversion of which is started on or after January 1, 1963. This proposal is the result of a lengthy study by an API Tanker Committee Group on Pump Room Ventilation. Certain other changes in 46 CFR 32.60–20 are proposed and they are primarily editorial in order to incorporate the proposal into the regulations.

EMERGENCY LIGHTING AND POWER SYSTEMS

78. The proposed changes designated 46 CFR 35.07–10(b)(8) and 35.10–15 will add new requirements pertaining to the testing of emergency lighting and power systems. This proposal will impose an additional operating requirement on the marine industry. The actual operation of the emergency installation and the recording of the facts pertaining to such operation will be required. Tank vessels are now required to have emergency lighting and power systems, but there are no requirements for testing of these systems. Periodic operation and inspection of machinery and equipment that is usually idle is considered to be good engineering practice. The master will be responsible for the operating and inspection of the emergency system and will be responsible for the logging of the facts pertaining to the test. This test and inspection may be done by the ship's crew or by shore personnel. In Chapter II, Reg. 26(a)(v) and 26(b)(iii), 1960 Safety of Life at Sea Convention, it is required that provision be made for the periodic testing of the complete emergency installation.

FREEBOARD FOR TANKERS ABOVE 600 FEET IN LENGTH

79. It is proposed to amend 46 CFR 43.30–70 (load lines) to revise the basic minimum freeboard for tank vessels above 600 feet in length to permit the maximum drafts consistent with the Load Line Convention obligations and with safety requirements. Rule CVI of Annex I to the International Load Line Convention, 1930, gives the basic freeboards for tankers up to and including 600 feet in length and provides that "* * * ships above 600 feet are to be dealt with by the Administration." It thus leaves to each contracting government discretion to adopt a consistent and suitable extension of values for vessels above 600 feet in length. The lesser freeboards now proposed are considered to be substantiated by recent experience with large tankers, as well as by the wartime experience with ordinary size tankers operating at freeboard less than those permitted by Rule CVI. While they do not represent as great a reduction as that advocated by the U.S. Committee on Load Lines, they are considered to represent the maximum reductions in freeboard which are possible prior to modification of the present Load Line Convention. These proposed freeboards fair between the present value for a length of 600 feet to a curve agreed upon by the classification societies, at their 1959 meeting, at a length of about 800 feet, and are thence upwards in agreement with the values recommended by the classification societies. They are essentially in agreement with revised values which have already been adopted by the Japanese Ministry of Transportation, and possibly, by other foreign governments.

The authority for prescribing regulations governing tank vessels is in R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416. These regulations also interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; and E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. The authority for prescribing regulations governing load line regulations for tank vessels is in sec. 2, 45 Stat. 1493, as amended, and sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a.

ITEM VI—MARINE ENGINEERING

MATERIALS—MAXIMUM ALLOWABLE STRESSES, UNFIRED PRESSURE VESSELS, VALVES, FITTINGS, WELDING, AND STRESS RELIEVING

81. It is proposed to amend or add requirements to 46 CFR 51.01–10, 51.01–30, 51.04–1, 51.13–1, 51.22–1, 51.23–1, 51.24–1, 51.25–1, 51.34–1, 51.46–1, 51.49–1, 51.58–1 and 51.90–1, together with associated changes amending 46 CFR 52.05–10, 54.03–1, 55.07–10, 55.07–15, 56.01–70, and 56.05–5, so that Marine Engineering Regulations will be in substantial agreement with the latest editions of the American Society of Mechanical Engineers' (ASME) Boiler and Unfired Pressure Codes for ferrous materials and plastic pipe, and the American Society of Testing Materials' (ASTM) material standards. The proposed revisions to 46 CFR Part 1 (materials), and the associated changes to 46 CFR Parts 52 (construction), 54 (unfired pressure vessels), 55 (piping systems and appurtenances), and 56 (arc welding, gas welding, and brazing), which make reference to material requirements, include the currently accepted material specifications approved by ASTM and ASME. These specifications have been added to permit wider usage of these approved standards for merchant marine application in the fabrication of boilers, unfired pressure vessels and piping. New material standards include plate, forgings, castings, and pipe of carbon and alloy steel grades and of corrosion resistant properties, as well as materials for low temperature application. Additional allowable stresses meeting ASME Code requirements have been incorporated in 46 CFR Part 52 (construction) to cover the new material. In general, these proposals are considered to be relaxations as they permit the marine industry to use a greater variety of acceptable industrial material standards for merchant ships.

82. It is proposed to amend 46 CFR 52.05–15 (seamless pipe shells) in order to remove the limitation on unfired pressure vessels for seamless shells. The proposal amending 46 CFR 52.20–15 (detail requirements for dished heads) will make allowances in the design of hemispherical heads for their greater strength, when compared to dished heads of other forms. The proposed amendment to 46 CFR 55.07–1 (material) will permit the use of cast iron in liquid and gas services for use at 150 pounds as desired by industry. This constitutes a relaxation and is permitted in ASA B16. 1–60 noted in 46 CFR 55.07–15(e). It is also proposed to revise 46 CFR 55.07–1 in order to provide for the preservation of watertight integrity of subdivision bulkheads when using plastic pipe. The proposed change to 46 CFR 55.07–10 (valves and fittings) will make these requirements applicable to butterfly and/or wafer type valves by providing a minimum design pressure leak tightness criteria. It is proposed to revise 46 CFR 55.10–25 (bilge and ballast piping) so that these requirements will be more reasonable and practical for vessels

above but near 65 feet in length and not over 150 gross tons in size. It is proposed to amend 46 CFR 55.10–30 (bilge pumps) so that the bilge pump capacity requirements for dry cargo and tank vessels less than 65 feet in length will be lass severe than required under present regulations but equal to that now required for small passenger vessels operating over the same routes. It is proposed to amend 46 CFR 61.20–25 (boilers of foreign-built vessels) to clarify requirements by stating that Coast Guard approved safety valves will be required on boilers of foreign-built vessels when admitted to American registry. These valves are to be approved in accordance with 46 CFR Subpart 162.001 of Subchapter Q (Specifications).

USE OF FLEXIBLE HOSE

83. It is proposed to amend 46 CFR 55.07–1 (materials) and 55.17–25 (hydraulic hose and fittings) to carry out proposals recommended by industry. The proposed revisions to Part 55 (piping systems and appurtenances) will permit the use of flexible hose in cooling water systems to machinery fitted with duplicate piping systems, and will permit flexible hose to penetrate watertight bulkheads provided a metallic spool piece and remotely controlled valve are fitted at the bulkhead. Also, these proposed revisions would permit short lengths of flexible hose to be installed in fuel and lubricating lines at or near all machinery units where flexibility is required. In certain circumstances it will permit the use of larger lengths of flexible hose where required for proper operation of the system.

VENT OPENING CLOSURES

84. It is proposed to amend 46 CFR 55.10–60, 43.10–80, and 45.10–77 regarding vent closures. This proposal will clarify the phrase regarding "satisfactory means" to be provided for vent closures in both the Marine Engineering Regulations and the Load Line Regulations. This term "satisfactory means" as used in these regulations has been interpreted to require both a ball check valve and a cover. The intent of the regulation is to require only one device which will assure effective closure. The proposals to revise 46 CFR 55.10–60 in the Marine Engineering Regulations and 46 CFR 43.10–80 and 45.10–77 in the Load Line Regulations will bring into substantial agreement requirements regarding vent opening closures.

UNFIRED PRESSURE VESSELS; SHOP INSPECTIONS AND INSPECTIONS ON VESSELS

85. It is proposed to amend 46 CFR 54.01–1 and 61.25–20 to change the scope of application of Marine Engineering Regulations so as to include inspection of unfired pressure vessels when the Coast Guard conducts annual or biennial inspections. The unfired pressure vessels will be still exempt from shop inspections.

BOILER MOUNTINGS AND ATTACHMENTS

86. It is proposed to amend 46 CFR 61.20–20, regarding boiler mountings and attachments, to permit the Officer in Charge, Marine Inspection, to dispose with the required periodic removal of boiler mountings in those cases wherein a satisfactory examination of the mountings and their means of attachment can be made without removal. The wording of the present regulation requires that all boiler mountings be removed from the boiler after each 8 years of service for examination of the studs or bolts connecting them to the boiler and to permit examination of those parts of the valves, boiler mountings, and attachments which are not susceptible to examination by simply opening up the valves. There is no provision for any latitude on the part of the Officer in Charge, Marine Inspection, in those cases where periodic removal of boiler mountings may be unnecessary. In the case of older type boilers (scotch, fire tube, etc.) where boiler mountings are attached either directly to the boiler plates by studs and nuts, or bolts which are screwed directly into the boiler plate or into a reinforced pad attached directly to the boiler, the periodic removal of boiler mountings is considered essential. However, in the case of the more modern boilers, mountings are usually bolted to flanged nozzles which are welded directly to the boiler plates or headers. Where this method of attachment is used, the bolts or studs can usually be satisfactorily examined without removing the mountings from the boiler and an effective internal examination can usually be made by simply opening up the mountings.

87. The regulations with respect to marine engineering and material specifications are issued under R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, 4417a, as amended, 4418, as amended, 4421, as amended, 4426–4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4472, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 404–409, 411, 412, 435, 170, 481, 489, 366, 363, 367, 526p, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. The authority to prescribe load line regulations is in sec. 2, 45 Stat. 1493, as amended, and sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a.

ITEM VII—ELECTRICAL ENGINEERING

88. The proposed changes to 46 CFR 110.10–1, 111.50–20, 111.60–10, and 111.65–45 are intended to bring these requirements up to date and into agreement with reference standards. In general, the proposed changes do not impose additional requirements on industry. In some cases the proposed changes will permit wider latitude by reducing the requirements governing particular installations.

89. The regulations with respect to electrical engineering are issued under R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM VIII—UNINSPECTED VESSELS

MEASURING LENGTH OF MOTORBOATS

90. It is proposed to revise 46 CFR 24.10–17 by adding an interpretive ruling concerning the measurement of the length of motorboats. The present requirements state that the length of a motorboat "shall be measured from end to end over the deck excluding sheer." This regulation is subject to varying and sometimes conflicting interpretations in the case of motorboats of open construction, or which are partially decked over, or have more than one deck. The proposed interpretation will standardize the method of measurement, without regard to decks. It will provide for a straight line measurement from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline.

PORTABLE FIRE EXTINGUISHERS FOR ALL MOTORBOATS

91. It is proposed to amend 46 CFR 25.30–20 to require fire extinguishers on all motorboats, regardless of type of propulsion or construction. The basic change in the regulations will be to cancel the exemption regarding portable extinguishers for outboard motorboats of less than 26 feet in length, of open construction, and not carrying passengers for hire. If adopted, this means that for the 1962 boating season and in the future, all motorboats (regardless of construction or propulsion) will be required to carry portable fire extinguishers.

92. It is proposed to amend 46 CFR 25.40–1, regarding ventilation of fuel tank compartments, to require ventilation of bilges in outboard motorboats which have fuel tanks or containers in closed compartments in the hull. This proposal will require adequate ventilation of bilges and closed compartments within the hulls in outboard motorboats when fuel tanks and fuel containers are stowed or carried on board. Coast Guard statistical reports on boating accidents for the period from March 1959 to June 1961 show that 42 outboard motorboats experienced "fire or explosion of fuel" type casualties. A study of the individual reports indicates that the introduction of the "portable" tanks, pressure feed, plastic fuel lines, batteries and generators, has materially increased the hazards from fire and explosion in outboard motorboats. These potentially hazardous items were normally not carried in outboard motorboats prior to the introduction and accepted use of the

detached fuel tank. Therefore, until recently there was no need for any ventilation requirements for fuel tank compartments in outboard motorboats as fuel tanks were integral with the motors and carried outside the hulls of the vessels.

93. The authority to prescribe regulations regarding uninspected vessels (motorboats) is in R.S. 4405, as amended, 4462, as amended, and secs. 8, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 375, 416, 526g, 526p.

ITEM IX—ARTIFICIAL ISLANDS AND FIXED STRUCTURES ON THE OUTER CONTINENTAL SHELF

94. It is proposed to amend 33 CFR 143.05–1, 143.05–5, and 143.05–10 regarding emergency means of escape from artificial islands and fixed structures. These proposals were initiated as a result of the recommendations by the Marine Board of Investigation which investigated an explosion and fire on the "Offshore Platform Timbalier Block 134–01," Gulf of Mexico, July 26, 1959, with loss of life. It was the opinion of the Board as a result of the casualty that present regulations regarding means of escape required clarification. The Board determined that in this casualty there was only one means of escape from the quarters level to the rig floor but that there were two fixed stairways from the rig floor to the surface of the water. Since the terminology of the oil industry describes the platform as the structure on which the drilling rig and equipment are placed, this platform had two means of escape. Therefore, the purpose of this proposal is to amend regulations so that two means of escape are required from each level to the surface of the water. These proposals were considered and endorsed by the National Offshore Operations Panel at its meeting on February 7, 1961, at Washington, D.C.

95. The authority to prescribe regulations regarding artificial islands and fixed structures is in sec. 633, 63 Stat. 545; 14 U.S.C. 633. These regulations interpret or apply sec. 4, 67 Stat. 462; 43 U.S.C. 1333.

Dated: January 12, 1962.

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

[F.R. Doc. 62–731; Filed, Jan. 22, 1962; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

GRAIN SORGHUM

Official Grain Standards of the United States; Notice of Proposed Rule Making

Correction

In F.R. Doc. 62–368 appearing at page 409 of the issue for Saturday, January 13, 1962, the table in § 26.553 is corrected by changing the second entry under the Percent column headed "Heat-damaged kernels" to read ".5".

[9 CFR Part 201]

REGULATIONS UNDER PACKERS AND STOCKYARDS ACT

Notice That Amendments to Registration and Bonding Regulations and Related Regulations Are Under Consideration

On September 28, 1961, there was published in the FEDERAL REGISTER (26 F.R. 9136), a notice that consideration was being given as to whether certain regulations under the Packers and Stockyards Act (9 CFR Part 201) should be amended or revised in view of the changes in current marketing conditions and the 1958 amendment to the Act which extended the scope of the Act in certain respects. The notification invited any interested persons who wished to do so to submit proposals with respect to changes in §§ 201.10 to 201.13, inclusive, concerning registrations, and §§ 201.29 to 201.34 inclusive, concerning market agency and dealer bonds (9 CFR 201.10–201.13, 201.29–201.34).

Recommendations which have been received from interested persons, if adopted, may require changes or revisions in regulations other than those specified in the notice of September 28, 1961. Specifically those regulations which may require changes are §§ 201.59, 201.60, 201.61, 201.66, 201.67, 201.68, 201.79, and 201.81, concerning certain trade practices and services of persons subject to the Act (9 CFR 201.59, 201.60, 201.61, 201.66, 201.67, 201.68, 201.79, and 201.81).

