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# FEDERAL REGISTER

VOLUME 27 NUMBER 48

Washington, Saturday, March 10, 1962



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# Codification Guide

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# Rules and Regulations

## Title 6—AGRICULTURAL CREDIT

### Chapter V—Agricultural Marketing Service, Department of Agriculture

SUBCHAPTER B—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

### TOBACCO EXPORT PROGRAM CMX 40a

### Terms and Conditions for Making Payments

CROSS REFERENCE: For notice of terms and conditions for making payments under Section 32 Tobacco Export Program, CMX 40a, see F.R. Doc. 62-2433 in the Notices section, *infra*.

## Title 7—AGRICULTURE

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

### PART 51—FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

### Subpart—United States Standards for Grades of Cantaloupes

EDITORIAL NOTE: Sections 51.495, 51.496, and 51.497, contained in F.R. Doc. 61-2272, 26 F.R. 2219, March 16, 1961, are hereby redesignated §§ 51.494a, 51.494b, and 51.494c, respectively. The purpose of this redesignation is to correct a duplication of section numbers in the Code of Federal Regulations.

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

SUBCHAPTER D—SPECIAL FEED GRAIN PROGRAM

[1962 Feed Grain Program, Supp. 1, Amdt. 1]

### PART 775—FEED GRAINS

### Subpart—1962 Feed Grain Program Regulations

MISCELLANEOUS AMENDMENTS

Section 775.152, of the 1962 Feed Grain Program Regulations, Supplement 1 (27 F.R. 160, 164), is amended by correcting the 50-percent payment rate per acre for barley for Dunn County, North Dakota, from $9.13 to $9.10 and Teton County, Wyoming, from $14.60 to $14.80 and by adding county average yields and payment rates for barley for Ringgold, Wayne, and Van Buren Counties, Iowa, and all counties in Vermont.

1. Section 775.152 is amended by changing the county average yields, county minimum acre payment rates (50-percent payment rate per acre), and additional acre payment rates (60-percent payment rate per acre) for barley for Dunn County, North Dakota, and Van Buren County, Iowa, to read as follows:

NORTH DAKOTA

| District | County | 1959-60 average yield (bushels) | 50 percent payment rate per acre (dollars) | 60 percent payment rate per acre (dollars) |
|---|---|---|---|---|
| 4 | Dunn | 22.0 | 9.10 | 11.00 |
| | WYOMING | | | |
| 3 | Teton | 35.6 | 14.80 | 17.80 |

2. Section 775.152 is amended by adding county average yields, county minimum payment rates (50-percent payment rate per acre), and additional acre payment rates (60-percent payment rate per acre) for barley as follows:

IOWA

| District | County | 1959-60 average yield (bushels) | 50 percent payment rate per acre (dollars) | 60 percent payment rate per acre (dollars) |
|---|---|---|---|---|
| 8 | Ringgold | 25.0 | 11.90 | 14.20 |
| | Wayne | 23.0 | 10.80 | 13.00 |
| 9 | Van Buren | 25.0 | 11.90 | 14.20 |
| | VERMONT | | | |
| | All counties | 32.0 | 16.60 | 20.00 |

(Sec. 16(d), 49 Stat. 1151, as amended; 16 U.S.C. 590p)

Effective date of publication.

Issued at Washington, D.C., this 6th day of March 1962.

ORVILLE L. FREEMAN,
*Secretary.*

[F.R. Doc. 62-2381; Filed, Mar. 9, 1962; 8:48 a.m.]

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

[Navel Orange Reg. 10]

### PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

### Limitation of Handling

§ 907.310 **Navel Orange Regulation 10.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 8, 1962.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., March 11, 1962, and ending at 12:01 a.m., P.s.t,

March 18, 1962, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 650,000 cartons;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 9, 1962.

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

[F.R. Doc. 62–2454; Filed, Mar. 9, 1962; 11:19 a.m.]

[Valencia Orange Reg. 3]

## PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

### Limitation of Handling

**§ 908.303 Valencia Orange Regulation 3.**

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 8, 1962.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., March 11, 1962, and ending at 12:01 a.m., P.s.t., March 18, 1962, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: Unlimited movement;
(iii) District 3: 100,000 cartons.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

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

Dated: March 9, 1962.

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

[F.R. Doc. 62–2455; Filed, Mar. 9, 1962; 11:19 a.m.]

[Grapefruit Reg. 4]

## PART 909—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

### Limitation of Shipments

**§ 909.304 Grapefruit Regulation 4.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of White Water, California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an open meeting on March 1, 1962, to consider recommendations for a regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such open meeting; necessary supplemental economic and statistical information upon which this recommended regulation is based was received by the Fruit Branch on March 6, 1962; information regarding the provisions of the regulation recommended by the committee has been disseminated to shippers of grapefruit, grown as aforesaid, and this section, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this section effective on the date hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., March 11, 1962, and ending at 12:01 a.m., P.s.t., April 15, 1962, no handler shall handle:

(i) From the State of California or the State of Arizona to any point outside thereof any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of White Water, California, unless such grapefruit grade at least U.S. No. 2: *Provided,* That, in lieu of the 10-percent tolerance provided for such grade, not more than a total of 20 percent, by count, shall be allowed for fruit which fail to meet the requirements of such grade but, included in such total tolerance (*a*) not more than 15 percent, by count, shall be allowed for serious damage caused by dryness, and (*b*) not more than 10 percent, by count, shall be allowed for defects other than serious damage caused by dryness of which not more than one-half or 5 percent, by count, shall be allowed for grapefruit having peel more than 1 inch in thickness at the stem end, measured from the flesh to the highest point of the peel; or

(ii) From the State of California or the State of Arizona to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which measure less than 3$\frac{9}{16}$ inches in diameter, except that a tolerance of 5 percent, by count, of

grapefruit smaller than the foregoing minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Grapefruit (California and Arizona), §§ 51.925–51.955 of this title: *Provided,* That, in determining the percentage of grapefruit in any lot which are smaller than 3$^{6}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3$^{13}/_{16}$ inches in diameter and smaller.

(2) Terms used in the amended marketing agreement and order shall, when used herein have the same meaning as given to the respective term in said amended marketing agreement and order; the terms relating to grade, as used herein, shall have the same meaning as is given to the respective term in the aforesaid revised United States Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

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

Dated: March 7, 1962.

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

[F.R. Doc. 62–2367; Filed, Mar. 9, 1962; 8:47 a.m.]

[Lemon Reg. 11]

## PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

### Limitation of Handling

**§ 910.311 Lemon Regulation 11.**

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 6, 1962.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., March 11, 1962, and ending at 12:01 a.m., P.s.t., March 18, 1962, are hereby fixed as follows:

(i) District 1: 4,650 cartons;

(ii) District 2: 209,250 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: March 7, 1962.

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

[F.R. Doc. 62–2376; Filed, Mar. 9, 1962; 8:47 a.m.]

[Grapefruit Reg. 5]

## PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

### Limitation of Handling

**§ 912.305 Grapefruit Regulation 5.**

(a) *Findings.* (1) Pursuant to the marketing agreement and order (7 CFR Part 912; 27 F.R. 87) regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Indian River Grapefruit Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Indian River grapefruit, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Indian River grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 8, 1962.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period beginning at 12:01 a.m., e.s.t., March 12, 1962, and ending at 12:01 a.m., e.s.t., March 19, 1962, is hereby fixed at 175,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" have the same meaning as when used in said marketing agreement and order.

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

Dated: March 8, 1962.

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

[F.R. Doc. 62–2432; Filed, Mar. 9, 1962; 9:16 a.m.]

## PART 926—TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALIF.

### Determination Relative to Establishment of an Operating Reserve

Notice was published in the February 7, 1962, issue of the FEDERAL REGISTER (27

F.R. 1118), that consideration was being given to proposals regarding the establishment of an operating reserve to provide for the maintenance and functioning of the Industry Committee, the agency established to administer the terms and provisions of the marketing agreement, as amended, and Order No. 926, as amended (7 CFR Part 926), regulating the handling of Tokay grapes grown in San Joaquin County, California. This program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the above mentioned Industry Committee, it is hereby determined that:

**§ 926.201 Reserve fund.**

(a) The establishment of an operating reserve in the maximum amount of $20,000, which approximates one-half the average expenses of the Industry Committee for one season, is appropriate and necessary to the maintenance and functioning of the Industry Committee.

(b) The Industry Committee, at the end of each season, is hereby authorized to carry over into the operating reserve any excess assessment funds collected during such season up to, but not exceeding 10 percent of the season's annual budget: *Provided*, That the total funds in such operating reserve shall not at any time exceed $20,000.

(c) The funds in said operating reserve may be used by the Industry Committee to cover (1) any authorized expenses incurred by the committee during any season when assessment income is less than committee expenses, and (2) necessary expenses of liquidation in the event of termination, in whole or in part, of the said amended marketing agreement and order.

(d) Upon such termination, any funds not required to defray the necessary expenses of such liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That, to the extent practical, such funds shall be returned pro rata to the shippers from whom such funds were collected.

Terms used herein shall have the same meaning as given to the respective term in said amended marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: March 7, 1962.

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

[F.R. Doc. 62–2377; Filed, Mar. 9, 1962; 8:48 a.m.]

# Title 12—BANKS AND BANKING

## Chapter II—Federal Reserve System

### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. O]

### PART 215—LOANS TO EXECUTIVE OFFICERS OF MEMBER BANKS

### Executive Officer Status Arising From Authority To Sign Documents

**§ 215.102 Executive officer status arising from authority to sign documents.**

(a) The Board has received an inquiry as to whether the term "executive officer," as defined in this part, embraces the Vice Chairman of the Board of Directors of a member bank, who in the absence of the Chairman, serves as a member of the Loan and Discount Committee and who also, in the absence of the Chairman, is authorized to execute any and all documents or instruments on behalf of the bank. It is further understood that the member bank has adopted a resolution to the effect that the Chairman of the Board is not authorized to participate in the operating management of the bank and does not actually so participate otherwise than in his capacity as director.

(b) Under § 215.1(b), the chairman of the board of directors of a member bank is assumed to be an executive officer unless it is provided by resolution of the board of directors or the bank's bylaws that he is not authorized to participate in the operating management of the bank and he does not actually participate therein. In view of this provision, although a bank may have adopted such a resolution with respect to the chairman, he must be considered an executive officer if in fact his duties involve participation in the operating management of the bank. Likewise, the Vice Chairman would be an executive officer if, in the absence of the Chairman, he has authority to perform such duties.

(c) It appears from the information supplied that the Loan and Discount Committee, which consists only of members of the Board of Directors, does not actually make loans but rather reviews loans made by loan officers of the bank and acts in a supervisory and advisory capacity. The Board is of the view that these duties are such as are normally performed by directors, as contrasted with the duties of management, and accordingly would not make either the Chairman or the Vice Chairman an executive officer for the purpose of this part.

(d) However, it is also the view of the Board that the Chairman and Vice Chairman of the member bank do participate in the operating management of the bank because of their authority to execute any and all documents or instruments on behalf of the bank. The Board believes that the broad authority to execute such documents brings both the Chairman and the Vice Chairman within a 1940 unpublished interpretation of the Board to the effect that an inactive vice president of a member bank who was authorized to sign deeds, checks, drafts, and other documents in the absence of the president, but who was expressly denied authority to make loans or to perform any of the other duties of an executive officer, should be considered an executive officer.

(Sec. 11, 38 Stat. 262; 12 U.S.C. 248. Interprets or applies section 12, 48 Stat. 182; 12 U.S.C. 375a)

Dated at Washington, D.C., this 28th day of February 1962.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
*Secretary.*

[F.R. Doc. 62–2362; Filed, Mar. 9, 1962; 8:46 a.m.]

# Title 14—AERONAUTICS AND SPACE

## Chapter III—Federal Aviation Agency

### SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1025; Amdt. 406]

### PART 507—AIRWORTHINESS DIRECTIVES

### Edo Models 345 and 345A Airborne Loran A Receivers

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring modification of Edo Models 345 and 345A airborne loran A receivers to reduce the radiation to an acceptable level was published in 27 F.R. 536.

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

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

EDO. Applies to all aircraft equipped with Model 345 and 345A airborne loran A receivers.

Compliance required within 1,200 hours' time in service after the effective date of this AD.

In order to reduce the spurious radiation which can adversely effect other navigational and communication equipment, modify Models 345 and 345A receivers in accordance with Edo Field Change Bulletin No. 27, dated August 28, 1961, so that the maximum radiation is 400 micromicrowatts.

This amendment shall become effective April 10, 1962.

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

Issued in Washington, D.C., on March 6, 1962.

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

[F.R. Doc. 62–2353; Filed, Mar. 9, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-WA-131]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

### Alteration

On November 17, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10777) stating that the Federal Aviation Agency proposed to alter intermediate altitude VOR Federal airways Nos. 1607, 1609, and 1648.

No adverse comments were received regarding the proposed amendments.

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

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

1. In the text of § 600.1607 (26 F.R. 1087, 9130) "thence 12-mile wide airway via the INT of the Big Sur VOR 330° and the Point Reyes, Calif., VOR 153° radials; to the Point Reyes VOR." is deleted and "INT of the Big Sur VOR 325° and the Point Reyes, Calif., VOR 161° radials; to the Point Reyes VOR." is substituted therefor.

2. In the text of § 600.1609 (26 F.R. 1087, 9130, 10635) "thence 10-mile wide airway via the INT of the Paso Robles VOR 314° and the Salinas, Calif., VOR 150° radials; Salinas VOR; Oakland, Calif., VOR; Point Reyes, Calif., VOR;" is deleted and "thence 10-mile wide airway via the INT of the Paso Robles VOR 317° and the Salinas, Calif., VOR 147° radials; Salinas VOR; INT of the Salinas VOR 310° and the San Francisco, Calif., VOR 160° radials; San Francisco VOR; INT of the San Francisco VOR 304° and the Point Reyes, Calif., VOR 161° radials; Point Reyes VOR;" is substituted therefor.

3. In the text of § 600.1648 (26 F.R. 1089) "From the INT of the Big Sur, Calif., VOR 330° and the Salinas, Calif., VOR 281° radials;" is deleted and "From the INT of the Big Sur, Calif., VOR 325° and the Salinas, Calif., VOR 281° radials;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on March 6, 1962.

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

[F.R. Doc. 62-2355; Filed, Mar. 9, 1962; 8:45 a.m.]

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[Airspace Docket No. 62-SW-7]

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

### Alteration of Control Area Extension

The purpose of this amendment to § 601.1362 of the regulations of the Administrator is to alter the Dalhart, Tex., control area extension.

The Dalhart control area extension is presently designated as the airspace within 10 miles southwest and 7 miles northeast of the Dalhart VORTAC 324° True radial extending from the VORTAC to 20 miles northwest of the VORTAC; within 10 miles west and 7 miles east of the Dalhart VORTAC 002° True radial extending from the VORTAC to 20 miles north of the VORTAC; and within 10 miles northeast and 7 miles southwest of the 132° and 312° True bearings from the Dalhart radio beacon extending from 20 miles southeast to 9 miles northwest of the radio beacon. The portion of this control area extension designated on the Dalhart radio beacon is no longer required for air traffic service purposes. However, it is necessary to extend the existing control area extensions based on the Dalhart VORTAC 324° and 002° True radials to 9 miles south and southeast of the VORTAC respectively. This will provide the necessary controlled airspace for the protection of aircraft in holding patterns at the Dalhart VORTAC. Therefore, action is taken herein to alter the Dalhart control area extension by deleting the segment based on the Dalhart radio beacon and designate the remainder of the Dalhart control area extension as the airspace within 10 miles southwest and 7 miles northeast of the Dalhart VORTAC 324° and 144° True radials extending from 20 miles northwest to 9 miles southeast of the VORTAC and within 10 miles west and 7 miles east of the Dalhart VORTAC 002° and 182° True radials extending from 20 miles north to 9 miles south of the VORTAC. Such actions will reduce the overall dimensions of the Dalhart control area extension.

Since the change effected by this amendment is less restrictive in nature than the present requirements, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.1362 (26 F.R. 12287) is amended to read:

**§ 601.1362 Control area extension (Dalhart, Tex.).**

Within 10 miles SW and 7 miles NE of the Dalhart, Tex., VORTAC 324° and 144° radials extending from 20 miles NW to 9 miles SE of the VORTAC; and within 10 miles W and 7 miles E of the Dalhart VORTAC 002° and 182° radials extending from 20 miles N to 9 miles S of the VORTAC.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on March 6, 1962.

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

[F.R. Doc. 62-2354; Filed, Mar. 9, 1962; 8:45 a.m.]

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[Airspace Docket No. 61-LA-81]

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

### Alteration of Jet Route

The purpose of this amendment to § 602.100 of the regulations of the Administrator is to alter the segment of Jet Route No. 1 between Los Angeles, Calif., and Oakland, Calif., by including the Avenal, Calif., VOR in its description.

At present a gap of approximately 22 miles in signal coverage exists on this segment from flight level 240 through flight level 270 in the vicinity of Avenal. Alignment of this jet route segment via the Avenal VOR will provide for continuous and also more precise air navigation in the area where signal coverage is now inadequate.

Accordingly, action is taken herein to alter the description of Jet Route No. 1 by including the Avenal VOR between Los Angeles and Oakland.

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

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

In § 602.100 *Jet routes* (26 F.R. 7080, 27 F.R. 1454) the following change is made:

In Jet Route No. 1 "Los Angeles, Calif.; Oakland, Calif.;" is deleted and "Los Angeles, Calif.; Avenal, Calif.; Oakland, Calif.;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on March 6, 1962.

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

[F.R. Doc. 62-2356; Filed, Mar. 9, 1962; 8:46 a.m.]

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[Airspace Docket No. 61-WA-154]

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

### Alteration and Revocation of Jet Routes and Jet Advisory Areas

On November 29, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 11254) stating that the Federal Aviation Agency (FAA) proposed to alter a segment of Jet Route No. 101 and its associated radar advisory area from the Shreveport, La., VORTAC to the St. Louis, Mo., VORTAC via the Flippin, Ark., VOR by redesignating it via the Little Rock, Ark., VORTAC; to revoke Jet Route No. 31 and its associated radar advisory area from

the Dallas, Tex., VORTAC to the Northbrook, Ill., VORTAC; and to revoke the segment of Jet Route No. 27 from the Lufkin, Tex., VOR to the St. Louis, Mo., VORTAC.

