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FEDERAL REGISTER

VOLUME 27 NUMBER 86

Washington, Thursday, May 3, 1962

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Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3468

CARRYING OUT CERTAIN AGREEMENTS NEGOTIATED AT THE 1960–61 TARIFF CONFERENCE AND FOR OTHER PURPOSES

By the President of the United States of America
A Proclamation

1. WHEREAS, pursuant to the authority vested in him by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended (19 U.S.C. 1351), the President entered into the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"), of October 30, 1947 (61 Stat. (pt. 5) A11), including a Schedule of United States concessions (hereinafter referred to as "Schedule XX (Geneva—1947)"), and by Proclamation No. 2761A, of December 16, 1947 (61 Stat. (pt. 2) 1103), as supplemented by subsequent proclamations including Proclamation No. 2764, of January 1, 1948 (62 Stat. (pt. 2) 1465), and Proclamation No. 2769, of January 30, 1948 (62 Stat. (pt. 2) 1479), he proclaimed such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States (hereinafter referred to as "modifications and continuance") as were found to be required or appropriate to carry out the General Agreement;

2. WHEREAS, the General Agreement has been supplemented by several agreements including:

(a) Protocol of Provisional Application of the General Agreement, of October 30, 1947 (61 Stat. (pt. 6) A2051),

(b) Annecy Protocol of Terms of Accession to the General Agreement, of October 10, 1949 (64 Stat. (pt. 3) B141), including a schedule to the General Agreement of United States concessions (hereinafter referred to as "Schedule XX (Annecy 1949)"),

(c) Torquay Protocol to the General Agreement, of April 21, 1951 (3 UST (pt. 1) 615), including a schedule to the General Agreement of United States concessions (hereinafter referred to as "Schedule XX (Torquay—1951)"),

(d) Protocol of Terms of Accession of Japan to the General Agreement, of June 7, 1955 (6 UST (pt. 5) 583), including a schedule to the General Agreement of United States concessions (hereinafter referred to as "Schedule XX (Japan—1955)"),

(e) Sixth Protocol of Supplementary Concessions to the General Agreement, of May 23, 1956 (7 UST (pt. 2) 1076), including a schedule to the General Agreement of United States concessions (hereinafter referred to as "Schedule XX (Geneva—1956)"),

(f) Agreement between the Kingdom of Belgium, Acting for the Belgo-Luxemburg Economic Union, the Kingdom of the Netherlands, and the United States of America Supplementary to the General Agreement, of June 27, 1957 (8 UST (pt. 1) 934), including a schedule of United States concessions (hereinafter referred to as "U.S. Schedule (Benelux Supp.—1957)"),

(g) Agreement between the United Kingdom of Great Britain and Northern Ireland and the United States of America Supplementary to the General Agreement, of June 27, 1957 (8 UST (pt. 1) 890), including a schedule of United States concessions (hereinafter referred to as "U.S. Schedule (U.K. Supp.—1957)"), and

(h) Agreement Supplementary to the General Agreement between the United States and Sweden, of September 15, 1961 (TIAS 4847);

3. WHEREAS by the following proclamations the President proclaimed agreements specified in the second recital of this Proclamation:

(a) The first proclamation specified in the first recital of this Proclamation proclaimed that the General Agreement should be applied subject to the agreement specified in clause (a) of the second recital of this Proclamation,

(b) Proclamation No. 2867, of December 22, 1949 (64 Stat. (pt. 2) A380), as supplemented by subsequent proclamations including Proclamation No. 2884, of April 27, 1950 (64 Stat. (pt. 2) A399), and Proclamation No. 3211, of November 9, 1957 (72 Stat. (pt. 2) C14), proclaimed such modifications and continuance as were required or appropriate to carry out the agreement specified in clause (b) of the second recital hereof,

(c) Proclamation No. 2929, of June 2, 1951 (65 Stat. C12), proclaimed such modifications and continuance as were required or appropriate to carry out the agreement specified in clause (c) of the second recital hereof,

(d) Proclamation No. 3105, of July 22, 1955 (69 Stat. C44), in Part I proclaimed such modifications and continuance as were required or appropriate to carry out the agreement specified in clause (d) of the second recital hereof,

(e) Proclamation No. 3140, of June 13, 1956 (70 Stat. C33), in Part I proclaimed such modifications and continuance as were required or appropriate to carry out the agreement specified in clause (e) of the second recital hereof,

(f) Proclamation No. 3191, of June 29, 1957 (71 Stat. C49), proclaimed such modifications and continuance as were required or appropriate to carry out the agreements specified in clauses (f) and (g) of the second recital hereof, and

(g) Proclamation No. 3431, of September 18, 1961 (26 F.R. 8931), proclaimed such modifications and continuance as were required or appropriate to carry out paragraph (2) of the agreement specified in clause (h) of the second recital hereof;

4. WHEREAS I have found as a fact (a) that certain existing duties and other import restrictions of the United States of America, including tariff action referred to in the fifth, seventh, and ninth recitals of this Proclamation, of other contracting parties to the General Agreement, including the Republic of Austria, the Kingdom of Belgium, Canada, the Kingdom of Denmark, the Republic of Finland, the French Republic, the Federal Republic of Germany, the Republic of Italy, Japan, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Peru, the Kingdom of Sweden, and the United Kingdom of Great Britain and Northern Ireland, of Israel, of Portugal, and of the Swiss Confederation are unduly burdening and restricting the foreign trade of the United States, that the effect of the common external tariff of the European Economic Community (an instrumentality of the Governments of the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the Republic of Italy, the Grand Duchy of Luxembourg, and the Kingdom of the Netherlands) is to unduly burden and restrict the foreign trade of the United States, and (b) that the purposes declared in section 350 of the Tariff Act of 1930, as amended, will be promoted by one or more trade agreements between the Government of the United States and the Governments of some or all of the other countries, or the instrumentality of governments, referred to in this recital;

5. WHEREAS the United States has completed renegotiations under Article XXVIII of the General Agreement for the modification or withdrawal of the following concessions:

(a) The concessions on waterproof cloth provided for in the second item 907 in Part I of Schedule XX (Geneva—1947), in the second item 907 in U.S. Schedule (Benelux Supp.—1957), and in the second item 907 in U.S. Schedule (U.K. Supp.—1957) in order to conform such concessions to the provisions of section 2 of Public Law 86–795 (74 Stat.1052),

(b) The concessions on woolen and worsted fabrics provided for in items 1108 and 1109(a) in Part I of Schedule XX (Geneva—1947), and in item 1109(a) in Part I of Schedule XX (Torquay—1951), whose modification was proclaimed by Proclamation No. 3387, of December 28, 1960 (25 F.R. 13945),

(c) The concessions on rubber-soled footwear provided for in second item 1530(e) in Part I of Schedule XX (Geneva—1947), and in item 1530(e) in Part I of Schedule XX (Japan—1955) in order to conform such concessions to the provisions of section 1 of Public Law 85-454 (72 Stat. 185), and

(d) The concessions on spring clothespins provided for in the first item 412 in Part 1 of Schedule XX (Annecy—1949);

6. WHEREAS Article XXVIII of the General Agreement provides that a contracting party may, pursuant to procedures provided for therein, modify or withdraw concessions in its Schedule to that Agreement, while at the same time endeavoring to maintain the general level of reciprocal and mutually advantageous concessions;

7. WHEREAS, acting under and by virtue of the authority vested in him by section 350 of the Tariff Act of 1930, as amended, and by section 7(c) of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1364(c)), and in accordance with Article XIX of the General Agreement, the President proclaimed the following action:

(a) By Proclamation No. 3212, of November 29, 1957 (72 Stat. (pt. 2) C16), the modification of the concessions on safety pins provided for in item 350 in Part I of Schedule XX (Geneva—1947),

(b) By Proclamation No. 3235, of April 21, 1958 (72 Stat. (pt. 2) C35), the withdrawal of the concessions on clinical thermometers provided for in item 218(a) in Part I of Schedule XX (Torquay—1951),

(c) By Proclamation No. 3323, of October 20, 1959 (74 Stat. C15), the modification of the concessions on stainless-steel table flatware provided for in item 339 and item 355 in Part I of Schedule XX (Geneva—1947), in item 355 in Part I of Schedule XX (Annecy—1949), in item 355 in Part I of Schedule XX (Torquay—1951), and in item 339 in Part I of Schedule XX (Geneva—1956), and

(d) By Proclamation No. 3365, of August 23, 1960 (74 Stat. C85), the modification of the concessions on typewriter ribbon cloth provided for in the first and second items 904(a), item 904(b), and item 904(c) in Part I of Schedule XX (Geneva—1947) and in the first and second items 904(a), item 904(b), and item 904(c) in Part I of Schedule XX (Japan—1955);

8. WHEREAS Article XIX of the General Agreement provides for consultation with other contracting parties thereto having a substantial interest as exporters of the articles with respect to which action is being taken with a view to agreement being reached among all interested contracting parties;

9. WHEREAS judicial or administrative authorities of the United States have taken tariff classification action of the kind envisaged by paragraph 5 of Article II of the General Agreement which provides that, if as a result of judicial or administrative interpretation an imported article cannot be accorded the treatment which it had been contemplated such article would receive under the General Agreement, negotiations shall be conducted for compensatory adjustment;

10. WHEREAS reasonable public notice was given of the intention to conduct trade agreement negotiations under the General Agreement with foreign Governments which were contracting parties to that agreement and with other specified Governments, which contracting parties and other Governments include the Governments of all the countries referred to in the fourth recital of this Proclamation, or with instrumentalities of any such foreign Governments, the views presented by persons interested in such negotiations were received and considered, and information and advice with respect to such negotiations was sought and obtained from the Department of State, Agriculture, Commerce, and Defense, and from other sources;

11. WHEREAS, pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1360), I transmitted to the United States Tariff Commission for investigation and report lists of all articles imported into the United States of America to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment in trade-agreement negotiations with the Governments referred to in the tenth recital of this Proclamation, and the Tariff Commission made investigations in accordance with section 3 and thereafter reported to me its determinations made pursuant to that section within the time specified therein;

12. WHEREAS, the period for the exercise of the authority of the President to enter into foreign trade agreements under section 350 of the Tariff Act of 1930, as amended, having been extended by section 2 of the Trade Agreements Extension Act of 1958 (72 Stat. 673) until the close of June 30, 1962, as a result of the findings set forth in the fourth recital of this Proclamation, I, through my duly authorized representative, included paragraphs (1) and (3) in the agreement specified in clause (h) of the second recital hereof and entered into the following trade agreements,[1] each of which includes a schedule of United States concessions:

(a) Agreement between the United States and the Federal Republic of Germany providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of January 29, 1962, a copy of which is annexed to this Proclamation as Annex A,

(b) Agreement between the United States and Belgium, Luxembourg, and the Netherlands providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of January 29 and February 1, 1962, a copy of which is annexed to this Proclamation as Annex B,

(c) Agreement between the United States and Japan providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of February 9, 1962, a copy of which is annexed to this Proclamation as Annex C,

(d) Agreement between the United States and Denmark providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of January 26 and February 12, 1962, a copy of which is annexed to this Proclamation as Annex D,

(e) Agreement between the United States and the United Kingdom providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of January 26 and February 16, 1962, a copy of which is annexed to this Proclamation as Annex E,

(f) Interim Agreement between the United States and Denmark, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex F,

(g) Interim Agreement between the United States and Finland, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex G,

(h) Interim Agreement between the United States and Israel, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex H,

(i) Interim Agreement between the United States and New Zealand, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex I,

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[1] The agreements contained in Annexes J, N, S, and T have been published in House Document 358, 87th Congress, 2d Session, at pages 225, 232, 14, and 159, respectively. The general provisions of, and schedules of United States concessions to, the agreements contained in all the annexes will be published in Treasury Decisions (Customs). These agreements will be published by the Department of State in Treaties and Other International Acts Series (TIAS) and United States Treaties (UST) after the United States schedules of concessions have taken effect.

(j) Interim Agreement between the United States and Norway, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex J,

(k) Interim Agreement between the United States and Pakistan, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex K,

(l) Interim Agreement between the United States and Peru, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex L,

(m) Interim Agreement between the United States and Portugal, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex M,

(n) Interim Agreement between the United States and Sweden, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex N,

(o) Interim Agreement between the United States and Switzerland, of March 5, 1962, a copy of which is annexed to this Proclamation as Annex O,

(p) Interim Agreement between the United States and Austria, of March 6, 1962, a copy of which is annexed to this Proclamation as Annex P,

(q) Agreement between the United States and Italy providing compensatory concessions under the General Agreement for certain tariff action taken by the United States, of December 8 and 9, 1961, and March 7, 1962, a copy of which is annexed to this Proclamation as Annex Q,

(r) Interim Agreement between the United States and Canada, of March 7, 1962, a copy of which is annexed to this Proclamation as Annex R,

(s) Interim Agreement between the United States and the European Economic Community, of March 7, 1962, a copy of which is annexed to this Proclamation as Annex S, and

(t) Interim Agreement between the United States and the United Kingdom, of March 7, 1962, a copy of which is annexed to this Proclamation as Annex T;

13. WHEREAS, under the authority of section 350(a)(3)(D) of the Tariff Act of 1930, as amended, I have determined that, in the case of those modifications of existing duties proclaimed in this Proclamation which, within the limitations of that section, reflect decreases in duties exceeding the limitations specified in section 350(a)(4)(A) or 350(a)(4)(B), such decreases will simplify the computation of the amount of duty imposed with respect to the articles concerned;

14. WHEREAS I have made the determination regarding the ad valorem equivalent of the specific rate of duty (or combination of rates including a specific rate) and regarding the representative period, under the authority of section 350(a)(3)(D) or 350(a)(4)(A) of the Tariff Act of 1930, as amended, by reference to section 350(a)(2)(D)(ii) thereof, in the case of each modification of an existing duty proclaimed in this Proclamation for which such a determination was relevant, using, to the maximum extent practicable, the standards of valuation contained in section 402 or 402a of the Tariff Act of 1930, as amended (19 U.S.C. 1401a or 1402);

15. WHEREAS each agreement specified in clauses (f) to (p), inclusive, and (r) to (t), inclusive, of the twelfth recital of this Proclamation provides that the concessions set forth in the schedule of United States concessions shall, except as otherwise provided for in that schedule, take effect thirty days after the date upon which the United States has notified the other party to the agreement of its intention to put such concessions into effect, subject to the right of the United States to suspend or withdraw in whole or in part the concessions set forth in such schedule until the other party to the agreement gives such a notification with respect to its schedule of concessions;

16. WHEREAS I find that the modifications of existing duties and other import restrictions of the United States and the continuance of existing customs and excise treatment of articles imported into the United States (a) provided for in each agreement specified in clauses (f) to (p), inclusive, and (r) to (t), inclusive, of the twelfth recital of this Proclamation will be required or appropriate to carry out that agreement, except that it will be required or appropriate that the agreement specified in clause (1) of the twelfth recital be applied as though the words "for consumption" were inserted following the word "Entered" in item 765 in the United States Schedule to that agreement, on and after the thirtieth day following the date of the notification thereunder by the United States referred to in the fifteenth recital hereof, and (b) provided for in paragraphs (1) and (3) of the agreement specified in clause (h) of the second recital hereof and in each of the agreements specified in clauses (a) to (e), inclusive, and (q) of the twelfth recital hereof will be required or appropriate to carry out that agreement on and after July 1, 1962, or such earlier date as may be notified by the President to the Secretary of the Treasury and published in the FEDERAL REGISTER;

17. WHEREAS I determine that, either as a result of the proclamation hereinafter of the modifications and continuance required or appropriate to carry out agreements specified in the twelfth recital of this Proclamation, or because of the need for greater accuracy, it will be required or appropriate to carry out the General Agreement and agreements supplementary thereto that on and after the following dates the lists set forth in the sixteenth recitals of the proclamations specified in clauses (d) and (e) of the third recital hereof be modified as follows:

(a) Modifications of the list set forth in the sixteenth recital of the proclamation specified in clause (d) of the third recital of this Proclamation:

(i) On and after the date of this Proclamation:

Item	*Modification of List*
397 [added by Part II(b)(ii) of Proclamation specified in clause (e) of third recital hereof]	Modification of Description of Products to read: "Articles or wares not specially provided for, whether partly or wholly manufactured, plated with, but not in chief value of, gold",

(ii) On or after the date specified in clause (b) of the sixteenth recital of this Proclamation:

Item	*Modification of List*
412	Deletion of the item.