Any interested person who wishes to submit proposals and the reasons therefor, or comments with respect to these regulations may do so by filing them with the Director, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 30 days after publication hereof in the FEDERAL REGISTER. The time for filing proposals with respect to §§ 201.10–201.13 and 201.29–201.34 is hereby extended for the same period. Copies of the present regulations may be obtained on request from the Director. If it is decided after consideration of all proposals and comments received pursuant to this notice and consideration of all other relevant matters that the regulations should be amended a notice of proposed rule-making will be published in the FEDERAL REGISTER setting forth any specific proposed amendments. At that time all interested persons will have an opportunity to submit their views on such proposed amendments.

Done at Washington, D.C., this 17th day of January 1962.

CLARENCE H. GIRARD,
Director,
Packers and Stockyards Division.

[F.R. Doc. 62–707; Filed, Jan. 22, 1962; 8:46 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 1064 [1]]

[Docket No. AO–23–A20 and AO–23–A22]

MILK IN GREATER KANSAS CITY MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Correction

In F.R. Doc. 61–12366, appearing at page 12710 of the issue for Friday, December 29, 1961, the following words should be inserted immediately preceding the signature of James T. Ralph: "Signed at Washington, D.C., December 22, 1961.".

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 541]

EXECUTIVE, ADMINISTRATIVE AND PROFESSIONAL EXEMPTIONS

Notice of Proposed Rule Making

Section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)), provides an exemption from the minimum wage and overtime requirements of the Act for any employee employed in a bona fide executive, administrative, or professional capacity. The Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor is authorized to define and delimit these terms. The regulations established pursuant to this authority are contained in 29 CFR Part 541. These regulations provide, among other things, that no person shall be considered a bona fide executive if he is paid less than $80 a week on a salary basis ($55 a week if employed in Puerto Rico or the Virgin Islands), and that no person shall be considered a bona fide administrative or professional employee if he is paid less than $95 a week on a salary or fee basis ($70 a week if employed in Puerto Rico or the Virgin Islands). These regulations also contain special provisions for such employees who are paid $125 a week or more. The widespread increases in wage and payroll levels which have taken place since these salary tests were established in February, 1959, indicates that consideration should be given to further changes of these rates.

Accordingly, notice is hereby given of proceedings to be held on Monday, March 26, 1962, at 10 o'clock a.m., in Conference Room B, Departmental Auditorium, Constitution Avenue, between 12th and 14th Streets NW., Washington, D.C., before Hearing Examiner, Clifford P. Grant, at which time interested persons may submit oral data, views, or arguments on the following question: What, if any, changes should be made in 29 CFR 541.1(f), 541.2(e), and 541.3(e) with respect to the level

[1] Formerly Part 913.

of the salaries or fees prerequisite to the exemption from the minimum wage and overtime requirements of the Act for executive, administrative, and professional employees who are engaged in commerce or in the production of goods for commerce? Similar proceedings on this question as it pertains to employees in Puerto Rico and the Virgin Islands will be held beginning April 9, 1962, at 10 o'clock a.m., on the seventh floor of the Condominio San Alberto Building, Santurce, Puerto Rico.

All persons wishing to be heard on the above question shall file with the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, 14th Street and Constitution Avenue NW., Washington 25, D.C., not later than February 28, 1962, notice of intention to appear which shall contain the following information:

1. Name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the persons or organization he is representing.

3. Whether he is appearing in support of a change in the salary or fee levels and, if so, the nature of the change suggested.

4. The approximate length of time he will need for his presentation.

Written data, views, or arguments may be filed at the above address in lieu of personal appearances at any time prior to or at the oral proceedings.

In connection with the question presented above, interested persons are requested to submit prior to or at the oral proceedings the following kinds of data:

1. Salaries or fees currently paid to executive, administrative, and professional employees, including entrance and minimum salaries and fees and ranges of salary and fee rates.

2. Entrance salaries and fees paid to trainees and junior executive, administrative, and professional employees.

3. Wages, salaries and fees of other white collar workers, such as typists, stenographers, secretaries, clerks, accounting clerks, payroll clerks, bookkeepers, and accountants of various grades.

4. Changes in executive, administrative and professional salary and fee levels since 1958 and 1955.

5. Identification of the localities, type of communities, and industries for which data is presented.

The oral proceedings shall be stenographically reported. Transcripts will be made available to interested persons on such terms as the hearing examiner shall prescribe. The hearing examiner shall regulate the proceedings, dispose of procedural requests, objections, and related matters and confine the proceedings to matters pertinent to those hereinabove stated. He shall have discretion to keep the record open after the close of the hearing to permit any person who participated in the oral presentation to submit additional data, views, and arguments responsive to the oral presentations made by other persons. After the record has been closed, the hearing examiner shall certify it to me after which I will make any appropriate changes in 29 CFR Part 541.

Signed at Washington, D.C., this 17th day of January 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-698; Filed, Jan. 22, 1962; 8:46 a.m.]

[29 CFR Parts 602, 603, 657]

[Administrative Order No. 560]

REVIEW COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment; Convention; Notice of Hearings

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and paragraph (C) of proviso (1) of subsection 6(c) of the aforementioned Act, as amended by the Fair Labor Standards Amendments of 1961 (sec. 5(c), 75 Stat. 67), I hereby appoint Review Committee 3–A for the Fabric and Leather Glove Industry in Puerto Rico; Review Committee 3–B for the Leather, Leather Goods, and Related Products Industry in Puerto Rico; and Review Committee 4 for the Tobacco Industry in Puerto Rico to recommend the minimum rate or rates to be paid under paragraph (C) of proviso (1) of subsection 6(c) of the aforementioned Act in lieu of those provided under paragraph (A) of proviso (1) to employees in the designated industries.

The definitions of the industries for which review committees are appointed by this order are set forth below.

The Fabric and Leather Glove Industry in Puerto Rico (29 CFR Part 603) is defined as follows:

The manufacture of dress, semidress, and work gloves and mittens from woven or knit fabric, leather, or fabric or leather in combination with any other material: *Provided, however,* That the industry shall not include the manufacture of knit or crocheted gloves and mittens, sport and athletic gloves and mittens, or rubber gloves and mittens.

The Leather, Leather Goods, and Related Products Industry in Puerto Rico (29 CFR Part 602) is defined as follows:

The curing, tanning, or other processing of hides, skins, leather, or furs, and the manufacture of products therefrom; the manufacture from artificial leather, fabric, plastics, paper or paperboard, or similar materials of trunks, suitcases, brief cases, wallets, billfolds, coin purses, card cases, key cases, cigarette cases, watch straps, pouches, tie cases, toilet kits, checkbook covers, sport and athletic gloves and mittens, belts (except fabric belts), and like articles; and the manufacture of baseballs, softballs, footballs, and basketballs covered with leather, artificial leather, fabric, plastics, or similar materials: *Provided, however,* That the industry shall not include any product or activity included in the button, jewelry, and lapidary work industry in Puerto Rico (29 CFR Part 616), the chemical, petroleum, rubber, and related products industry in Puerto Rico (29 CFR Part 670), the needlework and fabricated textile products industry in Puerto Rico (29 CFR Part 612), the fabric and leather glove industry (29 CFR Part 603), or the shoe and related products industry (29 CFR Part 601).

The Tobacco Industry in Puerto Rico (29 CFR Part 657) is defined as follows:

The processing of leaf tobacco, including, but without limitation, the grading, fermenting, stemming, chopping, packing, storing, drying, and handling of tobacco; and the manufacture of cigarettes, cigars, cheroots, little cigars, snuff, chewing tobacco, and smoking tobacco.

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and the Fair Labor Standards Amendments of 1961 (sec. 5(c)(3), 75 Stat. 69), I hereby:

(1) Convene each of the above-appointed review committees;

(2) Refer to each of these review committees the question of the minimum rate or rates of wages to be fixed for the industry with which it is concerned;

(3) Give notice of the hearing to be held by each of them at the times and places indicated below. Each review committee shall investigate conditions in its industry, and each review committee, or any authorized subcommittee thereof, shall hear such witness and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act. Each review committee shall recommend to the Administrator the highest minimum wage rates which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in its industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, and American Samoa.

Review Committee 3–A shall meet in executive session to commence its investigation at 10:00 a.m. on March 5, 1962, in the office of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico, and shall commence its hearing at 2:00 p.m., on the same date at the same place. Following the hearing of Review Committee 3–A, Review Committee 3–B shall meet at the aforementioned office of the Wage and Hour and Public Contracts Divisions at an hour designated by its chairman to conduct its investigation and hold its hearing. Review Committee 4 shall meet in executive session to commence its investigation at 10:00 a.m., on March 21, 1962, in the aforementioned office of the Wage and Hour and Public Contracts Divisions, and shall commence its hearing at 2:00 on the same date at the same place.

Whenever any review committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees

in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, each review committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report containing such data as he is able to assemble pertinent to the matters referred to the committees. Copies of the report may be obtained at the National and Puerto Rican Offices of the United States Department of Labor as soon as they are completed and prior to the hearing. Each committee will take official notice of the facts stated in the economic report to the extent they are not refuted by evidence received at the hearing.

The procedure of each review committee shall be governed by Part 512 of Title 29, Code of Federal Regulations (26 F.R. 4636, 5421).

As a prerequisite to participation in the hearings of Review Committees 3–A and 3–B, interested persons shall file prehearing statements containing the data specified in 29 CFR 512.11, 511.8 (26 F.R. 4636, 6513) not later than February 23, 1962, and as a prerequisite to participation in the hearing of Review Committee 4, interested persons shall file such prehearing statements not later than March 12, 1962.

Signed at Washington, D.C., this 17th day of January 1962.

ARTHUR J. GOLDBERG,
Secretary of Labor

[F.R. Doc. 62–734; Filed, Jan. 22, 1962; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 602]

[Airspace Docket No. 61–WA–191]

JET ADVISORY AREAS

Proposed Alteration of Jet Routes and Jet Advisory Area

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 602.100 and 602.200 of the regulations of the Administrator, the substance of which is stated below.

Jet Route No. 6 extends in part from Prescott, Ariz., to Albuquerque, N. Mex., via Grants, N. Mex. Jet Route No. 78 extends in part from Prescott to Albuquerque. The FAA has under consideration the alteration of J–6 by designating the route direct from the Prescott VORTAC to the Albuquerque VORTAC, thus eliminating the Grants VOR from the description of J–6. This alteration of J–6 would then coincide with J–78 between Prescott and Albuquerque.

Jet Route No. 24 extends in part from Gila Bend, Ariz., to Las Vegas, N. Mex., via Phoenix, Ariz., Grants, N. Mex., and Albuquerque. Radar jet advisory area is presently designated within 16 miles either side of J–24 from flight level 240 to flight level 390 from Phoenix to Albuquerque and from Indianapolis, Ind., to Charleston, W. Va. The Agency has under consideration the alteration of the segment of J–24 between Grants and Las Vegas by designating this route direct from the Grants VOR to the Las Vegas VORTAC. This would eliminate the Albuquerque VORTAC from the description of J–24 and provide a bypass route north of the Albuquerque terminal area. In addition, the Agency has under consideration the designation of radar jet advisory area from the Gila Bend VORTAC to the Phoenix VORTAC and from the Grants VOR to the Indianapolis VORTAC 16 miles either side of J–24 from flight level 240 to flight level 390. The radar jet advisory area proposed herein would provide a defined area along J–24 wherein jet advisory service would be provided to civil turbojet aircraft.

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

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

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

Issued in Washington, D.C., on January 16, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–684; Filed, Jan. 22, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14495 (RM–295); FCC 62–92]

TELEVISION BROADCAST STATIONS (ELMIRA, NEW YORK)

Table of Assignments; Notice of Proposed Rule Making

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

2. The Commission has before it a petition for rule making, filed November 16, 1961, by the National Educational Television and Radio Center (NET), proposing that television Channel 30, now assigned to Elmira, New York, be reassigned to Elmira and Corning, New York, jointly for non-commercial educational use. The proposal would amend the television Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Elmira, N.Y.	18+, 24–, 30	18+, 24–
Corning-Elmira, N.Y.		*30

3. Station WSYE–TV operates on Channel 18 at Elmira, a city with a 1960 population of 46,517 in southcentral New York. There are no outstanding authorizations for the other Elmira television channel assignments, and no applications are on file for their use. In the outstanding Binghamton, New York, deintermixture proceeding in Docket No. 14243, the Commission is considering a proposal to make Binghamton all UHF and to make an additional UHF assignment available to Binghamton by shifting Channel 24 from Elmira to Binghamton. A replacement for Channel 24 at Elmira was not proposed, for, unless an active interest is manifested, we find it desirable in the public interest to defer action on making available substitute UHF channels until decisions are reached in Docket No. 14229 concerning the future methods of assigning stations on UHF channels.

4. Corning, with a 1960 population of 17,085, is situated less than 15 miles to the west of Elmira. Although it has been assigned no television channels in the Table of Assignments, Elmira's channel assignments are also available, upon application, for use at Corning pursuant to § 3.607(b) of the rules.

5. NET's subject proposal would provide the Corning-Elmira area with its first non-commercial educational assignment. It appears from NET's petition that the proposal also holds promise of bringing a needed and valuable first educational television service to the area in the near future. NET states that, upon its adoption, a non-profit educational organization will be formed to own and operate an educational station on Channel 30 and to take immediate and effective steps toward the realization of that objective. It claims that there is a strong desire in the Corning-Elmira area for an educational television station to serve in-school and community educa-

tional and cultural needs; that the Corning City School District plans to take an active role in the development of educational television in the area; and that the plans for a UHF educational television station are supported by other local educational and civic organizations, including public and private schools, colleges, administrators, and teachers. It also notes that the New York State Education Department is desirous of having a regional educational television station in the area.

6. We are of the view that rule making should be instituted on NET's proposal, and interested parties are invited to submit their views and relevant data.

7. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.213 of the Commission's rules, interested persons may file comments on or before February 19, 1962, and reply comments on or before March 5, 1962. In reaching its decision herein, the Commission will not be limited to consideration of comments of record, but will take into account all relevant information obtained in any manner from informed sources.

9. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: January 17, 1962.

Released: January 18, 1962.

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

[F.R. Doc. 62-741; Filed, Jan. 22, 1962; 8:51 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 62]

[File No. 21-543]

TRADE PRACTICE RULES FOR USED AUTOMOTIVE PARTS INDUSTRY

Notice of Hearing and of Opportunity To Present Views, Suggestions or Objections

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations and other parties, affected by or having an interest in the proposed trade practice rules for the Used Automotive Parts Industry to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises.