The Department of the Army interposed no objection. No other comments were received regarding the proposed amendments.

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

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

1. In § 602.100 *Jet routes* (26 F.R. 7080) the following changes are made:

a. In the text of Jet Route No. 101, "Flippin, Ark.;" is deleted and "Little Rock, Ark.;" is substituted therefor.

b. Jet Route No. 31 (Dallas, Tex., to Northbrook, Ill.) is revoked.

c. Jet Route No. 27 is amended to read:

Jet Route No. 27 (San Antonio, Tex., to Lufkin, Tex.). From San Antonio, Tex., to Lufkin, Tex.

2. In § 602.200 *Enroute jet advisory areas* (26 F.R. 7082), Jet Route No. 31 jet advisory area is revoked.

These amendments shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on March 6, 1962.

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

[F.R. Doc. 62-2357; Filed, Mar. 9, 1962; 8:46 a.m.]

# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 8431 c.o.]

### PART 13—PROHIBITED TRADE PRACTICES

### Richard L. Schroeder et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* § 13.15–167 *Inventor or originator;* § 13.60 *Earnings and profits;* § 13.115 *Jobs and employment service;* § 13.143 *Opportunities;* § 13.195 *Safety;* § 13.195–30 *Investment;* § 13.205 *Scientific or other relevant facts;* § 13.260 *Terms and conditions.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Richard L. Schroeder et al. trading as Interstate Merchandisers, Rochester, Minn., Docket 8431, Oct. 24, 1961]

*In the Matter of Richard L. Schroeder and Lois I. Schroeder, Individually and as Copartners, Trading and Doing Business as Interstate Merchandisers*

Consent order requiring a Rochester, Minn., distributor of vending machines and nuts and candy dispensed thereby, to cease using deceptive offers of employment, false earnings claims, and other misrepresentations, in newspaper advertisements the real purpose of which was to sell its products.

The order to cease and desist, together with further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents Richard L. Schroeder and Lois I. Schroeder, individually and as copartners, trading and doing business as Interstate Merchandisers, or under any other name or names, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution, of vending machines, vending machine supplies, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication, that:

1. Employment is offered by respondents or others when in fact the real purpose of the offer is to obtain purchasers for respondents' merchandise;

2. Persons must own an automobile or furnish references in order to qualify for purchase of respondents' products;

3. The amount invested in respondents' products is secured or that there is no risk of losing the money so invested;

4. Selling or soliciting is not required to establish, operate or maintain a route of said products, or otherwise misrepresenting the amount of selling or soliciting required to establish, operate or maintain such route;

5. The sale of merchandise by, through, or in connection with respondents' products or devices is a permanent business or is unaffected by economic depression;

6. The respondents' vending machines or other merchandise have been designed by, or originated by, any person or organization other than the person or organization which actually designed or originated such vending machines or other merchandise;

7. Respondents or their sales representatives obtain, or assist in obtaining, profitable locations for the vending machines purchased from respondents;

8. The earnings or profits derived from the operation of respondents' vending machines will be any amount greater than that usually and customarily earned by operators of respondents' said machines.

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

Issued: October 24, 1961.

By the Commission.

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

[F.R. Doc. 62-2363; Filed, Mar. 9, 1962; 8:46 a.m.]

# Title 17—COMMODITY AND SECURITIES EXCHANGES

## Chapter II—Securities and Exchange Commission

[Release 33-4458]

[Release AS-90]

### PART 211—INTERPRETATIVE RELEASES RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

### PART 231—INTERPRETATIVE RELEASES RELATING TO SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

### Certification of Income Statements

It has come to the attention of the Commission that wide variations have developed in certificates of independent accountants contained in registration statements filed under the Securities Act of 1933 with respect to representations concerning the verification of inventories of prior years in first audits. This development has been noted particularly in situations involving the offering of securities of closely held corporations which have failed to maintain and preserve accounting records and data necessary to permit verification of financial statements. In some cases a question arises whether the certifying accountant intended to limit his opinion as to the fairness of presentation of the income statements.

The following is the pertinent part of an example of this type of certificate:

* * * Except as noted in the succeeding paragraph, our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we consider necessary in the circumstances.

Since this was our initial examintion of the Financial Statements of the Company, September 30, 1961, was the only date at which we observed the taking of physical inventories. However, based on other tests we applied, including tests of gross profits and review of physical inventory records, we have no reason to believe that inventories at September 30, 1958, 1959, and 1960, were not also fairly stated.

In our opinion, with the foregoing comment regarding inventories * * *.

In view of the large number of companies which are now offering securities to the public for the first time and which have this problem, the Commission deems it advisable to remind the financial community that the Securities Act requires that registration statements contain a certificate of an independent accountant based on an audit conducted in accordance with generally accepted auditing standards and meeting the reporting requirements of the Commission.

After testimony was taken from twelve expert witnesses called by the Commission in the investigation of McKesson & Robbins, Inc.,[1] the membership of the

[1] See Report on Investigation and Testimony of Expert Witnesses, G.P.O. 1940 and 1939.

American Institute of Accountants at the 1939 annual meeting approved the extension of auditing procedures to require observation of inventory taking.

In January 1942 the Commission, to avoid any possible interruption in the production and delivery of war material, announced a liberalized policy with respect to physical inventory verification by independent public accountants. (Accounting Series Release No. 30.) After specifying information to be furnished in the certificate the release said:

> In many cases, it is probable that by means of their alternative and extended procedures the independent public accountants will have satisfied themselves as to the substantial fairness of the amounts at which inventories are stated, and in such case a positive statement to that effect should be made. In some cases it may be that, while the scope of procedures followed will not be such as to have so satisfied the accountants, they will be able to take the position that on the basis of the work done they have no reason to believe that the inventories reflected in the statements are unfairly stated.
>
> Of course, if the scope of the work done or the results obtained from the procedures followed or the data on which to base an opinion are so unsatisfactory to the accountants as to preclude any expression of opinion, or to require an adverse opinion, that situation must be disclosed not only by an exception running to the scope of the audit, but also by means of an exception in the opinion paragraph as to the fairness of the presentation made by the financial statements. * * *

In the Drayer-Hanson matter (Accounting Series Release No. 64, March 15, 1948) the accountants' opinion included a now-familiar sentence: "On the basis of the examinations and tests made by us, we have no reason to believe that the inventories as set forth in the accompanying statements are unfairly stated." The Commission found in this case that in addition to the work done on the inventories, other effective procedures could have been applied and hence that the representation cited was entirely without justification.

The first-time audit situation was considered in Accounting Series Release No. 62 which dealt with the circumstances under which independent public accountants may properly express an opinion with respect to summaries of earnings. Concluding that the accountant can express an opinion on completion of a first audit, the release said "It is recognized that some auditing procedures commonly applicable in the examination of financial statements for the latest year for which a certified profit and loss statement is filed, such as the independent confirmation of accounts receivable or the observation of inventory taking, are either impracticable or impossible to perform with respect to the financial statements of the earlier years and, hence, would not be considered applicable in the circumstances."

The statement in the Commission's release is consistent with interpretations of "extensions of auditing procedure" approved by the membership of the Institute at the 1939 annual meeting. Such extension of auditing procedures to require observation of inventories and confirmation of receivables applies where either of these assets represents a significant proportion of the current assets or of the total assets of a concern. As to inventories, Codification of Statements on Auditing Procedure says "The procedures, it will be noted, must be both practicable and reasonable. In the province of auditing, 'practicable' means 'capable of being done with the available means' or '* * * with reason or prudence'; 'reasonable' means 'sensible in the light of the surrounding circumstances.' For example, the observation of physical inventories at the beginning of the period or year under examination would seldom, if ever, be practicable or reasonable in initial or 'first' audits. However, the independent accountant must satisfy himself as to such inventories by appropriate methods."

It seems clear from the discussion above that if an accountant reports that his examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as he considered necessary in the circumstances, an exception as to failure to observe beginning inventories is contradictory and should be omitted. A middle paragraph explaining that the certificate covers a first audit is informative and in some cases essential to describe the alternative procedures applied. A negative type conclusion to this paragraph appears to be a carryover from wartime usage and is not acceptable. Lost and inadequate records may give rise to questions as to the reliability of the results shown in the financial statements and may make it impracticable to apply alternative audit procedures. Alternative procedures must be adequate to support an unqualified opinion as to the fairness of presentation of the income statements by years.

If, as a result of the examination and the conclusions reached, the accountant is not in a position to express an affirmative opinion as to the fairness of the presentation of earnings year by year, the registration statement is defective because the certificate does not meet the requirements of Rule 2-02 of Regulation S-X (17 CFR 210.2-02). If the accountant is not satisfied with the results of his examination he should not issue an affirmative opinion. If he is satisfied, any reference from the opinion paragraph to an explanatory paragraph devoted solely to the scope of the audit is inconsistent and unnecessary. Accordingly, phrases such as "with the foregoing explanation as to inventories" raise questions as to whether the certifying accountant intended to limit his opinion as to the fairness of the presentation of the results shown and should be omitted.

A "subject to" or "except for" opinion paragraph in which these phrases refer to the scope of the audit, indicating that the accountant has not been able to satisfy himself on some significant element in the financial statements, is not acceptable in certificates filed with the Commission in connection with the public offering of securities. The "subject to" qualification is appropriate when the reference is to a middle paragraph or to footnotes explaining the status of matters which cannot be resolved at statement date.

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

MARCH 1, 1962.

[F.R. Doc. 62-2366; Filed, Mar. 9, 1962; 8:46 a.m.]

# Title 21—FOOD AND DRUGS

## Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

### PART 121—FOOD ADDITIVES

### Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

### Subpart D—Food Additives Permitted in Food for Human Consumption

### PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

#### Chlortetracycline; Chlortetracycline With Zoalene

I. The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by American Cyanamid Company, Post Office Box 400, Princeton, N.J., and The Dow Chemical Company, Midland, Mich., and other relevant material, has concluded that the following amended regulations should issue with respect to the food additives chlortetracycline in swine feeds, for prevention and treatment of specified conditions of swine, and chlortetracycline alone or with zoalene for prevention and treatment of specified conditions of chickens. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c)(1), (d)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), §§ 121.207 and 121.208 (21 CFR 121.207 (26 F.R. 5369, 6710); 121.208) of the food additive regulations are amended in the following respects:

1. Section 121.207(a) is amended by adding thereto the following new subparagraph (2):

§ 121.207 Zoalene (3,5-dinitro-o-toluamide).

* * * * * * *

(a) * * *

(2) With chlortetracycline in accordance with the conditions prescribed in § 121.208(a)(1) (i), (ii), (iii), or (vii).

2. Section 121.208 is changed to read as follows:

**§ 121.208 Chlortetracycline.**

The food additive chlortetracycline may be safely used in animal feed in accordance with the following prescribed conditions:

(a) It is used or intended for use alone or in combination with other additives permitted by regulations in this subpart C, as follows:

(1) In chicken feeds:

| Grams per ton | Limitations | Indications for use |
|---|---|---|
| (i) 50–100 | Continuous use | Prevention of chronic respiratory disease (air-sac infection); maintaining or increasing egg production or hatchability of eggs. |
| (ii) 50–100 | Continuous use for chicks | Prevention of early chick mortality due to susceptible organisms. |
| (iii) 100–200 | Continuous use; not to be fed to laying hens. | Treatment of chronic respiratory disease (air-sac infection), blue comb (nonspecific infectious enteritis, mud fever); treatment of infectious sinusitis; prevention o synovitis. |
| (iv) 100–200 | In low-calcium feed containing 0.8 percent dietary calcium; not to be fed continuously for more than 8 weeks, or in low-calcium feed containing 0.40 percent to 0.55 percent dietary calcium not to be fed continuously for more than 5 days; not to be fed to laying hens. | Treatment of chronic respiratory disease (air-sac infection), blue comb (nonspecific infectious enteritis, mud fever); prevention of synovitis. |
| (v) 200 | In low-calcium feed containing 0.8 percent dietary calcium; not to be fed continuously for more than 8 weeks; not to be fed to laying hens. | Prevention or control of coccidiosis caused by *E. necatrix* and *E. tenella*. |
| (vi) 200 | In low-calcium feed containing 0.40 percent to 0.55 percent dietary calcium; not to be fed continuously for more than 5 days; not to be fed to laying hens. | Treatment of coccidiosis caused by *E. necatrix* and *E. tenella*. |
| (vii) 200 | Continuous use; not to be fed to laying hens. | Control of synovitis. |

(2) In swine feed:

| Grams per ton | Limitations | Indications for use |
|---|---|---|
| (i) 50 | Continuous use | Maintenance of weight gain in the presence of atrophic rhinitis; reduction of the incidence of cervical abscesses; prevention of bacterial swine enteritis. |
| (ii) 100 | do | Treatment of bacterial swine enteritis. |
| (iii) 200 | Continuous use, as sole medication | As an aid in reducing spread of leptospirosis. |
| (iv) 400 | For 14 days, as sole medication | As an aid in reducing shedding of leptospirae; as an aid in reducing the abortion rate of swine and the mortality rate of newborn pigs when leptospirosis is present. |

(b) The quantities of the antibiotics referred to in this section refer to an activity equivalent to that of the antibiotic master standard.

(c) To assure safe use of the additive, the label and labeling of the additive and that of any intermediate premix prepared therefrom shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the concentration or strength of the additive contained in any mixture.

(3) The word "medicated," prominently and conspicuously, wherever the term "feed" or "premix" is used.

(4) Adequate mixing directions to provide a finished feed with the proper concentration of the additive, whether or not intermediate premixes are also used.

(5) Adequate use directions to provide a finished feed labeled as provided in paragraph (d) of this section.

(d) To assure safe use of the additive, the label and labeling of the finished medicated feed shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the concentration or strength of the additive contained therein.

(3) The word "medicated," prominently and conspicuously, wherever the term "feed" is used.

(4) A statement of the conditions for which the feed is to be used.

(5) If the additive is to be used as prescribed in paragraph (a)(1) (iv), (v), or (vi) of this section, the label and labeling shall also include the statement, "Contains 0.40 percent to 0.55 percent of dietary calcium. Not to be fed continuously for more than 5 days," or the statement, "Contains 0.8 percent of dietary calcium. Not to be fed continuously for more than 8 weeks," whichever is appropriate.

(6) If the additive is to be used as prescribed in paragraph (a)(1) (iii), (iv), (v), (vi), or (vii) of this section, the label and labeling shall also include a statement that the medicated feed should not be fed to laying hens.

(7) If the additive is to be used as prescribed in paragraph (a)(2) of this section, the label and labeling shall also include a statement that the medicated feed is to be fed to swine only.

(Secs. 409 (c)(1), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c)(1), (d))

II. Based upon an evaluation of the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where chickens and swine have been treated with chlortetracycline in accordance with § 121.208, tolerance limitations are required in order to assure that eggs from chickens and edible tissues of swine are safe for human food. Therefore, § 121.1014 (21 CFR 121.1014) is revised to include a zero tolerance for chlortetracycline in eggs and to provide tolerances for this additive in edible tissues of swine. As amended, § 121.1014 reads as follows:

**§ 121.1014 Tolerances for residues of chlortetracycline.**

Tolerances are established for residues of chlortetracycline in food as follows:

(a) In edible tissues of chickens, which may be in addition to residues provided for in § 120.117(a) of this chapter, and in eggs as follows:

(1) 4 parts per million (0.0004 percent) in uncooked kidneys.

(2) 1 part per million (0.0001 percent) in uncooked muscle, liver, fat, and skin.

(3) Zero in eggs.

(b) In edible tissues of swine as follows:

(1) 4 parts per million (0.0004 percent) in uncooked kidneys.

(2) 2 parts per million (0.0002 percent) in uncooked liver.

(3) 1 part per million (0.0001 percent) in uncooked muscle.

(4) 0.2 part per million (0.00002 percent) in uncooked fat.

(Sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4))

III. Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357), and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), § 146.26 (b) (21 CFR 146.26(b); 26 F.R. 5371, 8974) is amended as follows:

**§ 146.26 [Amendment]**

1. Paragraph (b)(41) is changed to read:

(41)(i) It is intended for use as an aid in reducing the spread of leptospirosis in swine; it contains 200 grams of chlortetracycline per ton of feed; and its labeling bears information that it is to be administered continuously.

(ii) It is intended for use solely as an aid in reducing the shedding of leptospirae in swine and as an aid in reducing abortion rate and mortality of newborn pigs in the presence of leptospirosis; it contains 400 grams of chlortetracycline per ton of feed; and its labeling bears information that it is to be administered to the animals for 14 days.

2. Paragraph (b)(45) is amended by adding thereto the following new subdivisions (iii) and (iv):

(iii) It is also intended for use in the prevention of chronic respiratory disease; it contains zoalene in the amounts and under the conditions specified in subdivision (ii) of this subparagraph; and it contains, per ton of feed, not less than 50 grams and not more than 100 grams of chlortetracycline. If it contains 100 grams of chlortetracycline per ton of feed, it may also be represented for use as an aid in the prevention of synovitis in chickens.

(iv) It is also intended for use in the treatment of chronic respiratory disease and blue comb (nonspecific infectious enteritis, mud fever); it contains zoalene in the amounts and under the

conditions specified in subdivision (ii) of this subparagraph; and it contains, per ton of feed, not less than 100 grams and not more than 200 grams of chlortetracycline. If it contains 200 grams of chlortetracycline per ton of feed, it may also be represented for use as an aid in the control of synovitis in chickens.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Any person who will be adversely affected by the foregoing order may at any time prior to the 30th day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409 (c) (1) and (4), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c) (1) and (4), (d); sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: March 6, 1962.

GEO. P. LARRICK,
*Commissioner of Food and Drugs.*

[F.R. Doc. 62-2374; Filed, Mar. 9, 1962; 8:47 a.m.]