(iii) On or after the date specified in clause (b) of the sixteenth recital of this Proclamation, unless the modification provided for in (iv) of this clause has by then become effective:

Item	*Modification of List*
1551[second]	Insertion at the end of the Description of products of: "(except feature films of 4,000 linear feet or more)",

(iv) On and after the thirtieth day following the notification by the United States referred to in clause (a) of the sixteenth recital hereof made under the agreement specified in clause (t) of the twelfth recital hereof:

Item	*Modification of List*
1551 [first]	Deletion of: "Exposed and developed 2.7¢ per lin. ft."
1551[second]	Deletion of this item, and

(b) Modification of the list set forth in the sixteenth recital of the proclamation specified in clause (e) of the third recital hereof on and after the thirtieth day following the notification by the United States referred to in clause (a) of the sixteenth recital hereof made under the agreement specified in clause (n) of the twelfth recital hereof:

Item	*Modification of List*
1406	Deletion of "labels and flaps 21¢ per lb.";

18. WHEREAS on and after the day specified in clause (b) of the sixteenth recital of this Proclamation, as a result of the proclamation hereinafter of the modifications and continuance required or appropriate to carry out paragraphs (1) and (3) of the agreement specified in clause (h) of the second recital of this Proclamation and of the agreements specified in clauses (b) and (d) of the twelfth recital hereof, the

first and second proclamations specified in clause (b) of the third recital of this Proclamation, insofar as they give effect to the concessions provided for in item 412 in Part I of the agreement specified in clause (b) of the second recital hereof, and the proclamation specified in clause (g) of the third recital hereof will no longer be required or appropriate to carry out a trade agreement;

19. WHEREAS the modification of the concessions provided for in the item specified in clause (d) of the fifth recital of this Proclamation, hereinafter proclaimed to carry out item 412 in the schedule annexed to the agreement specified in clause (d) of the twelfth recital hereof, will provide for articles specified in such items the same rate of duty as was found by the President in the seventh recital of the third proclamation specified in clause (b) of the third recital hereof to be necessary to remedy serious injury to the domestic industry producing like products, and consequently, on and after the day specified in clause (b) of the sixteenth recital hereof that proclamation will no longer be required to remedy such serious injury; and

20. WHEREAS section 350(a)(6) of the Tariff Act of 1930, as amended, authorizes the President to terminate, in whole or in part, any proclamation made pursuant to that section:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended, do proclaim:

PART I.

To the end that foreign trade agreements, including particularly the General Agreement and the agreements specified in clause (h) of the second recital of this Proclamation and in the twelfth recital hereof, may be carried out:

1. Subject to the provisions of paragraph 2 of this Part, and to the exception, with respect to item 765 in the United States schedule to the agreement specified in clause (l) in the twelfth recital, set forth in clause (a) of the sixteenth recital hereof, such modifications of existing duties and other import restrictions of the United States and such continuance of existing customs or excise treatment of articles imported into the United States as are specified or provided for in paragraphs (1) and (3) of the agreement specified in clause (h) of the second recital of this Proclamation and in the general provisions of, and schedules of United States concessions to, the agreements specified in the twelfth recital of this Proclamation, effective as to articles entered for consumption or withdrawn from warehouse for consumption as follows:

(a) Each rate of duty or import tax specified in column A at the right of the respective description of products in a schedule of the United States to an agreement specified in this paragraph or, in any case in which there are two such rates in column A, the first such rate:

(i) In the case of a rate specified in the schedule to an agreement specified in clause (h) of the second recital of this Proclamation or in clause (a), (b), (c), (d), (e), or (q) of the twelfth recital hereof, on and after the date specified in clause (b) of the sixteenth recital hereof, and

(ii) In the case of a rate specified in any other agreement specified in the twelfth recital hereof, on and after the date referred to in the fifteenth recital hereof with respect to such agreement, which date shall be notified by the President to the Secretary of the Treasury and published in the FEDERAL REGISTER, and

(b) Each rate of duty or import tax specified in column B at the right of the respective description of products in a schedule of the United States to an agreement specified in this paragraph and, in any case in which there are two rates specified in column A at the right of the description, the second such rate: on and after the appropriate date determined in accordance with the provisions of the General Notes at the end of that schedule.

2. The application of the provisions of paragraph 1 of this Part shall be subject to:

(a) The applicable terms, conditions, and qualifications set forth in the agreements specified in clause (h) of the second recital of this Proclamation and in the twelfth recital hereof, including the rights of suspension or withdrawal of concessions referred to in the fifteenth recital hereof, in Parts I, II, and III of the General Agreement, in Annexes D, H, and I thereof and Schedules XX thereto, and in the agreement specified in clause (a) of the second recital hereof, including such supplementations of the foregoing as may be in effect with respect to the United States.

(b) The exception that no rate of duty or import tax shall be applied to a particular article by virtue of this proclamation if, when the article is entered for consumption or withdrawn from warehouse for consumption, more favorable customs treatment is prescribed for the article by (i) a proclamation pursuant to section 350 of the Tariff Act of 1930, as amended, or (ii) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax or became effective subsequent to March 7, 1962.

3. On and after the applicable dates provided for in the seventeenth recital of this Proclamation the lists set forth in the sixteenth recitals of the proclamations specified in clauses (d) and (e) of the third recital hereof shall be modified as provided for in the seventeenth recital hereof.

PART II.

On and after the day specified in clause (b) of the sixteenth recital of this Proclamation the proclamations specified in the eighteenth and nineteenth recitals hereof shall be terminated in whole or in part to the extent it is stated in such recitals that their continuation will no longer be required or appropriate.

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

DONE at the City of Washington this 30th day of April in the year of our Lord nineteen hundred and sixty-two, and of [SEAL] the Independence of the United States of America the one hundred and eighty-sixth.

JOHN F. KENNEDY

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 62-4386; Filed, May 2, 1962; 11:26 a.m.]

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1112; Amdt. 434]

PART 507—AIRWORTHINESS DIRECTIVES

General Electric Engines Models CJ805–3, –3A and –3B

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring replacement or modification of the thrust reverser pump in General Electric CJ805–3, –3A and –3B engines was published in 27 F.R. 2573.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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 by adding the following new airworthiness directive:

GENERAL ELECTRIC. Applies to all CJ805–3, –3A and –3B engines equipped with GE P/N 105R684P5 or 105R684P6 thrust reverser actuating pumps.

Compliance required at next engine overhaul.

Instances of thrust reverser pump failure have occurred causing the reverser to be inoperative and resulting in asymmetric power conditions upon application of reverse thrust during the aircraft landing roll. To correct this unsafe condition replace reverser pumps GE P/N's 105R684P5 and 105R684P6 with GE P/N 105R684P10 reverser pump, or modify the reverser pumps to conform to the P/N 105R684P10 by reducing the width of the pump drive gears and enlarging the size of the pump shaft oil seal vent in accordance with GE Service Bulletins Nos. (3B)78–1 and (3)78–16. Pumps so modified shall be reidentified as P/N 105R684P10.

This amendment shall become effective June 4, 1962.

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

Issued in Washington, D.C., on April 26, 1962.

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

[F.R. Doc. 62–4289; Filed, May 2, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61–FW–90]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On February 8, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1193) stating that the Federal Aviation Agency proposed to realign a segment of VOR Federal airway No. 68 from the San Antonio, Tex., VORTAC via the intersection of the Alice, Tex., VOR 350° and the Corpus Christi, Tex., VORTAC 313° True radials to the Corpus Christi VORTAC.

The Department of the Army and the Air Transport Association of America offered no objection to the proposed amendment. No other comments were received.

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

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

1. In the text of § 600.6068 (14 CFR 600.6068) "San Antonio, Tex., omnirange station intersection of the San Antonio omnirange 167° True and the Corpus Christi omnirange 321° True radials; Corpus Christi, Tex., omnirange station;" is deleted and "San Antonio, Tex., VORTAC; INT of the Alice, Tex., VOR 350° and the Corpus Christi, Tex., VORTAC 313° radials; Corpus Christi VORTAC;" is substituted therefor.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62–4290; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 61–SW–108]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On February 20, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1566) stating that the Federal Aviation Agency was considering the extension of Intermediate altitude VOR Federal airway No. 1746 from the Texico, Tex., VOR to the Anton Chico, N. Mex., VOR and the realignment of Intermediate altitude VOR Federal airway No. 1532 to overlie the Anton Chico VOR.

No adverse comments were received regarding the proposed alterations.

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

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

§ 600.1532 [Amendment]

1. In the text of § 600.1532 (26 F.R. 1084, 8626, 9155) "Albuquerque VOR; Tucumcari, N. Mex., VOR;" is deleted and "Albuquerque VOR; Anton Chico, N. Mex., VOR; Tucumcari, N. Mex.;" is substituted therefor.

2. Section 600.1746 (26 F.R. 1093) is amended to read:

§ 600.1746 VOR Federal airway No. 1746 (Anton Chico, N. Mex., to Bridgeport, Tex.).

From the Anton Chico, N. Mex., VOR 12-mile wide airway to the Texico, Tex., VOR; thence 10-mile wide airway to the INT of the Texico VOR 117° and the Lubbock, Tex., VOR 008° radials; thence via the Guthrie, Tex., VOR to the Bridgeport, Tex., VOR.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62–4291; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 61–LA–67]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On February 6, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1074) stating that the Federal Aviation Agency proposed to realign VOR Federal airway No. 210 from the Farmington, N. Mex., VORTAC via the intersection of the Farmington VORTAC 086° and the Alamosa, Colo., VOR 232° True radials; to the Alamosa VOR.

No adverse comments were received regarding the proposed amendment.

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

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

In the text of § 600.6210 (14 CFR 600.-6210, 26 F.R. 8626, 11727) "INT of the Farmington VORTAC 090° and the Alamosa, Colo., VOR 232° radials;" is deleted and "INT of the Farmington VORTAC 086° and the Alamosa, Colo., VOR 232° radials;" is substituted therefor.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-4292; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 62-SO-23]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

Alteration of Federal Airways

The purpose of these amendments to the regulations of the Administrator is to change the name of the Tri City, Tenn., VOR to the Holston Mountain, Tenn., VOR wherever it appears in Parts 600 and 601. This VOR is located on Holston Mountain at a site 2841 feet above the airport elevation and is designated for en route navigation and not for approaches to Tri City Airport. Pilots unfamiliar with the surrounding terrain and using the VOR for locating Tri City Airport during marginal weather conditions could conceivably not see Holston Mountain in time to avoid it. Therefore, this action is taken to disassociate the VOR from Tri City Airport.

Since these changes are editorial in nature and will not assign or reassign the use of navigable airspace, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

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

In the caption and/or text of the following sections "Tri City" is deleted wherever it appears and "Holston Mountain" is substituted therefor.

1. Section 600.6016 (14 CFR 600.6016, 26 F.R. 3521, 3852).
2. Section 600.6035 (14 CFR 600.6035).
3. Section 600.6053 (14 CFR 600.6053).
4. Section 600.6259 (26 F.R. 8628).
5. Section 600.6875 (26 F.R. 21, 8246).
6. Section 600.6881 (26 F.R. 8169).
7. Section 600.1511 (26 F.R. 1082).
8. Section 600.1548 (26 F.R. 1086, 4052).
9. Section 600.1667 (26 F.R. 1090).
10. Section 601.7001 (14 CFR 601.7001).

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-4293; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WE-54]

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 § 601.2500 of the regulations of the Administrator is to alter the Miles City, Mont., control zone.

The Miles City control zone is presently designated, in part, based on the Miles City radio range. The Federal Aviation Agency has scheduled the conversion of the Miles City radio range to a nondirectional radio beacon on May 31, 1962. Accordingly, action is taken herein to substitute the 254° True bearing from the Miles City radio beacon for the southwest course of the Miles City radio range in the description of the control zone.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2500 (14 CFR 601.2500) is amended to read:

§ 601.2500 Miles City, Mont., control zone.

Within a 5-mile radius of the Miles City, Mont., Airport (latitude 46°25'40" N., longitude 105°53'10" W.); within 2 miles either side of a 254° bearing from the Miles City RBN extending from the 5-mile radius zone to 8 miles SW of the RBN and within 2 miles either side of the Miles City VORTAC 225° radial extending from the 5-mile radius zone to 12 miles SW of the VORTAC.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-4294; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 61-WA-230]

PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

Designation of Jet Advisory Area

On February 13, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1324) stating that the Federal Aviation Agency (FAA) proposed to designate an en route radar jet advisory area from flight level 310 to flight level 390 inclusive, and within 16 miles either side of the segment of Jet Route No. 91 from the Knoxville, Tenn., VORTAC to the Charleston, W. Va., VORTAC.

The Air Transport Association of America strongly endorsed the proposal and stated that it was their understanding that as soon as additional radar coverage becomes available the base of the radar advisory area on this segment of J-91 will be lowered to flight level 240. As soon as additional radar coverage is available the FAA will propose lowering the base of this radar advisory area to flight level 240. No other comments were received.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 602.200 *Enroute jet advisory areas* (26 F.R. 7082) is amended by adding the following:

Jet Route No. 91 jet advisory area.
Radar—Knoxville, Tenn., to Charleston, W. Va., excluding the airspace below flight level 310.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-4295; Filed, May 2, 1962; 8:45 a.m.]

[Airspace Docket No. 61-NY-104]

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Area/Military Climb Corridor

On February 21, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1659), stating the Federal Aviation Agency was considering an amendment to § 608.40 to increase the lateral dimensions of the Camp Springs, Md. (Andrews AFB) Restricted Area/Military Climb Corridor, R-4003 to provide for a scramble pro-

cedure via the 051° True radial of the Andrews AFB TACAN. This alteration will provide protection for both TACAN and VOR equipped air defense aircraft while operating within the restricted area/military climb corridor.

No adverse comments were received regarding the proposed amendment.

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

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

1. In § 608.40 *Maryland* (14 CFR 608.40) the Camp Springs, Md. (Andrews AFB), Restricted Area/Military Climb Corridor R–4003 is amended to read:

R–4003 Camp Springs, Md. (Andrews AFB):

Boundaries. The area based on the 053° True radial of the Andrews AFB VOR extending from 5 miles NE of the airbase (latitude 38°48'40" N., longitude 76°52'05" W.) to 32 miles NE of the airbase, having a width of 2 miles SE and 2.3 miles NW of the 053° True radial at the beginning and a width of 2.3 miles either side of the 053° True radial at the outer extremity.

Designated altitudes. 2,280 feet MSL to 15,280 feet MSL from 5 miles NE of the airbase to 6 miles NE of the airbase. 2,280 feet MSL to flight level 243 from 6 to 7 miles NE of the airbase. 2,280 feet MSL to flight level 270 from 7 to 10 miles NE of the airbase. 6,280 feet MSL to flight level 270 from 10 to 15 miles NE of the airbase. 10,280 feet MSL to flight level 270 from 15 to 20 miles NE of the airbase. 15,280 feet MSL to flight level 270 from 20 to 25 miles NE of the airbase. 19,280 feet MSL to flight level 270 from 25 to 32 miles NE of the airbase.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Andrews Approach Control.

Using agency. Commander, Andrews AFB, Md.

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

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

Issued in Washington, D.C., on April 26, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62–4296; Filed, May 2, 1962; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55609]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Miscellaneous Amendments

APRIL 23, 1962.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 1 (26 F.R. 11877), the limits of the customs port of entry of Sitka, Alaska, in Customs Collection District No. 31 (Alaska), which now comprise the corporate limits of the city of Sitka, Alaska, are hereby extended to include all of the area within the boundaries of the Sitka Townsite, together with the shores and waters of Starrigavan Bay lying adjacent to such boundary on the north, and all that area lying west of such boundary bounded by a line beginning at the intersection of Sitka Highway and the Sitka Townsite boundary; thence northeast along Sitka Highway and Sawmill Creek to intersection with Blue Lake; thence in a direct line south to Light Station Pluto at north latitude 57°02'05", west longitude 135°11'50"; thence in a direct line west to point of beginning.

This extension is effective on the date of publication of this Treasury decision in the FEDERAL REGISTER.

Section 1.1(c), Customs Regulations, is amended by deleting the parenthesis and period at the end of the parenthetical material appearing after "*Sitka" in the column headed "Ports of Entry" in District No. 31 (Alaska), and adding "; including territory described in T.D. 55609)."

Public Law 86–362, approved September 22, 1959, provides that if a holiday falls on a Saturday, the day immediately preceding such Saturday shall be observed. In order to correctly reflect this fact, the last sentence of footnote 7 to Part 1 of the Customs Regulations is deleted and the following substituted therefor:

If a holiday falls on Saturday the day immediately preceding such Saturday will be observed (5 U.S.C. 87c). Other days may be designated as national holidays by Executive Order of the President.

