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TITLE 3—THE PRESIDENT

PROCLAMATION 2815

NAVY DAY, 1948

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is the purpose of the United States Navy to maintain sufficient strength on the sea and in the air to enable it, in conjunction with our other armed forces, to uphold our national policies and interests, to protect our commerce, to support our international obligations, and to guard our country and its overseas possessions and dependencies; and

WHEREAS, the Navy League and other patriotic organizations in 1922 selected October 27 for annual observance of Navy Day in commemoration of the founding of the United States Navy in October 1775, and of the birth on October 27, 1858, of Theodore Roosevelt, who as Assistant Secretary of the Navy and as President of the United States contributed markedly to the development of the United States Navy; and

WHEREAS it has become customary for our citizens to join hands across the Nation on October 27 of each year in rendering grateful tribute to our Navy and in according honor and recognition to the achievements of the men and women who compose its ranks:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe October 27, 1948, as Navy Day by displaying the flag of the United States at their homes or other suitable places, and I direct that the flag be displayed that day on all Government buildings. As Commander in Chief of the Armed Forces of the United States, I direct that all ships of the United States Navy dress ship and that all ships and stations of the United States Navy, where practicable, be open to visits of the public on Navy Day.

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 5th day of October in the year of our Lord nineteen hundred and forty-eight, and of the Independence of the United States of America the one hundred and seventy-third.

[SEAL]

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 48-8944; Filed, Oct. 5, 1948; 3:45 p. m.]

EXECUTIVE ORDER 10004

PRESCRIBING PROCEDURES FOR THE ADMINISTRATION OF THE RECIPROCAL TRADE-AGREEMENTS PROGRAM

By virtue of the authority vested in me by the Constitution and statutes, including section 332 of the Tariff Act of 1930 (46 Stat. 698), the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. 943; 57 Stat. 125; 59 Stat. 410), and the Trade Agreements Extension Act of 1948 (Pub. Law 792, 80th Cong.), and in the interest of the foreign-affairs functions of the United States and in order that the interests of the various branches of American economy shall be effectively promoted and safeguarded through the administration of the trade-agreements program, it is hereby ordered as follows:

PART I—ORGANIZATION

1. There is hereby established the Interdepartmental Committee on Trade Agreements (hereinafter referred to as the Trade Agreements Committee), which shall act as the agency through which the President shall, in accordance with section 4 of the said Trade Agreements Act, as amended, seek information and advice before concluding a trade agreement. With a view to the conduct of the trade-agreements program in the general public interest through a coordination of the interests of American industry (including agriculture), of American commerce and labor, and of American military, financial, and foreign policy, the Trade Agreements Committee

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

shall consist of persons designated from their respective agencies by the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, and the Administrator for Economic Cooperation. The representative from the Department of State shall be the Chairman of the Trade Agreements Committee.

2. There is hereby established the Committee for Reciprocity Information, which shall act as the agency to which, in accordance with section 4 of the Trade Agreements Act, as amended, the views of interested persons with regard to any proposed trade agreement to be concluded under the said Act shall be presented. The Committee for Reciprocity Information shall consist of the same persons as the Trade Agreements Committee. The representative from the Department of Commerce shall be the Chairman of the Committee for Reciprocity Information.

3. The Trade Agreements Committee and the Committee for Reciprocity Information may invite the participation in their activities of other government agencies in any manner consistent with relevant legislation and this order. Each of the said committees may from time to time designate such subcomittees, and prescribe such procedures and rules and regulations, as it may deem necessary for the conduct of its functions.

PART II—CONCLUSION OF AGREEMENTS

4. Before entering into negotiations concerning any proposed trade agreement under the Trade Agreements Act, as amended, the Trade Agreements Committee shall submit to the President for his approval a list of all articles imported into the United States which it is proposed should be considered in such negotiations for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment. As soon as possible after the approval by the President of such list, as originally submitted or in amended form, and transmission thereof to the United States Tariff Commission, the Trade Agreements Committee shall cause notice of intention to negotiate such agreement, together with the said list of articles, to be published in the *Federal Register*. Such notice and list shall also be issued to the press, and sufficient copies thereof shall be supplied to the Tariff Commission and the Committee for Reciprocity Information for use in connection with such hearings as the Commission and the Committee may hold with respect thereto. Such notice, together with the list or a statement as to its availability, shall also be published in the *Department of State Bulletin*, the *Treasury Decisions*, and the *Foreign Commerce Weekly*.

5. Upon receipt by the Tariff Commission of the list specified in paragraph 4 hereof, the Commission shall make an investigation and as soon as possible, and not later than one hundred twenty days after such receipt, shall report to the President its findings as to each article specified in the list in accordance with the said Trade Agreements Extension Act of 1948. A copy of such report to the President shall at the same time be transmitted to the Trade Agreements Committee. Such report shall be kept confidential by the Tariff Commission and the Trade Agreements Committee except, in the case of a report a copy of which has been submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate pursuant to section 5 (b) of the Trade Agreements Extension Act of 1948, any portions thereof which have been made public by one or both such Committees. The procedure and rules and regulations for the investigations by the Tariff Commission, and for the hearings to be held in connection therewith, shall from time to time be prescribed by the Commission.

6. Any interested person desiring to present his views with respect to articles in the list specified in paragraph 4 hereof, or with respect to any other aspect of a proposed trade agreement, may present them to the Committee for Reciprocity Information, which shall accord reasonable opportunity for the presentation of such views.

7. The Tariff Commission shall furnish facts, statistics, and other information at its command in accordance with the provisions of this order or of the Trade Agreements Extension Act of 1948. With respect to each article imported into the United States which is considered by the Trade Agreements Committee for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in a trade agreement, the Tariff Commission shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of granting a concession thereon, and to the competitive factors involved. Such analysis shall be submitted in digest form to the Trade Agreements Committee.

8. With respect to each article exported from the United States which is considered by the Trade Agreements Committee for possible inclusion in a trade agreement, the Department of Commerce shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of obtaining a concession thereon, and to the competitive factors involved. Such analysis shall be submitted in digest form to the Trade Agreements Committee.

9. After analysis and consideration of (a) the report by the Tariff Commission referred to in paragraph 5 hereof, (b) the studies and other information made available by the Tariff Commission under paragraph 7 hereof, (c) the studies of the Department of Commerce provided for in paragraph 8 hereof, (d) the views of interested persons presented to the Committee for Reciprocity Information pursuant to paragraph 6 hereof, and (e) any other information available to the Trade Agreements Committee, that Committee shall make such recommendations to the President relative to the conclusion of the trade agreement under consideration, and to the provisions to be included therein, as are considered appropriate to carry out the purposes set forth in the Trade Agreements Act, as amended. Should the report by the Tariff Commission referred to in paragraph 5 hereof not be received by the President within one hundred twenty days after the receipt by the Commission of the list referred to in paragraph 4 hereof, the Trade Agreements Committee may make such recommendations to the President notwithstanding the absence of such report. If such recommendations to the President with respect to the duties, import restrictions, or customs or excise treatment of any article imported into the United States fail to comply with any of the limits or minimum requirements set forth in the report of the Tariff Commission referred to in paragraph 5 hereof, the Trade Agreements Committee shall identify the article or articles with respect to which it recommends that such limits or minimum requirements shall not be complied with and shall state the reasons for its recommendations with respect to such article or articles. If there is dissent from any recommendation to the President with respect to a concession in any trade agreement, the

President shall be furnished a full report by the dissenting member or members of the Trade Agreements Committee, giving the reasons for his or their dissent.

10. There shall be applicable to each concession with respect to an article imported into the United States which is granted by the United States in any trade agreement hereafter entered into a clause providing in effect that if, as a result of unforeseen developments and of such concession, such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or similar articles, the United States shall be free to withdraw the concession, in whole or in part, or to modify it, to the extent and for such time as may be necessary to prevent such injury.

11. There shall be obtained from every government or instrumentality thereof with which any trade agreement is hereafter entered into a most-favored-nation commitment securing for the exports of the United States the benefits of all tariff concessions and other tariff advantages accorded by the other party or parties to the agreement to any third country. This provision shall be subject to the minimum of necessary exceptions and shall be designed to obtain the greatest possible benefits for exports from the United States.

PART III—ADMINISTRATION OF AGREEMENTS

12. The Trade Agreements Committee shall at all times keep informed of the operation and effect of all trade agreements which are in force. It shall recommend to the President or to one or more of the agencies represented on the Committee such action as is considered required or appropriate to carry out any such trade agreement and any rectifications and amendments thereof not requiring compliance with the procedures set forth in paragraphs 4, 5, and 6 hereof. The Trade Agreements Committee shall, in particular, keep informed of discriminations by any country against the trade of the United States which cannot be removed by normal diplomatic representations, and, if it considers that the public interest will be served thereby, shall recommend to the President the withholding from such country of the benefit of concessions granted under the Trade Agreements Act, as amended.

13. The Tariff Commission, upon the request of the President, upon its own motion, or upon application of any interested party when in the judgment of the Tariff Commission there is good and sufficient reason therefor, shall make an investigation to determine whether, as a result of unforeseen developments and of the concession granted by the United States on any article to which a clause similar to that provided for in paragraph 10 hereof is applicable, such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or similar articles. Should the Tariff Commission find, as a result of its investigation, that such injury is being caused or threatened, it shall recommend to the President, for his consideration in the light of the public interest, the withdrawal of the concession, in whole or in part, or the modification of the concession, to the extent and for such time as the Tariff Commission finds necessary to prevent such injury. In the course of any investigation under this paragraph, the Tariff Commission shall hold public hearings, giving reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The procedure and rules and regulations for such investigations and hearings shall from time to time be prescribed by the Tariff Commission.

14. The Tariff Commission shall at all times keep informed concerning the operation and effect of provisions relating to duties or other import restrictions of the United States contained in trade agreements heretofore or hereafter entered into by the President under the authority of the Trade Agreements Act, as amended. The Tariff Commission, at least once a year, shall submit to the President and to the Congress a factual report on the operation of the trade-agreements program.

15. The Committee for Reciprocity Information shall accord reasonable opportunity to interested persons to present their views with respect to the operation and effect of trade agreements which are in force or to any aspect thereof.

PART IV—REVOCATIONS

16. Executive Order No. 6750 of June 27, 1934, prescribing regulations relating to the giving of public notice and the presentation of views in connection with foreign trade agreements, as amended by Executive Order No. 9647 of October 25, 1945, and Executive Order No. 9832 of February 25, 1947, prescribing procedures for the administration of the reciprocal trade-agreements program, are hereby revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 5, 1948.

[F. R. Doc. 48-8967; Filed, Oct. 6, 1948; 10:59 a. m.]

EXECUTIVE ORDER 10005

ESTABLISHING THE PRESIDENT'S ADVISORY COMMISSION ON THE RELATION OF FEDERAL LAWS TO PUERTO RICO

WHEREAS section 9 of the Organic Act of Puerto Rico, 39 Stat. 954 (48 U. S. C. 734), provides that "the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States"; and

WHEREAS section 49b (3) of the said Act, which was added by section 6 of the act of August 5, 1947, 61 Stat. 772 (48 U. S. C. 793b), provides that "the President of the United States may, from time to time, after hearing, promulgate Executive orders expressly excepting Puerto Rico from the application of any Federal law, not expressly declared by Congress to be applicable to Puerto Rico, which as contemplated by section 9 of this act is inapplicable by reason of local conditions":

NOW, THEREFORE, by virtue of the authority vested in me by the said Organic Act of Puerto Rico, and as President of the United States, it is ordered as follows:

1. There is hereby created a commission to be known as the President's Advisory Commission on the Relation of Federal Laws to Puerto Rico, which shall be composed of nine members to be designated by the President and to serve without compensation.

2. The Commission shall from time to time make recommendations to the President concerning the exercise of his power under section 49b (3) of the Organic Act of Puerto Rico to exempt Puerto Rico from the application of Federal laws. To that end, the Commission is authorized to examine into, and to hold hearings on, the inapplicability of Federal laws to Puerto Rico by reason of local conditions.

3. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Commission in its work and to furnish the Commission such information as the Commission may require in the performance of its duties.

4. The Commission shall continue to exist until the President terminates its existence by Executive order.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 5, 1948.

[F. R. Doc. 48-8968; Filed, Oct. 6, 1948; 10:59 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF SUGAR COMMERCIALLY RECOVERABLE IN MAINLAND CANE SUGAR AREA (REVISED)

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1948, the following determination is hereby issued:

§ 802.21 *Sugar commercially recoverable from sugarcane in the Mainland cane sugar area.* The amount of sugar commercially recoverable from the sugarcane grown on a farm in the Mainland cane sugar area and marketed (or processed by the producer) for the extraction of sugar shall be obtained by multiplying the number of short tons (net weight) of such sugarcane by the hundredweight of sugar, raw value, specified for the average percentage of sucrose in the normal juice of such sugarcane (computed to the nearest one-tenth of one percent) as follows:

(a) *For farms in Louisiana:*

Percentage of sucrose in normal juice:	*Hundredweight of sugar* [1]
5.0	0.451
6.0	.582
7.0	.735
8.0	.896
9.0	1.062
10.0	1.258
11.0	1.434
12.0	1.589
13.0	1.747
14.0	1.908
15.0	2.071
16.0	2.237
17.0	2.404
18.0	2.574
19.0	2.745
20.0	2.918

[1] Sugar recoverable for the intervening tenths of 1 percent shall be calculated by straight interpolation.

(b) *For farms in Florida:*

Percentage of sucrose in normal juice:	*Hundredweight of sugar* [1]
5.0	0.502
6.0	.645
7.0	.810
8.0	.984
9.0	1.161
10.0	1.376
11.0	1.566
12.0	1.735
13.0	1.907
14.0	2.081
15.0	2.259
16.0	2.438
17.0	2.620
18.0	2.804
19.0	2.989
20.0	3.177

[1] Sugar recoverable for the intervening tenths of 1 percent shall be calculated by straight interpolation.

This determination supersedes, with respect to the 1948 and subsequent crops, the "Determination of Sugar Commercially Recoverable from Sugarcane in the Mainland Cane Sugar Area," issued January 31, 1939 (4 F. R. 483).

STATEMENT OF BASES AND CONSIDERATIONS

Sugar Act requirements. Determinations of sugar commercially recoverable from sugar beets and sugarcane are required under section 302 (a) of the Sugar Act of 1948 for the purpose of calculating amounts of sugar upon which payment may be made.

Historical background. Under the former determination for this area the amount of sugar commercially recoverable from sugarcane in Louisiana was based on the average actual recovery of sugar for the 1935 and 1936 crop seasons, adjusted for the lower recovery obtained from the 1937 crop. In Florida, recoverability was based on the actual recovery data of the U. S. Sugar Corporation (representing 95 percent of the total crop) for the same crop seasons, with a similar adjustment for the 1937 recovery. The customary basis of settlements between growers and processors for sugarcane was recognized by basing recoverability in Louisiana on the percentage of sucrose in the normal juice of the sugarcane and in Florida on the percentage of sucrose in the crusher juice.