# Title 26—INTERNAL REVENUE

## Chapter I—Internal Revenue Service, Department of the Treasury

### SUBCHAPTER A—INCOME TAX

[T.D. 6594]

### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

### Percentage To Be Used by Foreign Life Insurance Companies in Computing Income Tax for Taxable Year 1961 and Estimated Tax for Taxable Year 1962

Section 819(b) of the Internal Revenue Code of 1954, as added by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 136), provides for the determination of a percentage to be used in determining a "minimum figure" for each foreign life insurance company described in section 819(a). Where this minimum figure exceeds the foreign life insurance company's surplus held in the United States, the amount of the "policy and other contract liability requirements" (determined under section 805 without regard to section 819(b)), and the amount of the "required interest" (determined under section 809(a) without regard to section 819(b)), must each be reduced by an amount determined by multiplying such excess by the "current earnings rate" (as defined in section 805(b)(2)). Accordingly, it is hereby determined that for purposes of computing the 1961 income tax by foreign life insurance companies a percentage of 13.4 shall be used in determining the "minimum figure" under section 819(b).

It is presently anticipated that the data with respect to domestic life insurance companies for 1961 required for the computation of the percentage to be used by foreign life insurance companies in computing their estimated tax for the taxable year 1962 will not be available in time for the filing of the declaration of estimated tax for such taxable year. Accordingly, it is hereby determined that for purposes of computing the estimated tax for the taxable year 1962 and payments of installments thereof by foreign life insurance companies, a percentage of 13.4 (the percentage applicable for 1961) shall be used in determining the minimum figure under section 819(b). No additions to tax shall be made because of any underpayment of estimated tax for the taxable year 1962 which results solely from the use of this percentage.

Because the percentage announced in this Treasury decision is computed from information contained in the income tax returns of domestic life insurance companies for the year 1960, which are not open to public inspection, the public accordingly cannot effectively participate in the determination of such figure. Therefore, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of said Act.

[SEAL] STANLEY S. SURREY,
*Assistant Secretary of the Treasury.*

MARCH 9, 1962.

[F.R. Doc. 62-2437; Filed, Mar. 9, 1962; 10:24 a.m.]

# Title 32—NATIONAL DEFENSE

## Chapter I—Office of the Secretary of Defense

### SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

[Department of Defense Directive 6040.34]

### PART 138—BIRTH REGISTRATION OVERSEAS

The Secretary of Defense approved the following:

Sec.
138.1 Purpose.
138.2 Policy.
138.3 Procedures.
138.4 Background information: Interdepartmental relationships concerning foreign births and citizenship.

AUTHORITY: §§138.1 to 138.4 issued under 5 U.S.C., section 1002.

**§ 138.1 Purpose.**

This part prescribes Department of Defense policy and procedures on birth registration of infants born to United States citizens in Armed Forces medical facilities overseas.

**§ 138.2 Policy.**

(a) Armed Forces activities overseas will cooperate with United States Consular Officers in accomplishing birth registration of infants born to United States citizens in military medical facilities in overseas areas.

(b) Where birth registration is required by local law in overseas areas, military medical facilities will continue to report births to local authorities on the forms provided for such registration in addition to the reports required by United States Consular Offices.

**§ 138.3 Procedures.**

(a) Within twenty-four (24) hours and in no event later than ten (10) days after the birth in a military medical facility of an infant whose parent or parents are citizens of the United States, the designated military officer shall report the birth to the United States Consular Office in whose district the medical facility is located.

(b) The designated military officer shall obtain the data required, prepare Department of State Form FS-240,[1] "Report of Birth Abroad of a Citizen of the United States of America" (also referred to as "Consular Report of Birth"), (down to the solid black line immediately preceding the heading "American Consulate") in triplicate, secure the signatures required on the form, and forward the report to the United States Consular Office.

(1) A citizen parent will be requested to sign each of the three Foreign Service Forms 240 (FS-240) in the box reading "Signature of Parent, Physician, Nurse, or Other Person Having Knowledge of Birth". The citizen parent shall sign under oath before a military officer qualified to administer oaths. After administering the oath, the officer will complete the appropriate section of the Form headed, "When Reported By Mail, Use This Form".

(2) If the mother is not a United States citizen, the citizen father shall be requested to sign the FS-240, if he is available. If the father is not available or if there is any question about his citizenship status, the parent(s) will be requested to contact the United States Consular Office.

(3) In the event the mother dies or is in a very serious condition and the father, who is a United States citizen, is not available, the form shall be forwarded to the United States Consular Office as soon as the Medical Corps Officer who delivered the infant signs it in attest of the delivery. The father then will be advised by his Command that the Consular Office will contact him if it is necessary for him to appear before a Consular Officer.

(4) The section of Form FS-240 entitled "When Reported in Person, Use

[1] Filed as part of the original document.

This Form" is not to be completed by the military officer. This section is completed only when the person concerned signs the form in the presence of the Consular Officer.

(c) In every case, the designated officer will prepare and send an original and two copies of Form FS–240 to the United States Consular Office, and the parents will be advised relative to the following alternative procedures:

(1) If the citizen parent(s) have the proper documentation entered on Form FS–240, as will be prescribed in the implementing regulations, they will be advised that it is not necessary to go personally to the United States Consular Office.

(2) In cases where the necessary documentation is questionable or not available in the manner prescribed in the implementing regulations, the FS–240 shall be forwarded to the United States Consular Office and the parent(s) shall be advised to visit the United States Consular Office and take with them documents that establish marriage and citizenship.

(d) The United States Consular Office will issue to the parent a copy of the Form FS–240, Consular Report of Birth, only upon the parent's request at the time the birth is reported to the Consular Office and upon payment of the fee of $1.50; however, the Certification of Birth will be issued free of charge to the parent in every case where a Consular Report of Birth is executed by the Consular Officer, whether or not the parent requests the copy of the Form FS–240. Additional copies of the Consular Report of Birth or the Certification of Birth may be obtained at any time from the Authentication Officer, Department of State, Washington 25, D.C. The fees for additional copies of either form are: $2.50 for a single copy and $1.60 for each additional copy.

### § 138.4 Background information: Interdepartmental relationships concerning foreign births and citizenship.

(a) Births abroad of children who acquire United States citizenship at birth have been recorded by U.S. Consular Offices for almost 100 years. For the past 40 years, these births have been reported on Department of State Form FS–240, now entitled "Report of Birth Abroad of a Citizen of the United States of America". Form FS–240 is also known as or referred to as the "Consular Report of Birth".

(b) In addition to its use as proof of the birth facts, Consular Reports of Birth have always been considered as a basic citizenship document by the U.S. Department of State and by many agencies of the Federal and State Governments. For this reason, its form and substance differ from the usual live birth certificate filed in the United States, and necessitate an affidavit statement from the person reporting the birth facts.

(c) Upon submission of the necessary evidence of the child's birth and citizenship and completion of the Consular Report of Birth by the U.S. Consular Officer, the parent or other person in interest will receive a copy of the Form FS–240 if he had requested one at the time the birth was reported and had paid the fee of $1.50. The Certification of Birth, however, will be issued free of charge to the parent in every case where action on the Consular Report of Birth has been completed by the Consular Officer, whether or not the parent requested the copy of the Consular Report of Birth. Additional copies of either form may be obtained at any time from the Authentication Officer, Department of State, Washington 25, D.C. The fees for additional copies of either form are: $2.50 for a single copy and $1.60 for each additional copy. The Certification of Birth is a short form record of birth, and information therein is taken from the Consular Report of Birth. The Certification of Birth does not replace the Consular Report of Birth in any way. The Department of State has placed the Certification of Birth form into use to provide persons born overseas with a birth certification form similar to those issued by State vital registration offices of the United States. This form will prove especially useful for children seeking to establish birth facts for school entry, work permits, and such other requirements. Its issuance avoids the need of certifying any embarrassing information which may appear on the Consular Report of Birth.

(d) The distinction between Department of State Form FS–240 and the Certificate of Citizenship issued by the United States Department of Justice Immigration and Naturalization Service is important in considering the necessity for obtaining either document. The Certificate of Citizenship is issued under the authority contained in section 341, Immigration and Nationality Act. It is not mandatory that the parent apply for such a certificate, the decision in that respect being entirely within the discretion of the parent. When issued, the certificate has the same effect in all courts, tribunals, and public offices of the United States, here and abroad, of the District of Columbia, and of each State, Territory, and outlying possession of the United States, as a certificate of naturalization issued by a court. The certificate includes a specific finding that the person to whom it is issued has proved to the satisfaction of the Commissioner that (s)he is now a citizen of the United States.

(e) A child born abroad of a United States citizen parent, or parents, whether or not the birth of the child has been reported to a Consular Office on Department of State Form FS–240, who claims United States citizenship through a parent, may be issued a Certificate of Citizenship by the Immigration and Naturalization Service, in the United States only, upon application by the parent to that Service on its Form N–600, Application for Certificate of Citizenship. Upon satisfactory proof that the child acquired citizenship as claimed, and after examination of the parent or parents in the United States by an officer of that Service, a Certificate will be issued in the name of the child evidencing the child's citizenship. By law, this Certificate has the same effect in all courts, tribunals, and public offices of the United States and of each State, Territory, or outlying possession of the United States, as a certificate of naturalization issued by a court. The possession of such a Certificate is not mandatory and the decision as to whether application for a Certificate should be made is entirely optional with the parents.

(f) In contrast, Department of State Form FS–240 is not issued pursuant to specific statutory authority similar to section 341, nor does the law provide that the form must be given the same effect as a certificate of naturalization. In practice the form is not executed and issued by the American Consul unless the child in question is considered to be a United States citizen. The form itself is actually a Report of Birth of a United States citizen based upon an affidavit by the parent(s) or other interested person furnishing data upon which the Department of State, through its Consular Officer, determines that the child acquired U.S. citizenship at birth. The execution and issuance of the Form FS–240 is a determination by the Department of State that the child acquired U.S. citizenship at birth.

(g) Part 138 exceptions: Inapplicable geographic areas at present are: American Samoa; Canal Zone; Guam; Puerto Rico; Trust Territories; and Virgin Islands. Birth registrations occurring in these areas are registered now through special offices of the Vital Statistics Division, Public Health Service, Department of Health, Education, and Welfare, or local accepted Government offices.

MAURICE W. ROCHE,
*Administrative Secretary.*

[F.R. Doc. 62–2349; Filed, Mar. 9, 1962; 8:45 a.m.]

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SUBCHAPTER M—MISCELLANEOUS

## PART 263—NATURAL RESOURCES; MANAGEMENT AND HARVESTING OF FISH AND WILDLIFE

The Deputy Secretary of Defense approved the following on February 16, 1962.

Sec.



AUTHORITY: §§ 263.1 to 263.10 issued under sec. 202, 61 Stat. 500, as amended; 5 U.S.C. 171a.

### § 263.1 Purpose and applicability.

(a) *Purpose.* This part:

(1) Implements 10 U.S.C. 2671 and Public Law 797, 86th Congress, both of which confer certain responsibilities on the Secretary of Defense for the management, conservation, and harvesting of

fish and game resources on military reservations and facilities; and

(2) Prescribes Department of Defense policy for the establishment and continuance of meaningful conservation programs which comply with the natural resources policy of the President as contained in his message to the Congress (message of the President to the Congress, February 23, 1961 (H.R. Doc. 94, 87th Cong., 1st sess.)).

(b) *Application.* This part applies to members of the DoD military installations and facilities which contain land and water areas suitable for the conservation and management of fish and wildlife and other natural resources (see § 263.3(b)). Nothing contained herein or in implementing Service regulations and cooperative agreements shall modify any rights granted by treaty or otherwise to any Indian tribe or to members thereof.

### § 263.2 General policies.

(a) *Necessity for stewardship.* The DoD, as an important occupier of Federal lands, has an obligation to the American people to act responsibly and effectively in natural resources management. This includes the obligation of the Armed Forces to restore, improve, and preserve, through wise-use management, the renewable natural resources of the lands and waters they control. The conservation programs required by this directive and the military mission need not, and shall not, be mutually exclusive.

(b) *Command responsibility.* DoD personnel at all echelons of command must support national conservation policies and programs in accordance with this directive. Intelligent and sympathetic understanding of natural resources and recreation problems, and the relationship and responsibility at all DoD echelons to such problems, must be an important and identifiable function of command management.

(c) *Cooperation with Federal, State, and local officials.* Military departments must assure that appropriate commanders take the initiative to seek out help and to work effectively and in harmony with Federal, State, and local conservation officials and with conservation agencies officially chartered, equipped, and manned by personnel trained to render professional advice and technical assistance. Frequent conferences should be employed as a source of fresh inspiration, ideas and competent decisions.

(d) *Natural resources conservation management.* All military reservations shall be managed so as to:

(1) Protect and preserve the watersheds, the soil, the beneficial forest and timber growth, and the beneficial vegetative cover as vital elements of an optimum fish and wildlife program.

(2) Utilize and care for natural resources in the combination best serving the present and future needs of the United States and its people.

(3) Provide maximum multiple use for the optimum ecological development of land and water areas and access thereto for the enjoyment of and use by the public in compliance with the natural resources policies and goals of the United States, except where a specific finding has been made that the overriding military mission requires a temporary or permanent suspension of such use. Multiple use, by no means an assemblage of single uses, is defined, within the meaning of this part, as a conscious, coordinated management of the resources, each with the other, without impairment of the productivity of the land or water.

### § 263.3 Access to military lands and waters.

(a) *By the public.* (1) Modern natural resources conservation has featured profound changes in public policy in recent years which reflect the demands of a rapidly expanding population for increased access and multiple use of public lands. Due to these intensified pressures on all natural resources, and because the nation's health, morale, and culture have long benefited by public access to outdoor recreation, including fishing and hunting opportunities, the DoD must do its share in accommodating a part of the people hoping for the pleasures of field and stream.

(2) Provision shall be made, within manageable quotas, for controlled public access to installations when such can be granted without bona fide impairment of the military mission. In granting access privileges to persons other than those assigned to or living on military installations, manageable quotas will vary, depending upon the amount of suitable land and water areas available. Opportunities for recreational purposes must be equitably distributed by impartial selection devices, such as a system based on drawings or lots, or a system based on the principle of first come, first served.

(3) In those rare instances where all public access must be withheld, the reasons must be logical and substantial and, by a candid statement, incorporated in the cooperative agreement to be negotiated between representatives of the military departments, the State fish and wildlife authorities, and the U.S. Fish and Wildlife Service.

(b) *By Federal and State conservation officials.* (1) Military departments will insure that appropriate commanders, in cooperation with the Governors, or their designees, of the states in which the installations are located, provide installation access for designated State, fish and wildlife, or conservation officials at such times and under such conditions as may be agreed upon.

(2) Accredited conservation representatives of Federal agencies furnishing professional advice and technical assistance under this directive will also be admitted to installations.

(3) Federal and State conservation officials provided installation access will be issued an Identification Card and Pass Permit, DD Form 1221,[1] by the appropriate commander for use under the terms specified.

(c) *Signs and outleasing agreements.* (1) Signs identifying posted military reservations should also contain information to make it possible for Federal and State authorities, as well as private parties, to identify the proper headquarters responsible for the area.

(2) Where possible, out-leases of military lands shall provide for public recreational uses such as hunting and fishing.

### § 263.4 Implementation of section 2671, chapter 159, title 10, United States Code.

(a) Hunting, fishing, and trapping at each military installation or facility under the jurisdiction of any military department in a State will be in accordance with the fish and game laws of the State in which it is located.

(b) At each installation or facility appropriate State licenses for hunting, fishing, or trapping on that installation or facility will be obtained, except that with respect to members of the Armed Forces such a license may be required only if the State authorizes the issuance of a license to a member on active duty for a period of more than thirty days at an installation or facility within that State without regard to residence requirements, and upon terms otherwise not less favorable than the terms upon which such a license is issued to residents of that State. (The clause "for a period of more than thirty days" indicates eligibility for an individual when first physically present for duty on such orders.)

(c) Whoever is guilty of an act or omission which violates a requirement prescribed under paragraphs (a) and (b) of this section, which act or ommission would be punishable if committed or omitted within the jurisdiction of the State in which the installation or facility is located, by the laws thereof in effect at the time of that act or omission, is guilty of a like offense and is subject to like punishment.

### § 263.5 Implementation of Public Law 797, 86th Congress.

(a) *Cooperative plans.* In compliance with Public Law 797, 86th Congress, the Departments of Defense and Interior have developed a model cooperative plan,[1] coordinated and approved by the International Association of Fish and Game Commissioners (the national organization representing the several State Fish and Game Commissioners), which is designed to carry out a program of planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation in the military reservations. Under the terms of the cited statute, appropriate commanders:

(1) May, if agreeable to the signators to the cooperative plans, issue special State permits to individuals for hunting, fishing, or trapping on that installation or facility, and require the payment of a nominal fee therefor. Such fees are to be utilized on the installation from which collected for the protection, conservation, and management of fish and wildlife, including habitat improvement and related activities, as may be stipulated in the cooperative plan, but for no other purpose. Such fees as may be collected under the above cited Act will be ac-

[1] Filed with original document.

counted for and reported in accordance with instructions of the Office of the Assistant Secretary of Defense (Comptroller) under a special indefinite fund established by the Department of the Treasury for each military department, and entitled "Wildlife Conservation, etc., Military Reservations," symbol—X5095.

(2) Will ascertain that the cooperative plan provides that the possession of a special permit for hunting migratory game birds shall not relieve the permittees of the requirements of the Migratory Bird Hunting Stamp Act, as amended (Migratory Bird Hunting Stamp Act, 16 U.S.C. 718, et. seq.), nor of the requirements pertaining to State law, as described in § 263.4.

(b) *Execution of cooperative plans.* Cooperative plans will be executed for all military installations which contain land and water areas suitable for the conservation and management of fish and wildlife and other natural resources. Suitability should be determined after consultation with the Regional Director of the U.S. Fish and Wildlife Service, and the Director of the Fish and Game Department of the State in which the installation is located, or other official as designated by the Governor of the State concerned. Military departments will maintain current copies of all negotiated cooperative plan for installations under their control.

**§ 263.6 Establishment of installation conservation committees.**

Military departments will insure that commanders of installations having a potential for the program within the concept of this directive shall appoint a conservation committee to assure balanced action and continuity of application on the part of a number of installation activities. Suggested composition of such a committee, in addition to the commanding officer, includes the law enforcement officer, installations operations and safety personnel, land management and engineer personnel, the legal officer, special services, public information services, and elected officers of installation rod and gun club-type activities. Local civilian sportsmen groups should be invited to sit in meetings of such committees as guests.