For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than February 9, 1962. Opportunity to be heard orally will be afforded at the hearing beginning at 10:30 a.m., c.s.t., on Friday, February 9, 1962, in the Old Chicago Room, Sherman Hotel, North Clark and West Randolph Streets, Chicago, Illinois, to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry is composed of the persons, firms, corporations and organizations engaged in the sale or distribution of automotive parts which have been used, or which contain used parts. The term "automotive parts" as herein used means any part designed for an automobile, truck, motorcycle, tractor or similar self-propelled vehicle, including, but not limited to, armatures, generators, starters, carburetors, clutches, distributors, connecting rods, crankshafts, cylinder blocks, engine assemblies, fuel pumps, brakes, master and wheel brake cylinders, power brakes, shock absorbers, starter drives, solenoids, automatic transmissions, regulators, spark plugs, springs, windshield wiper motors and water pumps. Automobile tires are not products of the industry.

The proceedings are directed to the elimination and prevention of certain acts and practices deemed violative of statutes administered by the Federal Trade Commission.

Issued: January 22, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-775; Filed, Jan. 22, 1962; 8:51 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3–C]

PORTLAND CEMENT FROM THE DOMINICAN REPUBLIC

Determination of Sales at Less Than Fair Value

JANUARY 8, 1962.

A complaint was received that portland cement, other than white, nonstaining portland cement, from the Dominican Republic was being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that portland cement, other than white, nonstaining portland cement, from the Dominican Republic is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The United States Tariff Commission is being advised of this determination.

Statement of reasons. Sufficient volume was sold for home consumption in the Dominican Republic to make home market price the basis of fair value comparison with purchase price. No relationship other than buyer-seller existed between the United States purchaser and the seller.

The purchase price for cement in bulk, sold to importers in New York City and in Puerto Rico, was the net sales price, f.o.b. factory pier; no deductions or additions were required to find purchase price. Calculation of purchase price for cement in bags, sold only in Puerto Rico, involved deductions for trucking, storage on pier, and selling commission.

Calculation of home market price involved deductions for a cash discount, commission, loading costs, and the assumption of customers' advertising costs by the seller.

Purchase price was found, in all cases, to be lower than home market price, until late July, 1961, at which time the prices in each market were changed. After July 28, 1961, purchase price was found to be not less than home market price.

The sole importer offered evidence that with respect to all shipments made prior to July 28, 1961, it renegotiated the purchase price which it had paid to the seller notwithstanding that these shipments had already been exported to it. The importer also offered evidence that on the basis of the renegotiation it had paid additional sums to the seller with respect to these shipments and that if these sums were considered to be a part of the purchase price, the sales of this merchandise could not be considered as having been made at less than fair value. While no conclusion was reached whether evidence of this type should be considered in determining the existence of sales at less than foreign market value in the event that a determination of dumping is made, it was concluded that under the circumstances of this case evidence of this type should not be considered in determining the existence of likelihood of sales at less than fair value. The importer was informed that this conclusion was without prejudice to its right to offer evidence on these matters to the Tariff Commission in an effort to prove that importations of the subject commodity from the Dominican Republic are not injuring or are not likely to injure an industry in the United States.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 62–728; Filed, Jan. 22, 1962; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

IOWA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87–128 (7 U.S.C. 1961) it has been determined that in the following counties in the State of Iowa natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources:

IOWA

Adams.	Jefferson.
Allamakee.	Johnson.
Appanoose.	Jones.
Benton.	Keokuk.
Black Hawk.	Lee.
Bremer.	Linn.
Buchanan.	Louisa.
Cedar.	Lucas
Chickasaw.	Madison.
Clarke.	Mahaska.
Clayton.	Monroe.
Clinton.	Muscatine.
Davis.	Ringgold.
Decatur.	Scott.
Delaware.	Tama.
Des Moines.	Taylor.
Dubuque.	Union.
Fayette.	Van Buren.
Henry.	Wapello.
Howard.	Washington.
Iowa.	Wayne.
Jackson.	Winneshiek.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1962, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 17th day of January 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62–710; Filed, Jan. 22, 1962; 8:47 a.m.]

TEXAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87–128 (7 U.S.C. 1961) it has been determined that in the following counties in the State of Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources:

TEXAS

Hunt.	Rockwall.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1962, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 17th day of January 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62–711; Filed, Jan. 22, 1962; 8:47 a.m.]

Rural Electrification Administration

VARIOUS OFFICIALS

Delegations of Authority

Pursuant to the authority delegated by the Secretary of Agriculture to the Administrator, Rural Electrification Administration, by sections 116 and 1500 of the Delegations of Authority and Assignment of Functions dated December 24, 1953, effective January 2, 1954 (19 F.R. 74), as amended made pursuant to Reorganization Plan No. 2 of 1953 and other authorizations, the following delegations of authority have been made:

A. Authority has been delegated to the officials listed below to exercise, in the absence of the Administrator, and in the following order of precedence, any powers of the Administrator:

1. Deputy Administrator.
2. Assistant Administrator—Operations.
3. Assistant Administrator—Electric, designated to direct the electric program.
4. Assistant Administrator—Telephone, designated to direct the telephone program.
5. Such other official as shall be designated by the Administrator.

B. Authority has been delegated to the Deputy Administrator to approve or execute:

1. REA bulletins and staff instructions involving more than one program except those establishing policy.

2. Agreements or contracts covering management or operations services between telephone and electric borrowers.

3. Agreements between REA electric and telephone borrowers for the general joint use of facilities.

4. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs C through Z hereof..

C. Authority has been delegated to the Assistant Administrator—Electric, to approve or execute for electric borrowers:

1. REA bulletins and staff instructions for the electric program except those establishing policy.

2. Action concerning disapproval of the selection of a manager or an attorney by a borrower.

3. Electric wholesale, wheeling, and interchange power contracts.

4. Cash sales of property in place or sales of real estate by borrowers involving transactions of more than $50,000 or more than 10 percent of a borrower's total assets, but not in excess of $100,000, and releases of lien and all other documents relating to such sales.

5. Contracts for acquisition by electric borrowers of existing facilities in place.

6. The use and reimbursement of general funds for construction purposes exceeding $50,000 or 10 percent of a borrower's total assets when approval is required.

7. Authorization for advance of loan funds under "conditional agreements" or where waiver of loan contract provisions is involved; the placement and release of "stop orders" on loan funds.

8. Loan budget adjustments of more than 10 percent in the total amount budgeted for any primary loan purpose.

9. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs D, H, L, and U hereof.

D. Authority has been delegated to the Deputy Assistant Administrator—Electric, to approve or execute for electric borrowers:

1. Basis date agreements on approved forms providing for modification of existing mortgage notes.

2. Changes in borrowers' corporate status.

3. Action concerning payment of dividends or other cash distribution.

4. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs H, L, and U hereof.

E. Authority has been delegated to the Assistant Administrator—Telephone, to approve or execute for telephone borrowers:

1. REA bulletins and staff instructions for the telephone program except those establishing policy.

2. Action concerning disapproval of the selection of a manager or an attorney by a borrower.

3. Cash sales of property in place or sales of real estate by telephone borrowers involving transactions of more than $50,000 or more than 10 percent of a borrower's total assets, but not in excess of $100,000, and releases of lien and all other documents relating to such sales.

4. Contracts for acquisition by telephone borrowers of existing facilities in place.

5. Interim financing proposals subject to subsequent approval of a loan or first advance of funds.

6. Authorization for advance of loan funds under "conditional agreements" or where waiver of loan contract provisions is involved; the placement and release of "stop orders" on loan funds.

7. Engineering fee schedules.

8. Loan budget adjustments of more than 10 percent in the total amount budgeted for any primary loan purpose.

9. The use of general funds for reimbursable items exceeding $50,000 or 10 percent of a borrower's total assets except where such reimbursement is dependent on approval of a subsequent loan.

10. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs F, P, and V hereof.

F. Authority has been delegated to the Deputy Assistant Administrator—Telephone, to approve or execute for telephone borrowers:

1. Basis date agreements on approved forms providing for modification of existing mortgage notes.

2. Changes in borrowers' corporate status.

3. First advance of loan funds where waiver of loan contract conditions is not involved.

4. Cash sales and removals of borrower's property in place or sales of real estate involving transactions not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser, and releases of lien and all other documents relating to such sales.

5. The purchase price of properties to be acquired by telephone borrowers where the purchase price exceeds REA appraisal value.

6. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs P and V hereof.

G. Authority has been delegated to the Assistant Administrator—Operations, to approve or execute:

1. REA bulletins and staff instructions, except those establishing policy, concerning activities included in the following divisions: Controller's, Information Services, Personnel Management, and Program Services.

2. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs Y and Z hereof.

H. Authority has been delegated to the Area Directors—Electric, to approve or execute for electric distribution borrowers:

1. The award of contracts for construction and purchase of equipment.

2. Agreements for the joint use of electric borrowers' facilities except for general joint use agreements between electric and telephone borrowers.

3. Revisions of retail rate schedules.

4. Loan budget adjustments excluding adjustments of more than 10 percent in the total amount budgeted for any primary loan purpose.

5. Agreements between electric borrowers for operation of a borrower's facilities.

6. Waiver of defects in title and rights-of-way obtained by borrowers.

7. Cash sales of electric borrowers' property in place or sales of real estate involving transactions not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser; and releases of lien and all other documents relating to such sales.

8. The use or reimbursement of general funds for construction purposes not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser, when approval is required.

9. Use of non-standard drawings, materials, and equipment.

10. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs I, J, and K hereof.

I. Authority has been delegated to Chiefs, Engineering Branches—Electric, to approve or execute for electric distribution borrowers:

1. Right-of-way clearing contracts.

2. The selection by borrower of an engineer or architect and contracts for engineering and architectural services.

3. Contracts for construction and for the purchase of equipment.

4. Final inventory documents and payments to contractors and engineers.

5. Financial Requirement and Expenditure Statements and work order inventories.

6. Plans and specifications and work orders for construction of generation facilities and for headquarters, garage, and warehouse facilities.

7. Technical engineering studies of distribution and transmission facilities requiring REA approval.

8. Borrowers' selection of force account method of construction.

9. Proposals for off-peak load control equipment.

10. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraph J hereof.

J. Authority has been delegated to Field Engineers—Electric, to approve or execute for electric distribution borrowers:

1. Plans and specifications for construction of distribution and transmission facilities and for preliminary design data and plans and profile sheets for transmission facilities.

2. Estimate work orders for construction of distribution and transmission facilities.

3. Engineering approval of large power applications.

4. Final statements of engineering fees.

5. Annual work plans.

6. Certificates of completion for distribution and transmission contract construction.

7. Voltage drop, sectionalizing and power factor studies.

K. Authority has been delegated to Chiefs, Operations Branches—Electric, to approve or execute for electric distribution borrowers:

1. Retail rate contracts between borrowers and others relating to large power installations.

2. Borrowers' cash sales of material and equipment excluding property in place, when approval is required; and releases of lien and all other documents relating to such sales.

3. Insurance and fidelity coverage of borrowers.

4. Special legal fees to be paid by borrowers from loan funds.

5. Borrowers' requests for approval to loan in excess of $2,500 of section 5 loan funds other than to commercial or industrial enterprises.

6. Purchase of real estate by borrowers.

7. Certificates regarding a borrower's incorporation and changes in a borrower's corporate status or name.

8. Affidavits and certificates with respect to the recording and filing of mortgages and deeds of trust, including mortgages to be recorded as financing statements, pursuant to the Uniform Commercial Code.

9. Municipal and county franchise obtained by borrowers from the standpoint of acceptability for REA loans.

10. Selection of Certified Public Accountants by electric distribution borrowers.

L. Authority has been delegated to the Director, Power Supply Division—Electric, to approve or execute for electric power-type borrowers:

1. The award of contracts for construction and for the purchase and installation of generating equipment.

2. Agreements for the joint use of electric borrowers' facilities, except for general joint use agreements between electric and telephone borrowers.

3. Revisions of retail rate schedules.

4. Loan budget adjustments excluding adjustments of more than 10 percent in the total amount budgeted for any primary loan purpose.

5. Agreements between power-type borrowers for operation of a borrower's facilities.

6. Waiver of defects in title and rights-of-way obtained by borrowers.

7. Cash sales of borrowers' property in place or sales of real estate involving transactions not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser; and releases of lien and all other documents relating to such sales.

8. The use or reimbursement of general funds for construction purposes not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser, when approval is required.

9. Use of non-standard drawings, materials, and equipment.

10. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraphs M, N, and O hereof.

M. Authority has been delegated to the Chief, Power Plants Branch—Electric, to approve or execute for power-type borrowers:

1. The selection by borrower of an engineer or architect and contracts for engineering and architectural services.

2. Plans and specifications and work orders for construction of generation facilities.

3. Borrowers' selection of force account method of construction.

4. Final statements of engineering fees.

5. Purchase by power-type borrowers of generating plant sites.

6. Contracts for the construction and the purchase and installation of generating facilities.

N. Authority has been delegated to the Chief, Transmission Branch—Electric, to approve or execute for power-type borrowers:

1. Right-of-way clearing contracts.

2. The selection by borrower of an engineer and contracts for engineering services.

3. Technical engineering studies of transmission and distribution facilities requiring REA approval.

4. Borrowers' selection of force account method of construction.

5. Plans and specifications for construction of transmission and distribution facilities and for preliminary design data and plans and profile sheets for transmission facilities.

6. Estimate work orders for construction of transmission and distribution facilities.

7. Engineering approval of large power applications.

8. Final statements of engineering fees.

9. Certificates of completion for transmission and distribution contract construction.

10. Voltage drop, sectionalizing and power factor studies.

11. Contracts for the construction of transmission facilities.

12. Purchase of substation sites by power borrowers.

O. Authority has been delegated to the Chief, Management Branch—Electric, to approve or execute for power-type borrowers:

1. Final inventory documents and payments to contractors and engineers.

2. Financial Requirement and Expenditure Statements and work order inventories.

3. Retail rate contracts between power-type borrowers and others relating to large power installations.

4. Borrowers' cash sales of material and equipment excluding property in place, when approval is required, and releases of lien and all other documents relating to such sales.

5. Insurance and fidelity coverage of borrowers.

6. Special legal fees to be paid by borrowers from loan funds.

7. Certificates regarding a borrower's incorporation and changes in a borrower's corporate status or name.

8. Affidavits and certificates with respect to the recording and filing of mortgages and deeds of trust, including mortgages to be recorded as financing statements, pursuant to the Uniform Commercial Code.