Recovery trends. The following table shows the annual recoveries in pounds of sugar per ton (gross weight) of sugarcane in Louisiana and Florida for the crop years 1935 through 1947:

Crop	Pounds of sugar per ton of cane		Crop	Pounds of sugar per ton of cane	
	Louisiana	Florida		Louisiana	Florida
1935	169	173	1942	171	185
1936	161	182	1943	164	182
1937	154	179	1944	153	174
1938	169	209	1945	151	190
1939	173	195	1946	156	180
1940	162	208	1947	149	172
1941	165	203			

The average recovery for the base years 1935 and 1936 was 165 pounds in Louisiana and 178 pounds in Florida. The average recovery for the prewar period of 1937–41 was 165 pounds in Louisiana and 199 pounds in Florida. Thus, the average recovery in Louisiana during this period remained the same as during the base period, whereas in Florida the average recovery increased from 178 pounds to 199 pounds. The increase in Florida was due primarily to the development of higher yielding varieties of sugarcane and favorable growing and harvesting conditions. The 1942–47 average recovery was 157 pounds in Louisiana and 180 pounds in Florida. The significant decline in Louisiana from the base period was caused largely by the increased amount of trash delivered with the cane on account of mechanical cutting and loading. It is apparent, therefore, that the recovery rates established for Louisiana under the former determination are not indicative of current recoveries.

Normal Juice vs. Crusher Juice Basis. The following figures for Florida mills for the period 1942–47 show the relationship between actual recoveries, the recoveries based on crusher juice sucrose as computed under the former determination, and the recoveries when computed on normal juice sucrose.

Crop	Pounds of sugar recovered per ton of cane		
	Actual	Computed on basis of—	
		Crusher juice	Normal juice
1942	185	197	184
1943	182	194	182
1944	174	187	175
1945	190	198	187
1946	180	193	181
1947	172	188	175
Average	180	193	181

These data show that sugar recovery based on normal juice sucrose is almost identical to the actual recovery, whereas there is a wide variation between actual recovery and recovery based on crusher juice. Therefore, the foregoing determination provides for the use of the normal juice basis in Florida as well as in Louisiana.

Recovery rates in foregoing determination. The recovery rates at the various sucrose levels for both Louisiana and Florida are based on the average recovery during the crop years 1942–46 in each State. The average amount of sugar recovered per ton of cane during these crop years is deemed to be representative of the recovery which can be expected under present conditions. The 1947 crop is not included because subnormal rates of recovery were obtained in both States on this crop, which was grown and harvested under unfavorable weather conditions and in Louisiana was milled with abnormally high trash and moisture content. Since the actual yields of sugar per ton of cane in Louisiana are calculated by the processors on a gross weight basis, while both processor and Sugar Act payments are calculated on net weights (gross weight less weight of trash in excess of three percent), the recovery rates for Louisiana were adjusted to a net weight basis. No adjustment in the rates for Florida is necessary since Florida does not have a similar trash problem, primarily because of hand-cutting of cane.

The average actual yields of sugar for the 1942–46 period were 159.1 pounds per ton of cane (gross weight) in Louisiana and 182.5 pounds in Florida. The amounts recoverable for this period according to the former determination were 164.4 pounds in Louisiana and 193.7 pounds in Florida. If recoverability for this period is calculated under the foregoing determination, the differences between actual and calculated recoveries are largely eliminated.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the purposes of section 302 (a) of the Sugar Act of 1948.

(Secs. 302, 403, Pub. Law 388, 80th Cong.)

Issued this 1st day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary.

[F. R. Doc. 48-8894; Filed, Oct. 6, 1948; 8:49 a. m.]

PART 802—SUGAR DETERMINATIONS

FAIR AND REASONABLE PRICES FOR 1948 CROP OF LOUISIANA SUGARCANE

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, after investigation, and due consideration of the evidence obtained at the public hearing held in Thibodaux, Louisiana, on July 22, 1948, the following determination is hereby issued:

§ 802.22 *Fair and reasonable prices for the 1948 crop of Louisiana sugarcane*—(a) *Basic price.* When the price of 96° raw sugar, duty paid basis, is 3.50 cents per pound, the basic price for the 1948 crop of Louisiana sugarcane shall be not less than $1.00 per ton of standard sugarcane for each 1 cent of the average price per pound of raw sugar determined in accordance with whichever of the following options is agreed upon: (1) The average of the weekly quotations of 96° raw sugar, duty paid basis, on the Louisiana Sugar and Rice Exchange and the Cane Products Trade Association Exchange for the week in which such sugarcane is delivered; or (2) the simple average of the weekly quotations of 96° raw sugar, duty paid

basis, on the Louisiana Sugar and Rice Exchange and the Cane Products Trade Association Exchange for the weeks from Friday, October 8, 1948 (or the Friday within the first marketing week of actual trading), to January 31, 1949; except that if the Director of the Sugar Branch determines that for any week or weeks such weekly averages do not reflect the true market value of sugar, because of inadequate volume or other factors, the Director may designate the weekly and seasonal prices to be effective under this determination:

Provided however, (i) That for each decline of ¼ cent in the price of 1 pound of 96° raw sugar, duty paid basis, below 3.50 cents per pound, the price of standard sugarcane shall be reduced by not more than 3 percent, with intervening prices in proportion, unless the price of sugar falls below 2.75 cents per pound, in which case no further reduction shall be made; and

(ii) That for an advance of ¼ cent in the price of 1 pound of 96° raw sugar, duty paid basis, above 3.50 cents per pound, the price of standard sugarcane shall be increased by not less than 3 percent, with intervening prices in proportion, unless the price of raw sugar exceeds 3.75 cents per pound, in which case settlement shall be made on the basis of $1.03 for each 1 cent of the price.

(b) *Standard sugarcane.* Standard sugarcane shall be sugarcane containing no more sucrose in the normal juice than was defined as standard sugarcane by the processor in his sugarcane purchase contract or contracts, verbal or written, used for the 1947 crop:

Provided however, (i) That the net weight of a ton of sugarcane of the 1948 crop shall be not less than the gross weight thereof less the trash content of such sugarcane in excess of 3 percent;

(ii) That the premiums applicable to sugarcane of the 1948 crop containing more sucrose in the normal juice than standard sugarcane shall be not less than those applied to the 1947 crop; and

(iii) That the discounts applicable to sugarcane of the 1948 crop containing less sucrose in the normal juice than standard sugarcane shall be not greater than those applied to the 1947 crop.

(c) *Molasses bonus.* On each ton of Louisiana sugarcane there shall be paid a molasses bonus, such bonus to be computed by taking ½ of the excess, if any, of the average price per gallon of blackstrap molasses (as quoted by the Exchanges set out above for the period there specified except that if the Director of the Sugar Branch finds that for any such period the prices quoted by the Exchanges do not reflect the true market value of molasses because of inadequate volume or other factors, the Director may designate the price to be effective under this determination) over 8 cents, and multiplying the product by 6½ (the number of gallons of blackstrap molasses produced per ton of sugarcane as an average for the three-year period, 1938–1940).

(d) *General.* (1) Deductions based upon decreased boiling house efficiency may be made for frozen sugarcane accepted by the processor (it being understood that cane shall not be considered as frozen even after being subjected to freezing temperature unless and until there is evidence of damage having taken place because of the freeze) at a rate not in excess of 3.775 percent of the payment, computed without regard to the molasses bonus, for each 0.25 cc. of acidity above 2.25 cc. but not in excess of 4.50 cc. (analyzed in accordance with the established methods of the area, with intervening fractions computed to the nearest multiple of 0.05 cc.).

(2) Costs of hoisting and weighing sugarcane, which were absorbed by the processor in 1947, shall be absorbed by the processor in 1948; but nothing in this subparagraph shall be construed as prohibiting negotiations with respect to the level of such costs, subject to review by the Director of the Sugar Branch, upon appeal, in the event of changes alleged to be unfair to either the producer or the processor.

(3) Where the only available practicable means of transportation are rail facilities and the distance to the nearest factory is in excess of 50 miles, the cost of transportation may be shared by the processor and the producer, by mutual consent, subject to review by the Director of the Sugar Branch, upon appeal.

(4) The processor shall not reduce the returns from the 1948 crop of Louisiana sugarcane to the producer below those determined herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes the level of prices which must be paid for 1948 crop sugarcane purchased by producer-processors (i. e., producers who are also, directly or indirectly, processors of sugarcane) as one of the conditions for payment under the Sugar Act of 1948. In this statement the foregoing determination, as well as determinations for prior years, will be referred to as "price determination" identified by the crop year for which effective.

(b) *Requirements of the Sugar Act.* The Sugar Act requires that in determining fair and reasonable prices public hearings be held and investigations made. Accordingly, on July 22, 1948, a public hearing was held in Thibodaux, Louisiana, at which time interested parties presented testimony with respect to fair and reasonable prices for sugarcane of the 1948 crop. In determining fair and reasonable prices, consideration has been given to testimony presented at the public hearing and to data resulting from investigations of pertinent economic factors.

(c) *Background.* Determinations of fair and reasonable prices for sugarcane in Louisiana have been issued for each crop beginning with the 1937 crop. The 1937 price determination approved the basic pricing structure contained in sugarcane purchase contracts agreed upon between producers and processors. Since that time, price determinations have continued in effect without major modification such basic pricing structure because of joint producer-processor recommendations each year and because the pertinent economic factors considered at the time the basic pricing structure was approved have remained relatively stable in most of the years. During the war years, the producers' share of total proceeds was influenced by Commodity Credit Corporation incentive payments, resulting in higher returns to producers than they would have received had the market price of sugar determined their returns.

Sugarcane prices per ton have been related directly to the price of 96° raw sugar and have been calculated at a rate of $1.00 per ton of standard sugarcane for each 1 cent of the average price per pound of raw sugar when such price was 3½ cents per pound. Such prices were subject to upward adjustments to a maximum rate of $1.03 per 1 cent of price at and above 3¾ cents per pound and downward adjustments to a minimum of $0.91 per 1 cent of price at and below 2¾ cents (intervening rates in proportion).

In the 1941 price determination provision was made for producer participation in the proceeds from molasses. This action was taken after the price of molasses had risen to a point where it became a significant factor in the total income of the industry. Subsequent price determinations have continued the molasses sharing provision.

(d) *1948 price determination.* The only major change in the 1948 price determination from the 1947 price determination is that the definition of standard sugarcane has been revised to provide for weight deductions for trash in excess of 3 percent. This action formalizes the administrative authorizations which have been in effect since 1943; it provides a basis for uniform treatment of trash deductions throughout the industry; and it conforms to recommendations made by the industry at the fair price hearing.

At the public hearing the Grower-Processor Committee recommended that the historical pricing structure be retained. However, this Committee recommended that the basic price paid producers be reduced 1.75 percent in view of the abnormally low recoveries of sugar obtained in recent years at the various levels of sucrose content. Apparently the grower representatives of the Committee, after reviewing the facts as to costs, incomes and sugar recoveries, became concerned over the possible consequences of the general reduction in recoveries of sugar and the inordinately low recoveries obtained by some mills. The Committee recommendation for a reduction of 1.75 percent in payments to growers resulted from a compromise between a greater reduction urged by processor representatives and a smaller reduction urged by grower representatives. Although the Department recognizes the seriousness of large losses in sugar recoveries, it is also impressed by the fact that available information indicates that processors as a group have received a higher percentage of the total returns from sugar than the percentage of total costs borne by them. Under the adverse growing and harvesting conditions in 1947, growers as a group suffered losses, whereas processors as a group made moderate profits. In view of these facts the Department is unable to accept the recommendations of the Grower-Processor Committee for a downward adjust-

ment in payments to growers. Accordingly, the historical pricing formula is continued for the 1948 crop at the same levels that prevailed for the 1947 and recent previous crops.

Accordingly, I find and conclude that the foregoing price determination for the 1948 crop of Louisiana sugarcane is fair and reasonable and that compliance therewith will effectuate the price provisions of the Sugar Act of 1948. (Secs. 301, 403, Pub. Law 388, 80th Cong.)

Issued this 1st day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-8895; Filed, Oct. 6, 1948; 8:50 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, AND KLAMATH IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948–49 FISCAL PERIOD

The Administrative Committee, established under Marketing Order No. 59 (7 CFR Cum. Supp. 959.2 et seq., 7 F. R. 365) regulating the handling of Irish Potatoes grown in the counties of Crook, Deschutes, and Klamath in the State of Oregon, and Modoc and Siskiyou in the State of California, is the agency authorized to administer the terms thereof, among which the provisions of § 959.11 authorize said Committee to incur such expenses and collect such assessments as the Secretary finds may be necessary. Said Administrative Committee has presented a proposed budget of expenses and a proposed rate of assessment for the current fiscal period ending June 30, 1949. After considering all relevant matters, including the proposed budget of expenses and the proposed rate of assessment submitted by said committee, it is hereby found and determined that:

§ 959.201 *Budget of expenses and rate of assessment*—(a) *Budget.* The expenses necessary to be incurred by the Administrative Committee, established pursuant to the aforesaid marketing order, to enable such committee to perform its functions pursuant to provisions of the aforesaid marketing order and regulations duly issued thereunder during the fiscal period ending June 30, 1949, will amount to $10,050, and the budget providing therefor is hereby approved.

(b) *Assessment rate.* The rate of assessment to be paid by each handler who first handles potatoes shall be $1.00 per carload or truckload of potatoes weighing more than 20,000 pounds, and 50 cents per carload or truckload of potatoes weighing at least 2,000 pounds and not more than 20,000 pounds, of potatoes shipped by him as the first handler thereof during such fiscal period, except for shipments specifically exempt therefrom by § 959.11 of Order No. 59, and such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

It is hereby found that it is impracticable and contrary to the public interest to issue notice of rule making, engage in public rule making proceedings and postpone the effective date of this order until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C., 1001 et seq.) because:

(a) Harvesting and shipping of potatoes grown in the production area covered by Order No. 59 has already begun;

(b) Regulations limiting shipments from the production area have been recommended by the Administrative Committee;

(c) Itinerant truckers handle potatoes grown in the production area included under Marketing Order No. 59;

(d) In order for assessments to be collected, especially from those handlers, such as itinerant truckers, who do not have a definite or an established place of business within the production area, it is essential that the assessment rate be fixed immediately so as to enable the Administrative Committee to perform its duties and functions under said marketing order;

(e) Pursuant to the requirements of the aforesaid marketing order, the assessment rate is applicable to all potatoes handled by first handlers during the aforesaid fiscal period; and

(f) Compliance with the requirements of this section will not require any special preparation on the part of handlers.