**§ 263.7 The Secretary of Defense Conservation Award.**

To encourage and give added incentive for improvement of DoD fish and wildlife activities the Secretary of Defense will annually present an award to the installation that conducted the most outstanding program during the preceding calendar year. The first award will cover the calendar year 1962. An ad hoc committee will be selected to judge the nominations and recommend the winning installation to the Secretary of Defense. The committee, appointed by the Secretary of Defense, will be composed of the Assistant Secretary of Defense (Manpower) and four civilian conservation leaders.

**§ 263.8 Community relations.**

In developing agreements and procedures with State and local authorities, representatiyes of the Armed Forces will bear in mind at all times the importance of establishing, maintaining, and improving Armed Forces' community relations, in keeping with the provisions of DoD Directive 5410.7, "Community Relations."

**§ 263.9 Inspection.**

(a) The Secretaries of the Military Departments will require periodic inspections to insure compliance with this program.

(b) Reporting requirements, subject to appropriate reports control action will be contained in a DoD Instruction issued by the Assistant Secretary of Defense (Manpower).

**§ 263.10 Delegation of authority.**

Under the direction, authority, and control of the Secretary of Defense, the Assistant Secretary of Defense (Manpower) shall be responsible for administration of the provisions of this part.

MAURICE W. ROCHE,
*Administrative Secretary.*

[F.R. Doc. 62-2350; Filed, Mar. 9, 1962; 8:45 a.m.]

# Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER L—MINERAL LANDS

[Circular 2077]

## PART 191—GENERAL REGULATIONS APPLICABLE TO MINERAL PERMITS, LEASES, AND LICENSES

### Limitation on Time To Institute Suit To Contest Secretary's Decision

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Mineral Leasing Act (30 U.S.C. 189), 43 CFR 191.16 is amended as set forth below. The purpose of this amendment is to include in the regulations, in part, the actual language of section 5 of the Mineral Leasing Act Revision of 1960 thereby removing any question of a limitation on the finality of a Secretary's decision.

It is the policy of the Department of the Interior whenever practicable to afford the public an opportunity to participate in the rule-making process. However, since this amendment is clarifying in nature and incorporates the actual language of an Act, which is not subject to comment, it is deemed unnecessary to provide notice and public procedure thereon. Accordingly this amendment shall become effective at the beginning of the calendar day on which it is published in the FEDERAL REGISTER.

Section 191.16 is amended to read as follows:

**§ 191.16 Limitation on time to institute suit to contest a Secretary's decision.**

No action contesting a decision of the Secretary involving any oil and gas lease shall be maintained unless such action is commenced or taken within 90 days after the final decision of the Secretary relating to such matter.

STEWART L. UDALL,
*Secretary of the Interior.*

MARCH 3, 1962.

[F.R. Doc. 62-2364; Filed, Mar. 9, 1962; 8:46 a.m.]

# Title 49—TRANSPORTATION

## Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[No. MC-C-2; Ex Parte No. MC-37]

## PART 170—COMMERCIAL ZONES

### New York, N.Y.; Extension of Effective Date

Upon consideration of the record in the above-entitled proceedings; and good cause appearing therefor:

*It is ordered,* That the effective date of the order hereinbefore extended to March 5, 1962, by order of the Commission, Chairman Murphy, entered in said proceedings on January 4, 1962, be, and it is hereby, extended to May 5, 1962.

Dated at Washington, D.C., this 5th day of March A.D. 1962.

By the Commission, Chairman Murphy.

[SEAL] HAROLD D. MCCOY,
*Secretary.*

[F.R. Doc. 62-2369; Filed, Mar. 9, 1962; 8:47 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[ 7 CFR Part 981 ]

### HANDLING OF ALMONDS GROWN IN CALIFORNIA

### Notice of Additional Time for Receipt of Written Data, Views, or Arguments

Notice is hereby given that additional time is granted for receipt by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., of written data, views, or arguments with respect to the proposed amendments of Subpart—Administrative Rules and Regulations, pertaining to operations under the amended marketing agreement and order (7 CFR Part 981), regulating the handling of almonds grown in California. Written data, views, or arguments will be accepted through April 2, 1962. Notice of the proposed amendments was published in the FEDERAL REGISTER February 16, 1962 (27 F.R. 1460).

This action affords interested persons necessary additional time to consider the proposal.

Dated: March 7, 1962.

FLOYD F. HEDLUND,
*Director,*
*Fruit and Vegetable Division.*

[F.R. Doc. 62-2378; Filed, Mar. 9, 1962; 8:48 a.m.]

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### Agricultural Stabilization and Conservation Service

[ 7 CFR Part 1074 ]

### MILK IN SOUTHWEST KANSAS MARKETING AREA

### Proposed Termination of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Southwest Kansas marketing area is being considered.

The provisions proposed to be terminated are §§ 1074.71(b) and 1074.85.

The Southwest Milk Producers Association which represents approximately 85 percent of the producers supplying the market has requested that the "take-out and pay-back" plan of the order be terminated. The plan has no effect on minimum prices required to be paid by handlers. It establishes a method of withholding funds from producers during months of normally flush production and distributing such funds during months of normally short production. Timely action on the request can be accomplished through termination of the provisions cited. Opportunity is hereby afforded all interested parties to submit written data, views and arguments with respect to the proposed termination.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

Signed at Washington, D.C., on March 8, 1962.

RAPHAEL V. FITZGERALD,
*Acting Deputy Administrator,*
*Price and Production, Agricultural Stabilization and Conservation Service.*

[F.R. Doc. 62-2392; Filed, Mar. 9, 1962; 8:48 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Parts 40, 41, 42 ]

[Reg. Docket No. 1093; Draft Release No. 62-9]

### APPROVAL OF AIR CARRIER TRAINING PROGRAMS

### Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposal to amend Parts 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before May 10, 1962, will be considered by the Administrator before taking action upon the proposed rules. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons when the prescribed date for return of comments has expired.

By amendments 40-21, 41-28, and 42-23, effective January 1, 1961 (24 F.R. 9765, 9768, 9773), Parts 40, 41, and 42 were amended to require approval of the training program established by an air carrier. However, these amendments did not specify the procedures and minimum standards that were to be used for such approval. Also, the regulations do not clearly specify that an air carrier must administer the training program as approved, that he must revise it as necessary to insure appropriate training, or that he must keep his training material and procedures current with respect to each airplane type he uses.

The amendments to the regulations proposed herein would require that training programs be established and maintained not only in accordance with the requirements of pertinent sections of the Civil Air Regulations, but also in accordance with minimum standards prescribed by the Director, Flight Standards Service. In addition, the air carrier would be required to revise his program as necessary to insure appropriate training, to obtain approval of any revision, and to administer the program for the training of each crewmember and dispatcher. The proposal would also require an air carrier to provide and keep current, for each airplane type he uses, appropriate course material, written and oral examinations, training forms, and instructions and procedures for use in conducting crewmember and dispatcher proficiency checks.

For better arrangement of the regulations, it is proposed to set forth the requirement that air carrier training programs be approved in the same section that now requires an air carrier to establish such programs. The separate section requiring approval would be deleted.

The amendments requiring approval of air carrier training programs were issued December 1, 1959. That same month the Bureau of Flight Standards prescribed and circulated by memorandum the policies and standards that were to be used for the approval of training programs, so that the air carriers could have ample time to prepare or revise their programs and get approval. After several conferences with industry representatives, during which these standards were thoroughly reviewed, certain changes were made and issued in a revised memorandum dated September 7, 1960. This memorandum has been identified as the "Training Standards Criteria."

Since the memorandum establishing standards for the approval of training programs was an expediency to assist the air carriers in meeting the January 1, 1961, effective date of the amendments, interested persons were advised that proposed Civil Aeronautics Manual material on the subject would be circulated for comment at the earliest practicable time. The industry was also advised that in developing this proposed CAM material, Flight Standards would consider the comments and recommendations they had made during discussions of the "Training Standards Criteria." Insofar as possible, the CAM appendix proposed herein reflects these comments and recommendations.

During the original discussions of the criteria to be used in the approval of training programs and in subsequent informal meetings on this subject with

various segments of industry, both support of and opposition to specifying a minimum number of hours of instruction in the standards was evidenced. While the crewmembers and dispatchers strongly concur with the training standards presently in effect, the air carriers are opposed to specifying a minimum required number of hours of ground and flight training. This opposition is based primarily on the premise that the flexibility needed to develop new training techniques and methods would be reduced, and that an unwarranted emphasis on hours would tend to limit the overall improvement of training programs. Therefore, in view of the expressed differences of opinion with respect to specifying a minimum required number of training hours in the training program standards, it is requested that particular consideration be given this matter in preparing comments on this proposal.

The underlying interest of the Agency in air carrier training programs is with the end product; i.e., competent crewmembers and dispatchers. However, in order to assure with a reasonable degree of certainty that such satisfactory end products will result, it is necessary to evaluate the training programs in advance. While a sampling of the end products may indicate the need for a reevaluation of the programs, the application of adequate standards in the formulation of the training programs will increase the probability of adequately trained crewmembers and dispatchers.

To provide flexibility for the training of those crewmembers or dispatchers who may not require a complete training course, the standards proposed herein would allow the use of modified courses in appropriate cases. For example, a crewmember hired from another air carrier might be permitted to qualify with less training, if he had already been through the training program of a carrier conducting a comparable operation with the same type of equipment on which he is qualifying. Also, we recognize that the minimum programmed hours for ground school training on certain subjects may vary among different air carriers because of differences in training techniques, procedures, and facilities. For example, an air carrier using mock-ups, films, or other training aids might reasonably program less classroom lecture time than another carrier not using such equipment. The standards proposed herein would provide for variations in the ground school curriculum when training aids are used, if the air carrier presents appropriate justification.

In consideration of the foregoing, it is proposed to amend Parts 40, 41, and 42 of the Civil Air Regulations as follows:

1. By amending § 40.280 (a) and (b) of Part 40 to read as follows:

**§ 40.280 Training requirements.**

(a) Each air carrier shall establish and maintain a training program sufficient to insure that each crewmember and dispatcher is adequately trained to perform the duties to which he is assigned. The training program shall be established and maintained in accordance with the requirements prescribed in paragraphs (b) through (e) of this section and §§ 40.281 through 40.289, and the minimum standards prescribed by the Director, Flight Standards Service; and shall be revised as necessary to insure appropriate training. The training program and any revision thereto shall meet with the approval of the Administrator or his authorized representative, and shall be administered by the air carrier for the training of each crewmember and dispatcher. Prior to serving in air transportation, each crewmember and dispatcher shall satisfactorily complete the initial phase of the program.

(b) Each air carrier shall provide adequate ground and flight training facilities, and properly qualified instructors; and shall provide and keep current, with respect to each airplane type used in air carrier operations, appropriate course material, written and oral examinations, training forms, and instructions and procedures for use in conducting crewmember and dispatcher proficiency checks required by this part. Each air carrier shall also provide a sufficient number of check airmen to conduct the flight checks required by this part. Such check airmen shall hold the same airman certificates and ratings as are required for the airman being checked.

**§ 40.290 [Deletion]**

2. By deleting § 40.290.

3. By adding an appendix to Part 40 to read as follows:

APPENDIX—STANDARDS FOR THE PREPARATION AND APPROVAL OF AIR CARRIER TRAINING PROGRAMS

GENERAL

1. *Purpose.* These standards prescribe the procedures for approval of air carrier crewmember and dispatcher training programs and the minimum curriculum requirements for such programs.

2. *Application for approval.* (a) The air carrier shall submit an application for initial approval of its training program to the FAA Principal Operations Inspector. The application shall be accompanied by three copies of the air carrier's training program curriculum. The air carrier shall also submit for examination such training forms, records, and other material pertaining to the training program as may be requested by the Principal Operations Inspector.

(b) If the curriculum complies with the requirements prescribed in this appendix, and the other pertinent material submitted for examination is adequate, the air carrier will be notified that its training program has been approved and an approved copy of the curriculum will be returned to the air carrier.

3. *Revision of approved training program.* Requests for approval of revisions to a previously approved training program shall be submitted to the FAA Principal Operations Inspector. If the request pertains to revision of a training program curriculum approved in accordance with the requirements prescribed in this appendix, three copies of the revision for which approval is requested shall be submitted in a form that will permit it to be readily substituted, if approved, for that portion being replaced in the approved training program curriculum on file with the FAA.

4. *Curriculum; general form and content.* The training program curriculum shall include a table of contents setting forth in appropriately numbered sections the following:

(a) The policy and procedures to be employed by the air carrier in complying with the training requirements for all crewmembers and dispatchers;

(b) The initial, upgrading, transitional, recurrent, and emergency courses of training administered to dispatchers and to each type of crewmember including the ground school, synthetic trainer, aircraft familiarization, and flight training subjects and maneuvers, as appropriate (separate sections should be used for the dispatchers and for each type of crewmember);

(c) Appropriate detailed descriptions or pictorial displays of all normal and emergency flight maneuvers and procedures to be administered in the flight phase of the training program;

(d) The minimum hours of training and instruction programed for each phase of the ground, synthetic, and flight training required for approval; and

(e) Provisions for giving practical tests or closed-book written examinations, as appropriate, in all required subjects.

DETAILED CURRICULUM REQUIREMENTS

11. *Ground school training.* The curriculum shall provide for ground school instruction and training for crewmembers and dispatchers in accordance with the requirements prescribed by Part 40 of the Civil Air Regulations. It shall also include the subjects listed in paragraphs (a) through (j) of this section, designated by appropriate symbols, for the type of operation conducted by the air carrier. In establishing the ground school training curriculum for individual air carriers, subject matter which is not necessary for the training requirements of the air carrier's particular type of operation is not required for approval. In all cases, the curriculum shall include ground school training and instruction for crewmembers and dispatchers in those subjects considered necessary to insure that they will perform their duties with a high level of proficiency in the particular type of operation conducted by the air carrier. The following subjects are applicable to the pilot in command, second in command and third pilot; and to dispatchers, flight engineers, navigators, and flight attendants as indicated:

NOTE: The following symbols are used to designate those segments of each subject in which a particular crewmember and a dispatcher must be given training and instruction:

PC—Pilot in command,
2C—Second in command,
3P—Third pilot,
FE—Flight engineer,
DS—Dispatcher,
NA—Navigator, and
FA—Flight attendant.

(a) *Crew duties and responsibilities.* (1) Orientation—DS, FA, NA, FE;

(2) Organizational structure—DS, FA, NA, FE;

(3) Company policies—DS, FA, NA, FE;

(4) Verification of qualifications—DS, NA, FE;

(5) Use of intoxicants—DS, FA, NA, FE;

(6) Duties and responsibilities—DS, FA, NA, FE;

(7) Issuance of manuals and equipment—DS, FA, NA, FE;

(8) Conduct of flight—DS, NA, FE;

(9) Flight simulator or procedural trainer—FE;

(10) Preflight duties—NA, FE;

(11) Inflight duties—FA, NA, FE;

(12) Postflight duties—FA, NA, FE;

(13) Authority, command and second in command—DS, FA, NA, FE;

(14) Emergency authority and responsibility—DS, FE;

(15) Passenger handling—FA, FE;
(16) Alternate, provisional, and unscheduled landings—DS, FE;
(17) Illness, crew and/or passengers—FA, NA, FE.

(b) *Civil Air Regulations and Civil Aeronautics Manual relative to each part, where applicable.* (1) CAR/CAM 4a—Airplane Airworthiness (non-T Category)—DS, FE;
(2) CAR/CAM 4b—Airplane Airworthiness (T Category)—DS, FE;
(3) SR-422, SR-422A, SR-422B, Turbine-Powered Transport Category Airplanes of Current Design—DS, FE;
(4) CAR/CAM 29—Physical Standards for Airmen; Medical Certificates—DS, NA, FE;
(5) CAR/CAM 40—Scheduled Interstate Air Carrier Certification and Operation Rules—DS, NA, FE;
(6) CAR/CAM 41—Certification and Operation Rules for Scheduled Air Carrier Operations Outside the Continental Limits of the United States—DS, NA, FE;
(7) CAR/CAM 42—Irregular Air Carrier and Off-Route Rules—DS, NA, FE;
(8) CAR/CAM 43—General Operation Rules—DS, FE;
(9) CAR/CAM 45—Commercial Operator Certification and Operation Rules—DS;
(10) CAR/CAM 49—Transportation of Explosives and Other Dangerous Articles—DS, FE;
(11) CAR/CAM 60—Air Traffic Rules—DS, NA;
(12) Part 320 of the Civil Aeronautics Board's Safety Investigation Regulations—Notification and Reporting of Aircraft Accidents and Overdue Aircraft—DS.

(c) *Navigation.* (1) The globe; size, shape, movement, and time—DS, NA;
(2) Projections; maps, charts, and limitations—DS, NA;
(3) Navigational computer and its use—DS, NA;
(4) Basic principles of dead reckoning navigation—DS, NA;
(5) Celestial navigation—NA;
(6) Radio navigation; loran and radar—NA;
(7) Single heading navigation—NA;
(8) Pressure pattern flight planning—NA;
(9) Emergency aids to navigation; VHF-DF and HF-DF—DS, NA;
(10) Navigational publications; Flight Information Manual, Airman's Guide, NOTAMS, etc.—DS, NA;
(11) Flight plans and procedures—DS, NA;
(12) En route requirements and procedures—DS, NA;
(13) Continental and oceanic control—DS, NA;
(14) High density traffic control ADIZ, restricted and prohibited areas—DS, NA;
(15) Fuel requirements and cruise control—DS, NA, FE;
(16) Airports; provisional and alternate airport requirements—DS;
(17) Approach procedures and plates, ASR-PAR-ILS-GCA-LF/MF-VOR-ADF—DS;
(18) Approach and landing minimums—DS.