9. Municipal and county franchise obtained by borrowers from the standpoint of acceptability for REA loans.

10. The selection by a borrower of a Certified Public Accountant to perform audits.

11. Contracts for construction of headquarters, garage, and warehouse facilities.

12. Plans and specifications and work orders for headquarters, garage, and warehouse facilities.

13. The selection by a borrower of an architect and contracts for architectural services.

14. Purchase of real estate other than substation and generating plant sites.

P. Authority has been delegated to the Area Directors—Telephone, to approve or execute for telephone borrowers:

1. Borrowers' lease agreements and contracts covering management or operations services except those involving electric borrowers.

2. The use of general funds for reimbursable items, not exceeding $50,000 or 10 percent of a borrower's total assets, whichever is the lesser, where such reimbursement is not dependent on approval of a subsequent loan.

3. Borrowers' use of non-standard operating reports.

4. Designation of borrowers required to obtain CPA audits.

5. The use of equity funds by borrowers prior to the first release of loan funds.

6. Forms of stock and equity certificates.

7. Area coverage design report and Form 780.

8. Borrowers' requests to waive competitive bidding for central office equipment where the borrower has existing equipment to be retained.

9. Award of contracts for construction and for central office equipment.

10. Borrowers' proposals in amounts of $15,000 or more, for the purchase of (i) special equipment such as carrier, radio, repeaters, etc., and (ii) additions and modifications of central office equipment.

11. Loan budget adjustments excluding adjustments of more than 10 percent in the total amount budgeted for any primary loan purpose.

12. Selection by telephone borrowers of the force account method of construction.

13. Use of non-standard drawings, materials and equipment.

14. Waiver of defects in title and rights-of-way.

15. Letters to loan applicants setting forth loan requirements proposed for inclusion in a pending loan recommendation.

16. In addition, independently, all matters and documents to which authority to approve or execute its conferred upon others in paragraphs Q, R, and S hereof.

Q. Authority has been delegated to the Chiefs, Engineering Branches—Telephone, to approve or execute for telephone borrowers:

1. Contracts including amendments thereto for construction and central office equipment.

2. Plans and specifications for central office equipment, commercial office, garage, and warehouse buildings and for non-standard central office equipment buildings.

3. Joint use agreements between telephone borrowers and parties other than REA borrowers.

4. The selection by a borrower of an engineer or an architect and contracts for engineering and architectural services.

5. Statement of final engineering fees.

6. Borrowers' proposals and cost estimates for force account engineering and construction.

7. Borrowers' proposals in amounts less than $15,000 for the purchase of (i) special equipment such as carrier, radio, repeaters, etc., and (ii) additions and modifications of central office equipment.

8. Contracts and amendments thereto, for the purchase of special equipment such as carrier, radio, repeaters, etc.

9. Financial requirement statements.

10. Final inventory documents and payments to contractors and engineers.

11. Purchase of real estate by borrowers.

12. Line extension contracts.

13. In addition, independently, all matters and documents as to which authority to approve or execute is conferred upon others in paragraph R hereof.

R. Authority has been delegated to Field Engineers—Telephone, to approve or execute for telephone borrowers:

1. Plans and specifications for outside plant and standard central office buildings.

2. Borrowers' proposals for and completed construction of system improvements and extensions, when required.

S. Authority has been delegated to the Chiefs, Operations Branches—Telephone, to approve or execute for telephone borrowers:

1. Affidavits and certificates with respect to the recording and filing of mortgages and deeds of trust including mortgages to be recorded as financing statements, pursuant to the Uniform Commercial Code.

2. Municipal and county franchises obtained by borrowers from the standpoint of acceptability for REA loans.

3. Special legal fees to be paid by borrowers from loan funds.

4. Certificates regarding a borrower's incorporation and articles of incorporation and bylaws and changes in a borrower's corporate name.

5. State regulatory body orders and approvals from the standpoint of acceptability for REA loans.

6. Borrowers' cash sales of material and equipment, excluding property in place, when approval is required; and releases of lien and all other documents relating to such sales.

7. Borrowers' insurance and fidelity coverage.

8. Selection of Certified Public Accountants to perform audits.

T. Authority has been delegated to the Director, Rural Areas Development Staff to approve loans by borrowers of between $2,500 and $25,000 of section 5 loan funds to commercial or industrial enterprises.

U. Authority has been delegated to the Director, Electric Standards Division to approve or accept reports and invoices submitted under contracts covering research and services performed for REA in connection with the electric program.

V. Authority has been delegated to the Director, Telephone Standards Division to approve or accept reports and invoices submitted under contracts covering research and services performed for REA in connection with the telephone program.

W. Authority has been delegated to the Technical Standards Committee "A" (Electric and Telephone), to accept or reject all proposals of standards, standard specifications, drawings, materials and equipment submitted for acceptance for use on REA financed electric and/or telephone systems.

X. Authority has been delegated to the Technical Standards Committee "B" (Electric and Telephone) to review and make final decision on cases referred to it by Committee "A" or by appeal from a sponsor from an adverse decision of Committee "A".

Y. Authority has been delegated to the Controller and to the Chief, Administrative and Loan Accounting Branch, Controller's Division to:

1. Execute endorsements or assignments of promissory notes or other collateral pledged by borrowers as security for Rural Electrification Administration loans, as may be necessary in connection with the return of such documents to borrowers because of the payment of the obligations in full or in order that the borrowers may institute legal action thereon or in connection therewith.

2. Cancel or endorse the fact of payment on borrowers' notes which have been paid in full or which are to be returned to borrowers by reason of the cancellation of such notes resulting from the receipt by REA of refunding, renewal, or substituted notes.

Z. Authority has been delegated to the Director, Program Services Division, the Chief, General Services Branch, Program Services Division and to the Head, Supply and Space Management Unit, General Services Branch, Program Services Division, to approve the procurement of equipment, materials and services for REA.

In the event that any of the incumbents of positions to whom delegations are made herein are absent or are unable to act, the person designated to act for such incumbent shall have authority to exercise the authority conferred by such delegation. Incumbents of positions delegated authority herein are authorized to designate persons to act for them in their absence. Such designation shall be in accordance with any instructions issued by the incumbent's supervisors.

There is reserved in the Administrator authority for all matters not delegated hereby, or by other existing written delegations, including without limitations:

A. The making or recission of loans.

B. Extension of loan periods pursuant to section 12 of the Rural Electrification Act, as amended.

C. Execution of instruments relating to inter-borrower transfers involving the assumption of indebtedness.

These delegations supersede all prior delegations with reference to these matters.

Issued this sixteenth day of January 1962.

NORMAN M. CLAPP,
Administrator.

[F.R. Doc. 62-735; Filed, Jan. 22, 1962; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-54]

UNION CARBIDE CORP.

Notice of Proposed Issuance of Facility License Amendment

Please take notice that, unless within fifteen days after the publication of this notice in the FEDERAL REGISTER a request for a formal hearing is filed with the United States Atomic Energy Commission by the licensee or an intervener as provided by the Commission's rules of practice (Title 10, CFR, Chapter I, Part 2), the Commission proposes to issue Amendment No. 2, set forth below, to Facility License No. R-81, as amended. The license authorizes Union Carbide Corporation to operate its pool-type nuclear reactor located in Sterling Forest, New York. The amendment would authorize the licensee to conduct certain additional experiments in the reactor. Petitions for leave to intervene and requests for a formal hearing shall be filed in accordance with the provisions of § 2.700 of the Commission's rules of practice.

For further details see (a) the applications for license amendment submitted by Union Carbide Corporation and (b) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation, both available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (b) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 16th day of January 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch Division of Licensing and Regulation.

[License No. R–81; Amdt. 2]

License No. R–81 issued to Union Carbide Corporation is hereby amended in the following respects:

A. Paragraph 1 is amended to read as follows:

1. This license applies to the pool-type nuclear reactor (hereinafter referred to as "the reactor") which is owned by Union Carbide Corporation (hereinafter referred to as "the licensee") and located on the licensee's site in Sterling Forest, Orange County, New York, and described in the licensee's application for license dated February 11, 1957, and amendments thereto dated July 3, 1957, July 23, 1957, August 9, 1957, December 28, 1960, April 28, 1961, June 7, 1961, October 27, 1961, November 1, 1961, and November 27, 1961 (hereinafter collectively referred to as "the application").

B. Paragraph 4.E. is deleted and a new paragraph 4.E. substituted therefor reading as follows:

4.E. The licensee is authorized to conduct the experiments described in the "Final Hazards Summary Report UCNC Reactor" dated November, 1960, as modified by the licensee's amendments to the application dated October 27, 1961, and November 27, 1961.

This amendment is effective as of the date of issuance.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62–723; Filed, Jan. 22, 1962; 8:48 a.m.]

[Docket No. 50–194]

PETROLITE CORP.

Notice of Application for Construction Permit and Utilization Facility License

Please take notice that Petrolite Corporation, 369 Marshall Avenue, Webster Groves 19, Missouri, under section 104c of the Atomic Energy Act of 1954, as amended, has submitted an application for a license to construct and operate a 10 kilowatt (thermal) pool-type nuclear research reactor at Webster Groves, Missouri.

A copy of the application is available for public inspection in the AEC Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 16th day of January 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62–724; Filed, Jan. 22, 1962; 8:49 a.m.]

[Docket No. 50–114]

WILLIAM MARSH RICE UNIVERSITY

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 5, set forth below, to Facility License No. R–54. The license authorizes William Marsh Rice University to operate its nuclear reactor Model AGN–211, Serial No. 101, located on its campus in Houston, Texas. The amendment adds conditions to the license regarding the functioning of equipment to detect any fission product leakage and certain steps to be undertaken should fission products be detected.

The Commission has found that operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, would not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operations.

In accordance with § 2.102(a) of the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or a petition to intervene pursuant to § 2.705 of the rules of practice within 30 days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed in accordance with the provisions of § 2.700 of the Commission's rules of practice (10 CFR Part 2).

The licensee's letter dated December 29, 1961, consenting to the addition of the conditions to the license may be inspected at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C.

Dated at Germantown, Md., this 16th day of January 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R–54; Amdt. 5]

License No. R–54, which authorizes William Marsh Rice University to operate its nuclear reactor Model AGN–211, Serial No. 101, located on the University's campus in Houston, Texas, is hereby amended by adding the following additional conditions thereto:

1. Instrumentation capable of prompt detection of any fission product leakage to the pool water and to the air above the pool shall be functioning at all times when the reactor is operating.

2. In the event any fission products are detected in the pool water or in the air above the pool the reactor shall not thereafter be operated at a power level higher than one-half of the lowest power level at which it was being operated when fission products were detected without prior written authorization from the Commission.

3. A written report shall be submitted to the Commission on each occasion on which fission products are detected in the pool or in the air above the pool.

This amendment is effective thirty days after the date of issuance.

Date of issuance: January 16, 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62–725; Filed, Jan. 22, 1962; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 11022]

CALIFORNIA FLORAL TRAFFIC CONFERENCE, ET AL.; TARIFF LIABILITY RULE COMPLAINT

Notice of Hearing

In the matter of the complaint of the California Floral Traffic Conference, et al., against certain tariff liability rules.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 204(a), 403, 404, and 1002 thereof, that the above-entitled proceeding is hereby assigned for hearing on January 29, 1962, at 10 a.m., in Courtroom 203–205, U.S. Post Office and Courthouse, San Francisco, Calif., before Examiner Ralph L. Wiser.

Without limiting the scope of the issues raised by the pleadings in this proceeding, particular attention will be directed to the following: Whether the tariff rules or any of them, as enumerated in the appendix hereto, together with revisions and reissues thereof, and the practices in interstate and overseas air transportation of the air carriers under such rule or rules, are, or will be, unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial and, if found to be so, what lawful rule, rules, and practices should be determined and prescribed.

For further details with respect to the issues involved in this proceeding, interested persons are referred to the orders and notices herein, the documents filed by the parties, and the examiner's report of prehearing conference served August 4, 1961, all of which are on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board on or before January 26, 1962, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D.C., January 17, 1962.

[SEAL] RALPH L. WISER,
Hearing Examiner.

APPENDIX

1. Rules appearing in Agent B. H. Smith's Official Air Freight Tariff C.A.B. No. 13:

Rule:	*Appearing on*
2.6(b)	3d revised page 13
3.2(b)	13th revised page 15
3.3(a)	16th revised page 16
4.3(a)5	15th revised page 20
3.7(a)	4th revised page 17
3.7(c)	4th revised page 17

Rule—Continued	Appearing on
3.10(a)	3d revised page 18
3.10(b)	3d revised page 18
6.2(a)	11th revised page 26

2. Rules appearing in Airborne Freight Corporation (Airborne Flower and Freight Traffic, Inc. Series) Official Airfreight Forwarder Rules Tariff C.A.B. No. 3:

Rule:	Appearing on
3.1(b)	5th revised page 14
3.3	2d revised page 15
3.7(a)	1st revised page 17
3.8(c)	1st revised page 17
3.8(d)	2d revised page 18
7.1(c)	4th revised page 27
7.1(g)	4th revised page 28

3. Rules appearing in Shulman Inc.'s Air Freight Forwarder Rules Tariff C.A.B. No. 9:

Rule:	Appearing on
3.2(a)	Original page 8
5.1(e)	Original page 11
5.3(b)	Original page 11-A

[F.R. Doc. 62-729; Filed, Jan. 22, 1962; 8:50 a.m.]

[Docket 13203 etc.; Order No. E-17936]

FLYING TIGER LINE, INC.

Petition for Reconsideration; Order Dismissing Investigation and Vacating Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of January 1962.

In the matter of petition for reconsideration submitted by The Flying Tiger Line, Inc., Dockets 13203, 13205, et al., and 13218.

By petition dated December 28, 1961, The Flying Tiger Line, Inc. (Tiger), requests simultaneous reconsideration of Orders E-17752, E-17806, and E-17812, adopted November 22, December 5, and December 8, 1961, respectively. In the first two of these orders the Board set for investigation and suspended certain freight rates proposed by Tiger, and in the third order it dismissed Tiger's complaint against certain proposals of American Airlines, Inc. (American), and Trans World Airlines, Inc. (TWA). The petition claims, inter alia, that the Board erred in that it suspended proposed rates in selected markets by Tiger on florist stock (Group 3001) and decorative cut evergreens (Group 3002) that were no lower than those which the Board subsequently permitted to become effective for American and TWA; that the proposed reductions covered traffic carefully chosen to increase eastbound load factors; and that the suspended rates were of the promotional type with which the Board had urged the industry to experiment. Comparisons are presented purporting to show that certain proposals suspended on florist stock (Group 3001) and decorative cut evergreens (Group 3002) are equal to or higher than rates permitted by the Board to go into effect for other carriers. In addition, the petition requests reconsideration of the Board's order of suspension with respect to rates which had been proposed on florist stock (as well as on decorative evergreens, Group 3010, and nursery stock, Group 5001) in other markets. It is requested that the Board reconsider its orders either by dismissing the investigations instituted of Tiger's proposals and vacating the suspensions ordered or, in the alternative, by instituting an investigation of the rates that the Board permitted American and TWA to put into effect on December 9, 1961, as a result of Order E-17812.