(R.S. 161, as amended, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1, 2, 66, 1624)

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

[F.R. Doc. 62–4312; Filed, May 2, 1962; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER G—PERSONNEL

PART 881—PERSONNEL REVIEW BOARDS

Air Force Discharge Review Board; Air Force Disability Review Board

Sections 881.16 to 881.25 and 881.30 to 881.38 (14 F.R. 6946, November 16, 1949, as amended at 14 F.R. 7620, December 21, 1949, 20 F.R. 3026, May 5, 1955, 20 F.R. 7215, September 28, 1955, and 22 F.R. 667, February 1, 1957) are rescinded and §§ 881.100 to 881.109 and 881.200 to 881.208 respectively, are inserted in lieu thereof:

AIR FORCE DISCHARGE REVIEW BOARD

Sec.

AUTHORITY: §§ 881.100 to 881.109 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 301, 302, 58 Stat. 286, as amended, 287, as amended; 38 U.S.C. 693h, 693i.

SOURCE: AFR 14–9, Aug. 31, 1949; AFR 14–9A, Dec. 6, 1949; 14–9A, July 26, 1955.

§ 881.100 Constitution and purpose.

The Air Force Discharge Review Board (hereinafter referred to as the Board) is an administrative agency established within the Department of the Air Force pursuant to section 301 of the Serviceman's Readjustment Act of 1944, as amended (58 Stat. 286, as amended; 38 U.S.C. 693h), Transfer Order 16 (13 F.R. 3461), to review, upon its own motion or upon application by or on behalf of the individual concerned, the type and nature of his discharge or dismissal, except a discharge or dismissal by reason of the sentence of a general court-martial.

§ 881.101 Jurisdiction and authority.

(a) The Board has jurisdiction and authority in cases of former personnel who, at the time of their separation from the service, were members of the Aviation Section, Signal Corps, United States Army; the Air Service, United States Army; the Air Corps, United States Army; the Army Air Forces; or the United States Air Force. However, Army personnel of other arms and services who, at the time of their separation from the service, were assigned to duty with the Army Air Force or the United States Air Force, are excluded from such jurisdiction and authority.

(b) The scope of the inquiry of the Board will be to determine whether the type of discharge received was equitably and properly given. When the Board determines in an individual case that the type of discharge was not equitably given, it is authorized, in the manner herein prescribed, to direct the Air Adjutant General or the Director of Military Personnel to change, correct, or modify any discharge or dismissal; such direction being subject to review and modification by the Secretary of the Air Force. The remedial action is intended primarily to insure that no discharged or dismissed former member will be deprived unjustly of any benefit provided by law for former members of the military service by reason of a type of discharge or dismissal inequitably or improperly given.

(c) The Board has no authority to revoke any discharge or dismissal, to reinstate any person in the military service subsequent to his discharge or dismissal, or to recall any person to active duty.

§ 881.102 Application for review.

(a) Application for review will be submitted in writing by the former member on DD Form 293 (Application for Review of Discharge or Separation from the Armed Forces of the United States) which may be obtained from the Air Adjutant General, Headquarters, United States Air Force, Attention: Publishing Division, Washington 25, D.C. The application will be accompanied by a copy of the certificate of discharge in question, together with such other affidavits and evidence as the applicant desires to present. The application will reveal the full name, grade, and service number of the applicant; his organization or assignment at date of discharge; the date and place of discharge; the type and nature of the discharge or dismissal; the basis of the claim for review; what conclusive action is desired of the Board; whether the applicant desires to appear personally before the Board; whether the applicant desires to be represented before the Board by counsel; the name and address of designated counsel; and the address to which all correspondence in connection with the review is to be forwarded.

(b) If the former member is deceased, the application may be signed by the surviving spouse, next of kin, or legal representative, but proof of death must accompany the request. If the former is mentally incompetent, his or her spouse, next of kin, or legal guardian may execute the application form but the request must be accompanied by proof of the mental incompetency.

(c) No application for review will be granted unless received by the Department of the Air Force prior to June 22, 1959, or within 15 years after the effective date of the discharge or dismissal of the former service man or woman concerned, whichever date is the later.

(d) Former enlisted personnel will forward the application for review to:

Demobilized Personnel Records Branch,
4300 Goodfellow Boulevard,
St. Louis 20, Mo.

(e) Former officer personnel will forward the application for review to:

Director of Military Personnel,
Headquarters, United States Air Force,
Washington 25, D.C.

(f) Upon receipt of an application for review, the appropriate agency will assemble the originals or official copies of all available military records pertaining to the former service man or woman named in the application. The records, together with the application and any supporting documents, will be transmitted to the Board.

§ 881.103 Convening of Board.

(a) The Board will be convened at the call of its president and will recess or adjourn at his order. In the event of the absence or incapacity of the president, the next senior member will serve as acting president for all purposes.

(b) Unless otherwise directed by its president, the Board will convene in Washington, D.C., at the time and place indicated by him.

(c) The board will assemble in open or closed session for the consideration and determination of cases presented to it. Cases in which no request for hearing is made by the applicant will be considered in closed session on the basis of all documentary evidence presented to the Board, including any briefs submitted by or on behalf of the applicant.

§ 881.104 Hearings.

(a) An applicant for review, upon request, is entitled by law to appear before the Board in open session either in person or by counsel of his own selection. As used in the regulations contained in §§ 881.100 to 881.109, the term "counsel" will be construed to include members in good standing of the Federal bar and/or the bar of any State, accredited representatives of veterans organizations recognized by the Veterans' Administration under section 200 of the Act of June 29, 1936 (49 Stat. 2031, 38 U.S.C. 101), and any other person who, in the opinion of the Board, is considered to be competent to present equitably and comprehensively the claim of the applicant. In no case will the expenses or compensation of counsel for the applicant be paid by the Government.

(b) In every case in which a hearing is requested the Board will transmit to the applicant and to designated counsel for the applicant, if any, a written notice stating the time and place of hearing. The notice will be mailed at least 30 days prior to the date of hearing. The applicant may waive the time limit and an earlier hearing date may be set by the Board. The record will contain evidence that written notice was given applicant and his counsel, if any, and the time and manner thereof.

(c) An applicant who requests a hearing and who, after being duly notified of the time and place of hearing, fails to appear at the appointed time, either in person or by counsel, thereby waives his right to be present.

(d) The hearing will be conducted so as to insure a full and fair inquiry. Neither the applicant nor his counsel will have access to any classified reports of investigation or any document received from the Federal Bureau of Investigation. When it is necessary to acquaint the applicant with the substance of a document, as above described, the appropriate official, at the request of the Board, will prepare a summary of or extract from the document, deleting those references to sources of information and other matter the disclosure of which, in his opinion would be detrimental to the public interest. The summary then may be made available, with or without classification to the applicant or his counsel.

(e) In the conduct of its inquiries, the Board will not be limited by the restrictions of common law rules of evidence.

(f) The testimony of witnesses may be presented either in person or by affidavits. If a witness testifies in person he will be subject to examination by members of the Board.

(g) The Board may continue a hearing on its own motion. A request for continuance by or on behalf of the applicant may be granted, in the Board's discretion, if a continuance appears necessary to insure a full and fair hearing.

(h) The Board may, at its discretion and for good cause shown, permit an applicant to withdraw his request for review without prejudice at any time before the Board begins its deliberations.

(i) Expenses incurred by the applicant or his witnesses will not be paid by the Government.

§ 881.105 Findings and conclusions.

(a) The Board will make written findings in closed session in each case.

(b) On the basis of its findings in each case the Board, in closed session, will prepare written conclusions as to whether corrective action should be taken by the Department of the Air Force with respect to the discharge under consideration. No corrective action which exceeds the jurisdiction of the Board, as defined in § 881.101, will be taken.

(c) The findings and conclusions of a majority of the Board will constitute the findings and conclusions of the Board.

§ 881.106 Disposition of proceedings.

(a) When the Board has concluded its proceedings in any case, the recorder will prepare a complete record thereof. Such record will include the application for review; a transcript of the hearing, if any; affidavits, papers and documents considered by the Board; all briefs and written arguments filed in the case; the report of the examiner; the findings and conclusions of the Board; the directions of the Board; any minority report prepared by dissenting members of the Board; and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record so prepared will be signed by the president and authenticated by the recorder as being true and complete. In the event of the absence or incapacity of the recorder, the record may be authenticated by a voting member of the Board.

(b) Normally all records of proceedings of the Board will be without classification and will be open to perusal by the Administrator of Veterans Affairs or his duly authorized representative.

(c) Upon written request from the applicant, his guardian or legal representative, the Air Adjutant General or Director of Military Personnel will furnish a copy of the proceedings of the Board, including the findings and conclusions of the Board. If it should appear that furnishing such information would prove injurious to the physical or mental health of the applicant, the information will be furnished only to the guardian or legal representative of the applicant.

§ 881.107 Action upon proceedings.

The record of proceedings in each case, including a transcript of the testimony before the Board, will be transmitted in duplicate by the Board to the Air Adjutant General (cases involving enlisted personnel) or to the Director of Military Personnel (cases involving offi-

cer personnel) for appropriate Department of the Air Force action to carry out the directions of the Board. The Air Adjutant General or Director of Military Personnel will perform such administrative acts as may be necessary and thereafter will notify the applicant and his counsel, if any, of the action taken.

§ 881.108 Consideration on the Board's own motion.

The Board may on its own motion consider a case, which appears on the face of the record likely to result in a favorable decision without the knowledge or presence of the individual concerned. If consideration results in a favorable decision the Air Adjutant General or Director of Military Personnel will be directed to notify the former member at his last known address. If such a case does not result in a decision favorable to the individual, it will be returned to the files with no formal action recorded and will be considered without prejudice if and when an appeal is made by the individual.

§ 881.109 Rehearings.

After the Board has reviewed a case and its findings and decision have been rendered, the case normally will not be reconsidered except on the basis of new, pertinent, and material evidence, which might reasonably be expected to cause findings and decision other than those rendered as the result of the original review. An application for rehearing must be made within a reasonable time after the discovery of the new evidence, mentioned above, and the request for rehearing must be accompanied by such new evidence and by a showing that the applicant was duly diligent in attempting to secure all available evidence for presentation to the Board when his case was reviewed previously and that the reason for the delay in discovering such new evidence was not due to fault or neglect on the part of the applicant. Application for rehearing may be submitted in letter form.

AIR FORCE DISABILITY REVIEW BOARD

Sec.
881.200 Constitution and purpose.
881.201 Jurisdiction and authority.
881.202 Application for review.
881.203 Convening of Review Board.
881.204 Hearings.
881.205 Findings and conclusions.
881.206 Disposition of proceedings.
881.207 Action upon proceedings.
881.208 Rehearings.

AUTHORITY: §§ 881.200 to 881.208 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 301, 302, 58 Stat. 286, as amended, 287, as amended; 38 U.S.C. 693h, 693i.

SOURCE: AFR 36-29, Sept. 29, 1943, and AFR 36-29B, Aug. 16, 1956.

§ 881.200 Constitution and purpose.

The Air Force Disability Review Board (referred to in this part as the Review Board) is an administrative agency established within the Department of the Air Force pursuant to section 302 of the Serviceman's Readjustment Act of 1944, as amended (58 Stat. 287, as amended; 38 U.S.C. 693i), Transfer Order 16 (13 F.R. 3461), to review, at the request of an officer retired or released from active service, without pay for physical disability pursuant to the decision of a retiring board, disposition board or physical evaluation board, the findings and decisions of such board.

§ 881.201 Jurisdiction and authority.

(a) The Review Board has jurisdiction and authority in cases of officers who, at the time of their separation or release from active service, were members of the Aviation Section, Signal Corps, United States Army; the Air Service, United States Army; the Air Corps, United States Army; the Army Air Forces; or the United States Air Force. However, Army personnel of other arms and services who, at the time of their separation from the service, were assigned to duty with the Army Air Forces or the United States Air Force, are excluded from such jurisdiction and authority.

(b) Upon timely application therefor, the Review Board is authorized to review the proceedings and findings of boards referred to in § 881.200 and to receive additional evidence bearing thereon. The Review Board is charged with the duty, in cases within its jurisdiction, of ascertaining whether an applicant for review, who was separated from the service or released to inactive service without pay for physical disability, incurred physical disability in line of duty or as an incident of the service. When the Review Board determines in an individual case within its jurisdiction that physical disability was so incurred, it is authorized to reverse prior findings in the case and to make such findings in lieu thereof as are warranted by the evidence or pertinent regulations. Such remedial action is intended primarily to insure that no officer separated from the service or returned to an inactive status without pay, for disability, will be deprived unjustly of retirement pay benefits, or retired status and retired pay, as the case may be, by reason of erroneous findings.

(c) In carrying out its duties the Review Board will have the same powers as exercised by, or vested in, the board whose findings and decisions are being reviewed.

§ 881.202 Application for review.

(a) Any officer desiring a review of his case will make a written application therefor on AF Form 436, "Application for Review of Department of the Air Force Retiring Board Proceedings," and AF Form 436a, "Supplement to Application for Review of the Department of the Air Force Retiring Board Proceedings."

(b) An application for review will not be granted unless received by the Department of the Air Force prior to June 22, 1959, or within 15 years after the date on which the officer was separated from the service or released to inactive service, without pay, for physical disability, whichever date is later.

(c) Upon receipt of an application for review, the Director of Military Personnel will note thereon the time of receipt thereof and, in cases where the jurisdiction for review by the Review Board is established, will assemble the originals or certified copies of all available service and/or other records pertaining to the health and physical condition of the applicant, including the record of the proceedings and findings of all retiring, disposition, and physical evaluation boards in question and the records of all administrative and/or executive action taken thereon. The records, together with the application and any supporting documents submitted therewith, will be transmitted to the president of the Review Board.

§ 881.203 Convening of Review Board.

(a) The Review Board will be convened at the call of its president and will recess or adjourn at his order. In the event of the absence or incapacity of the president, the next senior member will serve as acting president for all purposes.

(b) Unless otherwise directed by its president, the Review Board will convene in Washington, D.C., at the time and place indicated by him.

(c) The Review Board will assemble in open session for the consideration and determination of cases presented to it. After the conclusion of the hearing, the Review Board, as soon as practicable, will convene in closed session for determination.

§ 881.204 Hearings.

(a) An applicant for review, upon request, is entitled by law to appear before the Review Board in open session either in person or by counsel of his own selection. Witnesses will be permitted to present testimony either in person or by affidavit. As used in the regulations contained in §§ 881.200 to 881.208, the term "counsel" will be construed to include members in good standing of the Federal bar and/or the bar of any State, accredited representatives of veterans organizations recognized by the Veterans' Administration under section 200 of the Act of June 29, 1936 (49 Stat. 2031; 38 U.S.C. 101), and any other person who, in the opinion of the Review Board, is considered to be competent to present equitably and comprehensively the claim of the applicant for review. In no case will the expenses or compensation of counsel for the applicant be paid by the Government.

(b) In every case in which a hearing is authorized, the Review Board will transmit to the applicant and to designated counsel for the applicant, if any, a written notice by registered mail stating the time and place of hearing. The notice will be mailed at least 30 days in advance of the date on which the case is set for hearing except in cases in which the applicant waives the right of personal appearance and/or representation by counsel. The notice will constitute compliance with the requirement of notice to applicant and his counsel.

(c) An applicant may waive his right to a personal hearing in writing or by his failure to appear in person or by counsel at the appointed time and place. In the event of a waiver of appearance, the board will nevertheless consider the case on the record.

(d) In the conduct of its inquiries, the Review Board will not be limited by the restrictions of rules of evidence.

(e) In a case wherein it is advisable and practicable, the Review Board, upon its own motion, may request any Armed Forces medical facility to detail one or more medical officers to make a physical examination of the applicant, if available, and report the examination results either in person or by affidavit. When testifying in person at a hearing, such medical witnesses will be subject to cross examination. Similarly, the medical members of the Review Board may examine the applicant, if available, and testify as witnesses concerning the results of the examination.

(f) Expenses incurred by the applicant, his witnesses, or in the procurement of their testimony, whether in person, by affidavit or by deposition, will not be paid by the Government.

(g) The Review Board may continue a hearing on its own motion. A request for continuance by the examiner or by or on behalf of the applicant may be granted, if in the Review Board's discretion, a continuance appears necessary to insure a full and fair hearing.

§ 881.205 Finding and conclusions.

(a) The Review Board will make findings in closed session in each case. Such findings will include a finding affirming or reversing the findings of the retiring, disposition, or physical evaluation board under review and of the administrative action taken subsequent thereto, specifying which of the findings and administrative actions are affirmed and which are reversed.