Terms used in this section shall have the same meaning as is given to such terms in §§ 959.3 to 959.20, inclusive, in Order No. 59.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 202, 707; 7 U. S. C. 601 et seq.; 7 CFR Cum. Supp. 959.0 et seq.; 7 F. R. 365)

Done at Washington, D. C., this 1st day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-8893; Filed, Oct. 6, 1948; 8:49 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 503—SUBSTANTIVE RULES

LIMITATIONS ON REPRESENTATIVE ACTIVITIES BY FORMER EMPLOYEES

Part 503 is hereby amended by amendment of § 503.51, as set out below:

§ 503.51 *Limitations on representative activities by former employees.* (a) No person shall appear in a representative capacity before the Office of Alien Property in a particular matter if such person, or one associated with him in the particular matter, personally considered it or gained personal knowledge of the facts thereof while connected with the Office of Alien Property Custodian, or the Office of Alien Property, or with foreign funds control functions of the Treasury Department or any Federal Reserve Bank.

(b) No former officer, clerk, or employee of the Office of Alien Property, nor any former officer, clerk, or employee of the Treasury Department or any Federal Reserve Bank who performed duties in connection with Foreign Funds Control, may appear in a representative capacity before the Office of Alien Property within two years after the termination of his incumbency of such position unless he obtains the prior approval of the Director of the Office of Alien Property in each matter. To obtain such approval he must file an affidavit stating:

(1) His former connection with the Office of Alien Property, or with the Treasury Department, or with any Federal Reserve Bank;

(2) That while he was connected with the Office of Alien Property, or with the Treasury Department, or with any Federal Reserve Bank, the matter was not pending therein, or if it was so pending:

(i) That he gave no personal consideration to it and gained no personal knowledge of the facts thereof while so connected, and

(ii) That he is not, and will not be, associated in the particular matter with any person who has personally considered it or gained personal knowledge of the facts thereof while connected with the Office of Alien Property, or with the Treasury Department, or with any Federal Reserve Bank.

(3) That his employment in the matter is not prohibited by Rev. Stat. sec. 190 (5 U. S. C. 99), or by section 19 (e) of the Contract Settlement Act of 1944 (41 U. S. C. 119). (40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9195, July 6, 1942, 3 CFR, Cum. Supp.: E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 3 CFR, 1946 Supp.; E. O. 9989, Aug. 20, 1948, 13 F. R. 4891)

Executed at Washington, D. C., this 1st day of October 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 48-8915; Filed, Oct. 6, 1948; 8:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

[BAI Order 380, Amdt. 1]

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

PREVENTION OF SPREAD OF SPLENETIC OR TICK FEVER IN CATTLE

On September 11, 1948, there was published in the FEDERAL REGISTER (13 F. R. 5314) a notice of intention to amend the regulations for the prevention of the spread of splenetic or tick fever in cattle so as to release the State of Florida from the Federal quarantine established on account of such disease. After considera-

tion of all relevant material presented pursuant to the notice, including the proposals stated therein, it is hereby ordered under the authority of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 1946 ed. 123 and 125) and section 6 of the act of May 29, 1884, as amended (21 U. S. C. 115) that the regulations in 9 CFR and 1946 Supp. Part 72 are amended as follows:

1. Section 72.2 is amended to read as follows:

§ 72.2 *Splenetic or tick fever in cattle in described territory in Texas and Puerto Rico; prohibitions on movement of cattle.* Notice is hereby given that the contagious and infectious disease known as splenetic or tick fever still exists in cattle in portions of the State of Texas and in the Territory of Puerto Rico. Therefore, in the portions of the State of Texas and in the Territory of Puerto Rico described in §§ 72.4 and 72.5, the quarantine heretofore established is continued, and the movement of cattle therefrom to any other State or Territory or the District of Columbia shall be made only in accordance with the provisions of this part and Part 71 of this chapter.

2. Section 72.3 is revoked.

(Sec. 3, 23 Stat. 32, as amended, sec. 1, 3, 33 Stat. 1264, 1265, as amended; 21 U. S. C. 114, 123, 125)

Effective date. The foregoing amendment shall become effective on October 1, 1948. Inasmuch as the amendment relieves restrictions, it comes within the exception of section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may therefore be made effective less than 30 days after its publication.

Done at Washington, D. C., this 4th day of October 1948.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-8900; Filed, Oct. 6, 1948; 8:50 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 222—CONSUMER INSTALMENT CREDIT

TRANSACTION INITIATED BEFORE EFFECTIVE DATE

The following interpretation under this part relating to consumer instalment credit has been issued by the Board of Governors of the Federal Reserve System:

§ 222.104 *Transaction initiated before effective date.* The Board has been asked about the application of this part to extensions of credit where arrangements of some kind for the instalment sale of an article subject to this part were made prior to September 20, 1948, the effective date of this part, but where the transaction was not actually completed in all respects until after that date.

This part by its terms applies to extensions of credit made on or after September 20. Accordingly, its applicability depends upon the date the extension of credit is made, not the date arrangements for the credit are made.

There are many circumstances in which the question can arise and the determination of the date of extension of credit would depend on the circumstances of the case. The most frequent inquiry has been in connection with instances in which all details of an instalment sale of an article subject to this part have been completed before September 20 except delivery of the article. In such a case where delivery is the only uncompleted detail, the credit would have been extended prior to September 20 if the seller, prior to that date had physical or constructive possession of the particular automobile, refrigerator, or other item, and had set it aside, or identified it on inventory records or otherwise, as the article involved in the deal in question. The postponement of delivery may have occurred for any of a number of reasons such as the customer's desire to have the article delivered later to a home which he did not then occupy or the time necessary for the seller to deliver the article from the warehouse on his regular delivery schedule.

Another type of inquiry related to instances in which a particular article in the seller's possession has been identified or set aside as the one involved in the transaction and all other details have been completed before September 20 except the down payment which the seller required under his own credit terms before he would go ahead with the deal and make delivery. In this case, the extension of credit would not have been made before September 20 and it would be subject to this part. (Sec. 5 (b), 40 Stat. 415, as amended, 12 U. S. C. 95 (a), 50 U. S. C. App. 616, 617; E. O. 8843, Aug. 9, 1941, 3 CFR Cum. Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 48-8891; Filed, Oct. 6, 1948; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 3]

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

REPORTS; CAA RULES

Correction

In Federal Register Document 48-8828 appearing at page 5808 in the issue for Tuesday, October 5, 1948, the word "specifications" should be changed to "rules" wherever it appears.

[Supp. 6]

PART 61—SCHEDULED AIR CARRIER RULES

GENERAL; CAA RULES

Correction

In Federal Register Document 48-8827 appearing at page 5808 in the issue for Tuesday, October 5, 1948, the following corrections should be made:

1. The word "specifications" should be changed to "rules" wherever it appears.

2. In paragraph (3) of the second note in § 61.90, the word "fibre" should read "fire".

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5321]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GERALD A. RICE

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connection:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Personnel or staff:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.96 (b) *Using misleading name — Vendor — Government connection.* In connection with the offering for sale, sale or distribution in commerce, of courses of study and instruction intended to prepare students thereof for examinations for Civil Service positions in the United States Government, or any similar courses of study, and among other things, as in order set forth, (1) representing, directly or by implication through the use of the terms "Public Service Institute," "Civil Extension Service," "Office of Civil Preparation," or any other term of similiar import or meaning, as a trade name or as a part thereof, that the respondent has any connection with the United States Government or any branch or agency thereof; (2) representing, directly or by implication, through the use of the terms "Director," "Assistant Director," "Chief Special Agent," or any other term of similar import or meaning, to designate or describe the respondent or any of his representatives or salesmen, that the respondent or any of his employees have any connection with the United States Government or any branch or agency thereof; (3) representing, through the use of emblems or other picturizations resembling or simulating official United States Government seals or insignia that the respondent or his business is connected with the United States Government or any branch thereof; or, (4) representing in any manner, either directly or by implication, that the respondent or his business has any connection with the Government of the United States or any branch or agency

thereof, including the United States Civil Service Commission; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Gerald A. Rice doing business as Office of Civil Preparation, Docket 5321, August 27, 1948]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connection:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Unique or special status or advantages:* § 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities:* § 3.6 (m) *Advertising falsely or misleadingly—Jobs and employment service:* § 3.18 *Claiming or using indorsements or testimonials falsely or misleadingly:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government indorsement, sanction or sponsorship:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Unique status or advantages:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Jobs and employment:* § 3.72 (g) *Offering unfair, improper and deceptive inducements to purchase or deal—Job guarantee and employment:* § 3.72 (i 5) *Offering unfair, improper and deceptive inducements to purchase or deal—Opportunities in product or service.* In connection with the offering for sale, sale or distribution in commerce, of courses of study and instruction intended to prepare students thereof for examinations for Civil Service positions in the United States Government, or any similar courses of study, and among other things, as in order set forth, (1) representing, directly or by implication, that the respondent is authorized by the United States Civil Service Commission to qualify applicants for Government positions, or that positions in the United States Civil Service may or can be obtained through the respondent or by completing any of the respondent's courses of study; or (2) misrepresenting in any manner the positions and opportunities for employment in United States Civil Service positions of students completing the respondent's courses of study; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Gerald A. Rice doing business as Office of Civil Preparation, Docket 5321, August 27, 1948]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C. on the 27th day of August A. D. 1948.

In the Matter of Gerald A. Rice, Individually and Doing Business Under the Name and Style of Office of Civil Preparation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, the recommended decision of the trial examiner and a brief of counsel in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Gerald A. Rice, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions in the United States Government, or any similar courses of study, do forthwith cease and desist from:

1. Representing, directly or by implication, through the use of the terms "Public Service Institute", "Civil Extension Service", "Office of Civil Preparation", or any other term of similar import or meaning, as a trade name or as a part thereof, that the respondent has any connection with the United States Government or any branch or agency thereof.

2. Representing, directly or by implication, through the use of the terms "Director", "Assistant Director", "Chief Special Agent", or any other term of similar import or meaning, to designate or describe the respondent or any of his representatives or salesmen, that the respondent or any of his employees have any connection with the United States Government or any branch or agency thereof.

3. Representing, through the use of emblems or other picturizations resembling or simulating official United States Government seals or insignia that the respondent or his business is connected with the United States Government or any branch thereof.

4. Representing in any manner, either directly or by implication, that the respondent or his business has any connection with the Government of the United States or any branch or agency thereof, including the United States Civil Service Commission.

5. Representing, directly or by implication, that the respondent is authorized by the United States Civil Service Commission to qualify applicants for Government positions, or that positions in the United States Civil Service may or can be obtained through the respondent or by completing any of the respondent's courses of study.

6. Misrepresenting in any manner the positions and opportunities for employment in United States Civil Service positions of students completing the respondent's courses of study.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] WM. P. GLENDENING, Jr.,
Acting Secretary.

[F. R. Doc. 48-8902; Filed, Oct. 6, 1948; 8:51 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

ORANGE RIVER, FLORIDA

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.241 (f) is hereby amended by the addition thereto of a subparagraph relating to the State Road Department of Florida bridge over Orange River near Fort Myers, Florida, as follows:

§ 203.241 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which this section applies, and the special regulations applicable in each case, are as follows:

• • • • • •

Orange River, Fla.; State Road Department of Florida bridge one mile above mouth, near Fort Myers. At least 24 hours' advance notice required, except during a hurricane alert issued by the United States Weather Bureau affecting the area of the Caloosahatchee and Orange Rivers when a draw tender shall be constantly on duty and the bridge opened at any time for the passage of vessels giving the usual signal.

• • • • • •

[Regs. 21 Sept. 1948, CE 823 (Orange River—Fort Myers, Fla.)—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,
Major General,
Adjutant General.

[F. R. Doc. 48-8906; Filed, Oct. 6, 1948; 8:53 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

PAYETTE NATIONAL FOREST; SAN JUAN NATIONAL FOREST

CROSS REFERENCE: For order which affects the tabulation contained in § 201.1 by reducing and revoking certain withdrawals of lands for forest administrative sites in the Payette National Forest and San Juan National Forest, see F. R. Doc. 48-8966, Department of the Interior, Bureau of Land Management, in the Notices section, *infra*.

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

MISCELLANEOUS AMENDMENTS

The Secretary of the Army having determined that the use of the Wister Reservoir, Poteau River, Oklahoma, the Dewey Reservoir, Johns Creek, Kentucky, the Kanopolis Reservoir, Smoky Hill River, Kansas, and the Center Hill Reservoir, Caney Fork River, Tennessee, by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of these reservoirs for their primary purposes, hereby prescribes rules and regulations pursuant to the provisions of section 4 of the act of Congress approved December 22, 1944 (58 Stat. 889; 16 U. S. C. 460d) as amended by the Flood Control Act of 1946 (60 Stat. 641), for the public use of these areas, by amending Chapter III, Part 311, as follows:

1. Add new paragraphs (n), (o), (p), and (q) to § 311.1 as follows:

§ 311.1 *Areas covered.* • • •

(n) Wister Reservoir Area, Poteau River, Oklahoma

(o) Dewey Reservoir Area, Johns Creek, Kentucky

(p) Kanopolis Reservoir Area, Smoky Hill River, Kansas

(q) Center Hill Reservoir Area, Caney Fork River, Tennessee

2. Amend paragraph (a) of § 311.4 by adding subparagraphs (4) and (5) as follows:

§ 311.4 *Houseboats.* (a) A permit shall be obtained from the District Engineer for placing any houseboats on the water of any reservoir area listed in § 311.1, except for the following reservoir areas on which houseboats are prohibited.

• • • • •

(4) Wister Reservoir Area, Poteau River, Oklahoma.

(5) Kanopolis Reservoir Area, Smoky Hill River, Kansas.

[Regs. Sept. 21, 1948, ENGWR] (58 Stat. 889, 60 Stat. 641; 16 U. S. C. 460d)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-8905; Filed, Oct. 6, 1948; 8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 29—MAIL SERVICE FOR MEMBERS OF ARMED FORCES OVERSEAS

MISCELLANEOUS AMENDMENTS

In § 29.3 *Greeting cards* (12 F. R. 6462), make the following changes:

1. In the first line, delete the words "War Department," and substitute therefor the phrase "Department of the Army".

2. In the second line, delete the word "soldiers", and substitute therefor the word "personnel".

In § 29.4 *Addresses* (12 F. R. 6462), make the following changes:

1. In paragraph (b), the second line, after the word "Army", insert the words "and Air Force".

2. In paragraph (b), fifth line, delete the word "Army".

In § 29.5 *Postage* (12 F. R. 6463), make the following changes:

1. In line fifteen after the word "Army", insert the words "and Air Force".

2. Add after the last sentence, the following: "Air parcel post is available to members of the Armed Forces overseas. The rate of 80 cents for first pound (over 8 ounces to 1 pound) and 80 cents for each additional pound or fraction thereof applies."