The Board has carefully considered Tiger's petition and, based upon all relevant matters, has concluded to dismiss the investigation instituted on rates proposed by the carrier on florist stock, Group 3001, for effectiveness November 23 and 26, 1961, to the extent that they apply to acacia, evergreen, ferns, galax leaves, gypsophila, heather, holly, huckleberry, laurel, moss, and decorative greens, and vacate the suspension thereof.

In Orders E-17752 and E-17806, the Board permitted Tiger to put into effect numerous rate reductions which, we stated, satisfied one or more of the following criteria: (1) the rates proposed were not lower than those in effect for other carriers; (2) the proposed rates were not below competition at 100 pounds and the volume spreads did not exceed those already in effect for Tiger, even if the proposed rates at higher weight breaks were below competitive rates; (3) the proposals were not below those which had previously been in effect; or (4) the rates filed were not unduly low. The Board intended to set for investigation and suspend rate proposals which did not fulfill at least one of the foregoing criteria. The foregoing rates on florist stock, to the extent that they apply to the specific items enumerated above, are alleged in the petition to be transported in nine markets by competitive carriers as Nursery Stock, at rates equal to or lower than proposed by Tiger and suspended by the Board. The difficulty apparently lies in the overlapping of the commodity descriptions in effect for the several carriers. Tiger's Group 3001, Florist Stock, N.O.S. (Not Otherwise Specified), by its terms applies to growing plants in pots or tubs, or rooted cuttings moss wrapped, whereas its Group 5001, Nursery Stock, N.O.S., applies to trees, shrubs, or vines, grown in the field, but specifically does not apply to potted or tubbed plants. The tariffs of American, TWA, and United define Florist Stock to comprise bulbs, tubers, growing plants and rooted cuttings, and Nursery Stock in Groups 379 or 380 is listed as, namely, acacia, evergreen, ferns, galax leaves, gypsophila, heather, holly, huckleberry, laurel, moss, and decorative greens, without any limitation as to form in which shipped. It thus appears that these items, if shipped as growing plants in pots or tubs, would be considered as Florist Stock by Tiger but are listed as Nursery Stock by these other carriers.

The Board will further dismiss the investigation on the entirety of Group 3001 rates proposed from Los Angeles to Boston and to Philadelphia for effectiveness November 23, 1961, at the 5,000 pound weight break, and on rates on Group 3002, decorative cut evergreens, from Oakland and San Francisco to Detroit proposed for effectiveness November 26, 1961, and to vacate the suspension thereof, since the foregoing rates are equal to or above competitive rates. Tiger also requests the Board to reconsider its action suspending certain rates on florist stock, nursery stock, and decorative evergreens in markets other than those wherein it showed a competitive disadvantage. To the extent that such rates are equal to or above competitive rates, they are included in the order dismissing the investigation and vacating the suspension. By vacating the suspension order, and dismissing the investigation to the extent described herein, we will be according Tiger the opportunity to meet the rates of its competitors.

The Board has carefully considered the relief requested in the petition in all other respects. The remaining points raised therein involve issues that were fully taken into account by the Board in its orders, and, therefore, will be denied.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof: *It is ordered*, That:

1. The investigation instituted in Ordering Paragraph 1 of Order E-17752, dated November 22, 1961, is hereby dismissed insofar as it encompasses specific commodity rates applying on Commodity Group No. 3001 as set forth in Appendix A thereto in numbered paragraph 12 to the extent that it applies to rates subject to the minimum weight of 5,000 pounds from Los Angeles, Calif., to Boston, Mass., and from Los Angeles, Calif., to Philadelphia, Pa., and in numbered paragraphs 12, 13, 14, 15, 17, and 18, to the extent that it applies to rates on acacia, evergreen, ferns, galax leaves, gypsophila, heather, holly, huckleberry, laurel, moss, and decorative greens; and insofar as it encompasses specific commodity rates applying on Commodity Group No. 3002 as set forth in Appendix A thereto in numbered paragraph 19.

2. The suspension directed in Ordering Paragraph 2 of Order E-17752, dated November 22, 1961, is hereby vacated insofar as it encompasses specific commodity rates applying on Commodity Group No. 3001 as set forth in Appendix A thereto in numbered paragraph 12 to the extent that it applies to rates subject to the minimum weight of 5,000 pounds from Los Angeles, Calif., to Boston, Mass., and from Los Angeles, Calif., to Philadelphia, Pa., and in numbered paragraphs 12, 13, 14, 15, 17, and 18, to the extent that it applies to rates on acacia, evergreen, ferns, galax leaves, gypsophila, heather, holly, huckleberry, laurel, moss, and decorative greens; and insofar as it encompasses specific commodity rates applying on Commodity Group No. 3002 as set forth in Appendix A thereto in numbered paragraph 19.

3. In all other respects the provisions of Order E-17752 remain in full force and effect.

4. The petition of The Flying Tiger Line Inc. in Dockets 13205 et al., 13203, and 13218 is denied except to the extent granted herein.

5. Copies of this order shall be served upon Airborne Freight Corporation, American Airlines, Inc., Continental Air

Lines, Inc., The Flying Tiger Line Inc., Trans World Airlines, Inc., and United Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 62-730; Filed, Jan. 22, 1962; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14487; FCC 62M-80]

BELLEVILLE BROADCASTING CO., INC. (WIBV)

Order Scheduling Hearing

In re application of Belleville Broadcasting Co., Inc. (WIBV), Belleville, Ill., Docket No. 14487, File No. BP-13787; for construction permit.

It is ordered, This 16th day of January 1962, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 22, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Wednesday, February 21, 1962.

Released: January 17, 1962.

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

[F.R. Doc. 62-736; Filed, Jan. 22, 1962; 8:51 a.m.]

[Docket No. 14085 etc.; FCC 62M-83]

COMMUNITY SERVICE BROADCASTERS, INC., ET AL.

Order Continuing Hearing

In re applications of Community Service Broadcasters, Inc., Ypsilanti, Mich., Docket No. 14085, File No. BP-13846; et al. Group I, Docket Nos. 14287, 14288, 14289, 14290, 14291, 14292, 14293, 14294, 14295, 14296, 14298, 14299, 14300, 14301, 14303, 14304, 14305, 14306; for construction permits.

The Hearing Examiner having under consideration petition filed on January 16, 1962, by Chief Pontiac Broadcasting Co., requesting postponement of dates scheduled herein for Group I;

It appearing that counsel for the only other applicant in Group I has consented to immediate grant, and counsel for the Chief of the Commission's Broadcast Bureau has consented provided the hearing date is satisfactory to the Hearing Examiner;

It is ordered: This 16th day of January 1962, that the above petition is granted, and presently scheduled dates for Group I are continued as follows:

Preliminary exchange of engineering exhibits, from Jan. 16, 1962, to Jan. 30, 1962.
Final exchange of all exhibits, from Jan. 30, 1962, to Feb. 13, 1962.
Notification of witnesses, from Feb. 13, 1962, to Feb. 27, 1962.
Commencement of hearing, from Feb. 27, 1962, to Mar. 13, 1962.

Released: January 17, 1962.

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

[F.R. Doc. 62-737; Filed, Jan. 22, 1962; 8:51 a.m.]

[Docket Nos. 14488-14492; FCC 62M-81]

DOVER BROADCASTING CO. ET AL.

Order Scheduling Hearing

In re applications of Dover Broadcasting Co., Richmond, Va., Docket No. 14488, File No. BP-13831; 1540 Radio, Inc., Richmond, Va., Docket No. 14489, File No. BP-14813; Oram C. Hutton, Milton Beyer and James T. Doukas, d/b as Richmond Broadcasting Co., Richmond, Va., Docket No. 14490, File No. BP-14814; Homer C. Eliades and Plato G. Eliades, d/b as Eliades Broadcast Co., Hopewell, Va., Docket No. 14491, File No. BP-14820; WDYL Radio, Inc. (WDYL), Ashland, Va.; Docket No. 14492, File No. BMP-9493; for construction permits.

It is ordered, This 16th day of January 1962, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 21, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Wednesday, February 21, 1962.

Released: January 17, 1962.

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

[F.R. Doc. 62-738; Filed, Jan. 22, 1962; 8:51 a.m.]

[Docket Nos. 14357, 14358; FCC 62M-70]

HIGSON-FRANK RADIO ENTERPRISES ET AL.

Order Continuing Hearing Conference

In re applications of James D. Higson and Peter Frank d/b as Higson-Frank Radio Enterprises, Houston, Tex., Docket No. 14357, File No. BP-13809; S B B Corp., Houston, Tex., Docket No. 14358, File No. BP-14632; for construction permits.

The Hearing Examiner having under consideration a joint "Motion for Continuance of Prehearing Conference" filed on January 11, 1962, by counsel for the above-named applicants, requesting that the prehearing conference now scheduled for January 17, 1962, be further continued until February 21, 1962, pending the consummation of arrangements for a merger;

It appearing that applicants' negotiations to effect a merger have progressed to the stage of forming a new corporation and drafting the merger agreement, and that a postponement of the prehearing conference for the additional period requested will enable the applicants to complete their merger arrangements, thereby obviating a hearing on comparative issues; and

It further appearing that all parties to this proceeding have consented to a grant of this motion and to waiver of the "4-day rule" (Section 1.43), and that good cause has been shown by movants for a grant of their instant request;

Accordingly, it is ordered, This 12th day of January 1962, that the joint "Motion for Continuance of Prehearing Conference" filed by the applicants on January 11, 1962, is granted, and that the prehearing conference is further continued from January 17 to February 21, 1962, at 9:00 a.m., in the offices of the Commission at Washington, D.C.[1]

Released: January 16, 1962.

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

[F.R. Doc. 62-739; Filed, Jan. 22, 1962; 8:51 a.m.]

[Docket No. 14380; FCC 62M-77]

KSAY BROADCASTING CO.

Order Continuing Hearing

In re application of Grant R. Wrathall and Taft R. Wrathall as trustee for Grant R. Wrathall, Jr., Charlotte Wrathall, Lawrence Wrathall and Loretta Wrathall, d/b as KSAY Broadcasting Company, San Francisco, California, Docket No. 14380, File No. BR-3528; for renewal of license of standard broadcast station KSAY.

As a result of agreements reached upon the record of a specially held prehearing conference on this date in the above-entitled matter: *It is ordered,* This 16th day of January 1962:

1. That exhibits will be exchanged on or before March 20, 1962;
2. That the hearing now scheduled for February 5, 1962, be postponed to April 3, 1962; and
3. That the prehearing conference now scheduled for January 26, 1962, be cancelled.

Released: January 16, 1962.

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

[F.R. Doc. 62-740; Filed, Jan. 22, 1962; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

MISSISSIPPI SHIPPING CO., INC., ET AL.

Agreements Filed for Approval

Notice is hereby given that the following described agreements have been

[1] By order of the Examiner (FCC 61M-1940) released Dec. 11, 1961, the hearing has been continued from Jan. 17, 1962, to a date to be specified at the prehearing conference.

filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8426–1, between Mississippi Shipping Co., Inc., as the "ocean service" trading between U.S. Gulf ports and Monrovia, and Farrell Lines, Inc., as the "feeder service", operating between Monrovia and Harbel, Grand Bassa, Sinoe, and Cape Palmas, Liberia, modifies the original approved agreement to provide for specific dollar apportionment of revenues derived from the carriage of bulk latex, packaged rubber and bagged rice when transshipped between the "ocean service" and the "feeder service."

Agreement 8462–1, between Compagnie Maritime des Chargeurs Reunis, as the "ocean service", trading between U.S. Atlantic ports and Monrovia, and Farrell Lines, Inc., as the "feeder service", operating between Monrovia and Harbel, Grand Bassa, Sinoe, and Cape Palmas, Liberia, modifies the original approved agreement to provide for the specific dollar apportionment of revenues derived from the carriage of bulk latex, packaged rubber, and bagged rice when transshipped between the "ocean service" and the "feeder service".

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

Dated: January 18, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62–718; Filed, Jan. 22, 1962; 8:48 a.m.]

RIVER PLATE AND BRAZIL CONFERENCE ET AL.

Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 59–37, between the member lines of the River Plate and Brazil Conference modifies the basic agreement of that Conference (Numbered 59, as amended), covering the trade from ports of the United States of America and Canada (except Pacific Coast ports of the United States and Canada and except Newfoundland) to ports in Uruguay, Argentina, Paraguay and Brazil. The purpose of this modification is to provide that the expenses of maintaining each of the various conferences shall be paid pro rata by all the members, except as may otherwise be unanimously agreed.

Agreement 5450–29, between the member lines of the Brazil/United States-Canada Freight Conference, modifies the basic agreement of that Conference (Numbered 5450, as amended), covering the trade from Victoria and ports south thereof in Brazil to U.S. Atlantic and Gulf ports and to ports in Eastern Canada including ports on the St. Lawrence River and tributaries thereto including but not west of Montreal but not including Newfoundland. The purpose of this modification is to provide that the expenses of maintaining the conference shall be paid pro rata by all the members except as may otherwise be unanimously agreed.

Agreement 6900–9, between the member lines of the River Plate/United States-Canada Freight Conference, modifies the basic agreement of that Conference (Numbered 6900, as amended), covering the trade from ports in Argentina, Paraguay and Uruguay to U.S. Atlantic and Gulf ports and to ports in Eastern Canada including but not west of Montreal but not including Newfoundland. The purpose of this modification is to provide that the expenses of maintaining the conference shall be paid pro rata by all members except as may otherwise be unanimously agreed.

Agreement 8751, between Lykes Bros. Steamship Co., Inc. and the carriers comprising the Blue Funnel Line joint service (operating under approved joint service Agreement 7568, as amended), covers a through billing arrangement for the transportation of asbestos in bags from Western Australia to U.S. Gulf ports, with transhipment at Singapore.

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

Dated: January 18, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62–719; Filed, Jan. 22, 1962; 8:48 a.m.]

[Docket No. 966]

OLIVER J. OLSON & CO.

Reduction in Rates, Pacific Coast-Hawaii; Notice of Investigation and of Hearing

On December 27, 1961, the Federal Maritime Commission entered the following order:

It appearing, that there have been filed with the Federal Maritime Commission by Oliver J. Olson & Co., C. R. Nickerson, agent, revised pages to its Local Freight Tariff No. 5, FMC–F No. 32, naming reductions in freight rates from, to, and between Pacific coast ports and ports in the Hawaiian Islands, to become effective December 28, 1961, designated as follows:

Tariff Page and Item Number

2d revised page 18; 33, 40, 125, 130, 135.
2d revised page 19; 150.
2d revised page 20; 400.
2d revised page 21; 410, 415, 430, 460, 490, 492.
2d revised page 22; 505, 510, 545, 560, 565, 570, 575, 580, 590, 592, 595, 600, 585.
2d revised page 23; 605, 610, 700, 705, 710.