(b) In the event the Review Board reverses any of such original findings, the Review Board will then make substitute findings for those reversed so that the affirmed and substituted findings will aggregate the following complete findings:

(1) Whether the applicant was permanently disabled for active service at the time of his separation from the service or released to inactive service.

(2) The cause or causes of the disability.

(3) The approximate date of origin of each disabling defect.

(4) The date the officer become disabled for active service.

(5) Whether the cause or causes of the disability was or was not an incident of the service.

(6) Whether the cause or causes of the disability had been permanently aggravated by military service.

(7) Whether the disability for active service was or was not the result of an incident of the service.

(8) Whether the officer's disability was incurred in combat with an enemy of the United States.

(9) Whether the officer's disability, if incurred prior to January 1, 1951, resulted from an explosion of an instrumentality of war in line of duty, or whether the disability, if incurred subsequent to January 1, 1951, was caused by an instrumentality of war in line of duty.

(c) In the event the Review Board finds the officer permanently incapacitated for active service and that the incapacity was an incident of the service, it will make an additional finding specifying the grade in which the officer is entitled to be retired or to be certified for retirement pay benefits or the benefits provided by the Career Compensation Act of 1949 as amended (63 Stat. 802).

(d) The findings and conclusions of a majority of the Review Board will constitute the findings and conclusions of the Review Board, and when made, will be signed by the president of the Review Board and authenticated by the recorder.

§ 881.206 Disposition of proceedings.

(a) When the Review Board has concluded its proceedings in any case, the recorder will prepare a complete record thereof. The record will include the application for review; a transcript of the hearing, if any; affidavits, papers and documents considered by the Review Board; all briefs and written arguments filed in the case; the report of the examiner; the findings and conclusions of the Review Board; any minority report prepared by dissenting members of the Review Board; and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record so prepared will be signed by the president of the Review Board and authenticated by its recorder as being true and complete. In the event of the absence or incapacity of the recorder, the record may be authenticated by a participating member of the Review Board,

(b) Normally, all records of the proceedings of the Review Board will be without classification. Upon written request from the applicant, a copy of the proceedings of the Review Board, less any exhibits which may be impractical to reproduce, will be furnished by the custodian of the master personnel records. In cases where there is possible harm to the mental health of the applicant, a copy of the proceedings of the Review Board will be furnished to the guardian or legal representative upon written request. The copy of the proceedings furnished will include as a minimum the following:

(1) A copy of the order appointing the Review Board.

(2) The findings of the retiring board or physical evaluation board affirmed.

(3) The findings of the retiring board or physical evaluation board reversed.

(4) The findings of the Review Board.

(5) The conclusions which were made by the Review Board. Subject to the foregoing restrictions and upon request of the applicant or, in cases where there is possible harm to the mental health of the applicant, upon request of the guardian or legal representative, the custodian of the master personnel records will make available for inspection a record of the proceedings of any case reviewed by the Review Board.

§ 881.207 Action upon proceedings.

When the Review Board has completed the proceedings and has arrived at its decision, the proceedings, together with the Review Board's decision, will be transmitted to the Director of Military Personnel for appropriate Department of the Air Force action. The Director of Military Personnel, in the name of the President of the United States, will indicate on the record of such proceedings and decision the President's approval or disapproval of the action of the Review Board, will perform the necessary administerial acts, and thereafter will notify the applicant and/or his counsel of the action taken.

§ 881.208 Rehearings.

(a) After the Review Board has reviewed a case and its findings and decision have been approved, the case normally will not be reconsidered, except on the basis of new, pertinent, and material evidence which might reasonably be expected to cause findings and decision other than those rendered as the result of the original review.

(b) Any officer desiring a rehearing of his case will make a written application therefor on AF Form 437, "Application for Review of Findings of the Department of the Air Force Disability Review Board."

By order of the Secretary of the Air Force.

CARROLL W. KELLEY,
Lieutenant Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 62-4287; Filed, May 2, 1962; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 62-378]

PART 1—PRACTICE AND PROCEDURE

PART 19—CITIZENS RADIO SERVICE

Miscellaneous Amendments

In the matter of revision of FCC Form 505 [1] to limit its use to applications for license of Class B, Class C, or Class D stations in the Citizens Radio Service; requiring applications for Class A station licenses to be made on FCC Form 400; and amendment of Parts 1 and 19 of the Commission's rules to conform them with the above changes.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of April 1962;

The Commission having under consideration the above-captioned matters;

It appearing that the information required for the processing of applications for Class A station licenses in the Citizens Radio Service is in many ways similar to that necessary for processing applications for station licenses, other than microwave, in the Public Safety, Industrial and Land Transportation Radio Services, and is considerably more and different from that required to

[1] Filed as part of original document. Copies will be available from Federal Communications Commission, Washington 25, D.C., on or about Sept. 3, 1962.

process applications for Class B, Class C or Class D station licenses in the Citizens Radio Service; and

It further appearing that it is therefore desirable to have applications for Class A station license filed on the FCC Form 400 which is used to apply for station licenses, other than microwave, in the Public Safety, Industrial, and Land Transportation Radio Services; and

It further appearing that, it is also desirable to revise FCC Form 505 in order to simplify and clarify it for use by applicants for Class B, Class C or Class D station licenses only; and

It further appearing that these changes will result in more efficient processing of applications for licenses in the Citizens Radio Service, and hence, in the public interest; and

It further appearing that certain nonsubstantive changes are necessary in Parts 1 and 19 of the Commission's rules to reflect the changes in the forms and use thereof; and

It further appearing that since there are thousands of the existing FCC Forms 505, dated September 1958 and printed by both the government and private companies, now in the hands of the public, equipment manufacturers or packed with equipment on the dealers' shelves, a transition period during which both the old and the new revised forms will be accepted is necessary to avoid the return of numerous applications as defective; and

It further appearing that the matters herein ordered do not involve any substantive rule changes requiring compliance with the public notice and rule making procedures provisions of section 4 (a) and (b) of the Administrative Procedure Act; and

It further appearing that authority for the matters herein ordered is contained in sections 4(i), 303, and 309(h) of the Communications Act of 1934, as amended;

It is ordered, That effective June 30, 1962;

1. The revised FCC Form 505 "Application for Class B, C, or D Station License in the Citizens Radio Service" is hereby adopted.

2. The use of the FCC Form 400 "Application for Radio Station Authorization in the Safety and Special Radio Services" when filing for a Class A station license in the Citizens Radio Service is hereby required.

3. Parts 1 and 19 of the Commission's rules are amended, as set forth below.

4. Applicants for Class B, C or D station licenses may use the revised FCC Form 505 as soon as it becomes available but applications for such station licenses filed on the September 1958 version of the form will continue to be accepted until December 31, 1962. Applications received by the Commission after such date, on other than the revised FCC Form 505, will be considered defective and returned to the applicant.

5. Applications for Class A station licenses may be filed on the FCC Form 400 immediately. Any application for such a station license filed after September 1, 1962 not on a Form 400, will be considered defective and returned to the applicant.

(Sec. 4, 48 Stat. 1066, as amended, 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082 as amended; sec. 309, 48 Stat. 1085, 47 U.S.C. 303, 309)

Released: April 30, 1962.

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

A. Amendment to Part 1, Practice and Procedure.

1. Section 1.502 is amended by redesignating the present paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

§ 1.502 Where the applications are to be filed.

* * * * *

(d) All formal applications for Class B, Class C, or Class D station licenses in the Citizens Radio Service shall be mailed to, or filed in person at, the Commission's office at 334 York Street, Gettysburg, Pennsylvania. Any special requests or applications for special temporary authority concerning a Class B, C, or D station and all applications for Class A station licenses shall be filed in accordance with paragraph (e) of this section.

§ 1.522 [Amendment]

2. Section 1.522 is amended by deleting from the table of forms the entry "505—Application for Citizens Radio License" and by inserting a new entry in lieu thereof to read "505—Application for Class B, C, or D Station License in the Citizens Radio Service."

3. Section 1.524(b)(2)(iv) is amended to read as follows:

§ 1.524 Assignment or transfer of control voluntary and involuntary.

* * * * *

(b) * * *
(2) * * *

(iv) FCC Form 505 "Application for Class B, C, or D Station License in the Citizens Radio Service" for consent to transfer of control of corporation holding a Class B, Class C, or Class D station license in the Citizens Radio Service. FCC Form 400 "Application for Radio Station Authorization in the Safety and Special Radio Services" for consent to transfer of control of corporation holding a Class A station license in the Citizens Radio Service.

4. Section 1.526(b)(10) is amended and a new subparagraph (11) is added to read as follows:

§ 1.526 Application for renewal of license.

* * * * *

(b) * * *

(10) Application for renewal of Class B, Class C, or Class D station license in the Citizens Radio Service shall be submitted on FCC Form 505.

(11) Application for renewal of Class A station license in the Citizens Radio Service shall be submitted on FCC Form 400.

5. Section 1.531(b) is amended to read as follows:

§ 1.531 Application for extension of construction permit.

* * * * *

(b) Application for extension of time within which to construct a station in Public Safety, Industrial and Land Transportation Radio Service shall be submitted on FCC Form 400–A; in the Aviation Services on FCC Form 406, except Civil Air Patrol applications which shall use FCC Form 480; in the case of Class A stations in the Citizens Radio Service on FCC Form 400; and in all other services on FCC Form 701. Such application shall be filed at least 30 days prior to the expiration date of the construction permit if the facts supporting such application for extension are known to the applicant in time to permit such filing. In other cases such applications will be accepted upon a showing satisfactory to the Commission of sufficient reasons for filing within less than 30 days prior to the expiration date. Such applications will be granted upon a specific and detailed showing that the failure to complete was due to causes not under the control of the grantee, or upon a specific and detailed showing of other matters sufficient to justify the extension.

B. Amendments to Part 19, Citizens Radio Service.

1. Section 19.13(b) is amended to read as follows:

§ 19.13 Filing of applications.

* * * * *

(b) All formal applications for Class B, Class C, or Class D station authorizations shall be submitted to the Commission's office at 334 York Street, Gettysburg, Pennsylvania. Applications for Class A station authorizations, requests for special temporary authority or other special requests, and correspondence relating to an application for any class citizens radio station authorization shall be submitted to the Commission's office at Washington 25, D.C., and should be directed to the attention of the Secretary. Applications involving Class C or Class D station equipment which is neither type approved nor crystal controlled, whether of commercial or home construction, shall be accompanied by supplemental data describing in detail the design and construction of the transmitter and methods employed in testing it to determine compliance with the technical requirements set forth in subpart C of this part.

2. Section 19.15 is amended to read as follows:

§ 19.15 Standard forms to be used.

(a) *FCC Form 505, Application for Class B, C, or D Station License in the Citizens Radio Service.* This form shall be used when:

(1) Application is made for a new Class B, Class C, or Class D station authorization for any required number of transmitters to be operated as a group in a single radiocommunication system in a particular area. A separate appli-

cation shall be submitted for each proposed class of station.

(2) Application is made for modification of any existing Class B, Class C, or Class D station authorization in those cases where prior Commission approval of certain changes is required (see § 19.24).

(3) Application is made for renewal of an existing Class B, Class C, or Class D station authorization, or for reinstatement of such an expired authorization.

(4) Application is made for consent to transfer of control of a corporation holding a Class B, Class C, or Class D station authorization.

(b) *FCC Form 400, Application for Radio Station Authorization in the Safety and Special Radio Services.* This form shall be used when:

(1) Application is made for a new Class A base station or fixed station authorization. Separate applications shall be submitted for each proposed base or fixed station at different fixed locations; however, all equipment intended to be operated at a single fixed location is considered to be one station which may, if necessary, be classed as both a base station and a fixed station.

(2) Application is made for a new Class A station authorization for any required number of mobile units (including hand-carried and pack-carried units) to be operated as a group in a single radiocommunication system in a particular area. An application for Class A mobile station authorization may be combined with the application for a single Class A base station authorization when such mobile units are to be operated with that base station only.

(3) Application is made for station license of any Class A base station or fixed station upon completion of construction or installation in accordance with the terms and conditions set forth in any construction permit required to be issued for that station, or application for extension of time within which to construct such a station.

(4) Application is made for modification of any existing Class A station authorization in those cases where prior Commission approval of certain changes is required (see § 19.24).

(5) Application is made for renewal of an existing Class A station authorization, or for reinstatement of such an expired authorization.

(6) Application is made for consent to transfer control of a corporation holding a Class A station authorization.

(c) *FCC Form 401–A, Description of Proposed Antenna Structure.* This form shall be submitted in triplicate when specifically requested by the Commission in a particular case. Situations in which FCC Form 401–A may be required include, but are not necessarily limited to, the following:

(1) Where the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, or

(2) Where the antenna structure proposed to be erected will exceed an overall height of one foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of any such landing area.

3. In § 19.24(a), the introductory text is amended by deletion of the phrase "on FCC Form 505" to read as follows:

§ 19.24 Changes in authorized stations.

* * * * *

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of license be submitted to the Commission. Application for modification shall be submitted in the same manner as an application for a new station, and the licensee shall forward his existing authorization to the Commission for cancellation immediately upon receipt of the superseding authorization. Any of the following changes to the authorized stations may be made only upon approval by the Commission.

4. Section 19.25(a)(2) is amended to read as follows:

§ 19.25 Limitation on antenna structures.

(a) * * *

(2) The antenna structures proposed to be erected will exceed an overall height of one foot above the established airport (landing area) elevation for each 200 feet of distance or fraction thereof from the nearest boundary of such landing area except where the antenna does not exceed 20 feet above the ground or where the antenna is mounted on top of an existing man-made structure, other than an antenna structure, or natural formation and does not increase the overall height of such man-made structure of natural formation by more than 20 feet. Application for Commission approval, if required, shall be submitted on FCC Form 400, unless specifically requested by the Commission to be filed on FCC Form 401–A.

[F.R. Doc. 62–4318; Filed, May 2, 1962; 8:49 a.m.]

[FCC 62–453]

PART 4—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST SERVICES

Special Requirements for Pre-existing VHF Repeaters

In the matter of amendment of § 4.790 (f) of the Commission's rules to extend until July 31, 1962 the time during which temporary authorizations issued under this section of the rules will be valid.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of April 1962;

On July 27, 1960, the Commission adopted a Report and Order in Docket No. 12116 (FCC 60–697) amending its rules to provide for the licensing of VHF television translators. Pursuant to legislation adopted by Congress, the Commission provided for issuance of temporary operating authorizations to these unlicensed operations upon appropriate application therefor, with the understanding that such facilities would be brought into conformity with the newly adopted rules by October 31, 1961.

The aforementioned provision was contained in § 4.790 of the new rules and required, among other things, that all operators of the unauthorized stations must apply for the temporary operating authority by October 31, 1960 and that such modifications in the equipment as might be necessary to bring it into conformity with the new rules would not be made until a valid construction permit has been issued by the Commission. It was expected that the required application for construction permit would be filed in time to permit Commission action to issue the permit upon the completion of construction by October 31, 1961.

Unavoidable delays were encountered in securing needed equipment by permittees and in the processing of the hundreds of applications submitted to the Commission. Accordingly, by Order dated October 11, 1961 we amended § 4.790 of our rules to extend the expiration date to April 30, 1962, on all outstanding authorizations issued by the Commission pursuant to the provisions of § 4.790 of our rules for temporary authorization of VHF television repeaters for which a construction permit had been issued to make such changes as necessary to bring the facility into conformity with our rules, or for which a properly executed application for a construction permit to make such changes was on file with the Commission on or before October 31, 1961.

It now appears doubtful that the Commission will be able to complete the processing of pending applications prior to April 30, 1962, or that those who receive such grants will be able to complete construction before such date, due to delays in installation as a result of severe weather conditions which rendered many of the sites almost inaccessible. The Commission does not wish the people to be deprived of service in those areas where a sincere effort has been made to comply with the rules.

Therefore, we are amending § 4.790 of our rules to extend the expiration date to July 31, 1962, on all outstanding authorizations which have been issued by the Commission pursuant to the provisions of § 4.790 of our rules, for temporary operation of VHF television repeaters and for which a construction permit has been issued to make such changes as may be necessary to bring the facility into conformity with our rules, or for which a properly executed application for a construction permit to make such changes has been on file with the Commission on or before October 31, 1961.

The amendment herein ordered is procedural in nature and effects a relaxation of the rules. Therefore, the requirements of section 4 of the Administrative Procedure Act are not applicable.

Authority for the amendment adopted herein is contained in sections 303 (f)

and (r) and section 4(i) of the Communications Act of 1934, as amended.