(d) *Meteorology.* (1) Physics and properties of the atmosphere—DS, FE;
(2) Air mass analysis—DS, FE;
(3) Adiabatic processes—DS, FE;
(4) Temperature, dewpoint, and humidity—DS, FE;
(5) Frontal weather systems—DS, FE;
(6) Pressure systems—DS, FE;
(7) Precipitation; rain, freezing rain, snow, sleet, hail, and ice—DS, FE;
(8) Clouds and fog—DS, FE;
(9) Winds including jet stream—DS, FE;
(10) Turbulence and adverse weather; thunderstorms, tornadoes, and hurricanes—DS, FE;
(11) Upper air soundings—DS, FE;
(12) USWS reports and forecasts—DS, NA, FE;
(13) Interpretation of weather data—DS, NA, FE;
(14) Flight principles of pressure patterns—DS, NA;
(15) Pilot inflight weather reports—DS, FE;
(16) High altitude weather—DS, FE.

(e) *Communications.* (1) Communications procedures—DS, FE;
(2) Emergency procedures—DS, FE;
(3) Visual signal—FE;
(4) Ramp and hand signals—FE;
(5) FAA emergency code of distress—FE, NA;
(6) NOTAMS—DS, FE, NA;
(7) Clearance symbols and terminology—DS, FE, NA;
(8) ATC clearance copying—NA;
(9) Continental Morse Code copying practice—NA.

(f) *Airway traffic control.* (1) Types of clearances and flight plans—DS;
(2) ADIZ DVFR clearances and reports—DS;
(3) Types of approaches and holding procedures;
(4) Jet flight planning—DS, NA, FE;
(5) Protection afforded;
(6) Acceptable tolerances—NA;
(7) Pilot and company responsibility—NA;
(8) Government responsibility—DS;
(9) Flight plan cancellations—DS;
(10) Search and rescue protection—DS, FE, NA;
(11) Manuals and publications—DS, NA, FE:
(i) Definitions and symbols—DS, NA,
(ii) Flight Information Manual—DS, NA, FE,
(iii) Airman's Guide—DS, NA, FE,
(iv) ANC Manual—DS, NA.

(g) *Emergencies.* (1) Authority and responsibilities—DS, FA, NA, FE;
(2) Determination and declaration for the following types—DS, FA, NA, FE:
(i) Potential,
(ii) Actual,
(iii) Crash,
(iv) Inflight,
(v) Landing,
(vi) Ground.
(3) Termination of emergency—FE, NA;
(4) Codes and signals—FA, FE, NA;
(5) Available aids and assistance—DS, FA, NA, FE;
(6) Drills and procedures for:
(i) Ditchings—FA, NA, FE,
(ii) Aircraft evacuation—FA, NA, FE,
(iii) Fire fighting—FA, NA, FE,
(iv) Smoke evacuation—FA, NA, FE,
(v) Fuel dumping—FE,
(vi) Propeller feathering—FE,
(vii) Overspeed propeller—FE,
(viii) Hydraulic failures—FE,
(ix) Gear extension failure—FE,
(x) Gear Collapse—FA, NA, FE,
(xi) Utilization of emergency exits—FA, NA, FE,
(xii) Communications failure—FE, NA,
(xiii) Inflight death—FA, FE, NA,
(xiv) Bomb hoax—FE, DS, NA, FA,
(xv) Unreported flight—DS, FE,
(xvi) Decompression—DS, FA, NA, FE,
(xvii) Descents—FA, NA, FE.

(h) *Operations.* (1) Dispatching procedures—DS, FE, NA;
(2) Weight and balance—FE;
(3) Flight planning—DS, NA, FE;
(4) Jet flight planning—DS, NA, FE;
(5) Ground handling and public protection—FE;
(6) Flight schedules—FE, DS, NA;
(7) Cruise control—NA, FE;
(8) Operating specifications—DS, FE, NA;
(9) Flight training simulator and aircraft proficiency checks—FE;
(10) Maintenance and logbooks including equipment "go-no-go" lists—DS, FE;
(11) Ferry flights—DS, FE;
(12) High altitude indoctrination—NA, FE, FA.

(i) *Equipment.* (1) General description—DS, FA, NA, FE;
(2) Performance and limitations—DS, FE;
(3) Powerplants and propellers—DS, FE;
(4) Systems:
(i) Fuel—FE,
(ii) Oil—FE,
(iii) Hydraulic—FE,
(iv) Pneumatic—FE,
(v) Water injection—FE,
(vi) Heating—FE,
(vii) Cooling—FE,
(viii) Pressurization—FE,
(ix) Autopilot—FE,
(x) Radio and radar—NA, FE,
(xi) Electrical—NA, FE,
(xii) Vacuum—FE,
(xiii) Ignition—FE,
(xiv) Induction—FE,
(xv) Ice elimination—FE,
(xvi) Instruments and navigational—NA, FE,
(xvii) Control—FE.
(5) Oxygen equipment—FA, NA, FE;
(6) Emergency equipment—FA, NA, FE;
(7) Emergency systems and procedures—NA, FE.

(j) *Familiarization assignments.* (1) Air route traffic control center—DS, NA;
(2) Airport traffic control tower;
(3) Flight dispatch center—NA, FE, DS;
(4) Pilot schedule office—FE, NA;
(5) Station operations—DS, FA, NA, FE;
(6) Meteorological office—DS, NA, FE;
(7) Aircraft on ground—DS, FA, NA, FE;
(8) Maintenance facility—FE;
(9) Student flight training—FE;
(10) Synthetic flight trainer—FE;
(11) En route line flights—FA, DS, NA, FE.

12. *Flight training.* The curriculum shall provide for flight training which will insure adequate initial, transitional, upgrading, recurrent, and emergency training for all crewmembers on the aircraft type(s) to which they are assigned in air carrier operations. The recurrent training shall be adequate to insure the continued maintenance by all air carrier crewmembers of a high level of proficiency. The curriculum shall provide for the flight training required by Part 40 of the Civil Air Regulations and include the flight training/simulator subjects for initial, transitional, upgrading, and recurrent training listed in paragraphs (a) through (y) of this section.

NOTE: Subjects listed in this section represent a combined list which may be used for simulator and flight phases of training. Subjects in which pilots serving as second in command must be trained are identified with an asterisk (*). The subjects listed for the development of air carrier simulator/synthetic trainer courses should not be confused with the standards for the approval of simulator courses prescribed under § 40.302(b)(3).

(a) *Briefing session.**
(b) *Preflight inspection of the aircraft.**
(c) *Engine starting.**
(d) *Taxiing.*
(e) *Prior to takeoff checks.**
(f) *Takeoffs.* (1) Normal takeoffs;*
(2) Crosswind takeoffs;
(3) Night takeoffs;*
(4) Takeoffs with simulated engine failure.*
(g) *Climb and climbing turns.**
(h) *Maneuver—minimum speed.**
(i) *Approach to stalls.**
(j) *Rapid descent and pullup.*
(k) *Engine-out procedures and familiarization.**
(l) *Roll rates—spoilers on, off, and up.**
(m) *Dutch roll.**
(n) *Spoilers.**
(o) *Stabilizer trim.** (1) Procedures to be used for runway stabilizer;
(2) Procedures to be used for jammed stabilizer;
(3) Procedures to be used for landing and "go-around" with horizontal stabilizer out of trim.
(p) *Tuck and mach warning.**
(q) *Recovery from unusual attitudes.*
(r) *Emergency descent.*

(s) *Traffic control procedures.**

(t) *Instrument approach, missed approach, and orientation procedures for ILS, VOR, ADF, LFR, GCA, PAR, ASR.**

(u) *Landings.* (1) Normal landings;*
(2) Night landings;*
(3) Crosswind landings;*
(4) Zero flap landings;
(5) Maneuvering to landings with simulated failure of 50 percent of power units concentrated on one side of the aircraft;
(6) Maneuvering to a landing under circling minimum conditions.

(v) *Operation of flight engineer panel.* Sufficient training shall be given to qualify a crewmember, other than the flight engineer, to perform satisfactorily in this capacity, should the flight engineer become incapacitated.

(w) *Systems use.** (1) Anti-icing system;
(2) Pressurization and air conditioning;
(3) Fuel systems;
(4) Cockpit and aircraft lighting system;
(5) Navigational and communication systems;
(6) Flight instrumentation.

(x) *Inflight emergency procedures.** (1) Engine fire;
(2) Heater and cargo compartment—fire-smoke removal;
(3) Empennage fire;
(4) Wing fire;
(5) Cabin fire-smoke removal;
(6) Electrical fires and failures;
(7) Flight instrument power failure;
(8) Pneumatic failure;
(9) Hydraulic system failures;
(10) Flight control boost off procedures;
(11) Emergency decompression;
(12) Fuel dumping.

(y) *Ground emergencies.** (1) Emergency evacuation;
(2) Ditching drill;
(3) Brake fire;
(4) Use of emergency brake;
(5) Engine and fuselage fires.

13. *Minimum hours of training.* (a) The curriculum shall program for each crewmember and dispatcher the minimum number of hours of training in the various phases of training, as specified in the following Charts 1 and 2:

NOTE: The symbols used in Charts 1 and 2 have the following meaning:
PC—Pilot in command;
2C—Second in command (copilot) and third pilot in a required three-pilot crew;
3P—Third pilot not required by regulation;
FE—Flight engineer;
NA—Navigator;
FA—Flight attendant;
DS—Dispatcher;
I/T—Initial training;
U—Upgrading training;
R—Recurrent training;
X—One round trip (total time not less than 5 hours).

CHART 1—MINIMUM PROGRAMMED HOURS OF TRAINING

| | | I Ground school | | | | | | II Flight training | | III Procedural trainer approved simulator | | | | IV Synthetic instrument trainer | | V Initial equipment line check | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | PC FE | 2C | 3P | NA | FA | DS | PC | 2C FE | 3P | PC | 2C | 3P | PC | 2C | PC | 2C | 3P | FE | NA | DS FA |
| Basic (indoctrination of New Hires) | | 40 | 40 | 40 | 40 | 40 | 40 | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ |
| DC-3, C-46 | I/T | 40 | 40 | ------ | ------ | 8 | 16 | 8 | 4 | ------ | ------ | ------ | ------ | 4 | 4 | 10 | 10 | ------ | ------ | ------ | X |
| | U | ------ | 16 | ------ | ------ | ------ | ------ | ------ | 4 | ------ | ------ | ------ | ------ | ------ | 4 | ------ | 10 | ------ | ------ | ------ | ------ |
| | R | 12 | 12 | ------ | ------ | 3 | 8 | 2.5 | 1.0 | ------ | ------ | ------ | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| M202/404, CV-240/440 | I/T | 64 | 64 | ------ | ------ | 8 | 30 | 8 | 5 | ------ | 10 | 10 | ------ | 4 | 4 | 15 | 15 | ------ | ------ | ------ | X |
| | U | ------ | 32 | ------ | ------ | ------ | ------ | ------ | 5 | ------ | ------ | 10 | ------ | ------ | 4 | ------ | 10 | ------ | ------ | ------ | ------ |
| | R | 16 | 16 | ------ | ------ | 4 | 8 | 3 | 1.5 | ------ | 10 | 10 | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| DC-4, L-049, 749, L-1049 | I/T | 64 | 64 | ------ | 24 | 8 | 40 | 8 | 5 | ------ | 10 | 10 | ------ | 4 | 4 | 15 | 15 | ------ | 7.5 | 12 | X |
| | U | ------ | 32 | ------ | ------ | ------ | ------ | ------ | 5 | ------ | ------ | 10 | ------ | ------ | 4 | ------ | 15 | ------ | ------ | ------ | ------ |
| | R | 16 | 16 | ------ | 12 | 4 | 10 | 3 | 1.5 | ------ | 10 | 10 | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| B-377 | I/T | 80 | 80 | ------ | 24 | 10 | 40 | 10 | 6 | ------ | 15 | 15 | ------ | 4 | 4 | 20 | 20 | ------ | 10 | 12 | X |
| L-1649 | U | ------ | 40 | ------ | ------ | ------ | ------ | ------ | 6 | ------ | ------ | 15 | ------ | ------ | 4 | ------ | 20 | ------ | ------ | ------ | ------ |
| DC-6/7 | R | 20 | 20 | ------ | 12 | 5 | 10 | 3 | 1.5 | ------ | 10 | 10 | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| F-27 | I/T | 80 | 80 | ------ | ------ | 8 | 40 | 10 | 6 | ------ | ------ | ------ | ------ | 4 | 4 | 20 | 20 | ------ | ------ | ------ | X |
| CV-540 | U | ------ | 40 | ------ | ------ | ------ | ------ | ------ | 6 | ------ | ------ | ------ | ------ | ------ | 4 | ------ | 20 | ------ | ------ | ------ | ------ |
| | R | 20 | 20 | ------ | ------ | 4 | 10 | 3 | 1.5 | ------ | ------ | ------ | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| Viscount | I/T | 80 | 80 | ------ | ------ | 10 | 40 | 10 | 6 | ------ | 10 | 10 | ------ | 4 | 4 | 25 | 25 | ------ | ------ | ------ | X |
| | U | ------ | 40 | ------ | ------ | ------ | ------ | ------ | 6 | ------ | ------ | 10 | ------ | ------ | 4 | ------ | 25 | ------ | ------ | ------ | ------ |
| | R | 20 | 20 | ------ | ------ | 5 | 20 | 3 | 1.5 | ------ | ------ | ------ | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| L-188, CL-44 | I/T | 120 | 120 | ------ | ------ | 10 | 40 | 10 | 7 | ------ | 15 | 15 | ------ | 4 | 4 | 25 | 25 | ------ | 12.5 | ------ | X |
| Argosy | U | ------ | 60 | ------ | ------ | ------ | ------ | ------ | 7 | ------ | ------ | 15 | ------ | ------ | 4 | ------ | 25 | ------ | ------ | ------ | ------ |
| Caravelle | R | 20 | 20 | ------ | ------ | 5 | 20 | 3 | 1.5 | ------ | 10 | 10 | ------ | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |
| B-707 | I/T | 120 | 120 | 120 | 32 | 16 | 40 | 20 | 10 | (1) | 20 | 20 | (1) | 4 | 4 | 25 | 25 | ------ | 12.5 | 12 | X |
| DC-8 | U | ------ | 60 | ------ | ------ | ------ | ------ | ------ | 10 | [2] 10 | ------ | 15 | [2] 15 | ------ | 4 | ------ | 15 | 15 | ------ | ------ | ------ |
| CV-880 | R | 25 | 25 | 25 | 16 | 12 | 20 | 6 | 3 | (1) | 10 | 10 | (1) | 4 | 4 | ------ | ------ | ------ | ------ | ------ | ------ |

[1] Amount of training will be predicated on actual duties assigned.
[2] Lesser time may be acceptable based on previous training.

CHART 2—MINIMUM PROGRAMMED HOURS OF TRAINING—SMALL AIRCRAFT

(12,500 Pounds or Less MGTOW)

| | | I Ground | | | II Flight training | | | III Synthetic instrument trainer [1] | | IV Initial equipment line check | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | PC | 2C | FA | PC | 2C | FA | PC | 2C | PC | 2C | FA | DS |
| Basic (indoctrination of New Hires) | | 40 | 40 | 20 | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ |
| Single engine | I/T | 8 | ------ | ------ | 2 | ------ | ------ | 1 | ------ | 5 | ------ | ------ | ------ |
| | U | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ |
| | R | 5 | ------ | ------ | 2 | ------ | ------ | 1 | ------ | ------ | ------ | ------ | ------ |
| Multiengine | I/T | 20 | 20 | 4 | 4 | 1 | ------ | 2 | ------ | 5 | 3 | ------ | ------ |
| | U | ------ | 8 | ------ | ------ | 3 | ------ | ------ | 1 | ------ | 2 | ------ | ------ |
| | R | 8 | 8 | 2 | 2 | 1 | ------ | 2 | 1 | ------ | ------ | ------ | ------ |
| Instrument | I/T | 20 | 10 | ------ | 6 | 1 | ------ | 4 | 2 | 10 | 5 | ------ | ------ |
| | U | ------ | 6 | ------ | ------ | 5 | ------ | ------ | 3 | ------ | 5 | ------ | ------ |
| | R | 4 | 4 | ------ | 2 | 1 | ------ | 2 | 1 | ------ | ------ | ------ | ------ |

[1] Link time not required when equivalent training is given in an aircraft under hood.
NOTE: This standard does not apply to turbine-powered airplanes.

(b) The minimum hours of training required by paragraph (a) of this section shall be programmed for the following defined training phases:

(1) *Basic training.* Basic training or indoctrination is that phase of training required to qualify all newly employed crewmember and dispatcher personnel for service in air transportation.

(2) *Initial training (I/T).* Initial training is that phase of training required to qualify crewmembers and dispatchers for service in connection with an airplane type for which they are not currently qualified.

(3) *Upgrading training (U).* Upgrading training is that phase of training required to qualify second in command (copilot) personnel to serve in a pilot-in-command capacity on an airplane type on which they are currently qualified to serve as second in command. If a second in command is to be upgraded to serve in a pilot-in-command capacity on an aircraft type on which he is not currently qualified to serve as second in command, he must be trained in accordance with the requirements for initial training. Upgrading training is also the training

required to qualify personnel to serve in a second-in-command capacity on an airplane type on which they are currently qualified to serve in the capacity of a third pilot (3P) not required by the Civil Air Regulations.

(4) *Recurrent training (R).* Recurrent training is that phase of training required within each 12-month period to insure the continued competence of crewmembers and dispatchers. Recurrent flight training for the pilot in command shall be programmed as two training periods, each period consisting of not less than half of the recurrent flight training required by paragraph (a) of this section.

(c) The initial equipment line check requirements of paragraph (a) of this section represent the following:

(1) For a pilot in command, the minimum time this crewmember must be observed by a qualified check airman while performing the duties of pilot in command;

(2) For a pilot qualifying to serve as second in command, the minimum time the trainee must spend in observing an actual operation prior to assignment as a second in command in air carrier operations; and

(3) For a flight engineer, the minimum time this crewmember must be observed by a qualified flight engineer while performing the duties of flight engineer in air carrier operation.

14. *Provisions for adjustment of minimum hours of training.* The minimum programed hours of training required by section 13 for all curriculums are predicated on complete training for each crewmember and dispatcher on one type of airplane. To account for individual training combinations, circumstances, and procedures, an air carrier, in its curriculum, may provide for adjustments in these minimum programed hours of training, in accordance with the provisions of paragraphs (a) through (e) of this section.