It further appearing, that a protest has been received petitioning the Commission to suspend said reductions; and

It further appearing, that the Commission is of the opinion that the new rates, charges, classifications, regulations, tariffs, and practices should be made the subject of a public investigation and hearing to determine whether they are just, reasonable, and otherwise lawful under the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933, as amended; and

It further appearing, that the Commission is of the opinion that the effective date of Item No. 460 (lumber) should be suspended, pending such investigation:

Now therefore it is ordered, That an investigation be, and it is hereby, instituted into and concerning the lawfulness of the rates, fares, charges, rules, classifications, regulations, and practices contained in the said tariff schedules, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant; and

It is further ordered, That said Item No. 460 (lumber) be, and it is hereby, suspended, and that the use thereof be, and it is hereby, deferred to and including April 27, 1962, unless otherwise authorized by the Commission, and that the rates, fares, charges, classifications, rules, regulations, and practices heretofore in effect, and which were to be changed by the suspended item, shall remain in effect during the period of suspension; and

It is further ordered, That no change shall be made in the matter hereby suspended nor the matter which is continued in effect as a result of such suspension until the period of suspension or any extension thereof has expired, or until this investigation and suspension proceeding has been disposed of, whichever first occurs, unless otherwise authorized by the Commission; and

It is further ordered, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said schedules and of all other freight schedules of the carrier named herein from, to, and between Pacific coast ports of the United States and ports in the Hawaiian Islands under the Shipping Act, 1916, as amended, and the Intercoastal Shipping Act, 1933, as amended; and

It is further ordered, That there shall be filed immediately with the Commission by the Oliver J. Olson & Co., C. R. Nickerson, agent, a consecutively numbered supplement to the aforesaid tariff schedule which supplement shall bear no effective date, shall reproduce the portion of this order wherein the suspended matter is described, and shall state that the aforesaid Item 460 is suspended and

may not be used until 28th day of April 1962, unless otherwise authorized by the Commission; and that the rates heretofore in effect, and which were to be changed by the suspended rates, shall remain in effect during the period of suspension, and neither the matter suspended, nor the matter which is continued in effect as a result of such suspension may be changed until the period of suspension or any extension thereof has expired, or until this investigation and suspension proceeding has been disposed of, whichever first occurs, unless otherwise authorized by the Commission; and

It is further ordered, That all subsequent revisions of the said rates subsequently filed by the respondent in this proceeding, shall be, and they are hereby, placed under investigation in this proceeding; and

It is further ordered, That copies of this order shall be filed with the said tariff schedule in the Bureau of Domestic Regulation of the Federal Maritime Commission; and

It is further ordered, That (I) the investigation herein ordered be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners, at a date and place to be determined and announced by the Chief Examiner, to receive evidence in this proceeding, which will provide an adequate record for proper disposition of the issues and that an initial decision be issued; (II) Oliver J. Olson & Co., C. R. Nickerson, agent, be and it is hereby made respondent in this proceeding; (III) a copy of this order shall forthwith be served upon protestant and respondent herein; (IV) the said respondent and protestant be duly notified of the time and place of the hearing ordered; and (V) this order and notice of the said hearing be published in the FEDERAL REGISTER.

Notice is hereby given that the hearing in this proceeding will be held before an examiner of the Commission's Office of Hearing Examiners at a date and place hereafter to be announced. The hearing will be conducted in accordance with the Commission's rules of practice and procedure, and an initial decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with rule 5(n) (46 CFR 201.74) of said rules.

Dated: January 18, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-720; Filed, Jan. 22, 1962; 8:48 a.m.]

[Commission Order 1 (Amended)]

ORGANIZATION AND FUNCTIONS

SECTION 1. *Purpose.* 1.01. The purpose of this order is to describe the organization and functions of the Federal Maritime Commission.

SEC. 2. *Organization of the Federal Maritime Commission*—2.01. *Establishment and composition of the Commission.* The Federal Maritime Commission was established as an independent agency by Reorganization Plan No. 7 of 1961, effective August 12, 1961. The Federal Maritime Commission is composed of five members, appointed by the President, by and with the consent of the Senate. The President designates one of such members to be the Chairman.

2.02. *Quorum.* Any three members in office constitute a quorum for the transaction of the business of the Federal Maritime Commission. The affirmative vote of any three Commissioners shall be sufficient for the disposition of any matters which may come before the Commission.

2.03. *Organizational components.* The Federal Maritime Commission has the following major organizational components:

(a) Office of the Chairman of the Federal Maritime Commission,
(b) Offices of the Members of the Federal Maritime Commission,
(c) Office of the Secretary,
(d) Office of the General Counsel,
(e) Office of Hearing Examiners, and
(f) Executive Director:
(1) Office of Administrative Management,
(2) Office of Information Services,
(3) Bureau of Foreign Regulation,
(4) Bureau of Domestic Regulation,
(5) Bureau of Administrative Proceedings,
(6) Bureau of Investigation,
(7) Bureau of Financial Analysis, and
(8) Offices of District Managers.

SEC 3. *Lines of responsibility.* 3.01. The Office of the Secretary, Office of the General Counsel and Office of Hearing Examiners and the Executive Director shall be responsible to, and report to, the Chairman, Federal Maritime Commission.

3.02. The Office of Administrative Management, Office of Information Services and the Bureau of Foreign Regulation, Bureau of Domestic Regulation, Bureau of Administrative Proceedings, Bureau of Investigation, Bureau of Financial Analysis and the Offices of the District Managers shall be responsible to, and report to, the Chairman, Federal Maritime Commission through the Executive Director.

SEC. 4. *General functions.* 4.01. The Federal Maritime Commission is responsible for administering the statutory functions and programs for the regulation of common carriers by water in the foreign and domestic off-shore commerce of the United States and of other persons, under provisions of the Shipping Act, 1916, as amended, Merchant Marine Act, 1920, as amended, the Intercoastal Shipping Act, 1933, as amended, and other applicable statutes.

SEC. 5. *Specific functions of the organizational components of the Federal Maritime Commission.* 5.01. The Office of the Chairman of the Federal Maritime Commission executes and administers the activities of the Federal Maritime Commission; serves as the executive head of the Commission, presides at meetings of the Commission; and administers the policies of the Commission to its responsible officials, and through conferences with and reports from such officials assures the efficient discharge of their responsibilities.

5.02. The Offices of the Members of the Federal Maritime Commission are responsible, with the Chairman, for establishing the policies of the Commission; making decisions and determinations in the disposition of docketed cases and other matters within the jurisdiction of the Commission; and performing other duties as may be assigned under the provisions of Reorganization Plan No. 7 of 1961.

5.03. The Office of the Secretary is responsible for preparing agenda and dockets of matters subject to action by the Federal Maritime Commission and the preparation of minutes with respect to such actions; issuing orders and notices of actions of the Commission; receiving formal communications, petitions, notices, documents and other instruments directed to the Chairman and/or the Commission and maintaining official files and records with respect thereto; authenticating instruments or documents of the Commission; administering oaths, and issuing subpoenas at the direction of the Commission.

5.04. The Office of the General Counsel serves as the law office of the Commission and provides legal counsel to the Commission and its staff; reviews and approves as to legality and/or prepares proposed Commission rules, regulations and orders; prepares drafts of proposed legislation and reports to congressional committees; represents the Commission in all matters before the courts.

5.05. The Office of Hearing Examiners holds hearings and renders decisions therein in formal rule-making and adjudicatory proceedings as provided in the Shipping Act, 1916, as amended, and other applicable laws, in accordance with the Administrative Procedures Act and the Commission's Rules of Practice and Procedure.

5.06. The Executive Director directs and administers the organizations and activities as enumerated in subsections 5.061 through 5.068 below; assists, advises, and consults with the Chairman and/or the Federal Maritime Commission in the performance of major executive functions; directs general administrative activities.

1. The Office of Administrative Management formulates recommendations and interprets budgetary policies and programs; collaborates with staff and operating officials in the development of fiscal plans; develops and presents budget requests and justifications; maintains control of funds; conducts studies of management practices, organizations, functions, authorities, and procedures for the improvement of operations; plans and administers personnel management activities; and provides administrative and office services.

2. The Office of Information Services issues information concerning the activities of the Federal Maritime Commis-

sion; prepares and edits press releases; and performs related informational services.

3. The Bureau of Foreign Regulation reviews the rates and practices of common carriers by water engaged in the foreign commerce of the United States and conferences of such carriers in accordance with the requirements of law and the rules, orders and regulations of the Commission; examines, processes, and as appropriate prepares recommendations to the Commission with respect to activities and practices of common carriers by water in the foreign commerce and conferences of such carriers and with respect to agreements and tariffs filed by such common carriers and conferences; reviews annual and special reports filed by common carriers by water and conferences in the foreign commerce of the United States, including minutes of conference meetings; initiates action involving the granting of special permissions to waive advance tariff filing requirements, or to depart from rules and regulations governing publication of tariffs; recommends the institution of rule-making proceedings, and where appropriate prepares drafts of rules and otherwise assists in the promulgation of rules; reviews informal complaints and protests against the practices, methods and operation of common carriers or conferences or against existing or proposed tariffs of such carriers or conferences and (1) requests the Bureau of Investigation to develop additional information and data through field investigations; (2) concludes complaints and protests by voluntary agreement between the parties or by administrative determination that the complaint or protest fails to represent a violation of the shipping statutes or the rules, or orders of the Commission; (3) prepares recommendations, collaborating with the Bureau of Administrative Proceedings, for formal action and proceedings by the Commission; and/or (4) refers, as appropriate, complaints and protests to the Bureau of Investigation for action by that bureau.

4. The Bureau of Domestic Regulation reviews the rates and practices of common carriers by water engaged in the domestic off-shore commerce of the United States and conferences of such carriers in accordance with the requirements of law and the rules, orders and regulations of the Commission; examines, processes, and as appropriate prepares recommendations to the Commission with respect to activities and practices of common carriers by water in the domestic off-shore commerce of the United States and conferences of such carriers, and with respect to agreements and tariffs filed by such common carriers, conferences, terminal operators, and freight forwarders; takes and/or initiates action involving the rejection of improper or incorrectly filed tariffs, granting of special permissions to waive the advance filing or publication requirements of tariffs, suspension of rates, and as appropriate the prescription of reasonable maximum and minimum rates; reviews annual and special reports filed by domestic off-shore carriers, conferences, terminal operators, and freight forwarders, including minutes of conference meetings; receives and processes applications for licensing of freight forwarders; recommends the institution of rule-making proceedings and, where appropriate drafts of rules and otherwise assists in the promulgation of rules; reviews informal complaints and protests against the practices, methods and operations of common carriers, terminal operators, freight forwarders or conferences or against existing or proposed tariffs of such common carriers, terminal operators, freight forwarders or conferences and (1) requests the Bureau of Investigation to develop additional information and data through field investigations; (2) concludes complaints and protests by voluntary agreement between the parties or by administrative determination that the complaint or protest fails to represent a violation of the shipping statutes or the rules or orders of the Commission; (3) prepares recommendations, collaborating with the Bureau of Administrative Proceedings, for formal action and proceedings by the Commission; and/or (4) refers, as appropriate, complaints and protests to the Bureau of Investigation for action by that bureau.

5. The Bureau of Administrative Proceedings acts as Hearing Counsel in all formal investigations, nonadjudicatory investigations, rule-making proceedings and any other proceedings initiated by the Federal Maritime Commission under the Shipping Act, 1916, and other applicable shipping acts; examines and cross-examines witnesses, prepares and files briefs, motions, exceptions, and other legal documents and participates in oral argument before the hearing examiners and the Federal Maritime Commission; acts as Hearing Counsel, where intervention is permitted, in formal complaint proceedings initiated under section 22 of the Shipping Act; reviews and concurs in all recommendations of other bureaus recommending the institution of formal proceedings; prepares all orders, notices, and other documents which institute formal or informal Commission proceedings; furnishes consultative and advisory services and otherwise assists other bureaus in formulating procedures to be followed in connection with investigations and/or formal Commission proceedings; serves, with the concurrence of the Executive Director, as requested by the General Counsel and under his direction in matters of court litigation by or against the Commission rising out of violations previously adjudicated by the Commission.

6. The Bureau of Investigation conducts investigations of the activities and practices of common carriers by water in the foreign and domestic off-shore commerce of the United States, conferences of such carriers, freight forwarders and terminal operators and other persons subject to the regulatory jurisdiction of the Federal Maritime Commission; conducts periodic field examinations of the activities, transactions and records of persons subjected to the shipping statutes; directs the field investigation staffs and plans and administers the field programs furnishing all technical direction to such staffs; prepares recommendations to the Commission, collaborating with appropriate other bureaus, for the referral of violations to the Department of Justice for its action, where field investigations have developed the existence of criminal violations of the shipping statues (these cases are restricted to those where the cases are to be disposed of by the Department of Justice, rather than by the Commission through formal action and/or proceedings); develops methods and purposes of investigations referred to other investigative bodies of the executive, legislative or judicial branches of the government; coordinates, where appropriate, with appropriate officers of the State Department those investigations concerning common carriers by water under foreign-flag operation engaged in the foreign commerce of the United States.

7. The Bureau of Financial Analysis is responsible for and makes recommendations with respect to annual and special financial reports to be submitted by common carriers and other persons subject to the act, including accounting and reporting instructions; reviews annual and special reports, including reports of field audits performed by the Commission's staff; determines the justification of increased or lower rates of common carriers and other persons subject to the act; directs field audit staffs and develops and administers a continuing program for the audit of the financial accounts and records of common carriers and other persons subject to the Federal Maritime Commission's regulatory authorities; develops and revises the accounting regulations of the Commission prescribing uniform systems of accounts for persons subject to the shipping statutes; develops cost formulas for application to the movement of water borne commerce in the domestic and foreign commerce of the United States; prepares reports and appears in rate proceedings and/or proceedings where rates and/or cost are a paramount issue; conducts studies, as appropriate, for the purpose of determining classes of depreciable property, depreciation percentages, replacement costs, reasonable overhead, etc.; prepares analytical reports for the consideration of the Commission and the staff in the processing and approval of tariffs and the approval of rates including studies of reasonable return on and current cost of capital both borrowed and invested; and conducts economic studies and prepares reports reflecting for trade areas under consideration the extent and nature of competition, commodities carried, the extent and effect of regularity of services, future commodity trends, etc.