Therefore, it is ordered, That, effective April 30, 1962, § 4.790 (a) and (f) of the Commission's rules is amended to read as follows:

§ 4.790 Special requirements for pre-existing VHF repeaters.

(a) Until July 31, 1962, the provisions of this section shall apply to repeater stations which are rebroadcasting TV signals on VHF Channels 2–13, and which were constructed on or before July 7, 1960. The term "repeater station" is used in this section to refer to low power devices for the reception, amplification and retransmission of television signals, irrespective of whether the output channel is the same as the input channel, or is a different channel as in the case of VHF translators.

* * * * *

(f) Temporary authorizations issued under this section will be valid until July 31, 1962, provided that the holder of such authorization has filed on or before October 31, 1961, an application on FCC Form 346 for authority to replace or modify the facility for which the temporary authority is held, so as to conform in all respects with the requirements of §§ 4.701 through 4.784. The replacement or modification authorized under the construction permit so issued shall be completed by July 31, 1962.

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

Released: April 27, 1962.

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

[F.R. Doc. 62-4317; Filed, May 2, 1962; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2589]

[Colorado 048805]

COLORADO

Withdrawing Lands for Use of Forest Service as Recreation Areas and Campgrounds

Correction

In F.R. Doc. 62-651, appearing at page 628 of the issue for Saturday, January 20, 1962, a comma should be deleted from the first line of the Section 1 land description under Routt National Forest, *Lower Bear River Recreation Area,* so that the line reads as follows: "Sec. 1, S½SE¼NE¼, N½NE¼SE¼, SW¼".

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Union Slough National Wildlife Refuge, Iowa

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

IOWA

UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sport fishing on the Union Slough National Wildlife Refuge, Iowa, is permitted only on the area designated by signs as open to fishing. This open area, comprising 6 acres or 1 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minn. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Smallmouth and largemouth bass, bullheads, yellow perch, and other minor species permitted by State regulations.

(b) Open season: May 26, 1962, through September 30, 1962; daylight hours only.

(c) Daily creel limits:

Smallmouth and largemouth bass—five, singly or combined.
Bullheads—no limit.
Yellow perch—15.

Creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two lines, with one hook on each line, may be used for fishing; one hook means a single, double, or treble pointed hook.

(2) The use of minnows or fish, or parts thereof, for bait is not permitted.

(3) The use of boats is not permitted.

(4) See State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to October 1, 1962.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries and Wildlife.

APRIL 27, 1962.

[F.R. Doc. 62-4307; Filed, May 2, 1962; 8:48 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Parts 4b, 10, 40, 41, 42]

[Reg. Docket No. 308; Reference Draft Release 60–4; SR–422, SR–422A, SR–422B]

EXPANDING LATERAL OBSTACLE CLEARANCE DURING TAKEOFF FOR TURBINE-POWERED AIRPLANES

Notice of Withdrawal of Proposed Rule

The Flight Standards Service of the Federal Aviation Agency has had under consideration a proposal to amend § 40T.82, Takeoff Obstacle Clearance Limitations, in Special Civil Air Regulations Nos. SR–422, SR–422A, and SR–422B to provide expanding lateral obstacle clearance commensurate with the takeoff performance characteristics of turbine-powered airplanes. The reasons therefor were set forth in the explanatory statement of a notice of proposed rule making which was published in the FEDERAL REGISTER (25 F.R. 2270) and circulated to the public as Civil Air Regulations Draft Release No. 60–4, dated March 11, 1960. The Flight Standards Service desires that all persons affected by the requirements of this proposal be fully informed as to the status of the proposal and the developments associated therewith.

The current provisions of § 40T.82 of SR–422, SR–422A, and SR–422B, require that all turbine-powered air carrier airplanes clear all obstacles within the boundaries of the airport by at least 200 feet horizontally and beyond the airport by at least 300 feet horizontally or by a specified height vertically. The 300-foot horizontal distance is known as the lateral obstacle clearance and now results in an obstacle clearance corridor which is 600 feet wide, its centerline being the intended track of the airplane. It was proposed to amend these rules to prescribe an expanding lateral clearance from 300 feet to a maximum of 1,000, 2,000, or 3,000 feet depending on the meteorological conditions existing at the time of takeoff, on local navigational aids, and on whether or not a turn was scheduled.

Of the major issues raised by the comments, it appears that the primary concern of operators was the retroactive application of the proposed rules to current operations of turbine-powered airplanes. It appears that the proposed rules, if made mandatory, would have severe economic implications on current operations of some aircraft from certain airports, affecting particularly the two-engine turbine-powered transport airplane. On the other hand, a review of the operating experience with turbine-powered transport airplanes indicates no particular experience of an adverse nature with respect to obstacle clearance.

Formulation of the proposed rules was based on the premise that it was unrealistic to assume that a pilot could at all times navigate an airplane for distances as long as 20 miles within a corridor as narrow as the 600 feet presently prescribed. This premise appeared to be justified by consideration of the likely area the airplane could traverse taking account of the airplane's speed, variations in piloting techniques, meteorological conditions, accuracy of airplane instruments and ground navigational aids, and variations in other operational parameters.

There appeared to be no real issue taken with the logic of the expanding lateral clearance concept. However, notwithstanding this, practical aspects of the matter indicate that the related experience has been satisfactory and does not appear to justify fully the application of the proposed rules to current operations.

In view of the foregoing, the proposed rules will not be recommended for adoption at this time. However, the Service intends to monitor closely the operations of turbine-powered transport airplanes and, if indicated by future service experience, will be prepared to take appropriate action.

Constructive comments of which we have taken note were received on the proposed rules. In view of this and in light of other considerations supporting the proposal, the Service will consider incorporating for future application the concept of expanding lateral clearance in proposed revisions to Special Civil Air Regulation SR–422B which are currently under study.

In consideration of the foregoing, the notice of proposed rule making, entitled "Expanding Lateral Obstacle Clearance During Takeoff For Turbine-Powered Airplanes" (25 F.R. 2270) and circulated as Draft Release No. 60–4, dated March 11, 1960, is hereby withdrawn.

Issued in Washington, D.C., on April 26, 1962.

GEORGE C. PRILL,
Director,
Flight Standards Service.

[F.R. Doc. 62–4288; Filed, May 2, 1962; 8:45 a.m.]

[14 CFR Part 514]

[Reg. Docket No. 1183; Draft Release No. 62–21]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES AND APPLIANCES

Hydraulic Hose Assemblies; Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405) notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 514 of the Regulations of the Administrator by adopting a new Technical Standard Order. This Technical Standard Order establishes minimum performance standards for hydraulic hose assemblies to be used on civil aircraft of the United States.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before June 18, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

In consideration of the foregoing it is proposed to amend Part 514 as follows:

By adding the following § 514.81:

§ 514.81 Hydraulic hose assemblies—TSO–C75.

(a) *Applicability*—(1) *Minimum performance standards.* Minimum performance standards are hereby established for hydraulic hose assemblies which are to be used on civil aircraft of the United States. New models of hydraulic hose assemblies, manufactured on or after the effective date of this section which are to be used on civil aircraft of the United States shall meet the standards specified in Federal Aviation Agency Standard, "Hydraulic Hose Assemblies", dated March 15, 1962.[1] Hydraulic hose assemblies approved prior to the effective date of this section may continue to be manufactured under the provisions of their prior approval.

(b) *Marking.* The markings required are specified in § 514.3 with the following exceptions:

(1) Trademark may be used in lieu of name, and manufacturer's address is not required.

(2) Size, type, and maximum operating pressure of the hose assembly shall be shown in lieu of the weight in paragraph (d)(3) of § 514.3.

(3) Part number shall be shown.

(4) Date of manufacture in terms of month and year is to be shown and serial number omitted.

(5) In lieu of paragraph (d)(2) of § 514.3 hose assemblies suitable for use with synthetic base fluids shall be marked with the letter "S" immediately following the type designation. Assemblies suitable for use with petroleum base fluids shall be marked with the letter

[1] Copies may be obtained upon request addressed to: Publishing and Graphics Branch, Inquiry Section, MS–158, Federal Aviation Agency, Washington 25, D.C.

"P". Assemblies suitable for use with both synthetic and petroleum base fluids shall be marked with "S/P", i.e., Type II–B–S, Type II–B–P, or Type II–B–S/P.

(6) Hose assemblies complying with the fire resistant requirements shall be identified by the letter "F" immediately following the type and fluid designation, i.e., Type II–B–S/P–F.

(c) *Data requirements.* (1) Six copies of a tabulation containing the following data shall be furnished to the Chief, Engineering and Manufacturing Division, Flight Standards Service, Federal Aviation Agency, Washington 25, D.C., with the statement of conformance:

(i) Type.
(ii) Size.
(iii) Maximum operating pressure.
(iv) Part number.

Issued in Washington, D.C., on April 26, 1962.

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

[F.R. Doc. 62–4313; Filed, May 2, 1962; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 759) has been filed by Can Manufacturers Institute, Inc., 821 Fifteenth St. NW., Washington 5, D.C., proposing the issuance of a regulation to provide for the amendment of § 121.2514 *Resinous and polymeric coatings* to permit the safe use of additional substances in coatings for metal substrates that contact food. The substances are as follows:

Cerium.
Diatomaceous earth.
Ethylene-vinyl acetate copolymer.
Mono-dibutylamide pyrophosphate.
Tin chloride.
Tin sulfate.

Dated: April 27, 1962.

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

[F.R. Doc. 62–4299; Filed, May 2, 1962; 8:46 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 762) has been filed by Merck Chemical Division, Merck and Co., Inc., Rahway, New Jersey, proposing the amendment of § 121.210 of the food additive regulations to provide for the use of 0.0125 to 0.025 percent amprolium with 0.0004 percent ethopabate (methyl-4-acetamido-2-ethoxy benzoate) in medicated feeds for chickens, as an aid in preventing coccidiosis.

Dated: April 27, 1962.

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

[F.R. Doc. 62–4300; Filed, May 2, 1962; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 12]

[Docket No. 14610 (RM–304); FCC 62–425]

POWER RESTRICTIONS IN THE AMATEUR RADIO SERVICE

Notice of Proposed Rule Making

In the matter of amendment of Parts 2 and 12 of the Commission's rules and regulations to remove the power restrictions in the Band 420–450 Mc/s in the Amateur Radio Service, Docket No. 14610, (RM–304).

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

2. The American Radio Relay League (hereinafter referred to as ARRL) has filed a petition requesting the Commission to amend § 12.111(k) of its rules in order to remove or modify the power restrictions in the 420–450 Mc/s amateur band. Although not stated in the petition the proposed amendment would also require a change in § 12.131 and in Footnote US7 to the Table of Frequency Allocations contained in Part 2 of the rules and regulations. Section 12.111(k) is now § 12.111(b)(14).

3. Footnote US7 to Part 2 and the above-mentioned Section of Part 12 restricts the power of amateur stations to 50 watts d.c. plate power input to the final stage of the transmitter in the amateur band 420–450 Mc/s. This power limitation originated with the temporary postwar use by radio altimeters in the band 420–460 Mc/s as specified in Footnote US6 contained in Part 2. In 1955 the amateur power limitation of 50 watts peak to the antenna was modified to read 50 watts d.c. plate input power to the final stage. In 1958 § 12.111(k) was amended to include the following additional restriction: "In the band 420–450 Mc/s the amateur radio service shall not cause harmful interference to the Government radiopositioning service".

4. Footnote US6 to Part 2 and § 9.312 (l) of Part 9 of the Commission's rules provides that radio altimeters will not be permitted to use the band 420–460 Mc/s after February 15, 1963.

5. Petitioner states that the 420–450 Mc/s amateur band is unique and most important to amateur radio because it is the "jumping off" place from VHF to UHF. It is the lowest frequency amateur band where coaxial and cavity tank circuits normally replace the familiar coils and capacitors. Petitioner further contends that removal of the present power limitation will greatly stimulate amateur experimentation and undoubtedly will develop most important propagation data. The ARRL believes that the power limitation now may be removed from the entire 420–450 Mc/s band without causing interference to any other present or possible future users of the band.

6. The Commission, in negotiation with appropriate Government agencies, has reached an agreement whereby the amateur radio service will be authorized to use the maximum input power permitted in this service except in certain areas which are defined in the proposed amendments to Part 2 Footnotes and § 12.111(b)(14) which are set forth below.

7. Public comment is invited on the proposed amendments to Parts 2 and 12 of the Commission's rules as set forth below, issued pursuant to the authority contained in section 303 (c), (f), and (r) of the Communications Act of 1934, as amended.

8. All interested persons are invited to file, on or before June 15, 1962, comments supporting or opposing the proposals set out in this notice, or submitting any modifications or counterproposals the parties may wish to submit. Comments in reply thereto may be submitted by June 25, 1962. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of § 1.213 of the rules, the Commission will not be limited solely to the comments filed in this proceeding.

9. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, the original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: April 25, 1962.

Released: April 27, 1962.

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

§ 2.106 [Amendment]

1. Footnote US7 to § 2.106 is amended to read as follows:

US7 In the band 420–450 Mc/s and within the following areas, the d.c. plate power input to the final stage of the transmitter shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

(a) Those portions of Texas and New Mexico bounded on the south by latitude 31°53' N., on the east by longitude 105°40' W., on the north by latitude 33°24' N., and on the west by longitude 106°40' W.;

(b) The entire State of Florida, including the Key West area and the areas enclosed within a 200-mile radius of Patrick Air Force Base, Florida, and within a 200-mile radius of Eglin Air Force Base, Florida;

(c) The entire State of Arizona;

(d) Those portions of California and Nevada south of latitude 37°30' N., and the areas enclosed within a 200 mile radius of the U.S. Naval Missile Center, Point Mugu, California.

2. Section 12.111(b)(14) is amended to read as follows:

§ 12.111 Frequencies and types of emission for use of amateur stations.

* * * * *

(b) * * *

(14) Within the following areas, the d.c. plate power input to the final stage of the transmitter shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

(i) Those portions of Texas and New Mexico bounded on the south by latitude 31°53′ N., on the east by longitude 105°40′ W., on the north by latitude 33°24′ N., and on the west by longitude 106°40′ W.;

(ii) The entire State of Florida, including the Key West area and the areas enclosed within a 200-mile radius of Patrick Air Force Base, Florida, and within a 200-mile radius of Eglin Air Force Base, Florida;

(iii) The entire State of Arizona;

(iv) Those portions of California and Nevada south of latitude 37°30′ N., and the areas enclosed within a 200-mile radius of the U.S. Naval Missile Center, Point Mugu, California.

3. Section 12.131 is amended to read as follows:

§ 12.131 Maximum authorized power.

Except for power restrictions as set forth in § 12.111, each amateur transmitter may be operated with a power input not exceeding 1 kilowatt to the plate circuit of the final amplifier stage of an amplifier-oscillator transmitter or to the plate circuit of an oscillator transmitter. An amateur transmitter operating with a power input exceeding 900 watts to the plate circuit shall provide means for accurately measuring the plate power input to the vacuum tube or tubes supplying power to the antenna.

[F.R. Doc. 62-4319; Filed, May 2, 1962; 8:49 a.m.]

[47 CFR Part 3]

[Docket No. 14419 (RM-268); FCC 62-454]

PRE-SUNRISE OPERATIONS BY STANDARD BROADCAST STATIONS

Notice of Proposed Rule Making

At a session of the Federal Communications Commission held at its offices in Washington, D.C. this 25th day of April 1962;

The Commission on April 17 in testimony before the Communications and Power Subcommittee of the House Interstate and Foreign Commerce Committee concerning bills to extend the hours of operation of daytime standard broadcast stations stated in part:

* * * [We] have determined that, because of the extreme importance of this matter and the difficult questions involved, we will on our own motion consider again the whole question of extended hours of operation for daytime stations. To this end, we have directed our staff to explore all the possible courses of action which might offer hope of permitting additional hours of operation by daytime stations consistent with the public interest. Special attention is being given to a possible limited easing of pre-sunrise restrictions on those daytime stations located on Class III regional channels in communities which have no unlimited time station. It is anticipated that such study will result in early rulemaking.

While the details of the contemplated rulemaking have not yet been formulated, it is clear that the problem of presunrise operation constitutes an important facet of whatever further study is undertaken. Because this aspect of the problem will be explored in the further rule making, and because the additional rule making will probably not be forthcoming before the date set for comments herein, it seems desirable that the time for filing comments pursuant to the original notice of proposed rule making be extended indefinitely pending issuance by the Commission of a further notice. This will enable parties desiring to comment on the matter to direct their specific attention to whatever further proposals evolve.

Accordingly, it is ordered, That the time for filing comments and reply comments herein is extended indefinitely pending issuance of a further notice of proposed rule making in this Docket.