In § 29.12 *Prohibited articles* (12 F. R. 6463), make the following changes:

1. Amend the second paragraph to read as follows:

Cigarettes and other tobacco products are prohibited transmission for delivery through A. P. O.'s in Germany, France, Austria, Trieste, and Italy, and also Navy numbers 913 and 963 in Germany. The transmission of parcels addressed to overseas A. P. O.'s containing penicillin and streptomycin, except to A. P. O.'s c/o Postmaster, New York, N. Y., is prohibited. Customs declarations are required on parcels addressed to A. P. O. 58, c/o Postmaster, New York, N. Y. Consult postmaster for list of prohibited articles.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-8886; Filed, Oct. 6, 1948; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of the Interior

PART 401—APPLICATIONS FOR ENTRY ON PUBLIC LANDS AND WATER RENTAL

GOODING DIVISION, MINIDOKA IRRIGATION PROJECT, IDAHO

CROSS REFERENCE: For public notice of opening public lands to entry and announcing availability of water in the Gooding Division, Minidoka Irrigation Project, Idaho, see Federal Register Document 48-8882 under Department of the Interior, Bureau of Reclamation, in the Notices section, *infra.*

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 8975, 8736]

PART 1—ORGANIZATION, PRACTICE AND PROCEDURE

ACCEPTANCE OF APPLICATION

In the matter of amendment of § 1.371 of the Commission's rules and regulations.

During the hearing held by the Commission in the proceeding to consider proposed revisions of the Commission's table of television channel allocations (In the matter of amendment of § 3.606 of the Commission's rules and regulations), evidence was presented concerning (1) tropospheric interference to existing and proposed television stations, (2) the use of directional antennas, (3) the use of increased power, and (4) conflicting proposals for closer spacing and wider spacing between television stations than is presently provided for by the Commission.

In order to assure that the Commission's national television allocation plan should be based on the soundest engineering foundation, an Industry-Commission Conference was held on September 13 and 14, 1948. The issues for decision at the Conference were:

1. Whether the Commission should initiate proceedings to revise the television allocation rules and standards prior to final decision in Dockets 8975 and 8736.

2. If the standards are to be revised, what policy should be adopted with respect to applications now pending before the Commission.

3. What procedures should be adopted in order that the revised standards can be based on the best available engineering information.

At the conclusion of that Conference it was announced that the Commission would call an engineering conference to consider questions regarding revision of the Commission's rules, regulations and standards with respect to the technical phases of television allocations. The date, place, and agenda for that conference will be announced shortly. This report and order deals with the second issue before the Commission.

A national television allocation plan must be based on the Commission's rules, regulations and standards which, in turn, must reflect the best available engineering information. One of the purposes of the coming Conference is to obtain such information. It is evident to the Commission that until the discussions at the proposed engineering conference are studied, and appropriate conclusions reached, the promulgation or revision of an allocation table and assignments thereunder might constitute an unwarranted disregard of important factors which may seriously affect such table. Moreover, it is apparent that assignments cannot continue to be made under the present allocation table since the evidence presented at the hearing and conference raises the same serious questions concerning the validity of the bases upon which such table was constructed as in the case of the proposed table. Furthermore, additional assignments at the present time will make more difficult any revisions in the table which might be necessary as a result of any changes in the Standards which might result from the proceedings.

In view of the foregoing, the Commission has concluded that, pending further consideration of the issues in Dockets Nos. 8975 and 8736, requests for television authorizations on channels 2 through 13 will be considered in accord-

ance with the following interim procedure:

1. Applications pending before the Commission and those hereafter filed for permits to construct television stations on channels 2 through 13 will not be acted upon by the Commission but will be placed in the pending files.

2. Applications pending before the Commission and those hereafter filed for modification of existing permits or licenses will be considered on a case-to-case basis and Commission action thereon will depend on the extent to which they are affected by the issues to be resolved in the proceedings bearing Docket Nos. 8975 and 8736.

3. No hearing dates will be scheduled with respect to applications for construction permits which have been designated for hearing, and in cases in which hearings have been commenced or completed but decisions have not been issued, no further action will be taken.

4. This procedure does not apply to construction permits or other television authorizations heretofore issued by the Commission.

The interim procedure set forth above relates to practice and procedure before the Commission and, therefore, proposed rule making in accordance with the provisions of section 4 of the Administrative Procedure Act is not required.

Accordingly, it is ordered, This 29th day of September 1948, that, effective immediately, § 1.371 of the Commission's rules and regulations is amended by adding footnote 8a to the heading thereto, reading as follows:

[8a] Pending further consideration of the issues in Dockets Nos. 8975 and 8736, requests for television authorizations on channels 2 through 13 will be considered in accordance with the following procedure:

(a) Applications pending before the Commission and those hereafter filed for permits to construct television stations on channels 2 through 13 will not be acted upon by the Commission but will be placed in the pending files.

(b) Applications pending before the Commission and those hereafter filed for modification of existing permits or licenses will be considered on a case-to-case basis and Commission action thereon will depend on the extent to which they are affected by the issues to be resolved in the proceedings bearing Dockets Nos. 8975 and 8736.

(c) No hearing dates will be scheduled with respect to applications for construction permits which have been designated for hearing, and in cases in which hearings have been commenced or completed but decisions have not been issued, no further action will be taken.

(d) This procedure does not apply to construction permits or other television authorizations heretofore issued by the Commission.

(Sec. 4 (i), 48 Stat. 1066, sec. 6 (b), 50 Stat. 191; 47 U. S. C. 154 (i), 303 (v))

Released: September 30, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-8907; Filed, Oct. 6, 1948; 9:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

[No. 29493]

PART 400—AGREEMENTS, FORWARDER-MOTOR COMMON CARRIERS

FREIGHT FORWARDERS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 24th day of September A. D. 1948.

It appearing, that by order dated March 5, 1946, the Commission entered upon an investigation for the purpose of determining the just, reasonable, and equitable terms and conditions, including the terms and conditions governing the determination and fixing of the compensation to be paid or observed, under which freight forwarders subject to part IV of the Interstate Commerce Act may utilize the services and instrumentalities of common carriers by motor vehicle subject to part II of the act, under agreements between such forwarders and motor carriers:

It further appearing, that a full investigation of the matters and things involved has been made, and that the Commission on the date hereof has made its report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof: [1] It is ordered, that:

Sec.
400.1 Terms and conditions, and compensation to be paid by freight forwarders to motor common carriers for services.
400.2 Expiration date prescribed for section 409 of the Interstate Commerce Act.

§ 400.1 *Terms and conditions, and compensation to be paid by freight forwarders to motor common carriers for services.* The just, reasonable, and equitable terms and conditions in accordance with the directions in amended section 409 of the Interstate Commerce Act (49 U. S. C. 1009), including those governing the determination and fixing of the compensation to be paid or observed, for the utilization of the services and instrumentalities of common carriers by motor vehicle subject to part II of the act by freight forwarders subject to part IV of said act, under agreements between such freight forwarders and common carriers, shall be those set forth in the following paragraphs: *Provided,* That the said terms and conditions relating to compensation shall not apply to compensation to motor common carriers for handling terminal-to-terminal traffic which is lower than would be received under rates or charges established under part II of the act.

(a) Where an agreement has been entered into by a freight forwarder and a motor common carrier for the performance by the latter for the former of transportation service subject to part II of the act, the forwarder shall file with this Commission a schedule (which may be called a Schedule of Compensation Arrangements), which shall describe adequately and clearly the services to be performed by each motor carrier and the compensation to be paid therefor. Any change in the compensation to be paid or the services to be rendered shall be shown by a supplement to or reissue of the schedule, which shall also be filed with this Commission by the forwarder. Such schedule, supplements thereto and reissues thereof shall be signed by the forwarder and the motor carrier, or a separate concurring agreement, signed by the parties and signifying their concurrence in the schedule, supplements thereto and reissues thereof, shall be filed with this Commission by the forwarder.

(b) The schedule, supplements thereto and reissues thereof, shall show the date on which they are to become effective.

(c) Three copies of the documents described in paragraphs (a) and (b) of this section, including the signed originals, shall be filed with this Comission prior to the effective date of the schedule, supplement thereto or reissue thereof, as to those which are to become effective on the effective date of this part, and at least 10 days prior to the effective date with respect to those which are to become effective after the effective date of this part. One copy shall be available for public inspection in the offices of this Commission.

(d) The compensation stated in the effective schedule, supplements thereto or reissues thereof, on file with this Commission shall continue to be the lawful compensation to be paid by the forwarder to the motor common carrier for the services performed by the motor common carrier until that carrier or the forwarder revokes its participation therein, or until this Commission has modified or changed the compensation in an appropriate proceeding.

(e) Any party desiring to revoke its participation in the above-described arrangements shall file with this Commission three copies of a notice of revocation at least 30 days before the revocation is to become effective and at the same time shall forward by registered mail a copy to the other party to the arrangements. The notice of revocation shall show the date on which the revocation is to become effective and make reference to the schedule on file with this Commission, the participation in which is revoked.

(f) Except as otherwise specified in paragraphs (a) to (e) of this section, the regulations governing the construction and form of motor common carrier freight publications as contained in Tariff Circular MF No. 3, as amended, (§§ 187.21 to 187.47 of this chapter) shall generally be observed to the extent they are adaptable with respect to the above-described schedules, supplements thereto and reissues thereof, the concurring agreements, and revocation notices, unless special permission is granted to depart therefrom.

(g) The Commission reserves the right to add to, change or modify the above terms and conditions for good cause and it may, at any time, upon complaint or

[1] Filed as part of the original document.

upon its own initiative, consider the reasonableness of the compensation and other provisions contained in the above-described schedule and prescribe the just, reasonable, and equitable compensation, provisions and terms and conditions to be observed as a condition to the departure from the established tariffs of the motor carrier.

§ 400.2 *Expiration date prescribed for section 409 of the Interstate Commerce Act.* This part shall become effective on January 22, 1949, and on and after that date, subsection (b) of section 409 of the Interstate Commerce Act shall be effective no longer.

(60 Stat. 21; 49 U. S. C. 1009 (a) (2))

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 48-8901; Filed, Oct. 6, 1948; 8:51 a. m.]

TITLE 50—WILDLIFE

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

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 24—WEST CENTRAL REGION NATIONAL WILDLIFE REFUGES

BOW AND ARROW DEER HUNTING IN MUD LAKE NATIONAL WILDLIFE REFUGE, MINNESOTA

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service and of the Minnesota Conservation Department it has been determined that there is a surplus of deer on and in the vicinity of the Mud Lake National Wildlife Refuge, which surplus can best be removed by public hunting with bow and arrow on a part of the Refuge.

The following is added:

§ 24.666 *Mud Lake National Wildlife Refuge, Minnesota; bow and arrow deer hunting.* Deer may be taken with bow and arrow only on the following described lands within the Mud Lake National Wildlife Refuge during the 1948 open season only, subject to the following provisions, conditions, restrictions, and requirements:

(a) *Areas open to hunting.* All of the lands of the United States within the following described subdivisions on the Mud Lake National Wildlife Refuge, Minnesota, shall be open to bow and arrow deer hunting:

FIFTH PRINCIPAL MERIDIAN

T. 156 N., R. 40 W.,
Secs. 4 to 9 incl., all;
Sec. 18, all.
T. 157 N., R. 40 W.,
Secs. 19, 30, and 31, all.
T. 156 N., R. 41 W.,
Secs. 1, 12, and 13 all;
Sec. 22, all south of secondary trail;
Secs. 23 to 27 incl., all;
Sec. 30, all south of County Road "E";
Secs. 31 to 36 incl., all.
T. 157 N., R. 41 W.,
Secs. 24, 25, and 36, all.
T. 155 N., R. 42 W.,
Secs. 1 to 3 incl., all.
T. 156 N., R. 42 W.,
Sec. 32, all south of County Road "E";
Sec. 33, all south of County Road "E";
Sec. 34, all south of County Road "E";
Sec. 36, all south of County Road "E".

(b) *Entry.* Entry on and use of the Refuge is governed by the regulations of the Secretary dated December 19, 1940, (5 F. R. 5284), as amended, and strict compliance therewith is required. Hunters must follow such routes of travel within the Refuge as are designated by posting.

(c) *State laws.* Strict compliance with all State laws and regulations is required, and any person who hunts on the Refuge must have in his possession and exhibit at the request of any authorized Federal or State officer a valid State hunting license and permit for the taking of deer if such is required by the State laws and regulations. The license and permit will serve as a Federal permit for entry on the Refuge for the purpose of hunting deer.

(d) *Cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting area and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting. (Sec. 10, 45 Stat. 1222, sec. 84, 35 Stat. 1088, 43 Stat. 98; 16 U. S. C. 715i, 18 U. S. C. 145; Reorg. Plan No. II of 1939, 3 CFR Cum. Supp., 4 F. R. 2731; Regulations, Fish and Wildlife Service, Dec. 19, 1940, 5 F. R. 5284; 50 CFR Cum. Supp., Part 12, as amended)

Dated: October 1, 1948.

O. H. JOHNSON, *Acting Director.*

[F. R. Doc. 48-8295; Filed, Oct. 6, 1948; 8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 933]

ORANGES, GRAPEFRUIT AND TANGERINES GROWN IN FLORIDA

GENERAL NOTICE WITH RESPECT TO APPROVAL OF BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948–1949 FISCAL PERIOD

Consideration is being given to the following proposals submitted by the Growers Administrative Committee, established under Marketing Agreement No. 84, as amended, and Order No. 33, as amended (7 CFR and Supps., 933.1 et seq.), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses not to exceed $108,000 will be necessarily incurred during the fiscal period August 1, 1948 to July 31, 1949, for the maintenance and functioning of the committees established under the aforesaid amended marketing agreement and order, and (2) that the Secretary of Agriculture fix, as each handler's share of such expenses, the rate of assessment, which each handler shall pay during the aforesaid fiscal period in accordance with the aforesaid amended marketing agreement and order, at $0.003 per standard packed box of fruit shipped by such handler during such fiscal period.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same with the Hearing Clerk, Room 1846, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used herein, "handler," "shipped," "fruit," "fiscal period," and "standard packed box" shall have the same meaning as is given to each such term in the said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR and Supps., 933.1 et seq.)

Issued this 1st day of October 1948.

[SEAL] A. J. LOVELAND, *Acting Secretary of Agriculture.*

[F. R. Doc. 48-8897; Filed, Oct. 6, 1948, 8:50 a. m.]

[7 CFR, Part 947]

HANDLING OF MILK IN FALL RIVER, MASS., MILK MARKETING AREA

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

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps., 900.1 et seq.), a public hearing was held at Fall River, Massa-

chusetts, June 21, 1948, pursuant to a notice published in the FEDERAL REGISTER (13 F. R. 3257) on June 16, 1948, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

A recommended decision, based on the record of such hearing, was issued by the Assistant Administrator, Production and Marketing Administration, on July 6, 1948. The notice of filing such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on July 10, 1948 (13 F. R. 3871). The time for filing exceptions has expired, and no exceptions were filed.

The only issue on the record of the hearing was the question of whether the Class I price for the Fall River market for the months of July through December 1948 should be increased by 22 cents per hundredweight over the prices which witnesses indicated would probably be established by the Class I formula pricing provisions of the order.