(a) *Ground school training.* (1) When training crewmembers or dispatchers on more than one type of airplane, the subject matter that is repetitious for each type may be given once, and need not be repeated for each airplane. For example, where dispatchers are given initial training on several airplane types, the subjects applicable to all types need be given only once.

(2) Recurrent ground school training includes instruction in such general subjects as regulations, weather, and company policy, as well as training on a specific type of airplane. In programing recurrent ground school training for crewmembers or dispatchers who hold qualifications on more than one type of airplane, the general subjects applicable to all types need not be repeated, and training may consist of that necessary to cover such general subjects and to insure adequate training on each type of airplane involved.

(3) The minimum programed hours of recurrent ground school training may be reduced up to 25 percent when the air carrier provides a directed study course, including properly supervised closed-book examinations.

(b) *Flight training.* (1) The minimum programed hours of flight training required by section 13 for all curriculums is that time required in the airplane when training in aircrafts simulators or procedural trainers is not provided. When approved simulator training is provided, and the programed time is equivalent to that contained in the procedural trainer/approved simulator column, the minimum programed flight time for initial training may be reduced by 25 percent.

(2) When training is provided in procedural trainers or aircraft simulators that have not been approved, a representative of the Administrator may authorize appropriate reductions up to 25 percent in the airplane flight time programed for initial training. Prior to such authorization, the training device will be evaluated to determine the degree of simulation provided.

(3) Any programed period of recurrent flight training in a particular type of airplane may also be accomplished by means of a proficiency check or an approved course of training in an aircraft simulator. When a proficiency check is used, the flight time must be sufficient to satisfactorily accomplish the check, but need not be equivalent to that programed for the training period. A course of training in an aircraft simulator may be approved for the recurrent flight training of flight engineers as well as pilots.

(4) Flight crewmembers who retain qualifications on two or more types of airplanes need not be given more than one period of recurrent flight training in each type within a 12-month period. For a second in command, third pilot, or flight engineer, the crew concept must be used in at least one period of recurrent flight training within each 12-month period.

(5) When a proficiency check or period of recurrent flight training for a second in command, third pilot, or flight engineer is given separately and does not involve the crew concept, the flight training time programed for that period may be reduced to that necessary for covering the required training or proficiency check maneuvers. If this procedure is used, the crewmember involved shall be required to satisfactorily accomplish each training or proficiency check maneuver prior to completion of the check or training period.

(6) Crewmembers who progress successfully through any phase of the air carrier's flight training program in less than the minimum flight time programed for that phase, and are recommended by the air carrier, may be flight checked by a representative of the Administrator or a check airman of the air carrier. The privilege of flight examining crewmembers recommended for checks with less than the minimum programed hours of flight training will be discontinued if the failure rate of such crewmembers indicates that the training given is not sufficient to insure competence.

(c) *Ground school and flight training.* (1) An air carrier may obtain approval of a modified version of the complete training course, for use in training crewmembers or dispatchers hired from another air carrier using the same type of equipment in a comparable operation. The modified version shall provide for sufficient training to bring the individual or group to the proficiency level normally achieved by a complete course of training, and shall include at least the following:

(i) A written examination on company policies and procedures, the airplane type(s) involved, and other subjects peculiar to the particular air carrier;

(ii) Appropriate flight checks on all normal and emergency procedures; and

(iii) A requirement that the training record for the crewmember or dispatcher must include a complete history of the individual's background, previous training, qualifications, and the examinations conducted by the present employer to determine his proficiency status.

(2) An air carrier may obtain approval of modified versions of the complete training course, for use in training crewmembers or dispatchers transitioning from one variation of an airplane type to another variation of the same type, or from one airplane type to a similar type, as in the case of transition from a Boeing 707 to a Douglas DC-8. For simplicity of reference, the term "differences training" may be used to identify this training. "Differences training" courses must provide for sufficient training to insure proficiency in the airplane(s) involved, and will be evaluated on an individual basis.

(d) *Initial equipment line checks.* The minimum programed hours of initial equipment line checks for a pilot in command, second in command, or flight engineer may be reduced by not more than 50 percent by substituting one takeoff and landing for each programed hour. For example, the 20 hours of line checks programed for a pilot in command in L-1649 airplanes may be reduced to 10 hours when this crewmember makes 10 takeoffs and landings during the 10-hour period.

(e) *Prohibition against deviations.* An air carrier shall not deviate from the minimum programed hours specified in its training program curriculum, except in accordance with adjustments specified in and approved as a part of the approved training program.

4. By promulgating similar amendments to Part 41 and to Part 42 for the carriers and commercial operators operating large aircraft under the provisions of that part.

These amendments are proposed under the authority of sections 313(a), 601, and 604(a) of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 778; 49 U.S.C. 1354(a), 1421, 1424).

Issued in Washington, D.C., on March 2, 1962.

GEORGE C. PRILL,
*Director,*
*Flight Standards Service.*

[F.R. Doc. 62-2319; Filed, Mar. 9, 1962; 8:45 a.m.]

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## [ 14 CFR Part 601 ]

[Airspace Docket No. 62-SO-3]

## CONTROLLED AIRSPACE

### Proposed Alteration of Control Zone

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2169 of the regulations of the Administrator, the substance of which is stated below.

The Tri-City, Tenn., control zone is presently designated within a 5-mile radius of the Tri-City Airport (latitude 36°28'30" N., longitude 82°24'20" W.), and within 2 miles either side of the Tri-City ILS localizer northeast course extending from the 5-mile radius zone to the outer marker.

The Federal Aviation Agency has under consideration the alteration of the Tri-City control zone by lengthening the extension based on the Tri-City ILS localizer northeast course to 8 miles northeast of the outer marker, and by designating an extension based on the 043° and 223° True bearings from the newly established Boone radio beacon (latitude 36°25'13" N., longitude 82°28'09" W.), extending from the 5-mile radius zone to 8 miles southwest of the radio beacon.

Subsequent to alignment of the present control zone extension serving the Tri-City ILS localizer northeast course, the location of the outer marker was changed because of adverse flight check data. This resulted in a slightly lower final approach fix crossing altitude at the outer marker which, because of terrain considerations, produced a condition wherein aircraft approaching the outer marker conduct a portion of their flight with less than the required controlled airspace protection. The action pro-

posed herein to lengthen the control zone extension based on the ILS would provide this required protection.

The control zone extension based on the Boone radio beacon would provide protection for aircraft executing the ADF instrument approach procedure prescribed for this facility.

If this action is taken, the Tri-City, Tenn., control zone would be redesignated within a 5-mile radius of the Tri-City Airport (latitude 36°28'30" N., longitude 82°24'20" W.), within 2 miles either side of the Tri-City ILS localizer northeast course extending from the 5-mile radius zone to 8 miles northeast of the outer marker, and within 2 miles either side of the 043° and 223° True bearings from the Boone radio beacon extending from the 5-mile radius zone to 8 miles southwest of the radio beacon.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 52 Fairlie Street NW., Atlanta 3, Ga. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

Issued in Washington, D.C., on March 5, 1962.

CLIFFORD P. BURTON,
*Acting Chief,*
*Airspace Utilization Division.*

[F.R. Doc. 62-2351; Filed, Mar. 9, 1962; 8:45 a.m.]

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## [ 14 CFR Part 601 ]

[Airspace Docket No. 61-WA-228]

## POSITIVE CONTROL ROUTE SEGMENTS

### Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.8001 of the regulations of the Administrator, the substance of which is stated below.

Section 601.8001 of Part 601 of the Regulations of the Administrator designates segments of intermediate altitude VOR Federal airways between 17,000 and 22,000 feet MSL inclusive as positive control route segments. In addition, the portions of positive control route segments which underlie positive control areas contained in Subpart J of Part 601 are designated to include the altitudes from 17,000 to, but not including 24,000 feet MSL. These positive control route segments provide the protection of a complete Instrument Flight Rules environment to aircraft conducting long distance flight operations within the intermediate altitude airway system between selected terminal areas.

Subsequent to the designation of these positive control route segments, numerous alterations and some additions have been made to the preferential route system utilized for the expeditious movement of IFR air traffic between major terminal areas.

The Federal Aviation Agency has completed a review of the current effectiveness of the positive control route segments. The results of the review indicate that the expansion of the preferential route system has routed some air traffic away from intermediate altitude airways presently designated as positive control route segments to other intermediate altitude airways not so designated.

Accordingly, in order to provide the IFR environment for aircraft operating via the preferential route system within the intermediate altitude stratum between the selected terminal areas served by the present designations, the Federal Aviation Agency proposes to revoke the positive control route segments designated in § 601.8001 and designate the following new segments which would be consistent and aligned with the current published preferential routes between these terminal areas. All of the proposed route segments would be confined within the continental control area.

1. VOR Federal airway No. 1504 (Seattle, Wash., to Nantucket, Mass.). (See § 600.1504.) The portion of VOR Federal airway No. 1504 from Salem, Mich., VOR to the Wilkes-Barre, Pa., VOR, excluding that portion overlying Canada.

2. VOR Federal airway No. 1506 (Seattle, Wash., to New York, N.Y.). (See § 600.1506.) The portion of VOR Federal airway No. 1506 from Chadron, Nebr., VOR to the intersection of the Keeler, Mich., VOR 094° and the Carleton, Mich., VOR 271° True radials.

3. VOR Federal airway No. 1508 (Portland, Oreg., to New York, N.Y.). (See § 600.1508.) The portion of VOR Federal airway No. 1508 from Rock Springs, Wyo., VOR to the Medicine Bow, Wyo., VOR; also the portion of VOR Federal airway No. 1508 from the Wolbach, Nebr., VOR to the Waterville, Ohio, VOR.

4. VOR Federal airway No. 1510 (San Francisco, Calif., to Nantucket, Mass.). (See § 600.1510.) The portion of VOR Federal airway No. 1510 from the intersection of the Sacramento, Calif., VOR 233° and the Linden, Calif., VOR 269° True radials to the Rock Springs, Wyo., VOR; also the portion of VOR Federal airway No. 1510 from the Waterville, Ohio, VOR to the intersection of the Yardley, Pa., VOR 098° and the Coyle, N.J., VOR 032° True radials.

5. VOR Federal airway No. 1511 (Key West, Fla., to Detroit, Mich.). (See § 600.1511.) The portion of VOR Federal airway No. 1511 from the intersection of the Charleston, W. Va., VOR 357° and the Tiverton, Ohio, VOR 161° True radials to the Tiverton VOR.

6. VOR Federal airway No. 1512 (San Francisco, Calif., to Chicago, Ill.). (See § 600.1512.) The portion of VOR Federal airway No. 1512 from the Akron, Colo., VOR to the Naperville, Ill., VOR.

7. VOR Federal airway No. 1514 (Salt Lake City, Utah, to New York, N.Y.). (See § 600.1514.) The portion of VOR Federal airway No. 1514 from the Selinsgrove, Pa., VOR to the Solberg, N.J., VOR.

8. VOR Federal airway No. 1518 (Minneapolis, Minn., to Washington, D.C.). (See § 600.1518.) The portion of VOR Federal airway No. 1518 from the Naperville, Ill., VOR to the Herndon, Va., VOR.

9. VOR Federal airway No. 1520 (Minneapolis, Minn., to Washington, D.C.). (See § 600.1520.) The portion of VOR Federal airway No. 1520 from the Peotone, Ill., VOR to the Herndon, Va., VOR.

10. VOR Federal airway No. 1522 (Los Angeles, Calif., to New York, N.Y.). (See § 600.1522.) The portion of VOR Federal airway No. 1522 from the intersection of the Los Angeles, Calif., VOR 061° and the Long Beach, Calif., VOR 024° True radials to the Denver, Colo., VOR; also the portion of VOR Federal airway No. 1522 from the Hill City, Kans., VOR to the Moline, Ill., VOR.

11. VOR Federal airway No. 1524 (Los Angeles, Calif., to New York, N.Y.). (See § 600.1524.) The portion of VOR Federal airway No. 1524 from the Ontario, Calif., VOR to the Lamar, Colo., VOR.

12. VOR Federal airway No. 1533 (San Antonio, Tex., to Milwaukee, Wis.). (See § 600.1533.) The portion of VOR Federal airway No. 1533 from the Moline, Ill., VOR to the intersection of the Moline VOR 042° and the Cordova, Ill., VOR 088° True radials.

13. VOR Federal airway No. 1543 (El Paso, Tex., to Minneapolis, Minn.). (See § 600.1534.) The portion of VOR Federal airway No. 1543 from the Denver, Colo., VOR to the Akron, Colo., VOR.

14. VOR Federal airway No. 1547 (Los Angeles, Calif., to Pembina, N. Dak.). (See § 600.1547.) The portion of VOR Federal airway No. 1547 from the Myton, Utah, VOR to the Cherokee, Wyo., VOR.

15. VOR Federal airway No. 1652 (Thurman, Colo., to Wolbach, Nebr.). (See § 600.1652.) The portion of VOR Federal airway No. 1652 from the Hayes Center, Nebr., VOR to the Wolbach, Nebr., VOR.

16. VOR Federal airway No. 1657 (Tiverton, Ohio, to Traverse City, Mich.). (See § 600.1657.) The portion of VOR Federal airway No. 1657 from

the Tiverton, Ohio, VOR to the Pullman, Mich., VOR.

17. VOR Federal airway No. 1668 (Medicine Bow, Wyo., to Chadron, Nebr.). (See § 600.1668.) The portion of VOR Federal airway No. 1668 from the Medicine Bow, Wyo., VOR to the Chadron, Nebr., VOR.

18. VOR Federal airway No. 1676 (Chicago, Ill., to Windsor, Oontario), (See § 600.1676 and Airspace Docket No. 61-KC-32, effective March 8, 1962; 27 F.R. 616.) The portion of VOR Federal airway No. 1676 from the intersection of the South Bend, Ind., VOR 075° and the Windsor, Ontario, VOR 261° True radials to the Windsor VOR, excluding that portion overlying Canada.

19. VOR Federal airway No. 1678 (Chicago, Ill., to Peck, Mich.). (See § 600.1678.) The portion of VOR Federal airway No. 1678 from the Northbrook, Ill., VOR to the Pullman, Mich., VOR.

20. VOR Federal airway No. 1686 (Bradford, Pa., to West Chester, Pa.). (See § 600.1686.) The portion of VOR Federal airway No. 1686 from the Bradford, Pa., VOR to the Selinsgrove, Pa., VOR.

21. VOR Federal airway No. 1690 (Milwaukee, Wis., to Salem, Mich.). (See § 600.1690.) The portion of VOR Federal airway No. 1690 from the Pullman, Mich., VOR to the Salem, Mich., VOR.

22. VOR Federal airway No. 1702 (Lakehead, Ontario, to Paterson, N.J.). (See § 600.1702.) The portion of VOR Federal airway No. 1702 from the Wilkes-Barre, Pa., VOR to the Sparta, N.J., VOR.

23. VOR Federal airway No. 1732 (Linden, Calif., to Scottsbluff, Nebr.). (See § 600.1732.) The portion of VOR Federal airway No. 1732 from the Linden, Calif., VOR to the Myton, Utah, VOR.

24. VOR Federal airway No. 1745 (Lamar, Colo., to Hill City, Kans.). (See § 600.1745.) The portion of VOR Federal airway No. 1745 from the Lamar, Colo., VOR to the Hill City, Kans., VOR.

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

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

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

Issued in Washington, D.C., on March 5, 1962.

CLIFFORD P. BURTON,
*Acting Chief,*
*Airspace Utilization Division.*

[F.R. Doc. 62-2352; Filed, Mar. 9, 1962; 8:45 a.m.]

# FEDERAL POWER COMMISSION

## [ 18 CFR Part 45 ]

[Docket No. R-208]

## INTERLOCKING DIRECTORATE APPLICATIONS

### Notice of Proposed Rule Making

MARCH 5, 1962.

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

2. It is proposed to amend Part 45 of the Commission's regulations under the Federal Power Act, by revising § 45.8 *Contents of application* to read as set forth below. The section prescribes the basic information which is to be submitted in support of applications for authorization, pursuant to section 305(b) of the Federal Power Act, to hold the positions of officer or director of more than one public utility, or of a public utility and a firm authorized to underwrite or participate in the marketing of public utility securities, or of a public utility and a firm engaged in supplying electrical equipment to such public utility.

3. The revisions proposed are designed to delete provisions requiring the submission of information already on file with or readily available to the Commission and to simplify the format in which the required information must be submitted, encouraging the use of tables and eliminating the necessity for repetition of information applicable to more than one corporation or firm. The adoption of the proposed amendments will result in a substantial reduction in the time and effort required to prepare applications and in reduction in the size of most applications by approximately 50 percent, particularly when a holding company system is involved. The only proposed revisions necessitating the submission of additional information are § 45.8(d) (5) and (6), which require the same information in respect to positions with each bank, trust company, banking association, or firm mentioned in § 45.8 (b) as that now required by § 45.8(e) (7) and (8) in respect to positions with companies supplying electrical equipment to a public utility in which the applicant holds a position.

4. It is proposed to issue the accompanying amendments to the Commission's regulations under the Federal Power Act under the authority granted to the Federal Power Commission by the Federal Power Act, as amended, particularly by sections 305 and 309 thereof (16 U.S.C. 825d, 825h).

5. Any interested person may submit to the Federal Power Commission, Washington 25, D.C., not later than April 5, 1962, data, views, comments, and suggestions in writing concerning the proposed accompanying amendments to the Regulations under the Federal Power Act. An original and nine copies should be filed of any submittals. The Commission will consider these written submittals before acting upon the proposed amendments.

JOSEPH H. GUTRIDE,
*Secretary.*

§ 45.8 **Contents of application.**

Each application shall state the following:

(a) *Identification of applicant.* (1) Full name, business address, and place of residence.

(2) Major business or professional activity.

(3) Any other application or applications under section 305(b) of the act made by the applicant, together with date and docket number thereof, and Commission action thereon, if any.

(4) If application is not filed with the Commission within 30 days after election or appointment, state reasons in full for the delay.