8. The Offices of the Atlantic, Gulf, Pacific, and Great Lakes District Managers are responsible for the administrative coordination of all field programs and activities of the Federal Maritime Commission within their respective areas, subject to national policies and program determinations, standard procedures, and supervision and technical direction of the appropriate office or bureau director in Washington, D.C.; in addition the District

Managers shall be responsible for maintaining contact with persons within their areas who are subject to the shipping statutes and rules and regulations of the Commission; further the District Managers shall be available for consultation and advisory services requested by common carriers by water in the foreign and domestic off-shore commerce of the United States, terminal operators, freight forwarders, conferences and shippers; finally the District Managers shall be responsible for performing other functions and duties as assigned by the Chairman, Executive Director and/or the Commission.

SEC. 6. *Delegation of authorities.* 6.01. Pursuant to section 105 of Reorganization Plan No. 7 of 1961, effective August 12, 1961, the Federal Maritime Commission hereby delegates the authorities set forth in Sections 7, 8, and 9 of this order to the officials designated therein, subject to the limitations prescribed in Sections 6.02, 6.03, 6.04, and 6.05 of this order.

6.02. The delegatees shall exercise the authorities delegated herein in a manner consistent with the established policy of the Federal Maritime Commission.

6.03. The authorities delegated herein, except those delegated to the Chief Examiner, may not be exercised unless resolution of all legal questions and the approval of the form of all legal documents have been obtained, either concurrently or previously, from the General Counsel, or his designee.

6.04. The delegatees may in their discretion redelegate their authorities, unless otherwise restricted herein, to subordinate personnel under their direction; provided that such redelegation does not grant the recipient the authority to subsequent redelegation. The delegatees retain full responsibility for actions taken by their subordinates under any authority redelegated by them.

6.05. Notwithstanding the delegations contained herein, the Commission retains its discretionary right of review as provided in section 105(b) of Reorganization Plan No. 7 of 1961.

SEC. 7. *Specific authorities delegated to the Executive Director.* 7.01. Authority to accept or reject tariff filings of domestic off-shore carriers or common carriers in the foreign commerce of the United States, or conferences of such carriers for failure to meet the requirements of statute or the Commission's requirements, or for lack of completeness and clarity of the rules and regulations governing the tariff, or noncompliance with special permission or other order of the Commission.

7.02. Authority to approve special permission applications submitted by domestic off-shore carriers or carriers in the foreign commerce of the United States, or conferences of such carriers for relief from a statutory and/or Commission tariff requirement, provided the relief sought is limited to one or more of the following (a) permission to deviate from prescribed tariff format; (b) permission to correct a clerical or typographical error; (c) permission to postpone the effective date of a previously submitted filing; or (d) permission to cancel or withdraw protested matter.

7.03. Authority to review and determine the validity of alleged or suspected violations, exclusive of formal complaints, of the shipping statutes and rules and regulations of the Commission by common carriers by water in the domestic off-shore or the foreign commerce of the United States, terminal operators, freight forwarders, and other persons subject to the provisions of the shipping statutes; authority to determine corrective action necessary with respect to violations and conduct negotiations and obtain compliance by the violating parties, except where violations involve major questions of policy or major interpretations of statutes, or orders, rules and regulations of the Commission, or acts having material effect upon the commerce of the United States.

7.04. Authority to approve, within the framework of prescribed Commission policy and criteria, applications for licenses, and issue licenses to all persons, partnerships, corporations, or associations desiring to engage in ocean freight forwarding activities and to recommend denial to the Commission of those that appear to warrant denial of licenses.

7.05. Authority to develop, prescribe and administer programs to assure compliance with the provisions of the shipping statutes of all persons subject thereto, including without limitation those programs for: (a) The submission of regular and special reports, information and data; (b) the conduct of a plan for the field audit of activities and practices of common carriers by water in the domestic off-shore trade and the foreign commerce of the United States, conferences of such carriers, terminal operators, freight forwarders, and other persons subject to the shipping statutes; and (c) the conduct of rate studies.

SEC. 8. *Specific authorities delegated to the Special Permission Committee (Secretary, Executive Director, Director, Bureau of Foreign Regulation, and Director, Bureau of Domestic Regulation).* 8.01. Authority, acting as the Special Permission Committee, to approve special permission applications for relief from a statutory and/or Commission tariff requirement for any relief sought beyond that delegated to the Executive Director in section 7.02 of this order; in the exercise of this authority the Director, Bureau of Foreign Regulation or the Director, Bureau of Domestic Regulation shall serve only as a member of the committee when the committee is acting on applications involving subject matter within his regular area of responsibility.

8.02. In the absence of the officials to whom this authority is delegated their Deputies or Assistants are authorized to act for them.

SEC. 9. *General authority delegated to the Secretary, General Counsel, Chief Examiner, and the Executive Director.* 9.01. Authority to exercise all functions and take all actions necessary, to direct and carry out the duties and responsibilities assigned to the Office of the Secretary, Office of the General Counsel, Office of Hearing Examiners, and the Executive Director in accordance with their functional assignments as heretofore prescribed in this order.

Dated: January 16, 1962.

THOS. E. STAKEM,
Chairman.

[F.R. Doc. 62-759; Filed, Jan. 22, 1962; 8:51 a.m.]

[Commission Order 201.1]

REDELEGATION OF AUTHORITIES BY THE EXECUTIVE DIRECTOR

SECTION 1. *Purpose.* 1.01. The purpose of this order is to redelegate certain authorities delegated to the Executive Director, pursuant to Federal Maritime Commission Manual of Orders, Commission Order No. 1 (amended), effective January 16, 1962.

SEC. 2. *Redelegations of authorities.* 2.01. The authorities set forth in sections 4 through 7 of this order are hereby redelegated to the respective officials having jurisdiction of the particular functional areas.

2.02. These officials shall exercise the authorities redelegated herein in a manner consistent with the established policy of the Federal Maritime Commission.

2.03. The authorities redelegated may not be exercised unless resolution of all legal questions and the approval of the form of all legal documents have been obtained, either concurrently or previously, from the General Counsel, or his designee.

2.04. These officials may not redelegate their authorities to subordinate personnel, except by prior approval of the Federal Maritime Commission and the Executive Director.

SEC. 3. *Limitation on the exercise of redelegated authorities.* 3.01. The officials to whom are redelegated the authorities specified herein shall, notwithstanding the provisions of this order, consult with the Executive Director on any matter or question involving:

1. Deviation from established policy or procedure.
2. An important decision or interpretation thereof.
3. Matters on which differences of opinion exist between bureaus under the direction of the Executive Director or with other offices of the Federal Maritime Commission.

SEC. 4. *Specific authorities redelegated to the Deputy Executive Director.* 4.01. Authority, in the absence or preoccupation of the Executive Director, to exercise all authorities of the Executive Director consistent with programs, policies and precedents established by previous action of the Commission or the Executive Director.

SEC. 5. *Specific authorities redelegated to the Director, Bureau of Foreign Regulation.* 5.01. Authority to accept or reject tariff filings submitted by common carriers by water engaged in the foreign commerce of the United States.

5.02. Authority to approve special permission applications submitted by common carriers by water in the foreign commerce or conferences of such carriers for relief from a statutory and/or Commission tariff requirement, provided the relief sought is limited to one or more of the following: (a) permission to deviate from prescribed tariff format; (b) permission to correct a clerical or typographical error; (c) permission to postpone the effective date of a previously submitted filing; or (d) permission to cancel or withdraw protested matter.

5.03. Authority to review and determine the validity of alleged or suspected violations, exclusive of formal complaints, of the shipping statutes and rules, regulations and orders of the Commission by common carriers by water or the foreign commerce of the United States, conference of such carriers, and other persons subject to the provisions of the shipping statutes; authority to determine corrective action necessary with respect to violations and conduct negotiations and obtain compliance by the violating parties, except where violations involve major questions of policy or major interpretations of statutes, or orders, rules and regulations of the Commission, or acts having material effect upon the commerce of the United States.

5.04. Authority to develop, prescribe and administer programs to assure compliance with the provisions of the shipping statutes of common carriers by water in the foreign commerce of the United States and steamship conferences, including but not limited to those programs for: (a) The submission of regular and special reports, information and data; (b) the conduct of field audit of the activities and practices of such common carriers and conferences; and (c) in collaboration with the Director, Bureau of Financial Analysis, the conduct of rate studies.

SEC. 6. *Specific authorities redelegated to the Director, Bureau of Domestic Regulation.* 6.01 Authority to accept or reject tariff filings of domestic off-shore carriers or conferences of such carriers for failure to meet the requirements of statute or the Commission's requirements, or for lack of completeness and clarity of the rules and regulations governing the tariff, or noncompliance with special permission or other order of the Commission.

6.02. Authority to approve special permission applications submitted by domestic off-shore carriers for relief from a statutory and/or Commission tariff requirement, provided the relief sought is limited to one or more of the following:

(a) Permission to deviate from prescribed tariff format;

(b) Permission to correct a clerical or typographical error;

(c) Permission to postpone the effective date of a previously submitted filing; or (d) permission to cancel or withdraw protested matter.

6.03. Authority to process, within the framework of prescribed Commission policy and criteria, applications for licenses, and issue licenses approved by the Executive Director or the Commission to persons, partnerships, corporations, or associations desiring to engage in ocean freight forwarding activities and to prepare recommendations to the Executive Director and the Commission for the denial of licenses.

6.04. Authority to review and determine the validity of alleged or suspected violations, exclusive of formal complaints, of the shipping statutes and rules, regulations and orders of the Commission by common carriers by water in the domestic off-shore commerce of the United States, conferences of such carriers, terminal operators, freight forwarders, and other persons subject to the provisions of the shipping statutes; authority to determine corrective action necessary with respect to violations and conduct negotiations and obtain compliance by the violating parties, except where violations involve major questions of policy or major interpretations of statutes, or orders, rules and regulations of the Commission, or acts having material effect upon the commerce of the United States.

6.05. Authority to develop, prescribe and administer programs to assure compliance with the provisions of the shipping statutes of common carriers by water in the domestic off-shore trade terminal operators, freight forwarders and other persons subject thereto, including but not limited to those programs for: (a) The submission of regular and special reports, information and data; (b) the conduct of field audit of the activities and practices of such common carriers by water in the domestic off-shore trade, terminal operators, freight forwarders, and other persons; and (c) in collaboration with the Director, Bureau of Financial Analysis, the conduct of rate studies.

SEC. 7. *General authority redelegated to all of the Bureau Directors.* 7.01. Authority to exercise all functions and take all actions necessary, to direct and carry out the duties and responsibilities assigned to their respective bureaus, in collaboration with and subject to the concurrence of other appropriate offices or bureaus, as may be required, in accordance with their functional assignments as prescribed in Manual of Orders, Commission Order No. 1 (amended).

Dated: January 16, 1962.

ELMER E. METZ,
Executive Director.

[F.R. Doc. 62-760; Filed, Jan. 22, 1962; 8:51 a.m.]

TARIFF COMMISSION

[AA1921-23]

PORTLAND CEMENT FROM DOMINICAN REPUBLIC

Notice of Investigation

Having received advice from the Treasury Department on January 18, 1962, that Portland Cement, other than white, nonstaining portland cement, from the Dominican Republic, is being, or is likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing: A public hearing in connection with this investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.s.t., on March 1, 1962. All parties will be given opportunity to be present, to produce evidence, and to be heard at such hearing. Interested parties desiring to appear at the public hearing should notify the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., at least 5 days in advance of the date set for the hearing.

Issued: January 18, 1962.

By order of the Commission:

DONN N. BENT,
Secretary.

[F.R. Doc. 62-743; Filed, Jan. 22, 1962; 8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-2922]

GEORGE HARMON COMPANY, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JANUARY 16, 1962.

I. George Harmon Company, Inc. (issuer), 18141 Napa Street, Northridge, California, a Nevada corporation, filed with the Commission on July 21, 1961, a notification on Form 1-A and offering circular relating to a proposed public offering of 62,500 shares of common stock, 10 cents par value, at $4 per share on behalf of issuer, and 10,000 warrants for common stock at 10 cents per share, and the 10,000 shares of common stock underlying such warrants, for the benefit of Hamilton Waters & Co., Inc., 250 Fulton Avenue, Hempstead, New York, the underwriter, and certain finders, J. Homer Overholser, 9171 Wilshire Boulevard, Beverley Hills, California, and Milton Weinberg, address not known, all for an aggregate offering price of not to exceed $300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder. The shares were to be offered by the named underwriter on a best-efforts basis.

II. The Commission has reasonable cause to believe that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The representation in the offering circular that the issuer has a backlog of orders totalling $4,314,349;

2. The representation in the offering circular that the issuer has an order totalling $4,130,000 for telephone answering devices from Phonomatic, Inc., 1067 South Fairfax, Los Angeles, California;

3. The representation in the offering circular that the issuer has an order totalling $59,415 for Talk-A-Way Transceivers from AVTA Corporation, 3440 Wilshire Boulevard, Los Angeles, California;

4. The representation in the offering circular that the issuer has an order totalling $1,540,000 for inertia switches from a prime west coast missile contractor upon an adequate showing of working capital;

5. The representation in the offering circular that in management's opinion, adequate working capital would be available to the issuer for the anticipated interia switches contract upon completion of this offering;

6. The representation in the offering circular that bank financing would be available to the issuer to handle all of the foregoing orders if delivery schedules required bank financing.