Findings and conclusions. The record indicates that during recent years receipts of milk from regular producers have been less than fluid milk sales in this market during all seasons of the year. Since Fall River is surrounded by other milk markets competing for the supply of milk in the same area, expansion of the Fall River milkshed in the nearby area could be accomplished only by securing new producers who are now supplying these other competing markets. In order to obtain a sufficient supply of milk for Class I use, Fall River handlers have been using large volumes of milk from other areas, and in recent months this supplementary milk has come principally from plants in Northern New England regulated under the Federal order for the Boston market. Since other milk markets near to Fall River also do not receive enough milk from their regular producers for fluid milk requirements, these markets seek other sources of milk supply, and a principal source of such supplementary supplies for these other markets similarly has been Northern New England plants operated under the Boston order.

The cost of supplementary milk supplies to other competing markets in this area is approximately the same as for Fall River handlers. If the price received by Fall River producers is less than the prices handlers in neighboring markets are paying for milk either from their own producers or from Northern New England sources, handlers in these other markets would find it to their advantage to offer Fall River producers a price higher than these producers receive in the Fall River market. In order to maintain the present supply of local milk for the Fall River market, it is therefore necessary under these conditions that prices received by Fall River producers be at a level comparable with prices paid in nearby markets for local supplies and for milk brought in from Northern New England plants.

The evidence in the record indicates that an increase of 22 cents per hundredweight in Fall River Class I milk prices over the prices indicated for July milk at the time of the hearing would raise Fall River prices to the level of those in competing markets.

Contrary to the results anticipated by witnesses who testified at the hearing, the normal operation of the Class I formula brought about an increase on August 1 of 22 cents over July prices. Thus, the Class I price for the months of September through December will also be at least 22 cents over the July prices inasmuch as the order prescribes that the Class I price for any of the months of September through December of each year shall not be lower than the Class I price for the immediately preceding delivery period. In view of such development, the evidence in the hearing record does not support a further price increase.

It is therefore decided that the amendment proposed in the recommended decision of July 6, 1948 is unwarranted, and that no amendment shall be issued on the basis of the record of said hearing.

Issued at Washington, D. C., this 1st day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary.

[F. R. Doc. 48-8898; Filed, Oct. 6, 1948; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 19]

[Docket No. 9159]

PROPOSED CITIZENS RADIO SERVICE

ADOPTION OF PROPOSED FORM

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

2. On August 12, 1948 the Commission adopted proposed rules with respect to the Citizens Radio Service. In order to implement this proposed service, it is proposed to adopt an application form, a copy of which is attached.[1] Additional copies of the proposed form will be available at the Commission's Office of Information, Room #7230, New Post Office Building, Washington 25, D. C.

3. This notice is issued pursuant to authority contained in sections 303 (r) and 308 (b) of the Communications Act, as amended.

4. Any interested person who is of the opinion that the proposed form should or should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before October 25, 1948 a written statement or brief setting forth his comments. The Commission will consider these written comments and if comments are submitted which appear to warrant the Commission's holding an oral argument, notice of time and place of such oral argument will be given.

5. An original and 4 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: September 29, 1948.

Released: September 30, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-8908; Filed, Oct. 6, 1948; 9:08 a. m.]

[1] Filed with original document.

NOTICES

POST OFFICE DEPARTMENT

MAIL SERVICE FOR MEMBERS OF ARMED FORCES OVERSEAS

CHRISTMAS MAIL TO BE MAILED BETWEEN OCTOBER 15 AND NOVEMBER 15

Arrangements have been made by the Post Office Department in cooperation with the Department of the National Military Establishment for the acceptance of Christmas parcels for members of our armed forces serving outside the continental United States.

While requests for parcels from members of our armed forces are not required, many persons in this country will undoubtedly wish to send special Christmas parcels to their loved ones overseas, and these instructions are, therefore, issued with the view of assuring their delivery on time and in good condition. Patrons should indorse each such gift parcel "Christmas Parcel" and special effort will be made to effect delivery of all Christmas parcels mailed during the period stated below in time for Christmas.

Time of mailing. Christmas parcels for overseas personnel should be mailed during the period beginning October 15, 1948, and ending November 15, 1948, the earlier the better. Parcels destined for delivery in Japan, Korea, and the islands in the Pacific should be mailed as early as possible during the period stated, preferably not later than November 1, in view of the distances involved.

It is suggested, however, that parcels for Navy and Marine Corps personnel serving in the most remote areas be mailed not later than October 15. Parcels for such personnel known to be in an area which would permit mailing subsequent to October 15, may be deposited for mailing at a date selected by the sender.

Christmas cards for Army and Air Force personnel overseas may be mailed at any time but patrons should mail such cards prior to November 15, 1948, if they are to have a reasonable expectation of delivery prior to Christmas.

The various services have pointed out that members of the armed forces are amply provided with food and clothing and the public is urged not to include such matter in gift parcels. The public can ascertain what articles their relatives and friends overseas can secure locally by correspondence with such person and should limit their gifts to articles not readily obtainable by the recipient.

The regulations in Part 29 Mail Service for members of armed forces overseas of Title 39 CFR are applicable to Christmas mail for such persons.

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-8887; Filed, Oct. 6, 1948; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO AND IDAHO

REDUCING AND REVOKING CERTAIN WITHDRAWALS FOR FOREST ADMINISTRATIVE SITES

The orders of this Department dated November 21 and December 13, 1906, October 5, 1907, May 16, September 4, October 19 and November 14, 1908, withdrawing certain lands for the use of the Forest Service, Department of Agriculture as forest administrative sites are hereby revoked so for as they affect the following-described lands.

COLORADO

NEW MEXICO PRINCIPAL MERIDIAN

T. 39 N., R. 9 W.,
Sec. 24, E½SE¼SE¼SW¼;
Sec. 25, E½E½NE¼NW¼.

The area described contains 15 acres in the San Juan National Forest withdrawn as part of the Hamor's Lake Ranger Station.

IDAHO

BOISE MERIDIAN

T. 15 N., R. 1 E.,
Sec. 1, SE¼SE¼;
Sec. 12, NE¼NE¼ and N½SE¼NE¼.

The area described contains 100 acres in the Payette National Forest withdrawn as the Middle Fork Administrative Site.

Sec. 22, SE¼SW¼ and SW¼SE¼;
Sec. 27, NE¼NW¼.

The area described contains 120 acres in the Payette National Forest withdrawn as the Fall Creek Administrative Site.

T. 17 N., R. 1 E.,
Sec. 32, W½SE¼.

The area described contains 80 acres in the Payette National Forest withdrawn as the Council Valley Administrative Site.

T. 20 N., R. 1 E.,
Sec. 29, SE¼SW¼;
Sec. 32, NE¼NW¼.

The area described contains 80 acres in the Payette National Forest withdrawn as Ranger Station 1. (Mud Creek)

T. 21 N., R. 1 E.,
Sec. 21, SE¼NW¼ and NE¼SW¼.

The area described contains 80 acres in the Payette National Forest withdrawn as Ranger Station 2. (Round Valley)

T. 17 N., R. 2 E.,
Sec. 31, SE¼NE¼ and NE¼NE¼SE¼;
Sec. 32, SW¼NW¼ and NW¼NW¼SW¼.

The area described contains 100 acres in the Payette National Forest withdrawn as the Squaw Flat Administrative Site.

T. 20 N., R. 5 E.,
Sec. 13, NW¼.

The area described contains 160 acres in the Payette National Forest withdrawn as the Lick Creek Ranger Station.

This order shall become effective at 10:00 a. m. on November 29, 1948.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior.

SEPTEMBER 27, 1948.

[F. R. Doc. 48-8966; Filed, Oct. 6, 1948; 10:42 a. m.]

Bureau of Reclamation

[Public Notice 43]

GOODING DIVISION, MINIDOKA IRRIGATION PROJECT, IDAHO

PUBLIC NOTICE ANNOUNCING AVAILABILITY OF WATER FOR PUBLIC AND PRIVATE LANDS AND OPENING OF PUBLIC LANDS TO ENTRY

Lands Covered

SEPTEMBER 14, 1948.

SECTION 1. *Lands for which water will be available.* Water will be available for the irrigation season of 1949 and thereafter for certain irrigable lands on the Gooding Division of the Minidoka Irrigation Project, as shown on approved farm unit plats on file in the office of the Superintendent, Minidoka Project, Burley, Idaho; Bureau of Reclamation, Hunt, Idaho; Bureau of Reclamation, Boise, Idaho, and in the District Land Office at Boise, Idaho.

Application may be made in accordance with this notice, beginning at 2:00 p. m., October 1, 1948, for a certificate of qualification which will entitle the holder to file an application for entry on the public lands shown on the plats.

The lands to which this notice pertains are described as follows:

PUBLIC LAND

BOISE MERIDIAN, IDAHO

Section	Farm unit	Description	Total irrigable acres
		Township 8 South, Range 19 East	
13	A	Tract A (Sec. 18, T. 8 S., R. 20 E.) Tract A.	59.8
	B	Tract B	63.3
	C	Tract C	63.1
	D	Tract D	70.2
14	A	Tract A	69.5
	B	Tract B	72.4
	C	Tract C	79.7
	D	Tract D	73.2
23	E	Tract E	81.7
32	A	Tract G	87.1
	B	Tract B	76.5
	C	Tract C	77.8
33	C	Tract C	84.1
	D	Tract D	70.0
	E	Tract E	66.6
	F	Tract F	65.4
34	F	Tract G (Sec. 3, T. 9 S., R. 19 E.) Tract G.	79.7
		Township 9 South, Range 19 East	
3	D	Tract C	78.6
	E	Tract D	84.9

PUBLIC LAND—Continued

BOISE MERIDIAN, IDAHO—continued

Section	Farm unit	Description	Total irrigable acres
		Township 8 South, Range 20 East	
31	A	Tract B	92.2
		Township 9 South, Range 20 East	
6	G	Tract A (Sec. 31, T. 8 S., R. 20 E.) Tract A.	82.4
4	A	Tract A	73.2
9	B	Tract B	92.8
	C	Tract C	84.2
	D	Tract D	113.6
	E	Tract E	85.6
11	A	Tract A	91.4
14	B	Tract B	75.5
	C	Tract C	65.5
	D	Tract D	72.1
	E	Tract E	84.9
15	A	Tract A	81.7
	B	Tract B	88.3
	C	Tract C	84.9
	D	Tract D	61.5
	E	Tract E	65.8
22	A	Tract A	67.9
	F	Tract F	108.5
23	A	Tract G	72.8
	B	Tract A	73.7
	F	Tract F	73.9
24	A	Tract A	62.8
		Township 9 South, Range 21 East	
31	A	Tract A	95.5
	B	Tract B	91.3
	C	Tract C	72.3
32	A	Tract A	101.7

PRIVATE LAND

BOISE MERIDIAN, IDAHO

Location	Description	Total irrigable acres
	Township 8 South, Range 19 East	
Sec. 36	NW¼NE¼	12.7
	SW¼NE¼	27.2
	SE¼NE¼	26.8
	NE¼NW¼	35.2
	NW¼NW¼	0.4
	SW¼NW¼	18.5
	SE¼NW¼	38.1
	NE¼SE¼	23.1
	NW¼SE¼	28.1
	SW¼SE¼	35.8
	SE¼SE¼	28.9
	Township 8 South, Range 20 East	
Sec. 16	NE¼NE¼	36.6
	NW¼NE¼	15.2
	SW¼NE¼	24.3
	SE¼NE¼	26.5
	NE¼SE¼	32.7
	NW¼SE¼	22.4
	SW¼SE¼	38.2
	SE¼SE¼	27.9
Sec. 36	SW¼NE¼	14.1
	SE¼NE¼	22.2
	NE¼SE¼	27.5
	NW¼SE¼	30.3

SEC. 2. *Limit of acreage for which entry may be made or water secured.* The public lands covered by this notice have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Secretary of the Interior, may reasonably be required for the support of a family upon such land. The areas in the different units are fixed at the amounts shown upon the farm unit plats referred to in section 1 of this notice. The maximum acreage of land in private ownership for which application for delivery of water may be made is 160 acres of irrigable land for each landowner.

Preference Rights of Veterans of World War II

SEC. 3. *Nature of preference.* The law provides that when public lands are opened to entry, preference shall be given to applications which are made by veterans of World War II (and in some cases by their wives or husbands or guardians of minor children) and which are filed within 90 days after the opening of the lands. The five classes of persons who are entitled to this veterans' preference are set forth in section 4 of this notice.

Therefore, applications for farm units on lands covered by this notice which are made by persons coming within one of the five classes listed in section 4 of this notice will be given first consideration if submitted before December 30, 1948.

In order to be eligible to receive farm units, all applicants, whether or not entitled to veterans' preference, must possess the necessary qualifications as to industry, experience, character, capital and physical fitness (see section 8 of this notice) and (except for duly appointed guardians) must be qualified to make entry under the homestead laws.

SEC. 4. *Persons entitled to veterans' preference.* The classes of persons who are entitled to the veterans' preference described in section 3 of this notice are as follows:

(a) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, or Coast Guard of the United States for a period of at least 90 days at any time on or after September 16, 1940, and prior to the termination of World War II, and have been honorably discharged.

(b) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps or Coast Guard during the period described in subsection (a) of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or, subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the government on account of such wounds or disability.

(c) The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See section 11 of this notice regarding provision that a married woman must be head of a family.)

(d) The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(e) The surviving spouse of any person whose death has resulted from wounds received or disability incurred in line of duty while serving in the Army, Navy, Marine Corps or Coast Guard during the period described in subsection (a) of this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

SEC. 5. *Definition of honorable discharge.* An honorable discharge means:

(a) Separation from the service by means of an honorable discharge or a discharge under honorable conditions;

(b) Transfer with honorable service from such service to a reserve or retired status prior to the termination of the war; or

(c) Ending of the period of war service by reason of the termination of the war, even though the veteran remains in the military or naval service of the United States.

SEC. 6. *Submission of proof of veterans' status.* All applicants for farm units who claim veterans' preference must attach to their applications a photostatic, certified or authenticated complete copy (both sides) of an official document of the respective branch of the service which shows clearly an honorable discharge, as defined in section 5 of this notice, or constitutes evidence of other facts on which the claim for preference is based, and which clearly shows the period of service.

If the preference is claimed by a surviving spouse or on behalf of the minor child or children of a deceased veteran, proof of the relationship asserted and of the veteran's service and death must be attached to the application. If the preference is claimed by the spouse of a living veteran, proof of such relationship and of the veteran's service and written consent to the exercise of the preference right must be attached to the application.

QUALIFICATIONS REQUIRED BY THE RECLAMATION AND HOMESTEAD LAWS

SEC. 7. *Examining Board.* An examining board of four members, including the Superintendent of the Minidoka Project, who will act as secretary of the board, has been approved by the Commissioner of Reclamation to determine the qualifications and fitness of applicants to undertake the development and operation of a farm on the Minidoka Project. The board will make careful investigations to verify the statements made by applicants. Any false statement may constitute grounds for rejection of an application, cancelation of award or cancelation of an entry.