Released: April 30, 1962.

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

[F.R. Doc. 62-4320; Filed, May 2, 1962; 8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Foreign Assets Control

HORSE MANE HAIR; IMPORTATION FROM COUNTRIES NOT IN AUTHORIZED TRADE TERRITORY

Applications for Licenses

Under the program announced on December 23, 1960, licenses were issued in 1961 under the Foreign Assets Control Regulations (31 CFR 500.101 to 500.808) authorizing the importation of approximately 651,600 pounds of horse mane hair from the U.S.S.R. Only part of the total amount licensed has been imported or purchased for importation and the Treasury Department has decided it will consider applications from persons who held such 1961 licenses for licenses to import the balance of the 651,600 pounds. Accordingly, any such person who wishes to, and can reasonably expect to, purchase prior to May 31 an additional quantity of horse mane hair may file an application for the necessary license, stating in the application the additional quantity of U.S.S.R. horse mane hair for which authorization to purchase on or before May 31, 1962, is requested and the names and addresses of all persons who it is contemplated will be involved as suppliers, agents, and shippers.

To receive consideration, applications must be filed by May 8, 1962.

Additional information and license application forms may be obtained from the Foreign Assets Control, Treasury Department, Washington 25, D.C., or the Federal Reserve Bank of New York, 33 Liberty Street, New York 45, New York.

[SEAL] MARGARET W. SCHWARTZ,
Acting Director,
Foreign Assets Control.

[F.R. Doc. 62-4352; Filed, May 2, 1962; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 23, 1962.

The Federal Aviation Agency has filed an application, Serial No. F. 029320 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for use as an Air Navigation Site in connection with the installation of a VORTAC facility.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Cordova Building, 6th and Cordova, Anchorage, Alaska.

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

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

The lands involved in the application are:

BETTLES AREA

Beginning at Corner No. 3 of Air Navigation Site Withdrawal (ANSW) No. 268, as amended by Public Land Order No. 2116, dated June 9, 1960; thence go north 32°12'15" E., 1,299.15 feet to the true point of beginning of this description; thence south 57°47'45" E., 1,400.00 feet; thence south 32°12'15" W., 3,998.29 feet; thence north 57°50'00" W., 1,898.83 feet to a point on the easterly boundary line of ANSW No. 268 between Corners Nos. 4 and 5 as originally established; thence north 32°10'00" E., 1,799.86 feet to Corner No. 4; thence north 32°12'15" E., 900.00 feet; thence south 57°49'00" E., 500.00 feet to Corner No. 3, as amended; thence north 32°12'15" E., 1,299.15 feet to the true point of beginning of this description, containing 164.5 acres, more or less.

ROBERT J. COFFMAN,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 62-4301; Filed, May 2, 1962; 8:47 a.m.]

ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

APRIL 26, 1962.

Notice of an application Serial No. A. 044765, for withdrawal and reservation of lands was published as F.R. Doc. No. 59-1923 on page 1653 of the issue for March 5, 1959. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on June 7, 1962, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

KEYSTONE CANYON AND WORTHINGTON GLACIER AREA

Beginning at a point 10 chains N of VABM 288 (Camp 13) Valdez A-6 USGS 1952 Corner No. 1; thence northerly parallel with centerline of Richardson Highway approximately 3 miles to Corner No. 2 located 10 chains west of center of south end of tunnel; thence west 10 chains to Corner No. 3; thence continuing easterly parallel with center line of Richardson Highway approximately 9.25 miles to Corner No. 4 located 15 chains W of VABM 2771 Thompson Pass Valdez A-5 USGS 1952; thence continuing easterly approximately 5.2 miles parallel with centerline of Richardson Highway to Corner No. 5 located at VABM 2491 (Drop) Valdez A-5 USGS 1952; thence south 40 chains to Corner No. 6; thence continuing southwesterly parallel with centerline of Richardson Highway approximately 5.2 miles to Corner No. 7 located approximately 25 chains E of VABM 2771 (Thompson Pass) Valdez A-5 USGS 1952; thence continuing approximately 9.25 miles easterly and southerly parallel to centerline of Richardson Highway to Corner No. 8 located 20 chains SE of center of south end of tunnel; thence NW 10 chains to Corner No. 9; thence continuing southerly parallel with centerline of Richardson Highway approximately 3 miles to Corner No. 10; thence N 20 chains to point of beginning.

Containing approximately 4,500 acres, more or less.

ROBERT J. COFFMAN,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 62-4302; Filed, May 2, 1962; 8:47 a.m.]

COLORADO

Redelegation of Authority by Land Office Manager

APRIL 26, 1962.

By authority contained in section 2.1 Bureau Order Number 684 of August 28, 1961 (26 F.R. 8216), I hereby redelegate to the Chief, Mineral Adjudication Section, authority to take action for the Manager in matters listed in section 2.6 of Part II, to the Chief, Land Adjudication Section, authority to take action for the Manager in matters listed in section 2.9 of Part II, and to the Operations Manager authority in matters listed in Part II as follows:

SEC. 2.2 *General and miscellaneous matters.* * * *
(c) Copies of records.

SEC. 2.3 *Fiscal affairs.* * * *
(c) Repayment.

SEC. 2.4 *Cadastral engineering.* * * *
(a) * * *
(4) Prepare and publish in the FEDERAL REGISTER notices of the official filing of accepted plats of survey, resurvey and approved protracted survey diagrams.

The redelegation to become effective immediately upon publication in the FEDERAL REGISTER. The authority delegated may not be redelegated.

DALE R. ANDRUS,
Land Office Manager,
Colorado Land Office.

[F.R. Doc. 62-4303; Filed, May 2, 1962; 8:47 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 27, 1962.

The U.S. Forest Service of the Depart- of Agriculture has filed an application, Serial No. Colorado 071591, for the withdrawal of the lands described below from location and entry under the General Mining Laws, subject to existing valid claims.

The applicant desires the land for use as campgrounds, picnic grounds, recreation areas, and administrative sites located in the Gunnison National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, Gas and Electric Building, 910—15th Street, Denver 2, Colorado.

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

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

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

Cement Creek Recreation Area

T. 14 S., R. 84 W.,
Sec. 19, Lot 1.
T. 14 S., R. 85 W.,
Sec. 24, NE¼NE¼, N½SE¼NE¼, SW¼NE¼, NE¼NW¼NE¼, S½NW¼NE¼, S½NE¼NW¼, SE¼NW¼, E½SW¼NW¼.
Total area 252.39 acres.

Dyke Creek Campground

T. 11 S., R. 91 W. (unsurveyed),
Sec. 4, W½NW¼SE¼, E½NE¼SW¼.
Total area 40.00 acres.

Emerald Lake Campground

T. 12 S., R. 86 W. (unsurveyed),
Sec. 18, SW¼NE¼SE¼, SE¼SE¼, NE¼SW¼SE¼, SE¼NW¼SE¼.
Total area 70.00 acres.

Gothic Campground

T. 12 S., R. 86 W. (unsurveyed),
Sec. 28, N½SWSE¼, S½NW¼SE¼.
Total area 40.00 acres.

High Point Recreation Area

T. 14 S., R. 82 W.,
Sec. 9, E½;
Sec. 16, E½.
Total area 640.00 acres.

Mirror Lake Campground

T. 15 S., R. 81 W.,
Sec. 15, NE¼SW¼, N½SE¼SW¼, NE¼NW¼SW¼, SE¼NW¼, E½SW¼NW¼.
Total area 130.00 acres.

Panorama Recreation Area

T. 14 S., R. 82 W.,
Sec. 19, Lots 2, 3 and 4, W½SW¼NE¼, W½SW¼SE¼, W½NW¼SE¼, E½SW¼, SE¼NW¼.
Total area 303.42 acres.

River's End Recreation Area

T. 14 S., R. 82 W.,
Sec. 6, All.
T. 14 S., R. 83 W.,
Sec. 1, SE¼;
Sec. 12, E½.
Total area 1132.48 acres.

Spring Creek Campground

T. 15 S., R. 84 W.,
Sec. 15, SE¼NW¼.
Total area 40.00 acres.

Willow Creek Recreation Area

T. 14 S., R. 82 W.,
Sec. 21, SE¼SE¼SE¼, W½SE¼SE¼, SW¼SE¼;
Sec. 22, SW¼SW¼SW¼.
Total area 80.00 acres.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Agate Campground

T. 48 N., R. 5 E.,
Sec. 2, W½SW¼SE¼, SW¼NW¼SE¼, SE¼NE¼SW¼, W½NE¼SW¼, SE¼SW¼, E½SW¼SW¼, E½NW¼SW¼;
Sec. 11, NW¼NE¼NW¼, NW¼NW¼.
Total area 190.00 acres.

Cebolla Campground

T. 44 N., R. 2 W.,
Sec. 21, N½NE¼SW¼, S½SE¼NW¼.
Total area 40.00 acres.

Comanche Campground

T. 50 N., R. 3 E.,
Sec. 13, W½NW¼NW¼;
Sec. 14, E½NE¼NE¼.
Total area 40.00 acres.

Comissary Campground

T. 50 N., R. 4 W.,
Sec. 30, W½SE¼NE¼.
Total area 20.00 acres.

Deer Lakes Recreation Area

T. 44 N., R. 3 W.,
Sec. 34, SE¼NE¼, NE¼SE¼, SW¼SE¼, NE¼NW¼SE¼, S½NW¼SE¼, SE¼SE¼SW¼;
Sec. 35, W½NW¼SW¼, W½SW¼NW¼.
Total area 200.00 acres.

Gold Creek Recreation Area

T. 51 N., R. 3½ E.,
Sec. 25, E½E½;
Sec. 36, Lot 1.
T. 51 N., R. 4 E.,
Sec. 30, Lots 34 and 35;
Sec. 31, Lot 21.
Total area 285.16 acres.

Quartz Campground

T. 51 N., R. 4 E.,
Sec. 36, SW¼NE¼, S½NW¼NE¼.
Total area 60.00 acres.

Roosevelt Picnic Ground

T. 50 N., R. 4 E.,
Sec. 20, W½E½SW¼NE¼, W½SW¼NE¼.
Total area 30.00 acres.

Slumgullion Campground

T. 43 N., R. 3 W.,
Sec. 17, SE¼NW¼, E½SW¼NW¼.
Total area 60.00 acres.

Soap Creek Campground

T. 50 N., R. 4 W.,
Sec. 32, W½NW¼SE¼, E½NE¼SW¼.
Total area 40.00 acres.

Spruce Campground

T. 44 N., R. 2 W.,
Sec. 20, S½SW¼NE¼, N½NW¼SE¼.
Total area 40.00 acres.

Long Branch Administrative Site

T. 47 N., R. 5 E.,
Sec. 4, Lot 1, NW¼SE¼NE¼.
T. 48 N., R. 5 E.,
Sec. 33, NE¼NE¼SE¼;
Sec. 34, NW¼ lot 6, E½ lot 6, NW¼SW¼.
Total area 127.48 acres.

Soap Creek Administrative Site

T. 49 N., R. 4 W.,
Sec. 8, S½SW¼NE¼, N½NW¼SE¼.
Total area 40.00 acres.

The above described areas aggregate 3900.93 acres.

HAROLD T. TYSK,
Chief, Lands and Minerals.

[F.R. Doc. 62-4304; Filed, May 2, 1962; 8:47 a.m.]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 27, 1962.

The Department of Agriculture has filed an application, Serial No. Idaho 013139 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws. The applicant desires the land for five recreation areas, one summer home area and three administrative sites.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2237, Boise, Idaho.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

PAYETTE NATIONAL FOREST

Elk Bar Recreation Area

Beginning at a point on the mean high waterline of the west bank of the Middle Fork of the Salmon River, north 69°02' E., 46.5 feet from a brass capped Forest Service monument which bears approximately north 19° E., 1.4 miles from the mouth of Big Creek and south 7° W., 4.2 miles from the mouth of Ship Island Creek; thence south 3°13' W., 377.7 feet along the said mean high waterline; thence north 66°47' W., 309.8 feet; thence north 15°57' E., 814.7 feet; thence south 8°49' E., 534.7 feet again along the said mean high waterline, to the point of beginning and located within the following described subdivisions of unsurveyed land which will be when surveyed:

T. 21 N., R. 14 E.,
Sec. 34: E½SW¼, W½SE¼.
Totaling 3.9 acres, more or less.

Fourth of July Summer Home Area

T. 14 N., R. 5 W.,
All or any portions of the following subdivisions which lie south of Fourth of July Creek:

Sec. 18: E½E½SW¼NW¼, SW¼NW¼ SE¼NW¼, S½SE¼NW¼, N½N½N½ NE¼SW¼, N½NE¼NE¼NW¼SW¼, N½ NW¼NW¼NW¼SE¼.
Totaling 27 acres, more or less.

Brownlee Forest Camp Administrative Site

T. 16 N., R. 4 W.,
Sec. 3: S½S½SE¼SW¼;
Sec. 10: NE¼NW¼, S½SW¼SW¼NW¼, NE¼SE¼SW¼NW¼, SW¼SE¼SW¼ NW¼, E½NW¼SE¼NW¼.
Totaling 65 acres.

Brownlee Radio Remote Administrative Site

T. 16 N., R. 4 W.,
Sec. 12: SW¼SW¼NW¼NE¼, W½SE¼ SW¼NW¼NE¼, SE¼SE¼NE¼NW¼.
Totaling 6.25 acres.

Middle Fork Brownlee Recreation Area

T. 16 N., R. 5 W.,
Sec. 26: E½E½SW¼SW¼, E½W½SE¼ SW¼SW¼, W½SE¼SW¼;
Sec. 35: N½NW¼NE¼NW¼, N½S½NW¼ NE¼NW¼, NE¼NE¼NW¼NW¼, E½ NW¼NE¼NW¼NW¼, NE¼SW¼NE¼ NW¼NW¼, N½SE¼NE¼NW¼NW¼.
Totaling 45.625 acres.

Monroe Butte Administrative Site

T. 14 N., R. 6 W.,
Sec. 26: S½SW¼SW¼NE¼, SE¼SE¼SE¼ NW¼, NE¼NE¼NE¼SW¼, N½NW¼ NW¼SE¼.
Totaling 15 acres.

SALMON NATIONAL FOREST

Wilson Creek Recreation Area

Beginning at a point at the intersection of Wilson Creek with the mean high waterline of the east bank of the Middle Fork of the Salmon River, said point being north 63°32′ W., 185.3 feet from a brass capped Forest Service monument; thence south 15°49′ E., 315 feet along the mean high waterline of said Middle Fork; thence north 43°21′ E., 692.6 feet; thence north 78°50′ W., 667.4 feet; thence south 15°49′ E., 342 feet again along said mean high waterline to the point of beginning and located within the following surveyed and unsurveyed subdivisions:

T. 20 N., R. 14 E.,
Sec. 34: Lots 4, 5.
Unsurveyed,
Sec. 35: SW¼NW¼, NW¼SW¼.
Totaling 4.5 acres, more or less.

Rattlesnake Creek Recreation Area

Beginning at a point at the intersection of Rattlesnake Creek with the mean high waterline of the east bank of the Middle Fork of the Salmon River, said point bearing south 31°55′ E., 148.5 feet from a brass capped Forest Service Monument; thence south 2°41′ W., 214 feet along the mean high waterline of said river; thence north 34°26′ E., 521.5 feet; thence south 81°30′ W., 279.7 feet; thence south 2°41′ W., 175 feet along said mean high waterline to the point of beginning and located wholly within the following described subdivision of unsurveyed land which will be when surveyed:

T. 20 N., R. 14 E.,
Sec. 23: SW¼SW¼.
Totaling 1.0 acre, more or less.

Otter Bar Recreation Area

Beginning at a point on the mean high waterline of the east bank of the Middle Fork of the Salmon River, north 10°48′ E., 202 feet from a brass capped Forest Service monument which bears approximately north 40° E., 0.6 mile from the mouth of the Stoddard Creek and approximately south 40° W., 5 miles from the mouth of the Middle Fork of the Salmon River; thence south 33°11′ W., 614 feet along said mean high waterline; thence south 81°47′ E., 427.5 feet; north 8°35′ W., 581.3 feet to the point of beginning and located wholly within the following described unsurveyed subdivisions which will be when surveyed:

T. 22 N., R. 15 E.,
Sec. 13: SW¼NE¼NW¼SW¼.
Totaling 2.8 acres, more or less.

The areas described aggregate 171 acres more or less within Lemhi, Valley and Washington Counties, Idaho.

MICHAEL T. SOLAN,
Land Office Manager.

[F.R. Doc. 62–4305; Filed, May 2, 1962; 8:48 a.m.]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 26, 1962.