B. The offering would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. *It is ordered,* Pursuant to Rule 261(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 person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be 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; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

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

[F.R. Doc. 62-520; Filed, Jan. 22, 1962; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI62-293—RI62-299]

J. M. HUBER CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JANUARY 16, 1962.

J. M. Huber Corporation, Docket No. RI62-293; Texaco Inc., Docket No. RI62-294; Union Oil Company of California, Docket No. RI62-295; Humble Oil & Refining Company, Docket No. RI62-296; Jackie Grubb Ankenman, et vir, Docket No. RI62-297; Estate of Naomi S. Grubb, Docket No. RI62-298; Kerr-McGee Oil Industries, Inc., Docket No. RI62-299.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date [1] unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate [2]	
RI62-293	J. M. Huber Corp., 2401 East Second Avenue, Denver 6, Colo.	34	6	Natural Gas Pipeline Co. of America (Chunn Field, Hansford County, Tex.) (R.R. District No. 10).	$159	12-20-61	1-23-62	6-23-62	[3] 17.1632	17.3651	RI61-319
RI62-294	Texaco Inc., P.O. Box 2332, Houston, Tex.	216	3	Natural Gas Pipeline Co. of America (Hansford Field, Hansford County, Tex.) (R.R. District No. 10).	78	12-20-61	1-23-62	6-23-62	[3] 17.0	17.2	RI61-337
RI62-295	Union Oil Co. of California, P.O. Box 7600, Los Angeles 54, Calif.	13	7	Texas Gas Transmission Corp. (East Lake Palourde Field, Assumption and St. Martin Parishes, La.) (Southern Louisiana).	489,600	12-20-61	1-20-62	6-20-62	[4] 21.875	23.875	G-17705
RI62-296	Humble Oil & Refining Co., P.O. Box 2180, Houston 1, Tex.	21	8	Mississippi River Fuel Corp. (Woodlawn Field, Harrison County, Tex.) (R.R. District No. 6).	182	12-21-61	1-27-62	6-27-62	[3] 14.1344	14.6392	----------
RI62-297	Jackie Grubb Ankenman, et vir, 646 Bank of Commerce Building, Houston 2, Tex.	1	6	Iroquois Gas Corp. (Sheridan Field, Colorado County, Tex.) (R.R. District No. 3).	618	12-21-61	1-21-62	6-21-62	[3] 17.668	18.6776	G-17064
RI62-298	Estate of Naomi S. Grubb, c/o Mr. Charles W. Hamilton, 2101 Bank of Commerce Building, Houston 2, Tex.	1	6	Iroquois Gas Corp. (Sheridan Field, Colorado County, Tex.) (R.R. District No. 3).	1,236	12-21-61	1-21-62	6-21-62	[3] 17.668	18.6776	G-17063
RI62-299	Kerr-McGee Oil Industries, Inc., Kerr-McGee Building, Oklahoma City 2, Okla.	53	6	Natural Gas Pipeline Co. of America (Camrick Southeastern Field, Texas County, Okla.).	42	12-22-61	1-23-62	6-23-62	[3] 17.0	17.2	RI61-327

[1] The stated effective date is the first day after expiration of the required statutory notice or, if later, the date requested by respondent.
[2] Periodic increases by contract.
[3] Pressure base is 14.65 psia.
[4] Pressure base is 15.025 psia.

The proposed increased rates exceed the applicable area price levels.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indi-

[1] This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

cated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention 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 and 1.37) on or before March 6, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-691; Filed, Jan. 22, 1962; 8:45 a.m.]

[Docket Nos. G-17296, G-19087, G-20109]

NEW YORK STATE NATURAL GAS CORP.

Notice of Extension of Time and Postponement of Hearing

JANUARY 15, 1962.

Upon consideration of the motion filed January 9, 1962, by counsel for New York State Natural Gas Corporation (New York Natural) for an extension of time within which New York Natural shall serve its prepared testimony and exhibits for its case-in-chief upon all parties as required by the Commission's order issued November 21, 1961, and postponement of the hearing now scheduled for February 19, 1961, in the above-designated matter;

An extension is hereby granted to and including February 19, 1962, within which New York Natural shall serve its prepared testimony and exhibits for its case-in-chief upon all parties and the hearing now scheduled to commence on February 19, 1962, is hereby postponed to March 19, 1962, at 10:00 a.m., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. Paragraphs (C) and (D) of said order issued November 21, 1961, are amended accordingly.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-693; Filed, Jan. 22, 1962; 8:46 a.m.]

[Docket No. CP61-312]

KENTUCKY GAS TRANSMISSION CORP. AND THE UNION LIGHT, HEAT AND POWER CO.

Notice of Application and Date of Hearing

JANUARY 16, 1962.

Take notice that on June 7, 1961, as supplemented on September 21, 1961, Kentucky Gas Transmission Corporation (Kentucky Gas), 1700 MacCorkle Avenue SE., Charleston, West Virginia, and The Union Light, Heat and Power Company (Union), Seventh and Scott Streets, Covington, Kentucky (sometimes hereinafter referred to jointly as Applicants) filed a joint application in Docket No. CP61-312, for: (a) Permission and approval for Kentucky Gas to abandon by sale to Union and The Cincinnati Gas & Electric Company (Cincinnati) a segment of Kentucky Gas' 24-inch transmission pipeline AM-7 located in Kentucky and Ohio, including a multiple 20-inch O.D. crossing of the Ohio River; and (b) a certificate of public convenience and necessity authorizing Union to acquire and operate that portion of the subject 24-inch pipeline and subject river crossing located in Kentucky and authorizing Union to transport and deliver for the account of Kentucky Gas, through the facilities to be acquired, volumes of natural gas deliverable to Cincinnati by Kentucky Gas, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

The facilities to be sold by Kentucky Gas to Union and Cincinnati are:

TO UNION

	Original cost	Depreciated cost as of Dec. 31, 1960
25,349 feet of 24-inch gas pipeline AM-7 including 4,915 feet of 20-inch river crossing and related facilities extending from Erlanger, Ky., to the Kentucky-Ohio State line	$683,169.93	$623,736.77

TO CINCINNATI

1,572 feet of 20-inch river crossing and related facilities extending from the Kentucky-Ohio State line to an existing point of connection with Cincinnati near Anderson Ferry, Ohio	93,171.25	84,547.81

Applicants state that the proposed transfer of facilities is designed to eliminate the necessity of constructing duplicate pipeline facilities for the distribution of peak-shaving propane-air gas following the development by Union of propane storage facilities in the Commonwealth of Kentucky.

Union and Cincinnati have agreed to purchase the subject facilities at a price which would be the original cost less accrued depreciation as of the date of closing.

The proposed transportation service by Union is for the purpose of maintaining existing service rendered by Kentucky Gas to Cincinnati through the facilities herein proposed to be acquired.

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 February 19, 1962, 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 joint application: *Provided, however,* That the Commission may, after a noncontested 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 applicants 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 February 9, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-692; Filed, Jan. 22, 1962; 8:46 a.m.]

[Docket No. CP61-169]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Petition to Amend Order Issuing Certificate of Public Convenience and Necessity

JANUARY 16, 1962.

Take notice that on October 30, 1961, Texas Eastern Transmission Corporation (Petitioner), P.O. Box 1189, Houston, Texas, filed in Docket No. CP61-169 a petition to amend an order issuing certificate of public convenience and necessity to include therein sales of natural gas from certain additional acreage in the Flora Vista area, San Juan County, New Mexico, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

On April 21, 1961, in Docket No. CP61-169 (Docket Nos. G-3196, et al.). Petitioner was granted a certificate of public convenience and necessity authorizing the field sale of natural gas to El Paso Natural Gas Company (El Paso) from acreage in the Flora Vista area, San Juan County, New Mexico. The petition states that Petitioner and El Paso have entered into a Supplemental Gas Purchase Agreement dated October 4, 1961, by the terms of which such additional acreage is added to the Gas Purchase Agreement between said parties dated March 18, 1957, upon which said certificate was issued, as aforesaid. Petitioner requests that said certificate be amended to include sales from the additional acreage.

Protests, petitions to intervene, or requests for hearing 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 February 9, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-694; Filed, Jan. 22, 1962; 8:46 a.m.]

[Docket No. RI62-300]

McALESTER FUEL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JANUARY 17, 1962.

On December 18, 1961, McAlester Fuel Company (McAlester) [1] tendered for filing a proposed change in its presently effective rate schedule for jurisdictional sales of natural gas to Texas Eastern Transmission Corporation from the Fort Lynn Field, Miller County, Arkansas. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated December 14, 1961.
Rate schedule designation: Supplement No. 6 to McAlester's FPC Gas Rate Schedule No. 3.
Effective date: January 18, 1962 (effective date is the first day after expiration of the required 30 days' notice).
Rate in effect: 14.3¢ per Mcf at 14.65 psia.
Proposed increased rate: 14.475¢ per Mcf at 14.65 psia.
Annual increase: $607.00.

The proposed increase consists of reimbursement of a portion of the increase in the Arkansas gas severance tax plus a portion of the newly enacted Arkansas gas conservation assessment, under the terms of McAlester's gas purchase contract.

The proposed increased rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 6 to McAlester's FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to McAlester's FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 18, 1962, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention 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 and 1.37(f)) on or before March 5, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-733; Filed, Jan. 22, 1962; 8:50 a.m.]

[1] Address: c/o Keith, Clegg & Eckert, 201 McAlester Bldg., Magnolia, Arkansas.

FEDERAL RESERVE SYSTEM

HACKENSACK TRUST CO.

Order Approving Merger of Banks

In the matter of the application of The Hackensack Trust Company for approval of merger with The Bank of Saddle Brook & Lodi.

There has come before the Board of Governors, pursuant to Section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)), an application by The Hackensack Trust Company, Hackensack, New Jersey, for the Board's prior approval of the merger of The Bank of Saddle Brook & Lodi, Saddle Brook, New Jersey, with and into The Hackensack Trust Company, under the charter and title of the latter.

Pursuant to said section 18(c), notice of the proposed merger, in form approved by the Board of Governors, has been published, and reports on the competitive factors involved in the proposed transaction have been furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Department of Justice and have been considered by the Board.

It is ordered, For the reasons set forth in the Board's statement [1] of this date, that said merger be, and hereby is, approved, provided that said merger shall not be consummated (a) sooner than 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 17th day of January 1962.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 62-695; Filed, Jan. 22, 1962; 8:46 a.m.]

[1] Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to the Federal Reserve Bank of New York.

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

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.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 524 (24 F.R. 9274) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of ten percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Bali Bra Manufacturing Co., 2445 Bedford Street, Johnstown, Pa.; effective 1-11-62 to 1-10-63 (brassieres).

Martin Manufacturing Co., Inc., 202 North Broadway, Martin, Tenn.; effective 1-11-62 to 1-10-63 (men's shirts and jumpers for armed services).

Salant & Salant, Inc., First Street, Lawrenceburg, Tenn.; effective 1-20-62 to 1-19-63 (men's cotton work shirts).

Waverly Garment Co., Waverly, Tenn.; effective 1-4-62 to 1-3-63 (men's and boys' cotton work pants).

The following learner certificate was issued for normal labor turnover purposes. The effective and expiration date and the number of learners authorized is indicated.

Nat Nast, Inc., Highway K-32, Bonner Springs, Kans., effective 1-5-62 to 1-4-63; 10 learners (men's bowling shirts, women's bowling shirts).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Atwood, Inc., Mooresville, N.C.; effective 1-3-62 to 7-2-62; 25 learners (pants, work shirts).

Metro Pants Co., Bridgewater, Va.; effective 1-4-62 to 7-3-62; 20 learners (boys' trousers).

Reidbord Brothers Co., Livingston Street, Elkins, W. Va.; effective 1-5-62 to 7-4-62; 30 learners (men's trousers and work shirts).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Cherrybell Manufacturing Corp., 1720 South Cherrybell Stravenue, Tucson, Ariz.; effective 1-5-62 to 7-4-62; 15 learners for plant expansion purposes (ladies undergarments).

Lady Jane Manufacturing Co., Inc., 125 South Spruce Street, Mt. Carmel, Pa.; effective 1-9-62 to 1-8-63; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear).

Shadowline, Inc., Morganton, N.C.; effective 1-15-62 to 1-14-63; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' woven and knit lingerie).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum 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, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 16th day of January 1962.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 62-697; Filed, Jan. 22, 1962; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 33933]

NORTHERN PACIFIC RAILWAY CO. AND KNAUF & TESCH CO.

Rates on Shipments of Millet Seed From North Dakota Points to Points in New York

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 12th day of January A.D. 1962.

It appearing, that by petition filed November 6, 1961, the Northern Pacific Railway Company seeks a declaratory order under section 5(d) of the Administrative Procedure Act, determining the applicable rates on certain shipments of millet seed from Oakes, Wyndmere and Lisbon, North Dakota, to Brooklyn and New York, New York on and between October 30, 1956 and March 14, 1958, or, in the alternative, for such other action as is deemed proper in the premises, to which petition a reply was filed on November 21, 1961, by the shipper, the Knauf & Tesch Company, hereinafter called respondent; and, that court actions have been filed in the circuit court for Douglas County, State of Wisconsin, for the collection of undercharges, which suits have been stayed pending consideration by the Commission of the applicable rates and charges:

It is ordered, That the said petition be, and it is hereby, docketed with the number and title set forth above;

It is further ordered, That this proceeding be handled under modified procedure; that petitioner and any interested person subsequently permitted to intervene herein comply with §§ 1.45 to 1.54, inclusive, of the Commission's general rules of practice, the filing and service of pleadings to be as follows: (a) not later than February 21, 1962, opening statement of facts and argument by the petitioner and any party supporting the position of the petitioner; (b) 30 days thereafter statement of facts and argument by the respondent and any party supporting the position of the respondent, or taking a neutral position with respect thereto; and (c) 10 days thereafter reply by the petitioner or other person described in (a);

It is further ordered, That any pleadings filed responsive to this order shall be served upon all parties subsequently permitted to intervene herein, and also upon:

Mr. H. B. Krengel, Attorney,
Northern Pacific Railway Co.,
1018 Northern Pacific Building,
St. Paul 1, Minn.

from whom a copy of the said petition may be obtained.

And it is further ordered, That a copy of this order be filed with the Director, Division of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-713; Filed, Jan. 22, 1962; 8:47 a.m.]

MR. KEITH LYRLA

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475; 21 F.R. 9198; 22 F.R. 3777; 22 F.R. 9450; 23 F.R. 3798; 23 F.R. 9501; 24 F.R. 4187; 24 F.R. 9502; 25 F.R. 102; 26 F.R. 1692, and 26 F.R. 6284) during the period from July 1, 1961 through December 31, 1961.

Increase in holding of Illinois Central Railroad Co. stock to 500 shares in August 1961.

Dated: January 5, 1962.

KEITH H. LYRLA.

[F.R. Doc. 62-714; Filed, Jan. 22, 1962; 8:47 a.m.]

FLOYD A. MECHLING

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part II, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (22 F.R. 996; 22 F.R. 6584; 23 F.R. 1062; 23 F.R. 6730; 24 F.R. 552; 24 F.R. 6251; 24 F.R. 9689; 24 F.R. 109; 26 F.R. 1693; and 26 F.R. 6463), for the period July 26, 1961, through January 25, 1962.

Additions:

(1) Barge Painting & Coating, Inc.

Dated: January 25, 1962.

F. A. MECHLING.

[F.R. Doc. 62-715; Filed, Jan. 22, 1962; 8:47 a.m.]

EUGENE S. ROOT

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475; 21 F.R. 9198; 22 F.R. 3777; 22 F.R. 9450; 23 F.R. 3798; 23 F.R. 9501; 24 F.R. 4187; 24 F.R. 9502; 25 F.R. 102; 26 F.R. 1693; and 26 F.R. 6405) for the period from July 1, 1961 through December 31, 1961.

Nothing to report.

Dated: January 8, 1962.

E. S. ROOT.

[F.R. Doc. 62-716; Filed, Jan. 22, 1962; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

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