SEC. 8. *Minimum qualifications.* This section sets forth the minimum qualifications which are necessary to give reasonable assurance of success of an entryman or entrywoman on a reclamation farm unit. Applicants must, in the judgment of the examining board, meet these qualifications in order to be considered for entry. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

(a) *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

(b) *Farm experience.* Except, as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board, will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a non-irrigated farm, but all applicants must have had farm experience of such a nature as, in the judgment of the examining board, will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

(c) *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor. Any person who is physically handicapped or afflicted with any condition which makes such ability questionable must attach to his or her application the detailed statement of an examining physician which defines the limitation upon such ability and its causes.

(d) *Capital.* An applicant must possess at least $3,000, consisting of cash or assets readily convertible into cash, or assets such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. If the applicant proposes to convert items into cash, total cash value should be shown with a full explanation.

An applicant shall furnish in section 10 of the farm application blank a financial statement listing all of his assets and all of his liabilities. Prior to the issuance of a certificate of qualification, and not later than at the time of the personal interview, the applicant will be required to corroborate his statement of net worth by the statement of an officer of a bank or other responsible and reputable credit agency or by other proof satisfactory to the examining board.

SEC. 9. *References.* (a) An applicant shall list in section 12 of the farm application blank the names, occupations, positions or titles and complete, current addresses of five persons who are qualified and willing to give their frank opinions as to the applicant's personal qualifications and farm experience. Persons named as references must be responsible citizens who are permanent residents in their communities.

At least one of these five persons must be an agricultural leader who now holds one or more of the following positions: County Agent; Farmers Home Administration County Supervisor; Production and Marketing Administration County Committeeman; Soil Conservationist; Vocational Agriculture Teacher; manager or agricultural representative of an agricultural marketing or processing association or institution; loan officer or agricultural representative of a credit agency or institution in an agricultural community, or an officer of any recognized farm organization.

The other four persons named as references may be successful farmers who own and operate their own farms and are well known in the community where the farm experience was acquired.

Persons in occupations other than those listed in this subsection and relatives of the applicant are not acceptable.

(b) The applicant shall also be responsible for furnishing to at least three of the five persons listed in section 12 of the farm application blank the reference forms provided with this notice and for the return by these persons to the board of three complete, signed statements. At least one of these three statements must be prepared and signed by one of the agricultural leaders listed in subsection (a) of this section.

SEC. 10. *Restriction on ownership of project lands.* Applicants for farm units must not hold or own, within any Federal reclamation project, irrigable land for which construction charges payable to the United States have not been fully paid, except that this restriction does not apply to small tracts used exclusively for residential purposes.

Prior to the issuance of a certificate of qualification and not later than the time of the personal interview, an applicant who owns lands in a Federal reclamation project must furnish satisfactory evidence that the total construction charges allocated against the land owned by the applicant have been paid in full.

SEC. 11. *Principal qualifications required by homestead laws.* All applicants (except guardians) must meet the requirements of the homestead laws. The homestead laws require that an entryman or entrywoman:

(a) Must be a citizen of the United States or have declared an intention to become a citizen of the United States;

(b) Must not have exhausted the right to make homestead entry on public land;

(c) Must not own more than 160 acres of land in the United States;

(d) Must, if a married woman, or a person under 21 years of age who is not eligible for veterans' preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of the family. Any applicant who is required to be the head of a family must submit with the application evidence of such status which is satisfactory to the board. Complete information concerning qualifications for homesteading may be obtained from District Land Offices or from the Bureau of Land Management, Washington 25, D. C.

When, Where and How to Apply for a Farm Unit

SEC. 12. *Application blanks.* Any person desiring to enter any of the public land farm units described in this notice must fill out the attached farm application blank. Additional application blanks may be obtained from the Bureau of Reclamation, Burley, Idaho; the Regional Director, Bureau of Reclamation, Post Office Box 937, Boise, Idaho, or the Commissioner of Reclamation, Department of the Interior, Washington 25, D. C. Full and frank answers must be made to each question on the farm application blank.

SEC. 13. *The filing of application and supporting evidence.* An application for a certificate of qualification for a farm unit listed in this notice must be filed with the Project Land Use Specialist, Bureau of Reclamation, Route 3, Jerome, Idaho, in person or by mail. No advantage will accrue to an applicant who presents an application in person. Every application must be accompanied by:

(a) Proof of veteran's status if veteran's preference is claimed (see section 6 of this notice);

(b) Statement of examining physician, in case of disability (see subsection 8 (c) of this notice);

(c) Evidence of citizenship or of declared intention if applicant is not native-born (see subsection 11 (a) of this notice);

(d) Evidence of status as head of a family if applicant is a married woman or a non-veteran under the age of 21 (see subsection 11 (d) of this notice).

The applicant must also see that three of his references submit complete signed statements of his qualifications (see subsection 9 (b) of this notice).

SEC. 14. *Applications become Department records.* Each application submitted, including corroborating evidence, will become a part of the permanent records of the Department of the Interior and cannot be returned to the applicant. For this reason, original discharge or citizenship papers should not be submitted. In case an applicant is awarded a farm his discharge papers will be attached to his certificate of eligibility (see section 22 of this notice) for submission to the Bureau of Land Management.

SEC. 15. *Importance of complete applications.* It shall be the sole responsibility of an applicant to submit a complete application, including the corroborating evidence required by this notice. Failure of an applicant to provide complete answers to all questions in the farm application blank within the periods specified in this notice, or failure to provide all other information required by this notice, will subject an application to rejection.

Selection of Qualified Applicants

SEC. 16. *Priority of applications.* All applications will be classified for priority purposes and considered in the following order:

(a) *First priority group.* All complete applications filed prior to 2:00 p. m., December 30, 1948, which are accompanied by proof sufficient, in the opinion of the examining board, to establish eligibility for veterans' preference. All such applications will be treated as simultaneously filed.

(b) *Second priority group.* All complete applications filed prior to 2:00 p. m. December 30, 1948, from applicants without veterans' preference or which are not accompanied by proof sufficient, in the opinion of the examining board, to establish eligibility for veterans' preference. All such applications will be treated as simultaneously filed.

(c) *Final group.* All complete applications filed after 2:00 p. m., December 30, 1948, whether or not accompanied by proof of veterans' preference. Such applications will be considered in the order in which they are filed if any farm units are available for award to applicants within this group.

SEC. 17. *Preliminary examination to determine first priority group, right of appeal.* Each application will be examined for the purpose of ascertaining (a) that the application is complete; (b) that all of the corroborating evidence required by this notice to be submitted in advance of the drawing has been furnished; and (c) that the applicant's right to veteran's preference has been fully established. Any incomplete application or any application not accompanied by the required corroborating evidence will be rejected. Any applicant claiming veteran's preference but failing to establish proof of eligibility for such preference shall be placed in the second priority group.

In case of rejection or placement in the second priority group, the applicant shall be notified by the board by registered mail, with return receipt requested, of such rejection or placement; the reasons therefor, and of the right to appeal in writing to the Regional Director, Bureau of Reclamation. All appeals must be received in the office of the Superintendent of the Minidoka Project, Burley, Idaho, within 15 days of the applicant's receipt of such notice, or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Superintendent will forward the appeals promptly to the Regional Director. If an appeal is decided by the Regional Director in favor of the applicant, the application will be referred to the board for inclusion in the drawing. All decisions on appeals will be based exclusively on information obtained prior to rejection of the application or placement in the second priority group. The

Regional Director's decision on all appeals shall be final.

SEC. 18. *Public drawing.* After the expiration of the appeal periods fixed by the above-mentioned notices and after decision on all appeals, the board will conduct a public drawing of the names of the applicants remaining in the First Priority Group as defined in subsection 16 (a) of this notice. Applicants need not be present at the drawing in order to participate therein. The names of a sufficient number of applicants (not less than three times the number of farm units to be awarded) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be further examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this notice, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 19. *Final examination.* The board shall examine, in the order drawn, a sufficient number of applications to determine the applicants to whom the farm units will be awarded. This examination will determine the sufficiency, authenticity and reliability of the information and evidence submitted by the applicants. If such examination indicates that an applicant is qualified, such applicant shall be so notified and shall be required to submit the statement of a credit agency corroborating his statement relative to his net worth, described in subsection 8 (d) of this notice, and if an applicant owns land on a Federal reclamation project, satisfactory evidence that all construction charges against such land have been paid as required in section 10 of this notice.

The applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this notice, such applicant shall be notified, in person or by registered mail, that he is a successful applicant and shall be given an opportunity to select one of the farm units then available. If the board finds that an applicant's qualifications do not meet the requirements prescribed in this notice, or if he fails to supply the corroborating evidence, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director as prescribed in section 17 of this notice.

Selection of Farm Units

SEC. 20. *Order of selection.* The applicants who have been notified of their qualification for the award of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a successful applicant to exercise his right of selection or failure to complete his entry filing with the Bureau of Land Management, it will be offered to the next qualified applicant in accordance with the priority established by the drawing. An applicant who is considered to be disqualified as a result of the personal interview, will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by successful applicants who have not exercised their right to select.

If any of the farm units listed in this notice remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 18 of this notice in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the successful applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Final Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this notice.

SEC. 21. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

SEC. 22. *Payment of charges and filing homestead applications.* After each successful applicant has advised the board of his selection of a farm unit he shall be notified by the board of the annual construction, water rental, or other charges, payment of which must be received at the office of the Project Superintendent, Bureau of Reclamation, Burley, Idaho, within 15 days of the receipt by the applicant of such notice. Upon receipt by the Project Superintendent of such payment from the applicant before the expiration of said 15-day period, the board shall furnish each applicant, by registered mail or by delivery in person, a certificate of eligibility stating that the applicant's qualifications to enter public lands have been examined and approved by the board. Such certificate must be attached by the applicant to the homestead application, which application must be filed at the District Land Office, Bureau of Land Management, Boise, Idaho. Such homestead application must be filed within 15 days from the date of the receipt by the applicant of such certificate. Failure to pay the annual construction, water rental or other charges required and to make application for homestead entry within the period specified herein will render the application subject to rejection.

General Provisions

SEC. 23. *Warning against unlawful settlement.* No person shall be permitted to gain or exercise any right under any settlement or occupation of any of the public lands covered by this notice except under the terms and conditions prescribed by this notice.

SEC. 24. *Charges payable by all water users; Incremental value contracts*—(a) *Charges against project lands.* The lands covered by this notice are included in American Falls Reservoir District No. 2 which has assumed, in the contract between said district and the United States, dated September 21, 1927, as amended, an obligation to pay to the United States the costs of constructing the project and of the operation and maintenance of certain irrigation works on the project referred to as reserved works. In said contract, as amended, the district has assumed the obligation of operating and maintaining the canal and lateral system which serves the lands described in this notice. A copy of the contract of September 21, 1927, and of the amendments and supplements are available for inspection in the project office of the Bureau of Reclamation at Hunt, Idaho. Further information regarding the district's assessment procedures and estimates of the amounts of the annual charges to be assessed by the district against the lands described in this notice may be obtained from the officers of the American Falls Reservoir District No. 2. The district office is located at Gooding, Idaho.

(b) *Individual contracts required.* Pursuant to the provision of Article 41 of the contract of September 21, 1927, applicants for entry of public land, and the owners of land held in private ownership for which water will be furnished pursuant to this notice, will be required to execute and deliver a recordable contract which is designed to prevent land speculation based upon increased value of the land resulting from irrigation. Such contract will provide that in case of the sale of the land a portion of the sale price which exceeds the appraised value of the land shall be applied upon the construction charges against the land. The owners of land held in private ownership for which water will be furnished pursuant to this notice will also be required to execute the recordable contract required under Article 40 of the

contract of September 21, 1927, which requires the sale of land in excess of 160 acres.

(c) *Water right charges*—(1) *Construction costs.* Pursuant to the provisions of Article 64 of the contract of September 21, 1927, as amended, between the United States and American Falls Reservoir District No. 2, the construction charges payable on the above-described farm units and the lands in private ownership will be due in forty (40) annual installments and will be based on the cost of the works and rights to be provided by the United States under said contract. In accordance with the provisions of the contract of September 21, 1927, the first five of such annual construction installments are hereby established as one dollar ($1.00) per irrigable acre, for the irrigable acreage as shown on the above list of lands. In the case of public lands, the first of said annual construction installments shall be paid for the year 1949 by the selected homestead applicants to the Project Superintendent before the issuance of the certificate of eligibility by the Project Superintendent. Subsequent installments of $1.00 per irrigable acre shall be due and payable to the district on December 31 of each of the four succeeding years, beginning with 1950. The amounts of further installments will be governed by the determination of the Secretary of the Interior of the actual cost of the works and rights to be furnished to the district under the said contract of September 21, 1927, and by the announcement of the amount of said installments. In the event that an applicant fails to complete his or her homestead entry, any money paid to the United States on account of construction charges as herein specified will be refunded to such applicant. The owners of private land to which water will be delivered under this notice will be required to make the same construction payments as entrymen on public lands. The initial payment of $1.00 per irrigable acre shall be paid by such landowners to American Falls Reservoir District No. 2 before the commencement of water deliveries in the irrigation season of 1949. All payments of construction charges, except the initial payment of $1.00 per irrigable acre as specified herein, shall be due and payable to the district in accordance with the provisions of the said contract of September 21, 1927. The current estimate of construction costs for new lands of the Gooding Division of the Minidoka Project is about $115.00 per irrigable acre. Earlier estimates of construction costs for new lands of the Gooding Division of the Minidoka Project were about $90 per irrigable acre. Changes in the plans for the Gooding Division have reduced the estimated total construction costs for the entire division somewhat, but the decision to limit the total area of new lands to 20,300 acres instead of the original estimate of 36,000 acres, has resulted in an increase in the estimated per irrigable acre construction cost.

(2) *Operation and maintenance charges.* Under the contract of September 21, 1927, as amended, American Falls Reservoir District No. 2 is obligated to pay the costs of the operation and maintenance of the reserved works and of the distribution of stored water therefrom by the United States, and the operation and maintenance of the canal and lateral system which serves the lands described in this notice. The district assessments against the lands described in this notice will eventually include all of these operation and maintenance costs, but for a period ending with the year 1952 these lands will be relieved of a part of this obligation. It is anticipated that the contract of September 21, 1927, will be amended further. If it is so amended, Article 47 of the contract, as amended, will require the United States to maintain the canal and lateral system which serves the lands described in this notice until such time as complete responsibility for operation and maintenance shall be transferred to American Falls Reservoir District No. 2. Pending such transfer and thereafter the district will make water deliveries. Operation and maintenance levies or charges against the lands described in this notice will be made by the district while the United States continues to maintain the canal and lateral system, whether water is used or not, and will be in the same amount that is charged to other district lands. Beginning with the year when the lateral system is turned over to the District for operation and maintenance and continuing through the year 1952, the district will be entitled under said contract, as amended, to collect an operation and maintenance charge not to exceed one dollar ($1.00) per irrigable acre whether water is used or not. Beginning with the irrigation season of 1953, these charges will be increased to the amount paid by other lands in the district which have a full water right from the Snake River. If the contract is not amended as anticipated, notice will be given of the operation and maintenance charges which must be paid.