The Department of Agriculture has filed an application, Serial No. Idaho 012983 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws. The applicant desires the land for the proposed Swan Valley administrative site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2237, Boise, Idaho.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

Swan Valley Administrative Site

T. 1 N., R. 43 E.,
Sec. 1: Lots 80, 81, 82, 83.

The areas described aggregate 5 acres.

JOE T. FALLINI,
State Director.

[F.R. Doc. 62–4306; Filed, May 2, 1962; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TEXAS

Designation of Area 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 Dimmit County, Tex., natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after December 31, 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 27th day of April 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62–4310; Filed, May 2, 1962; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SE–287]

RONALD H. CONWAY

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on May 15, 1962, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

The appellant is allotted 30 minutes and the Administrator 30 minutes for oral argument; to be heard in that order. The appellant may reserve not to exceed one-quarter of his allotted time for rebuttal.

Dated at Washington, D.C., April 30, 1962.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 62–4315; Filed, May 2, 1962; 8:48 a.m.]

[Docket No. 11879; Order E–18281]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

Issued under delegated authority April 30, 1962.

In the matter of an agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Docket No. 11879, Agreement C.A.B. 14827, R–93

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590—Commodity Rates Board.

The agreement, adopted pursuant to unprotested notice to the carriers and promulgated in IATA Memorandum TC1/Rates 1376, names a specific commodity rate as follows:

Item 4411—Radio and broadcasting equipment; 119 cents per kilogram, minimum weight 100 kilograms, from Miami to Santiago.

Pursuant to authority duly delegated by the Board in the Board's regulations,

14 CFR 385.14, it is not found that the above-described agreement is adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered:

Accordingly, it is ordered, That:

Agreement C.A.B. 14827, R–93, is approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62–4316; Filed, May 2, 1962; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13067, 13068; FCC 62–437]

NEWTON BROADCASTING CO. AND TRANSCRIPT PRESS, INC.

Memorandum Opinion and Order Amending Issues

In re applications of Charles A. Bell, George J. Helmer III, Wayne H. Lewis, and Edward Bleier, d/b as Newton Broadcasting Co., Newton, Mass., Docket No. 13067, File No. BP–12884; Transcript Press, Inc., Dedham, Mass., Docket No. 13068, File No. BP–12901; for construction permits.

1. The Commission has before it for consideration two moving petitions, namely: (1) "Motion to Dismiss Application of Newton Broadcasting Co.", filed December 18, 1961, by Transcript Press, Inc. ("Transcript"), and (2) "Petition to Amend", filed January 26, 1962, by Newton Broadcasting Co. ("Newton"), together with the responsive pleadings addressed to each.

2. The applications of Charles A. Bell, George J. Helmer III, Wayne H. Lewis, and Edward Bleier, d/b as Newton Broadcasting Co., and Transcript Press, Inc., are mutually exclusive, each requesting a construction permit for a new class II standard broadcast station to operate on 1550 kilocycles, daytime hours only. Newton proposes to operate with a power of 10 kilowatts in Newton, Mass., and Transcript proposes to operate with a power of 5 kilowatts in Dedham, Mass. The hearing examiner released an initial decision on May 3, 1961 (FCC 61D–62), recommending, on comparative grounds, a grant of the Newton application and a denial of the Transcript application.

3. Subsequently, the applicants entered into merger negotiations during the course of which the time for filing exceptions was extended continuously either on the joint request of the parties, or upon request of one and consent of the other. During the course of negotiations, Bleier (one of the Newton principals) sent a registered letter to the Commission advising that, effective immediately, he was withdrawing from the Newton partnership and from the prosecution of its application. Newton now seeks leave to amend its application to reflect Bleier's withdrawal and the formation of a new partnership, consisting of the three remaining partners. Transcript opposes the petition for leave to amend and requests dismissal of Newton's application.

4. Leave to amend an application after it has been designated for hearing is predicated inter alia upon a showing of good cause. The question of whether Newton had good cause for the late amendment of its application can be decided only after a determination has been made of facts which, in the pleadings before us, are in sharp dispute. Bleier's withdrawal also raises a question as to the financial qualifications of the Newton applicant. Thus, it appears that Newton is dependent upon a loan commitment which was made on the condition that Bleier as well as the other Newton partners would personally guarantee repayment of the loan. With the withdrawal of Bleier, the status of the loan commitment appears to be in doubt.

5. In view of the questions of fact presented by the petition for leave to amend, and the additional question as to the financial qualifications of the applicant for Newton, the entire matter will be remanded to the examiner (1) to determine whether the petition for leave to amend should be granted; (2) to determine the financial qualifications of the applicant for Newton in view of Bleier's withdrawl; and (3) to issue a supplemental initial decision.

Accordingly, it is ordered, This 25th day of April 1962, that the record in the above-entitled proceeding is reopened, the proceeding is remanded to the hearing examiner, and the petition for leave to amend, filed by Newton Broadcasting Co. on January 26, 1962, is referred to the hearing examiner; and

It is further ordered, That the issues in this proceeding are enlarged by adding the following issue: "To determine whether in view of Edward Bleier's withdrawal, Newton Broadcasting Co. is financially qualified to construct and operate the proposed station at Newton, Mass.;" and

It is further ordered, That in light of the foregoing, a supplemental initial decision shall be issued; and

It is further ordered, That in view of the determinations herein, the motion to dismiss filed by Transcript Press, Inc., on December 18, 1961, is rendered moot and therefore is dismissed.

Released: April 30, 1962.

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

[F.R. Doc. 62–4321; Filed, May 2, 1962; 8:49 a.m.]

[Docket Nos. 13525, 14478; FCC 62–440]

SIMON GELLER AND RICHMOND BROTHERS, INC. (WMEX)

Memorandum Opinion and Order Amending Issues

In re applications of Simon Geller, Gloucester, Massachusetts, Docket No. 13525, File No. BP–14330; Richmond Brothers, Inc. (WMEX), Boston, Massachusetts, Docket No. 14478, File No. BP–13760; for construction permits.

1. The Commission has before it for consideration a Petition to Enlarge Issues filed March 5, 1962, by the Broadcast Bureau. The petition is unopposed.

2. The Bureau requests that we add the issue below with reference to the proposal of Simon Geller. The Bureau alleges that Geller's directional antenna proposal raises a question as to whether Geller can effectuate his proposal. The Bureau attaches the affidavit of its engineer in support of its allegation.

3. We note that the hearing record of March 12, 1962, supports the facts alleged by the Bureau in its petition. Thus, on March 19, 1962, Geller requested leave to amend his application with respect to his directional antenna proposal to eliminate certain alleged deficiencies. By Order (FCC 62M–509), released April 5, 1962, the Hearing Examiner denied Geller's request, finding that Geller had not demonstrated good cause for acceptance of the amendment, as required by § 1.311 of our rules.

4. The Bureau has failed to allege good cause sufficient to justify the late filing of its petition, and its petition will, for this reason, be denied. In view of the necessity of accurate disclosures as to directional antenna proposals, we will, on our own motion, add the issue set forth below.

Accordingly, it is ordered, This 25th day of April 1962, that the Petition to Enlarge Issues, filed March 5, 1962, by the Broadcast Bureau is denied; and

It is further ordered, That Issues 5, 6, 7, and 8 be renumbered as Issues 6, 7, 8, and 9, respectively; and that the following issue is added;

5. To determine whether Simon Geller will be able to adjust and maintain the directional antenna system as proposed in the instant application.

Released: April 30, 1962.

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

[F.R. Doc. 62–4322; Filed, May 2, 1962; 8:49 a.m.]

[Docket No. 14611; FCC 62–444]

PROGRESS BROADCASTING CORP. (WHOM)

Order Designating Application for Hearing on Stated Issues

In re application of Progress Broadcasting Corporation (WHOM), New York, New York, Docket No. 14611, File No. BP–13915; Has: 1480 kc, 5 kw, DA–2, U, Requests: Changes in DA and ground systems; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of April 1962;

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

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

It further appearing that the proposed operation of WHOM will cause objectionable nighttime interference to existing Station WSAR, Fall River, Massachusetts; and

It further appearing that by letter addressed to the Commission dated June 14, 1961, counsel for K & M Publishing Company, Inc., licensee of Station WSAR has requested that WSAR be made a party in a hearing with the applicant to determine the nature and extent of the aforementioned nighttime interference; and

It further appearing that the applicant's proposed antenna structure has not yet been approved by the FAA and accordingly, an appropriate hearing issue is included herein. The Federal Aviation Agency will be made a party respondent for the purposes of this issue; and

It further appearing that on March 15, 1962, the license of WHOM was renewed subject to the condition hereinafter set forth and, therefore, it is deemed appropriate to include the same condition in the event that the instant application is granted; and

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

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

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

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

3. To determine whether there is a reasonable possibility that the tower height and location proposed by Progress Broadcasting Corporation would constitute a menace to air navigation.

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

It is further ordered, That K & M Publishing Company, Inc., licensee of Station WSAR, Fall River, Massachusetts, and the Federal Aviation Agency are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the instant application, the construction permit shall contain the following conditions:

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

This action is without prejudice to whatever action, if any, the Commission may deem appropriate at such time as any of the charges of the Report of the State of New York Commission of Investigation are judicially determined by any state or federal court.

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

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

Released: April 30, 1962.

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

[F.R. Doc. 62-4323; Filed, May 2, 1962; 8:49 a.m.]

[Docket Nos. 14411, 14412; FCC 62M-612]

LA FIESTA BROADCASTING CO. AND MID-CITIES BROADCASTING CO.

Order Continuing Hearing

In re applications of J. R. Earnest and John-A. Flache, d/b as La Fiesta Broadcasting Company, Lubbock, Texas, Docket No. 14411, File No. BP-14116; Mid-Cities Broadcasting Corporation, Lubbock, Texas, Docket No. 14412, File No. BP-15073; for construction permits.

The Hearing Examiner having under consideration the oral request of J. R. Earnest and John A. Flache, d/b as La Fiesta Broadcasting Company, for temporary continuance, due to an emergency situation, and informal agreement of the parties;

It is ordered, This 27th day of April 1962, that the hearing session, presently scheduled for today, is continued to a date to be announced as soon as counsel can confer and advise the Hearing Examiner of a convenient date.

Released: April 30, 1962.

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

[F.R. Doc. 62-4324; Filed, May 2, 1962; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

B. R. ANDERSON & CO. ET AL.

Notice of Freight Forwarder Applications Filed for Approval

Notice is hereby given that the following corporations have been issued application numbers by the Federal Maritime Commission for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916, as amended (Public Law 87-254).

Protests to the granting of any application should be filed in writing with the Acting Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

No.	Name and address	Officers
524	B. R. Anderson & Co., 314-20 Colman Bldg., Seattle 4, Wash.	Webster B. Anderson, pres.; Mildred W. Anderson, vice pres.; Kenneth L. Davis, vice pres.; Roy B. Anderson, treas.; Burroughs B. Anderson, sec.
145	Arncam Shipping Co., Inc., 11 Broadway, New York 4, N.Y.	Donald T. Cameron, pres.; Arnold Spitz, sec.-treas.
237	Atlas Agencies, Inc., P.O. Box 3175, Jacksonville, Fla.	E. A. Brown, pres.; Jule Kaufmann, Jr., sec.-treas.
91	Atlas Forwarding Co., Inc., 241 Church St., New York 13, N.Y.	John H. Mangels, pres.-treas.; Wm. E. Christiansen, vice pres.-sec.
306	W. C. Auger & Co., 545 Saonsome St., San Francisco 26, Calif.	W. C. Auger, pres-director; John E. Coleman, vice pres.-director; Areta Auger, director; Chas. A. Pinkham, sec.-treas., director.
111	Edward R. Bacon Grain Co., 177 Milk St., Boston, Mass.	Robert C. Bacon, pres.; Robert C. Bacon, Jr., vice pres.-treas.; George Boyajian, asst. vice pres.; Louise G. Cassidy, export mgr.; Olyn Darling, Portland representative.
202	Baltimore Dispatch Corp., 33 South Gay St., Baltimore 2, Md.	Frank M. Jones, pres.-treas.; Ethel M. Jones, sec.-vice pres.; Vincent R. Dempsey, member of board.
317	Baltimore Steamship Agency, Inc., 235 East Redwood St., Baltimore, Md.	G. Douglas Wise, pres.-director; Thos. B. Harrison, vice pres.-director; Norman P. Hartung, vice pres.-director; Norman A. Schaefer, sec.-treas.
293	Barco International Corp., 5425-35 N.W. 36th St., Miami 48, Fla.	Louis Irizarry, pres.; Gerald Papkoff, sec.-treas.; Barbara Papkoff, director.
528	Guy B. Barham Co., 405 N.W. Hellman Bldg., 354 South Spring St., Los Angeles 13, Calif.	Patricia A. Barham, pres.-director; Jessica G. Barham, director; J. Russell Surbert, director; Elmer L. Higgs, treas. and vice pres.; Mabel L. Usher, sec.
689	Barnett Int'l Forwarders, Inc. of California, 6364 Santa Monica Blvd., Hollywood 38, Calif.	Hector M. Santiestevan, pres.; Lewis J. Barnett, treas., vice pres.; Kathryn M. Santiestevan, sec.; Robert M. Ritterband, director.

No.	Name and address	Officers
109	Bartz Forwarding Co., Inc., 1007 East Washington St., Brownsville, Tex.	W. S. Bartz, pres.; J. K. Brittain, vice pres.; H. Z. Harper, sec.; L. E. Bartz, treas.; Irvin Kibbe, director.
474	F. J. Herbelin-Bay Transfer Co., Inc., 509 37th St., Galveston, Tex.	A. L. Clardy, pres.; R. L. Debner, sec.-treas.; E. H. Thornton, Jr., vice pres.
212	Peter A. Bernacki, Inc., 222 Spring Garden St., Philadelphia 23, Pa.	Peter A. Bernacki, pres.; Anthony P. Bernacki, treas.; Mary McVeigh, sec.; Wm. Bernacki, director; Helen Bernacki, director; Dudolph Berk, director; Morton Gorelick, director; Jack Shusterman, director.
451	Caldwell & Co., Inc., 17 Battery Place, New York 4, N.Y.	Daniel W. Hickey, pres.-director; Jay E. Bowlby, exec. vice pres.; Anthony V. Biegen, vice pres.; John J. McCulloch, sec.; Quentin C. Biegen, treas.; Maude R. Hickey, director; Terrance W. Hickey, director; Elkan Turk, Sr., director-Irving Zion, director.
533	Cambell & Gardiner, Inc., 27 Whithall St., New York 4, N.Y.	Francis J. Barry, president; Armond A. Grazidei, vice pres.; Wm. J. McGarry, treas.; Emil F. Benja, sec.
417	Canadian Gulf Line of Fla., Inc., Municipal Pier No. 2, Miami 32, Fla.	Carl Matusek, pres.-treas.-director; John Fitzsimmons, sec.-director; Gordon N. Klimmel, exec. vice pres.; Raymond F. Shananhan, vice pres.; P. L. Copeland, vice pres.; Virginia G. Matusek, director.
772	Carib Wide Forwarding Co., 1795 Coral Way, Miami 45, Fla.	Maurice H. Shorago, pres.-treas.; Fannie P. Reid, sec.-vice pres.
52	Carmichael Forwarding Service, 406 South Main St., Los Angeles 13, Calif.	R. F. Lazier, pres.; Omar A. Slayter, vice pres.; Marjorie L. Lazier, sec.-treas.; R. A. Lazier, director.
69	Helde & Co., Inc., P.O. Box 300, Wilmington, N.C.	W. S. R. Beane, pres.-director; Louis B. Finberg, vice pres.-director; E. Mayo Holmes, sec.-treas., director.
69	Carolina Forwarding Corp., P.O. Box 300, Wilmington, N.C.	W. S. R. Beane, pres.-director; Louis B. Finberg, vice pres.-director; E. Mayo Holmes, sec.-treas., director.
407	John V. Carr & Son, Inc., 409 Griswold St., Detroit 26, Mich.	C. D. Carr, pres.; R. E. Lowrie, vice pres.; R. B. Marr, vice pres.; Ferna Enright, sec.-treas.; Mrs. C. D. Carr, director.

Dated: April 27, 1962.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-4325; Filed, May 2, 1962; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-7026]

WISCONSIN MICHIGAN POWER CO.

Notice of Hearing

APRIL 26, 1962.