(b) *List of positions within the purview of section 305(b) of the act for which authorization is sought.* (Indicate by asterisk positions which were the subjects of previous authorizations.)

| Position | Name of corporation | Classification: (1) Public utility, (2) authorized by law to underwrite, (3) supplying electrical equipment |
|---|---|---|

(c) *Data as to positions with each public utility mentioned in paragraph (b) of this section.* (The format should be adapted to the information submitted, in keeping with completeness and conciseness. In the case of public utilities of the same holding company system, brevity will generally be promoted by submitting the information for all of the utilities involved under each subsection progressively in the order of the subsections, utilizing tables when feasible.)

(1) Name, principal place of business, and a brief description of operations.

(2) Date elected or appointed, or anticipated date of election or appointment, to each position not previously authorized.

(3) Names of officers and directors; number of vacancies, if any, on Board of Directors.

(4) Description of applicant's duties: Approximate amount of time devoted thereto; and, if applicant seeks authorization as a director, when and where directors meetings have been held during the past 12 months and number of such meetings attended by applicant.

(5) All other professional, contractual, or business relationships of applicant with the public utility, either directly or through other corporations or firms.

(6) Extent of applicant's direct or indirect ownership, control of, or beneficial interest in the public utility or the securities thereof. If ownership or interest is held in a name other than that

of applicant, state name and address of the holder.

(7) Extent of applicant's indebtedness to the public utility, how and when incurred, and consideration therefor.

(8) All money or property received by applicant from the public utility or any affiliate during the past 12 months, and expected during the ensuing 12 months, whether for services, reimbursement of expenses, or otherwise. Specify in detail the amount thereof and the basis therefor. If applicant's compensation for services to the public utility is not paid directly by the public utility, give name of the corporation which does pay same, the amount allocated or allocable to the public utility or any affiliate, and the basis or reason for such allocation.

(9) Name and address of principal place of business of any corporation which renders management, construction or other service to the public utility pursuant to contract or other continuing arrangement.

(10) Whether during the past 5 years the public utility or any affiliate thereof or any security holders of either have commenced any suit against the officers or directors thereof for alleged waste, mismanagement or violation of duty, to which suit applicant was a party defendant. If so, give date of commencement of suit, court in which commenced, and present status.

(11) Whether the public utility or any affiliate thereof, during the past 5 years and while applicant held a position therein, has either voluntarily or involuntarily been the subject of any proceeding in bankruptcy (including 77(b), 48 Stat. 912; 11 U.S.C. 207), insolvency or equity receivership, either Federal or State. If so, give date of commencement of proceeding, court in which commenced, and present status.

(d) *Data as to positions with each bank, trust company, banking association or firm, mentioned in paragraph (b) of this section, that is authorized by law to underwrite or participate in the marketing of securities of a public utility.* (The applicant shall use a separate sheet for each corporation.)

(1) Name of corporation, State, and date of incorporation (if any) and address of principal place of business.

(2) States in which corporation is doing business or has qualified to do business.

(3) Positions which applicant holds or seeks authorization to hold therein and when and by whom elected or appointed to each position.

(4) Description of applicant's duties in each position and approximate amount of time devoted thereto, and, if applicant seeks authorization as director, where directors meetings are held.

(5) Extent of applicant's direct or indirect ownership, or control of, or beneficial interest in, the company or in the securities thereof, including common stock, preferred stock, bonds, or other securities. If such ownership or interest is held in a name other than that of applicant, state name and address of such holder.

(6) All money or property received by applicant from the company during the past 12 months, and expected during the ensuing 12 months whether for services, reimbursement for expenses, or otherwise. Specify in detail the amount thereof and the basis therefor.

(7) Names, titles, and residence addresses of directors, officers, or partners.

(8) Whether the corporation is now engaged in underwriting or participating in the marketing of the securities of a public utility; if so, to what extent.

(9) Whether the corporation, during applicant's connection therewith, has underwritten or participated in the marketing of the security issue of any public utility with which applicant was also connected; if so, the details with respect to every such transaction.

(10) If the answer to subparagraph (8) of this paragraph is in the negative, give excerpts from the charter, declaration of trust, or articles of partnership which authorize the underwriting or participating in the marketing of securities of a public utility.

(11) If the answer to subparagraph (8) of this paragraph is in the negative, give general requirements of and appropriate reference to, the laws of the State of organization and of States in which corporation is doing business or has qualified to do business, with which it must comply in order to engage in the business of underwriting or participating in the marketing of the securities of a public utility.

(12) What steps, if any, have been taken to comply with laws mentioned in subparagraph (11) of this paragraph.

(13) In lieu of subparagraphs (10), (11), and (12) of this paragraph, an opinion by counsel to the same effect and including the information in respect thereto may be filed with the application.

(14) Whether the corporation has registered with the Securities and Exchange Commission; if so, when and under what section of what act.

(e) *Data as to positions with each company, mentioned in paragraph (b) of this section, supplying electrical equipment to a public utility in which applicant holds a position.* (Applicant shall use a separate sheet for each company.)

(1) Name of company, State, and date of incorporation (if any), and address of principal place of business.

(2) Positions which applicant holds or seeks authorization to hold therein and when and by whom elected or appointed to each position.

(3) Description of applicant's duties in each position and approximate amount of time devoted thereto, and, if applicant seeks authorization as director, when and where directors meeting have been held during the past 12 months and number of said meetings attended by applicant.

(4) Names, titles, and residence addresses of directors or partners.

(5) Name of each public utility, with which applicant holds or seeks authorization to hold a position, to which the company supplies electrical equipment; the frequency of such transactions; the approximate annual dollar volume of such business; and the type of equipment supplied.

(6) Nature of relationship between the company supplying electrical equipment and the public utility:

(i) Whether company manufacturers such electrical equipment or is a dealer therein.

(ii) Whether company supplies electrical equipment to the public utility pursuant to construction, service, agency, or other contract with the public utility or an affiliate thereof, and, if so, furnish brief summary of the terms of such contract.

(7) Extent of applicant's direct or indirect ownership, or control of, or beneficial interest in, the company or in the securities thereof, including common stock, prefered stock, bonds, or other securities. If such ownership or interest is held in a name other than that of applicant, state name and address of such holder.

(8) All money or property received by applicant from the company during the past 12 months, and expected during the ensuing 12 months whether for services, reimbursement for expenses, or otherwise. Specify in detail the amount thereof and the basis therefor.

(f) *Data as to positions with public utility holding companies.* (Do not include here data as to corporations listed in paragraph (b) of this section which are also holding companies. A "holding company" as herein used means any corporation which directly or indirectly owns, controls, or holds with power to vote, 10 per centum or more, of the outstanding voting securities of a public utility.)

(1) Name of holding company, State, and date of incorporation (if any), and address of principal place of business.

(2) Positions which applicant holds therein, when and by whom elected or appointed to each position.

(3) Extent of applicant's direct or indirect ownership, or control of, or beneficial interest in, the holding company or in the securities thereof, including common stock, preferred stock, bonds, or other securities. If such ownership or interest is held in a name other that of applicant, state name and address of such holder.

(4) All money or property received by applicant from the holding company during the past 12 months, and expected during the ensuing 12 months, whether for services, reimbursement for expenses, or otherwise. Specify in detail the amount thereof and the basis therefor.

(g) *Positions with all other corporations.* (Do not include here data as to any corporations listed in paragraph (b) or (f) of this section.)

(1) All other corporations and positions therein, including briefly the information required in parallel columns as below:

| Name of corporation | Address: Kind of business | Position held therein |
|---|---|---|

(2) Any corporate, contractual, financial, or business relationships between any of the corporations listed in subparagraph (1) of this paragraph and any of the public utilities listed in paragraph (b) of this section.

(h) *Data as to the public utility holding company system.* The names of the public utility holding company systems

of which each public utility listed in paragraph (b) of this section is a part, with a chart showing the corporate relationships existing between and among the corporations within the holding company systems.

[F.R. Doc. 62-2361; Filed, Mar. 9, 1962; 8:46 a.m.]

# FEDERAL COMMUNICATIONS COMMISSION

## [ 47 CFR Part 10 ]

[Docket No. 14424]

## PUBLIC SAFETY RADIO SERVICES

### Signalling Alarm; Order Extending Time for Filing Comments and Reply Comments

The Commission has before it for consideration a petition filed by Associated Public-Safety Communications Officers, Inc. (APCO) requesting an extension of time for filing comments in the above-entitled matter from March 1 until May 1, 1962;

It appearing that the matter of regulating the use of signalling alarms requires APCO to accumulate evidence and opinions from its various members; and

It further appearing that in order to gather and assess such data which will form the substance of APCO's comments, additional time is needed; and

It further appearing that since the notice of proposed rule making bears directly on the Police Radio Service, the comments of APCO will be helpful to the Commission in resolving the issues in this proceeding; and

It further appearing that while the granting of additional time for the filing of comments will not adversely affect any users and will be in the public interest, an extension of 45 days is ample to enable APCO to prepare its comments:

*It is ordered*, This 2d day of March 1962, pursuant to section 0.291(b) of the Commission's Statement of Organization, Delegations of Authority, and other information, that the time for filing comments in the proceeding is extended to April 15, 1962, and that the time for filing comments in reply thereto is extended to April 27, 1962.

Released: March 7, 1962.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
*Acting Secretary.*

[F.R. Doc. 62-2389; Filed, Mar. 9, 1962; 8:48 a.m.]

# Notices

## FEDERAL POWER COMMISSION

[Docket No. G–17953 etc.]

### CARTER FOUNDATION PRODUCTION CO. ET AL.

### Notice of Severance

MARCH 5, 1962.

Carter Foundation Production Company, et al., Docket No. G–17953 etc.; Kerr-McGee Oil Industries, Inc., Docket No. CI62–74.

Notice is hereby given that the matter of Kerr-McGee Oil Industries, Inc., Docket No. CI62–74, heretofore scheduled for a hearing to be held in Washington, D.C., on March 6, 1962, at 9:30 a.m., e.s.t., in the consolidated proceeding entitled Carter Foundation Production Company, et al., Docket Nos. G–17953, et al., is severed therefrom for such disposition as may be appropriate.

JOSEPH H. GUTRIDE,
*Secretary.*

[F.R. Doc. 62–2360; Filed, Mar. 9, 1962; 8:46 a.m.]

## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

[Order 2508, Amdt. 51]

### BUREAU OF INDIAN AFFAIRS

### Delegation of Authority

Section 30 of Order No. 2508, as amended (20 F.R. 3834, 5106; 21 F.R. 7027, 7655; 24 F.R. 272; 25 F.R. 436, 575, 729, 1385, 1994, 4655, 7192, 8892; 26 F.R. 6944), is further amended by addition of a new subparagraph to read as follows:

SEC. 30. *Authority under specific acts.* (a) * * *

(20) The act of September 22, 1961 (Public Law 87–279; 75 Stat. 577).

STEWART L. UDALL,
*Secretary of the Interior.*

FEBRUARY 28, 1962.

[F.R. Doc. 62–2365; Filed, Mar. 9, 1962; 8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

### DELTA LIVESTOCK COMMISSION CO. ET AL.

### Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

| *Original name of stockyard, location, and date of posting* | *Current name of stockyard and date of change in name* |
|---|---|
| **ARKANSAS** | |
| Delta Livestock Commission Co., Pine Bluff, Nov. 20, 1958. | Donaldson Livestock Commission Co., Apr. 5, 1961. |
| Hiram Wall Sale, Booneville, Dec. 16, 1958 | Logan County Livestock Auction, Nov. 15, 1961. |
| **CALIFORNIA** | |
| Zinn Bros. Livestock Commission Co., El Centro, Sept. 27, 1959. | Valley Stockyards, Inc., Dec. 1, 1961. |
| **COLORADO** | |
| Arkansas Valley Sales Co., Lamar, May 4, 1937 | McCanless Jones Livestock Co., Sept. 15, 1961. |
| **IDAHO** | |
| Boise Valley Livestock Commission Co., Caldwell, Dec. 30, 1937. | OK Livestock Market, Oct. 25, 1961. |
| Boise Valley Livestock Commission Co., Nampa, Mar. 14, 1938. | OK Livestock Market, Oct. 25, 1961. |
| **ILLINOIS** | |
| Kankakee County Livestock Sales, Bourbonnais, Nov. 17, 1957. | Kankakee County Livestock Sales, Inc., Nov. 30, 1961. |
| **INDIANA** | |
| Morton Sale Barn, Inc., Greencastle, Apr. 27, 1959 | Morton Sale Barn, Jan. 16, 1962. |
| **IOWA** | |
| Bradley's Auction, Red Oak, June 11, 1959 | Bradley Livestock Auction, Jan. 2, 1962. |
| V. H. Wehrheim Commission Firm, Webster City, May 19, 1959. | Wehrheim and Peterson Sales Pavilion, Nov. 28, 1961. |
| **KANSAS** | |
| Dighton Livestock Market, Dighton, Apr. 15, 1950 | The Dighton Livestock Auction Market, Inc., Aug. 22, 1961. |
| Koenig Sales Barn, Manhattan, Oct. 25, 1957 | Koenig Sale Barn, Inc., Aug. 7, 1961. |
| Oakley Livestock Sales Co., Oakley, Apr. 21, 1950 | Oakley Livestock Commission Co., Oct. 2, 1961. |
| Topeka Livestock Commission Co., Topeka, May 22, 1959. | Topeka Livestock Auction Co., Oct. 23, 1961. |
| **KENTUCKY** | |
| T. E. Vasseur & Son, Ledbetter, Dec. 9, 1959 | Paducah Livestock Auction, Aug. 30, 1961. |
| **MICHIGAN** | |
| Cass Livestock Sale, Cassopolis, Apr. 21, 1959 | Michigan Livestock Exchange, Dec. 22, 1961. |
| **MINNESOTA** | |
| McCargar-Sook Auction Co., Inc., Marshall, Sept. 16, 1959. | Marshall Sale Barn, Sept. 20, 1961. |
| **MISSOURI** | |
| Taney County Livestock Auction, Forsyth, Sept. 15, 1959. | Forsyth Auction Barn, Sept. 11, 1961. |
| Wheaton Community Sale, Wheaton, Sept. 18, 1959. | Wheaton Livestock Auction, Sept. 15, 1961. |
| **MONTANA** | |
| Havre Livestock Commission Co., Havre, Feb. 20, 1950. | Havre Livestock Market Center, July 1, 1961. |
| Yellowstone Livestock Commission Co., Sidney, Feb. 24, 1950. | Sidney Livestock Market Center, Oct. 1, 1961. |
| **NEBRASKA** | |
| Ainsworth Sale Yards, Ainsworth, Sept. 6, 1956 | Ainsworth Livestock Market, Aug. 18, 1961. |
| Imperial Sales Co., Imperial, Feb. 1, 1956 | Imperial Auction Market, Inc., Jan. 1, 1962. |
| Red Cloud Sales Co., Red Cloud, Apr. 24, 1959 | Red Cloud Sales Barn, Jan. 8, 1962. |
| **OREGON** | |
| Coos Curry Livestock Auction, Bandon, Oct. 14, 1959. | Coos Curry Livestock Auction, Inc., Nov. 27, 1961. |
| Gillaspie's Auction Market, Salem, May 14, 1960 | Salem Auction Yard, Oct. 23, 1961. |
| **PENNSYLVANIA** | |
| Farmers Market Auction, Ephrata, Dec. 10, 1959 | Farmers Market and Auction, Inc., Jan. 1, 1962. |
| **TENNESSEE** | |
| Southwestern Sales Co., Huntingdon, May 7, 1959 | Southwestern Sales Co., Inc., Aug. 25, 1961. |

TEXAS

| Original name of stockyard, location, and date of posting | Current name of stockyard and date of change in name |
|---|---|
| Tate Bros. Live Stock Co., Midland, Nov. 4, 1960 | Farmers & Ranchers Auction Co., Aug. 10, 1961. |

WASHINGTON

| | |
|---|---|
| Grange Commission & Livestock Co., Auburn, Oct. 16, 1959. | Auburn Livestock, Inc., Jan. 1, 1962. |
| Grange Interstate Livestock Association, Moses Lake, Sept. 24, 1959. | Moses Lake Livestock Auction, Jan. 2, 1962. |

WEST VIRGINIA

| | |
|---|---|
| Alderson Livestock Market, Inc., Alderson, Nov. 3, 1959. | Alderson Livestock Market, Sept. 7, 1961. |
| Greenbrier Valley Stockyards, Inc., Ronceverte, Nov. 3, 1959. | Bluegrass Market, Inc., Oct. 1, 1961. |

WISCONSIN

| | |
|---|---|
| Central Wisconsin Livestock Auction, Tomah, June 1, 1959. | Central Wisconsin Livestock, Inc., Aug. 30, 1961. |

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

H. L. JONES,
*Chief, Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service.*

[F.R. Doc. 62-2375; Filed, Mar. 9, 1962; 8:47 a.m.]

## NOTICE OF TERMS AND CONDITIONS FOR MAKING PAYMENTS UNDER SECTION 32 TOBACCO EXPORT PAYMENT PROGRAM, CMX 40a

Par.
1. General statement.
2. Eligible tobacco.
3. Payment.
4. Rate of payment.
5. Barter and foreign currency exports.
6. Application for participation.
7. Fair pricing.
8. Verification of tobacco to be exported.
9. Export shipment.
10. Claims for payment.
11. Records and accounts.
12. Persons not eligible.
13. Joint payment or assignment.
14. Definitions.

AUTHORITY: Pars. 1 to 14 issued under sec. 32, 49 Stat. 774, as amended; 7 U.S.C. 612c.

TERMS AND CONDITIONS

1. *General statement.* (a) In order to encourage the exportation of tobacco the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to persons located in the United States who export or cause to be exported eligible tobacco subject to the terms and conditions set forth in this offer.

(b) Information pertaining to this offer and forms prescribed for use hereunder may be obtained from the following Representative of the Secretary:

Stephen E. Wrather,
Director, Tobacco Division,
Agricultural Marketing Service,
U.S. Department of Agriculture,
Washington 25, D.C.
(Phone DUdley 8-2567)

Forms and information pertaining to this offer may also be obtained from the following cooperative associations:

*Flue-cured tobacco:*
Flue-Cured Tobacco Cooperative Stabilization Corp.,
P.O. Box 2718,
Raleigh, N.C.