SEC. 25. *Reservation of rights-of-way for public roads.* Rights-of-way are reserved for County, State, and Federal highways and access roads to the farm units shown on said plats along section lines and other lines shown in red on the farm plats.

SEC. 26. *Reservation of rights-of-way for publicly-owned utilities.* Rights-of-way are reserved for government-owned telephone, electric transmission, water and sewer lines, and water treating and pumping plants, as now constructed, and the Secretary of the Interior reserves the right to locate such other government-owned facilities over and across the farm units above described as hereafter, in his opinion, may be necessary for the proper construction, operation, and maintenance of the said project.

SEC. 27. *Reservation of rights to buildings and other property and their use and disposal.* All right, title and interest in certain buildings, wells and related equipment, sewer systems, power lines, roadways, and other property of the United States, located on certain farm units described in this notice as farm units A and C of Section 32; D, E, and F of Section 33, and F of Section 34, all in Township 8 South, Range 19 East, Boise Meridian; farm unit D of Section 3 in Township 9 South, Range 19 East, Boise Meridian, are reserved to the United States, together with the right to hold, use, dismantle or remove the same and rights of ingress and egress to accomplish these purposes, for a period of nine months from the date on which the public drawing is held.

SEC. 28. *Waiver of mineral rights.* All homestead entries for the above-described farm units will be subject to the laws of the United States governing mineral land, and all homestead applicants under this notice must waive the right to the mineral content of the land, if required to do so by the Bureau of Land Management; otherwise, the homestead applications will be rejected or the homestead entry or entries cancelled.

SEC. 29. *Effect of cancellation of entry by relinquishment.* In the event that any entry of public land made hereunder is cancelled by relinquishment at any time prior to full compliance with the homestead laws, the lands in the entry so relinquished shall become available to entry by the next numbered qualified applicant who will be treated as a standing applicant therefor under this notice. Such applicant shall be required to furnish such additional information as may be necessary to satisfy the board that he is still qualified under the terms of this notice.

SEC. 30. *Federal assistance in land development.* The Bureau of Reclamation, as an incident to the completion of the project, will assist entrymen, in appropriate cases and on a reimbursable basis, in the development of farm units, which assistance will include clearing and rough leveling the land, roughing in of farm irrigation and surface drainage systems beyond the farm turnouts.

MARTIN G. WHITE,
Acting Assistant Secretary of the Interior.

[F. R. Doc. 48-8882; Filed, Oct. 6, 1948; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS, FOR ALLOCATION OF STEEL PRODUCTS FOR OIL TANKERS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919 (after consultation with representatives of the steel producing industry and of the Department of the Interior, the U. S. Maritime Commission, and the National Military Establishment, and after expression of the views of industry, labor and the public generally at an open public hearing held on August 31, 1948), has determined that the following plan of voluntary action is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395:

1. *What this plan does.* This plan is in furtherance of a proposed program

for the construction and repair of tankers for oil transportation. It sets up the procedure under which steel producers (hereinafter called producers) agree voluntarily to make steel products available to builders and repairers of tankers who comply with the provisions of this plan (hereinafter called participating builders), for use in the construction or repair of tankers for the transportation of crude or refined petroleum products (hereinafter called oil tankers). This does not include provision for construction or repair of related yard, way, or dock facilities.

2. *Agreement by steel producers.* Beginning with the month of October 1948 and continuing during the period this plan remains in effect, producers will make available, out of their own production or that of their producing subsidiaries or affiliates, to participating builders a total of 40,380 net tons of steel products per month, distributed by types approximately as follows:

Type:	Net tons per month
Plates over 3/4"	29,235
Plates 3/8" and less	3,340
Shapes	6,000
Hot rolled bars	400
Sheets	165
Pipe	1,190
Total net tons per month	40,380

3. *Determination of quantities to be furnished by respective producers.* Unless otherwise specified in its acceptance of this plan, the quantities to be made available by each producer, as its commitment under this plan, will be such as the Secretary of Commerce, after consulting the Steel Task Committee of the Office of Industry Cooperation of the Department of Commerce, determines to be fair and equitable. Each producer will, from time to time, however, upon request of the Secretary of Commerce, give consideration to making additional quantities available. Producers will take credit against their commitments under this plan only for quantities delivered to participating builders on orders certified in accordance with paragraph 9 below.

4. *Contractual arrangements.* Such products will be made available under such contractual arrangements as may be made by the respective producers, or their producing subsidiaries and affiliates, with the respective participating builders. No request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers, the delivery of products, the allocation of business among participating builders, or any limitation or restriction on the production or marketing of any products. This plan does not authorize nor approve any fixing of prices, and participation in this plan does not affect the prices or terms and conditions on which any product is actually sold and delivered.

5. *Limitations as to types, sizes and quantities.* A producer need make available under this plan only those products which are within the type and size limitations of the mill or mills which it may select for the fulfillment of its commitment under this plan. The quantities which it may have undertaken to make available in any month may be reduced, or at its option their delivery may be postponed, in direct proportion to any production losses during the month due to causes beyond its control.

6. *Reports from steel producers.* Each producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to approval of the Bureau of the Budget under the Federal Reports Act of 1942), submit to that Office periodic reports of the total quantities, by types, of products shipped, and accepted for shipment, under the plan.

7. *Reports from participating builders.* Each participating builder will submit to the Secretary of Commerce monthly schedules and reports (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942) on forms furnished by the Secretary of Commerce, showing the following, by plants: (1) The quantities and types of oil tankers for which construction or repair work is scheduled for the coming month; (2) the quantities of each type on which construction or repair work was performed during the month preceding the report; (3) the net tonnage of each size and kind of steel products this plan will require for construction and repair work scheduled for the coming month; (4) the total quantities and kinds of such products received from all sources during the month preceding the report; and (5) other relevant information. After receiving such schedules and reports, the Secretary of Commerce will relate the estimated requirements to the over-all program and determine the quantities of products to be made available under this plan to each individual participating builder.

8. *Obligations of participating builders.* By participation in this plan, each participating builder shall be obligated as follows: to use all products obtained under this plan solely for and in the construction or repair of oil tankers; not to resell or transfer any products so obtained under this plan in the form received by the participating builder, except to such subsidiary, affiliate, subcontractor or fabricator as may be designated for the manufacture or fabrication of any products needed for such construction or repair; and not to build up, beyond current needs, any inventories of products obtained, or end products manufactured, under this plan. If a participating builder becomes unable to use, for the purposes of this plan, any products obtained under the plan, he shall be further obligated to hold them subject to such other use or disposition (including re-allocation to other consumers or return to the producer from whom purchased) as shall be authorized by the Office of Industry Cooperation of the Department of Commerce.

9. *Procedure for placing orders under this plan.* Purchase orders under this plan are to be placed with participating producers, or their producing subsidiaries or affiliates. Each such purchase order shall bear the following certification by the participating builder:

The undersigned certifies to the seller and to the Department of Commerce that the products specified in this order will be used solely for and in the construction or repair of oil tankers, and that this order is placed under, and in strict compliance with, Department of Commerce Voluntary Plan, under Public Law 395, 80th Congress, for Allocation of Steel Products for Oil Tankers, with which the undersigned is familiar and in which the undersigned is a participant.

10. *Procedure for, and effect of, becoming a participant.* After approval of this plan by the Attorney General and by the Secretary of Commerce, and after requests for compliance with it have been made of steel producers and builders and repairers of oil tankers by the Secretary of Commerce, any such producer, builder or repairer may become a participant in this plan by advising the Secretary of Commerce, in writing, of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, only with respect to such producers, builders and repairers as notify the Secretary of Commerce in writing that they will comply with such requests.

11. *Effective date and duration.* This plan shall become effective upon the date of its final approval by the Secretary of Commerce and, shall cease to be effective at the close of business on February 28, 1949, or on such earlier date as may be determined by the Secretary of Commerce, upon not less than 60 days notice by letter, telegram, or publication in the FEDERAL REGISTER.

12. *Withdrawal from plan.* Any producer or participating builder may withdraw from this plan by giving not less than 60 days written notice to the Secretary of Commerce.

13. *Clarifying interpretations.* Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to clarify the meaning of any terms or provisions in this plan shall be binding upon all participants notified of such interpretation.

Approved: September 21, 1948.

CHARLES SAWYER,
Secretary of Commerce.

Approved: September 17, 1948.

TOM C. CLARK,
Attorney General.

SEPTEMBER 21, 1948.

GENTLEMEN: A Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for Oil Tankers, has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

In accordance with the provision of paragraph 2 of the Plan, an initial determination has been made by me with respect to the monthly quantities of each type of steel product which should be made available by each steel producer who is expected to become a participant in the Plan.

By virtue of the terms of Public Law 395 and Executive Order 9919, I hereby request compliance by you with the Plan. For your

convenience I am enclosing a suggested form for your use in evidencing your acceptance of this request for compliance by you with the Plan. The enclosed form specifies the monthly quantities of each type of steel product which it has been initially determined by me with the advice of the Industry Task Committee, in accordance with paragraph 2 of the Plan, should be made available by you during the period this Plan shall remain in effect.

Similar requests are being directed to all other steel producers who are expected to become participants in the Plan.

This request will not be effective for the purpose of granting immunity from the antitrust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, unless you promptly agree in writing to comply with the Plan.

I trust that your favorable response to this request will be promptly communicated to me.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

SEPTEMBER 21, 1948.

A Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for Oil Tanker Builders and Repairers has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

By virtue of the terms of Public Law 395 and Executive Order 9919, I hereby request compliance by you with the Plan. For your convenience, I am enclosing a suggested form for your use in evidencing your acceptance of this request for compliance by you with the Plan.

Similar requests are being sent to other members of your industry.

This request will not be effective for the purpose of granting immunity from the antitrust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, 80th Congress, unless you agree in writing to comply with the Plan.

In accordance with paragraph 3 (a) of the Plan, the Secretary of Commerce will determine your allocation of steel products under the Plan.

It is essential, in carrying out the proposed Plan, that I know as promptly as possible how many oil tanker builders and repairers desire to participate in the Plan. I trust, therefore, that I may receive your favorable response on or before September 25, 1948. If I do not receive your acceptance by that date, I shall assume that you do not wish to participate.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

NOTE: The above requests for compliance with Department of Commerce Voluntary Plan for Allocation of Steel Products for Oil Tankers was sent to steel companies and oil tanker builders and repairers listed on attachments filed with the original document.

[F. R. Doc. 48-8903; Filed, Oct. 6, 1948; 8:53 a. m.]

VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS FOR ALLOCATION OF STEEL PRODUCTS FOR REQUIREMENTS OF THE NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919 (after consultation with representatives of the steel producing industry and of the National Advisory Committee for Aeronautics, a statutory governmental aeronautical research agency, and after giving opportunity for the expression of the views of industry, labor and the public generally at an open public hearing held on August 31, 1948), has determined that the following plan of voluntary action is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395:

1. *What this plan does.* This plan sets up the procedure under which steel producers participating in this plan (hereinafter called Producers) agree voluntarily to make steel products available for the construction, repair, maintenance, and operation of aeronautical research facilities of the National Advisory Committee for Aeronautics (hereinafter called the NACA), such products to be made available either directly to the NACA or to persons who need them to fill contracts for the NACA and who comply with the provisions of this plan. Such persons (hereinafter collectively called participating NACA Contractors) include prime contractors for the NACA, their subcontractors, and steel fabricators supplying, or under contract to supply, steel products to such prime contractors or their subcontractors.

2. *Agreement by steel producers.* Beginning with the month of October 1948 and continuing during the period this plan remains in effect, producers will, out of their own production or that of their producing subsidiaries or affiliates, make available to the NACA and to participating NACA Contractors a total of 1,926 net tons of steel products per month, distributed by types approximately as follows:

Type:	*Net tons per month*
Hot rolled bars	10
Reinforcing bars	530
Structural shapes	600
Plates	575
Sheets	86
Rails	11
Seamless pipe and tubing	80
Rigid conduit	34
Total net tons per month	1,926

3. *Determination of quantities to be furnished by respective producers.* Unless otherwise specified in its acceptance of this plan, the quantities to be made available by each producer, as its commitment under this plan, will be such as the Secretary of Commerce, after consulting the Steel Task Committee of the Office of Industry Cooperation of the Department of Commerce, determines to be fair and equitable. Each producer will from time to time, however, upon request of the Secretary of Commerce, give consideration to making additional quantities available. Producers will take credit against their commitments under this plan only for deliveries to the NACA and to participating NACA Contractors on orders certified in accordance with paragraph 9 below.

4. *Contractual arrangements.* Such products will be made available under such contractual arrangements as may be made by the respective producers, or their producing subsidiaries and affiliates, with the NACA and the respective participating NACA Contractors. No request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers, the delivery of products, the allocation of business among participating NACA Contractors, or any limitation or restriction on the production or marketing of any products. This plan does not authorize nor approve any fixing of prices, and participation in this plan does not affect the prices or terms and conditions on which any product is actually sold and delivered.

5. *Limitations as to types, sizes and quantities.* A producer need make available under this plan only those products which are within the type and size limitations of the mill or mills which it may select for the fulfillment of its commitment under this plan. The quantities which it may have undertaken to make available in any month may be reduced, or at its option their delivery may be postponed, in direct proportion to any production losses during the month due to causes beyond its control.

6. *Reports from steel producers.* Each producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to approval of the Bureau of the Budget under the Federal Reports Act of 1942), submit to that Office periodic reports of the total quantities, by types, of products shipped, and accepted for shipment, under this plan.

7. *Reports from participating NACA contractors.* The Office of Industry Cooperation of the Department of Commerce (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942) may require any participating NACA Contractor to furnish reports with respect to steel products on hand and under arrangements, or any other information pertinent to any orders placed under this plan.

8. *Obligations of participating NACA contractors.* By participation in this plan, each participating NACA contractor shall be obligated as follows: to use all products obtained under this plan solely for filling contracts with or for the NACA; not to resell or transfer any such products in the form received by the participating NACA contractor, except to such subsidiary, affiliate, subcontractor or fabricator as may be designated for the manufacture or fabrication of products needed for delivery to the NACA or for incorporation into products for delivery to the NACA; and not to build up, beyond current needs, any inventories of products obtained or end products manufactured, under this plan. If a participating NACA contractor becomes unable to use, for the purposes of this plan, any products obtained under the plan, he shall be further obligated to hold them subject to such other use or disposition (including re-allocation to other consumers or return to the producer from whom purchased) as shall be authorized by the Office of Industry Cooperation of the Department of Commerce.

9. *Procedure for placing orders under this plan.* Purchase orders placed under

this plan for steel products are to be placed with participating producers or their producing subsidiaries or affiliates. Each purchase order or contract placed by the NACA, with producers or with participating NACA Contractors, under this plan will be specifically identified as being so placed. Each purchase order placed by a participating NACA Contractor under this plan shall be placed in accordance with instructions issued by the NACA, after consultation with the Office of Industry Cooperation of the Department of Commerce, and shall bear the following certification by the participating NACA Contractor:

The undersigned certifies to the seller and to the Department of Commerce that the products specified in this order will be used solely to fill the undersigned's requirements under NACA Contract No. ---------- [insert number of contract], which has been designated by the NACA as having been placed under Department of Commerce Voluntary Plan under Public Law 395, 80th Congress, for Allocation of Steel Products for Requirements of the NACA, with which Plan the undersigned is familiar.