Pursuant to the Commission's order issued March 29, 1962, notice is hereby given that the hearing in the above-designated matter will be held at 10:00 a.m., e.d.s.t., June 4, 1962, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-4297; Filed, May 2, 1962; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-62]

UNIVERSITY OF VIRGINIA

Notice of Issuance of Facility License Amendment

Please take notice that no request for a formal hearing having been filed following filing of the notice of proposed action with the Office of the Federal Register on April 10, 1962, the Atomic Energy Commission has issued Amendment No. 2 to Facility License No. R-66 authorizing the University of Virginia to use an atmospheric concentration reduction factor of 500 in the computation of the concentrations of gaseous radioactive isotopes released from the stack of its research reactor at Charlottesville, Va. The notice of proposed issuance was published in the FEDERAL REGISTER on April 11, 1962, 27 F.R. 3473.

Dated at Germantown, Md., this 26th day of April 1962.

For the Atomic Energy Commission.

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

[F.R. Doc. 62-4286; Filed, May 2, 1962; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

GENERAL BANCSHARES CORP.

Order Approving Applications

In the matter of the applications of General Bancshares Corporation for prior approval of acquisition of up to 100 percent of the voting shares of Commercial Bank of St. Louis County, Olivette, Missouri, and Lindbergh Bank, Hazelwood, Missouri.

There have come before the Board of Governors, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842) and section 4(a)(2) of Federal Reserve Regulation Y (12 CFR 222.4(a)(2)), applications on behalf of General Bancshares Corporation, St. Louis, Missouri, for the Board's prior approval of the acquisition of up to 100 percent of the voting shares of Commercial Bank of St. Louis County, Olivette, Missouri, and of Lindbergh Bank, Hazelwood, Missouri; a Notice of Receipt of Applications has been published in the FEDERAL REGISTER on October 27, 1961 (26 F.R. 10115), which provided an opportunity for submission of comments and views regarding the proposed acquisitions; and such comments and views as were received have been considered by the Board. Accordingly,

It is ordered, For the reasons set forth in the Board's Statement[1] of this date, that said applications be and hereby are granted, provided that the acquisitions approved herein shall not be consummated (a) sooner than seven calendar days after the date of this Order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 27th day of April 1962.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 62-4298; Filed, May 2, 1962; 8:45 a.m.]

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

SECURITIES AND EXCHANGE COMMISSION

BLACK BEAR INDUSTRIES, INC.

[File No. 1-3842]

Order Summarily Suspending Trading

APRIL 27, 1962.

The common stock, par value 15 cents a share, of Black Bear Industries, Inc. (Formerly Black Bear Consolidated Mining Co.) being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

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

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, April 29, 1962 to May 8, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 62-4308; Filed, May 2, 1962; 8:48 a.m.]

[File 7-2233]

UNILEVER, LTD.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

APRIL 26, 1962.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Unilever Limited (ADR's for Ordinary Shares) File 7-2233.

Upon receipt of a request, on or before May 11, 1962, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

By the Commission.

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

[F.R. Doc. 62-4309; Filed, May 2, 1962; 8:48 a.m.]

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 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Burlington Manufacturing Co., 2200 North Main, Miami, Okla.; effective 4-3-62 to 4-2-63 (men's denim dungarees, work pants, and overalls).

Cater Frock Co., New Braunfels, Tex.; effective 4-9-62 to 4-8-63 (children's dresses).

Femwear Manufacturing Co., 701 Whaley Street, Columbia, S.C.; effective 4-15-62 to 4-14-63 (ladies' dresses).

Fortex Manufacturing Co., Inc., Fort Deposit, Ala.; effective 4-7-62 to 4-6-63 (men's pajamas).

Globe Manufacturing Co., Inc., Vidalia, Ga.; effective 4-5-62 to 4-4-63 (men's and boys' pants).

Kane Manufacturing Co., Leitchfield, Ky.; effective 4-5-62 to 4-4-63 (men's and boys' cossack type jackets).

Lavonia Industries, Inc., Lavonia, Ga.; effective 4-20-62 to 4-19-63 (house dresses).

Leco Manufacturing Corp., Mountain City, Tenn.; effective 4-17-62 to 4-16-63 (women's and children's cotton and flannelette sleepwear).

Leitchfield Manufacturing Co., Leitchfield, Ky.; effective 4-5-62 to 4-4-63 (men's trousers and outdoors jackets).

Little Star Frocks, Inc., Walnut and Orchard Streets, Bridgeton, N.J.; effective 4-18-62 to 4-17-63 (children's dresses).

New Hebron Manufacturing Co., Inc., New Hebron, Miss.; effective 4-3-62 to 4-2-63 (boys' shirts and pants set; cotton staple work clothing).

N. Nirenberg Sons, Inc., 750 Second Avenue, Troy, N.Y.; effective 4-5-62 to 4-4-63 (men's shirts).

Perry Manufacturing Co., Mount Airy, N.C.; effective 4-14-62 to 4-13-63 (ladies' blouses, shorts, and slacks).

Sharlan Co., Fountain Inn, S.C.; effective 4-4-62 to 4-3-63 (boys' and men's shirts).

Stone Manufacturing Co., Poinsett Highway, Greenville, S.C.; effective 4-9-62 to 4-8-63 (children's and ladies' cotton and nylon slips).

Sunbright Shirt Corp., Sunbright, Tenn.; effective 4-2-62 to 4-1-63 (boys' shirts).

Wellington Manufacturing Co., Okolona, Miss.; effective 4-10-62 to 4-9-63 (men's and boys' trousers).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Dan-Dee Apparel Corp., Main and Locust Streets, Gallitzin, Pa.; effective 4-9-62 to 4-8-63; 10 learners (children's tennis sets, blouses, and smocks).

Piedmont Garment Co., Inc., Harmony, N.C.; effective 4-7-62 to 4-6-63; 10 learners (ladies' blouses, smocks, etc.).

Saf-T-Bak, Inc., 1715 11th Avenue, Altoona, Pa.; effective 4-10-62 to 4-9-63; 10 learners (men's and boys' duck hunting clothes; men's poplin fishing clothes).

San-Dar Dress Co., 618-620 Washington Avenue, Jermyn, Pa.; effective 4-4-62 to 4-3-63; three learners (ladies' dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Apparel Manufacturing Co. of Jackson, Inc., Scotts Hill, Tenn.; effective 4-9-62 to 10-8-62; 60 learners (ladies' wash dresses and dusters).

Brewton Fashions, Ltd., East Rankin Street, Brewton, Ala.; effective 4-6-62 to 10-5-62; 30 learners (ladies' blouses).

Ely and Walker, a division of Burlington Industries, Inc., Canton, Miss.; effective 4-5-62 to 10-4-62; 25 learners (men's and boys' sport shirts).

Paul Manufacturing Co., Scotland Neck, N.C.; effective 4-9-62 to 10-8-62; 45 learners (women's woven nightwear).

Scottsdale Fashions, Inc., 230 West Fifth Street, Tempe, Ariz.; effective 4-9-62 to 10-8-62; 20 learners (women's blouses and dresses).

Smart Style, Inc., Country Club Drive, Asheboro, N.C.; effective 4-5-62 to 10-4-62; 20 learners (girls' sportswear—shorts, bermudas, pedal pushers).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.80 to 522.85, as amended).

DWG Cigar Corp., 214 Broadway, Findlay, Ohio; effective 4-4-62 to 4-3-63; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

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

Antilles Electronics Corp., Centro Industrial Bo. Hato, San Lorenzo, P.R.; effective 3-13-62 to 6-6-62; 100 learners for plant expansion purposes, in the single occupation of basic hand and/or machine production operations: Electronic assembly; mechanical assembly; and machine operations for a learning period of 480 hours at the rates of 89 cents an hour for the first 240 hours and 99 cents an hour for the remaining 240 hours (tape recorders and related products) (replacement certificate).

Atlantic Industries, Inc., Mayaguez, P.R.; effective 3-26-62 to 3-25-63; 15 learners for normal labor turnover purposes, in the occupation of machine operator for a learning period of 240 hours at the rate of 65 cents an hour (carpet yarn).

Becton Dickinson, Inc. of Puerto Rico, Juncos, P.R.; effective 3-1-62 to 2-28-63; 10 learners for normal labor turnover purposes, in the occupations of first test tubes; shakedown and rack for point; run through for point; point and unrack; chart and second machine test; grade; wax; scale; numbers; names and serials; blot and dip bulbs; etch and clean; paint and polish; inspect engraving; rack for certify; run through for certify; certify; repair defective engraving, each for a learning period of 480 hours at the rate of 80 cents an hour for the period March 1-12, 1962, and at the rates of 92 cents an hour for the first 240 hours and $1.04 an hour for the remaining 240 hours, effective March 13, 1962 (thermometers).

Cameo Lingerie, Inc., 229 Igualdad Street, Fajardo, P.R.; effective 2-19-62 to 8-18-62; 88 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 65 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (panties).

Cameo Lingerie, Inc., 229 Igualdad Street, Fajardo, P.R.; effective 2-19-62 to 2-18-63; 15 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 65 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (panties).

The Carib Co., Inc., Aibonito, P.R.; effective 3-26-62 to 3-25-63; 14 learners for normal labor turnover purposes, in the occupations of machine sewer and layer off, each for a learning period of 480 hours at the rates

of 62 cents an hour for the first 240 hours and 72 cents an hour for the remaining 240 hours (women's gloves).

Clairex Corp. of Puerto Rico, Villa Prades Industrial Division, Rio Piedras, P.R.; effective 2-14-62 to 8-13-62; 25 learners for plant expansion purposes, in the occupations of photocell assembler, inspector and tester, each for a learning period of 480 hours at the rates of 92 cents an hour for the first 240 hours and $1.04 an hour for the remaining 240 hours (photoelectric cells).

Edro Corp., Anasco, P.R.; effective 3-12-62 to 3-11-63; 12 learners for normal labor turnover purposes, in the occupations of sewing machine operator and layer off, each for a learning period of 480 hours at the rates of 62 cents an hour for the first 240 hours and 72 cents an hour for the remaining 240 hours (gloves).

Electrospace Corp. of Puerto Rico, Naguabo, P.R.; effective 3-13-62 to 5-5-62; 72 learners for plant expansion purposes, in the occupations of assembler of electronic parts, cable assembler, operator of automatic wire cutting machines and inspector, each for a learning period of 480 hours at the rates of 89 cents an hour for the first 240 hours and 99 cents an hour for the remaining 240 hours (electronic signal equipment) (replacement certificate).

Euphonics Acoustics, Inc., Barbosa Avenue corner Carolina Street, Rio Piedras, P.R.; effective 3-12-62 to 3-11-63; 10 learners for normal labor turnover purposes, in the single occupation of basic hand and/or machine production operations: machine operator, cable preparer, solderer, assembler, tester, and inspector, for a learning period of 480 hours at the rates of 89 cents an hour for the first 240 hours and 99 cents an hour for the remaining 240 hours (microphones).

Euphonics Acoustics, Inc., Barbosa Avenue corner Carolina Street, Rio Peidras, P.R.; effective 3-12-62 to 9-11-62; 90 learners for plant expansion purposes, in the single occupation of basic hand and/or machine production operations: machine operator, cable preparer, solderer, assembler, tester and inspector, for a learning period of 480 hours at the rates of 89 cents an hour for the first 240 hours and 99 cents an hour for the remaining 240 hours (microphones).

General Enterprises, Inc., Lajas, P.R.; effective 2-19-62 to 2-18-63; 11 learners for normal labor turnover purposes, in the occupations of: (1) Machine embroidery and reembroidery operator and final presser, each for a learning period of 480 hours at the rates of 65 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours; (2) final inspector of fully assembled garments for a learning period of 160 hours at the rate of 65 cents an hour (embroidered ladies' underwear).

General Enterprises, Inc., Lajas, P.R.; effective 2-19-62 to 8-18-62; 24 learners for plant expansion purposes, in the occupations of: (1) Machine embroidery and reembroidery operator and final presser, each for a learning period of 480 hours at the rates of 65 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours; (2) final inspector of fully assembled garments for a learning period of 160 hours at the rate of 65 cents an hour (embroidered ladies' underwear).

Glamourette Fashion Mills, Inc., Quebradillas, P.R.; effective 2-21-62 to 6-15-62; 30 learners for plant expansion purposes, in the occupations of: (1) Knitter, topper and looper, each for a learning period of 480 hours at the rates of 78 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; (2) machine stitcher, presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 320 hours at the rates of 78 cents an hour for the first 160 hours and 92 cents an hour for the remaining 160 hours; (3) winder, for a learning period of 240 hours at the rate of 78 cents an hour (full-fashioned sweaters).

International Shoe Corp. of Puerto Rico and/or Island Shoe Co. and Manati Shoe Co., Manati, P.R.; effective 2-13-62 to 2-12-63; 60 learners for normal labor turnover purposes, in any productive factory occupation, except: edge setting or trimming; Goodyear or McKay stitching; top stitching; lasting (except slip lasting); cement-process sole attaching; treeing; upper leather cutting (except lining or trim); vamping; hand-fitting of wood heels; insole or outsole bagger; outsole catcher; channel lip-wetter; floorboy or floorgirl; insole presser; rack changer, shover or pusher; sock lining getter; or any nonproductive factory occupations, each for a learning period of 480 hours at the rates of 60 cents an hour for the first 240 hours and 65 cents an hour for the remaining 240 hours (shoes).

International Shoe Corp. of Puerto Rico and/or Island Shoe Co. and Manati Shoe Co., Manati, P.R.; effective 2-13-62 to 8-12-62; 60 learners for plant expansion purposes, in any productive factory occupation, except: edge setting or trimming; Goodyear or McKay stitching; top stitching; lasting (except slip lasting); cement-process sole attaching; treeing; upper leather cutting (except lining or trim); vamping; hand-fitting of wood heels; insole or outsole bagger; outsole catcher; channel lip-wetter; floorboy or floorgirl; insole presser; rack changer, shover or pusher; sock lining getter; or any nonproductive factory occupation, each for a learning period of 480 hours at the rates of 60 cents an hour for the first 240 hours and 65 cents an hour for the remaining 240 hours (shoes).

Midland Knitting Mills, Inc., San German, P.R.; effective 2-19-62 to 8-18-62; 60 learners for plant expansion purposes, in the occupations of: (1) Knitter, topper, and looper, each for a learning period of 480 hours at the rates of 78 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; (2) machine stitcher and presser, each for a learning period of 320 hours at the rates of 78 cents an hour for the first 160 hours and 92 cents an hour for the remaining 160 hours (full-fashioned sweaters).

Puritana Manufacturing Corp., Bo. Bairoa—Aguas Buenas-Caguas Road, Aguas Buenas, P.R.; effective 2-19-62 to 2-18-63; 27 learners for normal labor turnover purposes, in the occupations of: (1) Knitter, topper, and looper, each for a learning period of 480 hours at the rates of 78 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; (2) machine stitcher and presser, each for a learning period of 320 hours at the rates of 78 cents an hour for the first 160 hours and 92 cents an hour for the remaining 160 hours (full-fashioned sweaters and shirts).

Puritana Manufacturing Corp., Bo. Bairoa—Aguas Buenas-Caguas Road, Aguas Buenas, P.R.; effective 2-19-62 to 8-18-62; 42 learners for plant expansion purposes, in the occupations of: (1) Knitter, topper, and looper, each for a learning period of 480 hours at the rates of 78 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; (2) machine stitcher and presser, each for a learning period of 320 hours at the rates of 78 cents an hour for the first 160 hours and 92 cents an hour for the remaining 160 hours (full-fashioned sweaters and shirts).

Tropical Corp., Mayaguez, P.R.; effective 2-12-62 to 2-11-63; five learners for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 480 hours at the rates of: (a) 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours in the manufacture of sachet bags; (b) 66 cents an hour for the first 240 hours and 77 cents an hour for the remaining 240 hours in the manufacture of children's dresses (sachet bags and children's dresses).

Tropical Corp., Mayaguez, P.R.; effective 2-12-62 to 8-11-62; 60 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 480 hours at the rates of: (a) 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours in the manufacture of sachet bags; (b) 66 cents an hour for the first 240 hours and 77 cents an hour for the remaining 240 hours in the manufacture of children's dresses (sachet bags and children's dresses).

Virginia Garment Co., San Sebastian, P.R.; effective 3-26-62 to 9-25-62; 36 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 65 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (ladies' underwear—panties).

Wilida, Inc., Pueblo Norte, Juana Diaz, P.R.; effective 2-12-62 to 2-11-63; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (swim suits).

Wilida, Inc., Pueblo Norte, Juana Diaz, P.R.; effective 2-12-62 to 8-11-62; 10 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (swim suits).

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 provision of 29 CFR 522.9.

Signed at Washington, D.C., this 23d day of April 1962.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 62-4230; Filed, May 1, 1962; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.