By ----------
(Signature and title of duly authorized officer)

Date

10. *Procedure for, and effect of, becoming a participant.* After approval of this plan by the Attorney General and by the Secretary of Commerce, and after requests for compliance with it have been made of steel producers by the Secretary of Commerce, any such steel producer may become a participant in this plan by advising the Secretary of Commerce, in writing, of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, only with respect to such producers as notify the Secretary of Commerce in writing that they will comply with such requests.

11. *Effective date and duration.* This plan shall become effective upon the date of its final approval by the Secretary of Commerce and shall cease to be effective at the close of business on February 28, 1949, or on such earlier date as may be determined by the Secretary of Commerce, upon not less than 60 days notice by letter, telegram, or publication in the FEDERAL REGISTER.

12. *Withdrawal from plan.* Any producer may withdraw from this plan by giving not less than 60 days written notice to the Secretary of Commerce.

13. *Clarifying interpretations.* Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to clarify the meaning of any terms or provisions in this plan, shall be binding upon all participants notified of such interpretation.

Approved: September 17, 1948.

CHARLES SAWYER,
Secretary of Commerce.

Approved: September 17, 1948.

TOM C. CLARK,
Attorney General.

SEPTEMBER 23, 1948.

Dr. JEROME C. HUNSAKER, *Chairman,*
National Advisory Committee for Aeronautics,
1724 F Street NW., Washington, D. C.

DEAR MR. HUNSAKER: Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for Requirements of the National Advisory Committee for Aeronautics, has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

I have requested the principal steel producers to comply with the Plan and expect to receive their acceptances in due course.

I am confident that, with the cooperation of the steel producers in carrying out their part of the Plan together with the cooperation of your Committee in carrying out its part of the program, the Plan will be of substantial benefit in meeting the requirements of your Committee.

If at any time you should have any suggestions as to ways in which the Plan or operations under it could be improved, please let me know.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

SEPTEMBER 21, 1948.

GENTLEMEN: A Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for the requirements of the National Advisory Committee for Aeronautics, has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

In accordance with the provision of paragraph 2 of the Plan, an initial determination had been made by me with respect to the monthly quantities of each type of steel product which should be made available by each steel producer who is expected to become a participant in the Plan.

By virtue of the terms of Public Law 395 and Executive Order 9919, I hereby request compliance by you with the Plan. For your convenience I am enclosing a suggested form for your use in evidencing your acceptance of this request for compliance by you with the Plan. The enclosed form specifies the monthly quantities of each type of steel product which it has been initially determined by me with the advice of the Industry Task Committee, in accordance with paragraph 2 of the Plan, should be made available by you during the period this Plan shall remain in effect.

Similar requests are being directed to all other steel producers who are expected to become participants in the Plan.

This request will not be effective for the purpose of granting immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, unless you promptly agree in writing to comply with the Plan.

I trust that your favorable response to this request will be promptly communicated to me.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

NOTE: The above request for compliance with Department of Commerce Voluntary Plan for Allocation of Steel Products for requirements of the National Advisory Committee for Aeronautics was sent to steel companies listed in an attachment filed with the original document.

[F. R. Doc. 48-8904; Filed, Oct. 6, 1948; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1102]

COLORADO-WYOMING GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 30, 1948.

Upon consideration of the application filed August 16, 1948, and supplementary data filed September 7, 1948, by Colorado-Wyoming Gas Company (Applicant), a Delaware corporation with its principal office in Denver, Colorado, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 8, 1948 (13 F. R. 5219).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on October 12, 1948, at 9:45 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: October 1, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-8885; Filed, Oct. 6, 1948; 8:47 a. m.]

[Docket Nos. G-859, G-1139]

TEXAS GAS TRANSMISSION CORP. AND KENTUCKY UTILITIES CO.

ORDER CONSOLIDATING PROCEEDING AND FIXING DATE OF HEARING

OCTOBER 1, 1948.

In the matters of Texas Gas Transmission Corporation, Docket No. G-859;

and Kentucky Utilities Company, Docket No. G–1130.

Upon consideration of the application filed September 22, 1948, by Kentucky Utilities Company, a Kentucky corporation with its principal office at 159 W. Main Street, Lexington, Kentucky, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Gas Transmission Corporation to establish physical connection of its natural gas transportation facilities with distribution mains of Applicant for the purpose of supplying, transmitting and delivering natural gas to Applicant, and for an order directing Texas Gas to so modify its arrangements with other purchasers of natural gas as to facilitate such sale and delivery of natural gas to Applicant by Texas Gas, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be had in Docket No. G–1130 with proceedings in Docket No. G–859 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. s. t.) on October 1, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented by the application of Kentucky Utilities Company;

(B) The public hearing provided for in paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G–859;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) of the Commission's rules of practice and procedure.

Date of issuance: October 4, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48–8884; Filed, Oct. 6, 1948; 8:47 a. m.]

[Docket No. G–1131]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 1, 1948.

Notice is hereby given that on September 24, 1948, Northern Natural Gas Company (Applicant), a Delaware corporation having its principal office at Omaha, Nebraska, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate certain natural-gas facilities subject to the jurisdiction of the Commission, described as follows:

A measuring and regulating station, together with appurtenances thereto, to be located in the Southwest Quarter (SW¼) of Section 26, Township 28 North, Range 22 West, Dakota County, City of South Saint Paul, Minnesota, to serve Soil Builders, Inc., as a direct main line customer of Applicant.

Applicant states the service proposed is a direct main line industrial sale of natural gas for use at the sewage-sludge dehydration plant of Soil Builders, Inc., of South Saint Paul, Minnesota, on an interruptible basis, with an estimated maximum daily demand of 180 Mcf, of which for curtailment purposes 50 Mcf will be classified under Step 6, and remaining volumes will be classified under Step 1 of Paragraph (9) of Applicant's FPC Gas Schedules, Volume No. 2; that the 50 Mcf of Step 6 gas will be served within Applicant's authorized summer demand as defined in Paragraph (10) of Applicant's FPC Gas Schedules, Volume No. 2. Annual Sales are estimated at 17,900 Mcf.

The estimated over-all capital cost of the proposed facilities will be $1,300.00, which will be financed out of Applicant's general funds.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request. The application of Northern Natural Gas Company is on file with the Commission and is open to public inspection.

Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the Commission's rules of practice and procedure (as amended on June 16, 1947)

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48–8883; Filed, Oct. 6, 1948; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54–54, 59–50, 70–559]

NORTHERN STATES POWER CO. (DEL.) ET AL.

SECOND SUPPLEMENTAL OPINION AND ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of September A. D. 1948.

In the matter of Northern States Power Company (Delaware), File No. 54–54; Northern States Power Company (Minnesota), File No. 70–559; Northern States Power Company (Delaware) and each of its subsidiaries, File No. 59–50.

On January 30, 1948, we issued our supplemental findings, opinion and order in which we granted and permitted to become effective the application-declaration of Northern States Power Company, a Minnesota corporation ("The Minnesota Company") in the above styled matter. Said application-declaration was filed for the purpose of obtaining our approval of certain steps required to be taken by the Minnesota Company in connection with the liquidation and dissolution of its parent company, Northern States Power Company, a Delaware corporation ("The Delaware Company") pursuant to a section 11 (e) plan, which was approved by us in these consolidated proceedings: Among such steps so approved were the increase in the number of authorized common shares, without par value, of the Minnesota Company to 12,500,000 shares, the reclassification of the outstanding common stock of the Minnesota Company to increase the number of shares outstanding from 3,518,889 to 9,527,623 shares, and the allocation of such reclassified shares among the stockholders of the Delaware Company; also the increase in the voting power of the Minnesota Company's Cumulative Preferred Stock, $3.60 Series from one to three votes per share, to avoid any dilution of its present voting rights by reason of the increase in the number of common shares.

Since the issuance of our order aforesaid and prior to the effectuation of the approved plan for the liquidation and dissolution of the Delaware Company, the Minnesota Company has issued a new series of preferred stock, known as its Cumulative Preferred Stock, $4.80 Series, pursuant to our order of August 11, 1948, *In the Matter of Northern States Power Company (Minnesota)*, File No. 70–1860.

The Minnesota Company subsequently, on September 22, 1948, filed its Amendment No. 9 to its application-declaration, wherein it submitted the text of the formal amendments to its Articles of Incorporation for the purpose of effectuating the amendments proposed in its application-declaration which was granted and permitted to become effective by our order of January 30, 1948, including the increase of the authorized number of shares of its common stock, without par value, to 12,500,000 shares, the change and reclassification of its outstanding common shares from 3,518,889 shares to 9,527,623 shares, and provision for limited preemptive rights to the holders of its common stock and cumulative voting rights for all of its shareholders. Said Amendment No. 9 further proposes to increase the voting rights of its Cumulative Preferred Stock, $4.80 Series, issued in August, 1948 from one vote per share to three votes per share. Said increase in the voting power of Cumulative Preferred Stock, $4.80 Series, which was issued subsequent to our approval of the section 11 (e) plan of the Delaware Company, but prior to the adoption of the amendments to the Articles of Incorporation set forth in Amendment No. 9, was contemplated at the time of its issuance.

It therefore appears to the Commission that it is appropriate in the public

interest and in the interest of investors and consumers to permit the aforesaid Amendment No. 9 to become effective. It should be understood, however, that we are not here passing upon or approving the voting or other provisions of any future series of preferred stock.

It is ordered, That Amendment No. 9 to said application-declaration, subject to the terms and conditions prescribed by Rule U-24, and subject to the various reservations of jurisdiction (to the extent now applicable) contained in the Commission's order of January 30, 1948, be and the same hereby is granted and permitted to become effective.

By the Commission.

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

[F. R. Doc. 48-8890; Filed, Oct. 6, 1948; 8:48 a. m.]

[File No. 70-1921]

INTERSTATE POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 30th day of September A. D. 1948,

Interstate Power Company ("Interstate"), a registered holding company, having filed with this Commission a declaration pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder regarding the following transactions:

The issuance and sale by Interstate, pursuant to the competitive bidding requirements of Rule U-50, of $5,000,000 principal amount of First Mortgage Bonds due 1978; the use of the proceeds from the sale of said bonds for: (a) The repayment of presently outstanding indebtedness in the amount of $2,400,000; (b) the deposit of $376,000 with the trustee under the indenture securing Interstate's bonds, which cash is to be available for withdrawal by Interstate on the basis of property additions; and (c) the reimbursement of the treasury of Interstate for working capital, to discharge obligations for construction, and to pay balances due on property leased with an option to purchase;

Notice of the filing of this declaration having been duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to the Act, and the Commission not having received a request for a hearing with respect thereto and not having ordered a hearing thereon;

The Commission finding with respect to this declaration that there is no basis for any adverse findings, deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23, and the applicable provisions of the act, that this declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

1. That the proposed issuance and sale of the $5,000,000 aggregate amount of First Mortgage Bonds by Interstate shall not be consummated until the results of the competitive bidding held with respect thereto have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions; and

2. That jurisdiction be reserved with respect to the payment of any and all fees and expenses incurred, or to be incurred, in connection with the consummation of the proposed transactions.

By the Commission.

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

[F. R. Doc. 48-8888; Filed, Oct. 6, 1948; 8:48 a. m.]

[File No. 70-1944]

NORTHERN STATES POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of September 1948.

Northern States Power Company ("Northern States"), a Minnesota corporation, a registered holding company and an operating utility company and a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company, having filed an application pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935, with respect to the following transaction:

Northern States proposes to acquire from the City of Grand Forks, North Dakota, for a cash consideration $18,000 the existing municipally owned overhead street lighting system of said city. Northern States supplies electric service within the city and has heretofore supplied to the city electric energy for the operation of said street lighting system. Upon acquisition, the company proposes to integrate said system with its existing distribution facilities and to enlarge and modernize said street lighting system in accordance with contractual agreements heretofore agreed upon with the city.

The application states that the estimated original cost of the properties, including materials and supplies, is $38,297, and that the estimated depreciation on a straight line basis is $20,158. The company proposes to use these figures in recording the acquisition on its books, and to credit the small electric plant acquisition adjustment of $139 to its reserve for depreciation of electric plant. No fees or commissions will be paid in connection with the transaction, and it is estimated that miscellaneous expenses will not exceed $500.

Such application having been duly filed, and notice of its filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that there is no state commission having jurisdiction over the proposed transaction, and that it is appropriate in the public interest and in the interests of investors and consumers to grant applicant's request to consummate without delay the proposed transaction;

It is therefore ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the application be and the same hereby is granted, and that the proposed transaction may be consummated forthwith.

By the Commission.

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

[F. R. Doc. 48-8889; Filed, Oct. 6, 1948; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11984]

W. P. NEWTON ET AL.

In re: W. P. Newton, plaintiff, vs. Mrs. Elizabeth Leidner et al., defendants. File No. D-28-8283; E. T. sec. 9504.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the heirs of Marie Weber, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the sum of $3024.56, deposited with the Clerk of Courts, Cuyahoga County, Ohio, to the credit of the heirs of Marie Weber, names unknown, pursuant to an order of the Court of Common Pleas, Cuyahoga County, Ohio, made March 19, 1948, in a partition proceeding entitled W. P. Newton, plaintiff, vs. Mrs. Elizabeth Leidner, et al., defendants, and representing one-half of the proceeds of certain real property sold therein, including increments thereon and subject to the lawful fees and disbursements of the Clerk of Courts, Cuyahoga County, Ohio, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Clerk of Courts, Cuyahoga County, Ohio, as depositary, acting under the judicial supervision of

the Court of Common Pleas of Cuyahoga County, Ohio;

and it is hereby determined:

4. That to the extent that the heirs of Marie Weber, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 7, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8909; Filed, Oct. 6, 1948; 8:53 a. m.]

[Vesting Order 12052]

KARL KROEBIG

In re: Estate of Karl Kroebig, deceased. D-28-12423; E. T. sec. 16646.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Louise Steiner, Huldreich Kroebig and Heny Eidam, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in sub-paragraph 1 hereof in and to the estate of Karl Kroebig, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Frances Pittner, as executrix, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 16, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8910; Filed, Oct. 6, 1948; 8:53 a. m.]

[Vesting Order 12081]

KAORU FUJINAMI

In re: Cash owned by Kaoru Fujinami. F-39-6266.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kaoru Fujinami, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of $579.27, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8912; Filed, Oct. 6, 1948; 8:54 a. m.]

[Vesting Order 12083]

BUNZO HASHIMOTO

In re: Cash owing to Bunzo Hashimoto. F-39-6273.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bunzo Hashimoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of $1,459.00, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bunzo Hashimoto, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8913; Filed, Oct. 6, 1948; 8:54 a. m.]