*Burley tobacco:*
Burley Tobacco Growers Cooperative Association,
P.O. Box 960,
Lexington, Ky.

Virginia Burley Tobacco Growers Association, Inc.,
P.O. Box 549,
Abingdon, Va.
Burley Stabilization Corp.,
3919 Holston Drive NE.,
Knoxville 14, Tenn.

*Dark-fired and dark air-cured tobacco:*
Eastern Dark-Fired Tobacco Growers Association,
1109-11 South Main Street,
Springfield, Tenn.
Stemming District Tobacco Association,
125 First Street,
Henderson, Ky.
Western Dark-Fired Tobacco Growers Association,
202-206 East Maple Street,
Murray, Ky.
Dark Tobacco Sales Cooperative,
P.O. Box 248,
Farmville, Va.

*Cigar binder tobacco:*
Conn-Mass Tobacco Cooperative, Inc.,
P.O. Box 550,
Holyoke, Mass.
Northern Wisconsin Cooperative Tobacco Pool, Inc.,
Viroqua, Wis.

2. *Eligible tobacco.* Eligible tobacco shall be unmanufactured tobacco of the 1956 and preceding crops (a) which has heretofore been or is hereafter acquired by the exporter, directly or indirectly, from stocks of tobacco which had been pledged by one of the above-listed producer cooperative associations (hereinafter referred to as the "association") to Commodity Credit Corporation as collateral for a price support loan, (b) which can be identified with respect to grade, type, kind, and crop year, and as having been acquired from such association, and (c) which has not been mixed or commingled with tobacco that was not acquired from Commodity Credit Corporation's price support loan collateral of the 1956 and preceding crops.

3. *Payment.* Payment will be made by the Secretary with respect to eligible tobacco covered by an export sales contract with a foreign buyer having a date of sale after the effective date hereof and on or before November 30, 1962, and exported to eligible countries in accordance with the provisions of this offer.

4. *Rate of payment.* The rate of payment will be 20 percent of the purchase price which would have been computed from the approved selling lists of the association from which the tobacco was acquired on the basis of base grade sales prices plus monthly carrying charges, for the year, grade, type and kind of tobacco exported, had such tobacco been acquired from the association on February 16, 1962: *Provided, however,* That if the tobacco exported was purchased at a special discount from the association's sales prices, which discount was not in effect on February 16, 1962, the payment under this offer will be reduced by the same percentage as the discount. An official list of prices as of February 16, 1962, will be made available to associations, dealers, and exporters, and additional copies may be obtained from the Representative of the Secretary named in paragraph 1 above.

5. *Barter and foreign currency exports.* Tobacco which is exported pursuant to barter arrangements with Commodity Credit Corporation or exported under Titles I and IV of the Agricultural Trade Development and Assistance Act of 1954, as amended (P.L. 480, 83d Congress, as amended), shall be eligible for the export payment provided hereunder, if by such exportation all of the terms and conditions of this offer are fully met.

6. *Application for participation.* Persons desiring to participate in this program shall file an Application for Participation in the Tobacco Export Program (Form TB-92) on or before November 30, 1962, with the Representative of the Secretary named in paragraph 1 above. A separate application shall be filed for each export sale.

The applicant shall indicate on the Application for Participation the type of export sale, namely, (a) barter export, or (b) Title I or Title IV, P.L. 480, export, or (c) other (including cash export). The export sales price for each sale shall be reported on the Application. The Application shall be accompanied by either (a) a copy of the invoice from the association showing evidence of purchase, or of the invoice to Commodity Credit Corporation for the account of the barter contractor, or (b) a copy of an agreement to purchase the tobacco represented in the Application. The invoice or agreement to purchase shall show the purchase price, kind of tobacco, crop year, number of hogsheads or units in U.S. grade, and identification numbers, gross weight, tare, and net weight for each hogshead or unit. If the invoice or agreement to purchase does not contain these data with respect to the tobacco represented in the Application, certified supplemental documentation shall be attached showing this information. Cigar leaf in bales may be identified by lots. Applicants shall submit any additional information requested by the Secretary incident to identification of tobacco represented in the Application.

The Secretary will approve applications meeting the requirements of this offer so long as funds which have been allocated therefor are available, in the order in which the applications are re-

ceived and in which the eligibility of tobacco represented thereby is substantiated, and will give written notice of approval or disapproval to the applicants. No payment will be made in excess of the sum indicated in the approved Application for Participation.

7. *Fair pricing.* Applications will not be approved where, in the determination of the Secretary, the export sales price exceeds a fair and reasonable value, taking into account the payment which may be received for such sale under this offer.

8. *Verification of tobacco to be exported.* Payment will not be made under this offer unless the identification of the tobacco exported is verified to the satisfaction of the Secretary, or his designee. The exporter shall request verification by inspection or observation by representatives of the Tobacco Division, Agricultural Marketing Service. Any change in the markings placed by the association on each hogshead or unit of tobacco, or any change made in the form of the tobacco necessitating repacking, also must be made under the observation of a representative of the Tobacco Division, Agricultural Marketing Service. The exporter shall reimburse the Agricultural Marketing Service for any inspection or observation hereunder in accordance with regulations issued pursuant to the Tobacco Inspection Act. The Secretary may, at his discretion, accept other proof of the identification of the tobacco exported. If markings are changed, the exporter will be required to submit to the Secretary, or his designee, a certified listing of each hogshead or unit of tobacco showing kind of tobacco, crop year, and original grade, together with a certified listing showing for each hogshead or unit of tobacco the corresponding new or dealer grade marking. If the markings were changed on any tobacco before the effective date of this offer, or if any tobacco exported under this offer was converted from bundles to strips or the form changed in some other manner before the effective date of this offer, such tobacco must be identified to the satisfaction of the Secretary, or his designee, before any payment will be made on such tobacco under this offer.

If the form in which the tobacco was originally packed is changed (an example would be conversion of bundles to strips), the exporter must provide the Secretary, or his designee, with a certified listing of each hogshead or unit of tobacco, showing, on the basis of original packing, kind of tobacco, crop year, and grade, along with a certified listing showing the corresponding grades for each hogshead or unit of tobacco resulting from the conversion and/or repacking.

The Secretary may at his discretion have any lot of tobacco covered by an approved application inspected at any storage location or port of export for identification and check-listing. The Secretary, or his designee, may also require the exporter to submit any other certification or documentation necessary for full and complete identification of the tobacco exported.

9. *Export shipment.* Export shipment of tobacco for which payment will be made under this offer shall be made to eligible countries from U.S. East Coast or Gulf ports, unless prior approval is secured for the use of ports located elsewhere. Export shipment shall be made after date of approval of the related Application for Participation and on or before December 31, 1962, unless such date is extended by the Secretary in writing. The tobacco shall be deemed to have been exported when loaded on board the exporting carrier, provided such tobacco is not thereafter unloaded from such carrier in the United States, its territories, or possessions, and is not diverted to an ineligible country. The date on the on-board bill of lading shall be considered to be the date the tobacco was loaded on board, unless an "on-board" date is shown.

10. *Claims for payment.* Claims for payment shall be filed on or before June 31, 1963, with the:

Eastern Area Administrative Division, AMS,
U.S. Department of Agriculture
Washington 25, D.C.

Each claim for payment shall be filed in an original and one copy and shall show the exporter's serial number of the related approved Application for Participation and the amount of the claim. The exporter's regular billing forms shall be used and shall contain the following certification:

I certify that the export shipment covered by this claim was made in accordance with the terms and conditions of the Tobacco Export Payment Program.

Payee _____
Per _____
Title _____

Each claim shall be supported by:

(a) A copy of storage outbillings.

(b) A copy of all transportation invoices.

(c) A copy of the on-board export bill of lading signed by an agent of the exporting carrier. Where exportation or transshipment of tobacco has been made or caused by the exporter to one or more of the countries or areas to which a validated license is required by the Bureau of International Programs, U.S. Department of Commerce, the license issued for such movement by such agency shall be identified in the on-board commercial bill of lading.

(d) A copy of invoice to the foreign buyer.

If the shipper or consignor named in the on-board export bill of lading is other than the exporter named in the Application to Participate, the exporter shall furnish with each copy of such bill of lading a waiver by such shipper or consignor, in favor of such exporter, of any right to claim payment under this offer. If such bill of lading shows the name of a consignee differing from that appearing as the foreign buyer on the export sales contract under which such bill of lading is made, the exporter shall accompany his claim for payment with a certification that the shipment under such bill of lading is to the foreign buyer named in the contract and is made pursuant to that contract. If the Secretary has reason to believe that exportation of all or any quantity of the tobacco was not actually accomplished, or that there has not been compliance with other requirements of this offer, the Secretary may require such additional evidence as to purchase, sale, and exportation as he deems reasonable.

11. *Records and accounts.* The exporter shall maintain adequate records showing purchases, sales, and deliveries of tobacco exported or to be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for at least three years after the effective date of this program.

12. *Persons not eligible.* No member of, or Delegate to, Congress or Resident Commissioner shall be admitted to any payment made under this offer or to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

13. *Joint payment or assignment.* An exporter may name a joint payee on vouchers for payment or may assign payment to a recognized financing institution, in accordance with the provisions of the Assignment of Claims Act of 1940, Public Law No. 811, 76th Congress, as amended: *Provided,* That such assignment shall be recognized only if and when the assignee thereof files written notice of assignment, in accordance with the instructions on Form AMS–66, "Notice of Assignment," which form must be used in giving notice of assignment to the Representative of the Secretary named in paragraph 1 of this offer. The "Instrument of Assignment" may be executed on Form AMS–347 or the assignee may use his own form of assignment. The AMS forms may be obtained from said Representative of the Secretary.

14. *Definitions.* As used in paragraphs 1 to 13, the following terms have the following meanings:

(a) "Secretary" means the Secretary of the United States Department of Agriculture, or any authorized Representative of the Secretary.

(b) "Eligible countries" means any destination outside of the United States, excluding Puerto Rico, and excluding any country or area for which an export license is required under regulations of the Department of Commerce, Bureau of International Programs, under the Export Control Act of 1949, unless a license for exportation or transshipment thereto has been obtained from such Bureau.

(c) "United States" means the fifty states and the District of Columbia.

(d) "Unmanufactured tobacco" means unstemmed leaf tobacco, stemmed leaf tobacco (strips), and coarsely chopped leaf tobacco.

(e) "Sales contract" means a firm offer to purchase and acceptance thereof.

(f) "Date of sale" means the date on which both buyer and seller signed a

written contract, or the date on which the buyer accepts an offer of sale or confirms the purchase, or the date on which the seller accepts an offer to purchase or confirms the sale.

(g) "F.a.s." means free alongside ship or other export carrier.

(h) "On-board export bill of lading" means any bill of lading covering the exportation of unmanufactured tobacco from the United States.

(i) "Certified" means signed declaration of correctness or validity.

(j) "Filed." Applications, claims, and related documents are deemed filed when they are postmarked, if mailed, or when received by the designated AMS office, if otherwise delivered.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

*Effective date.* This offer shall be effective upon date of publication.

STEPHEN E. WRATHER,
*Director, Tobacco Division,*
*Agricultural Marketing Service.*

MARCH 8, 1962.

[F.R. Doc. 62-2433; Filed, Mar. 9, 1962; 9:16 a.m.]

## Agricultural Stabilization and Conservation Service

### DIRECTOR, INFORMATION DIVISION

### Delegation of Authority

Pursuant to the authority delegated to the undersigned by the Acting Administrator, Agricultural Stabilization and Conservation Service (26 F.R. 7812), and under the General Regulations issued under the Agricultural Marketing Agreement Act of 1937, as amended, there is hereby delegated to the Director, Information Division, with power to redelegate, authority to perform the duties and to exercise the functions and powers vested in the Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service, pursuant to § 900.4(b)(1)(iii) and that part of (c) relating thereto, of the General Regulations above referred to (7 CFR 900.4 (b)(1)(iii) and (c), 25 F.R. 5907, as amended at 26 F.R. 7796).

Signed at Washington, D.C., this 7th day of March 1962.

W. E. UNDERHILL,
*Acting Deputy Administrator,*
*Price and Production, Agricultural Stabilization and Conservation Service.*

[F.R. Doc. 62-2379; Filed, Mar. 9, 1962; 8:48 a.m.]

### INFORMATION SPECIALISTS, INFORMATION DIVISION

### Delegation of Authority

Pursuant to the authority delegated to the undersigned by the Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service,[1] authority is hereby delegated to information specialists of the Information Division, Agricultural Stabilization and Conservation Service, to make available copies of press releases issued by the Department containing notices of hearings on marketing orders and agreements, to such newspapers, radio and television stations in the area subject to regulation, or proposed to be subjected to regulation, as will tend to bring the notice of hearing to the attention of interested persons, and to file with the hearing clerk or presiding officer at the hearing the prescribed affidavit or certificate with respect thereto, as required by § 900.4 (b)(1)(iii) and (c) of the General Regulations issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 CFR 900.4 (b)(1)(iii) and (c), 25 F.R. 5907, as amended at 26 F.R. 7796).

If for any reason, any officer or employee of the Department assigned functions hereunder finds it impracticable or unnecessary, or contrary to the public interest, to give the notice involved herein with respect to any hearing, he shall immediately notify the Director, Information Division, of such fact with the reasons for his finding in order that a determination be made by the Director as prescribed in § 900.4(c) of said regulations (7 CFR 900.4(c)).

Signed at Washington, D.C., this 7th day of March 1962.

M. L. DUMARS,
*Director, Information Division,*
*Agricultural Stabilization and Conservation Service.*

[F.R. Doc. 62-2380; Filed, Mar. 9, 1962; 8:48 a.m.]

# FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14550, 14551; FCC 62M-341]

## THOMPSON K. CASSEL ET AL.

### Order Scheduling Hearing

In re applications of Thompson K. Cassel, Boca Raton, Florida, Docket No. 14550, File No. BP-13544; Fred S. Grunwald, tr/as Boca B/Casters, Boca Raton, Florida, Docket No. 14551, File No. BP-14568; for construction permits.

*It is ordered,* This 6th day of March 1962, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 3, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, April 6, 1962.

Released: March 7, 1962.

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

[F.R. Doc. 62-2383; Filed, Mar. 9, 1962; 8:48 a.m.]

[1] See F.R. Doc. 62-2379, *supra.*

[Docket No. 14549]

## ROTHA L. CHEERS

### Order To Show Cause

In the matter of Rotha L. Cheers, % Champion Seafoods Company, Box 53, Key West, Florida, Docket No. 14549; order to show cause why there should not be revoked the license for ship radio station WH-2778 aboard the vessel "Betty Ann."

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of ship radio station WH-2778 aboard the vessel "Betty Ann";

It appearing that pursuant to § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee, as follows:

Official notice of violation mailed on September 18, 1961, alleging that on August 19, 1961, Ship radio station WH-2778 aboard the "Betty Ann" was observed in violation of the Commission's rules, viz: § 8.366(e)—failure, after establishing communication on the calling frequency 2182 kc., to change to an authorized working frequency for transmission of communications other than distress messages; § 8.364(a)—failure to transmit the station's authorized call sign at the beginning and end of each complete exchange of communications.

It further appearing that the above-named licensee did not make reply to the official notice of violation whereupon the Commission by letter dated October 26, 1961, and sent by certified mail—return receipt requested (Certified No. 1-21465) again brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within 15 days from the date of its receipt, stating the measures which had been taken or were being taken in order to bring the operation of the radio station into compliance with the Commission's rules, and warning the licensee that failure to respond to such letter might result in the institution of proceedings for the revocation of the station license; and

It further appearing that, although more than 15 days have elapsed since the mailing of the Commission's letter, no response was made thereto; and

It further appearing that, in view of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules:

*It is ordered,* This 1st day of March 1962, pursuant to section 312 (a)(4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b)(8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

*It is further ordered,* That the Secretary send a copy of this order by certified mail—return receipt requested to

the said licensee, % Champion Seafoods Company, Box 53, Key West, Florida.

Released: March 6, 1962.

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

[F.R. Doc. 62-2384; Filed, Mar. 9, 1962; 8:48 a.m.]

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[Docket No. 14085 etc.; FCC 62M-333]

## COMMUNITY SERVICE BROADCASTERS, INC., ET AL.

### Order Scheduling Prehearing Conference

In re applications of Community Service Broadcasters, Incorporated, Ypsilanti, Michigan, Docket No. 14085, File No. BP-13846; Storer Broadcasting Company (WJBK), Detroit, Michigan, Docket No. 14294, File No. BP-14275; et al., Group II, Docket Nos., 14287, 14288, 14289, 14290, 14291, 14292, 14293, 14295, 14296, 14298, 14299, 14300, 14303, 14304, 14305, 14306; for construction permits.

The Hearing Examiner having under consideration motion to schedule prehearing conference, filed on March 2, 1962, by Storer Broadcasting Company;

It appearing that counsel for the Commission's Broadcast Bureau, WTOP and KSTP have been advised of the motion and agree to the date and time suggested for the conference and that they are the parties directly concerned with the matters to be discussed at the conference:

*It is ordered,* This 5th day of March 1962, that the motion is granted, and a prehearing conference limited to the matters set forth in the motion is scheduled herein for March 16, 1962, at 9:00 a.m.

Released: March 6, 1962.

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

[F.R. Doc. 62-2385; Filed, Mar. 9, 1962; 8:48 a.m.]

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[Docket Nos. 14411, 14412; FCC 62M-333]

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

### Order Continuing Hearing

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

The Hearing Examiner having under consideration a joint petition, filed by J. R. Earnest and John A. Flache, d/b as La Fiesta Broadcasting Company, and Mid-Cities Broadcasting Corporation on February 27, 1962, requesting extension of time of various procedural dates;

It appearing that counsel for all parties have consented to the extension requested:

*It is ordered,* This 5th day of March 1962, that the petition is granted; and the dates designated for various procedural steps herein are postponed as follows:

Exchange of applicants' direct written affirmative cases plus engineering exhibits in final form:

(1) Request for witnesses with respect to applicants' affirmative cases; from March 8, 1962, to March 22, 1962.

(2) Exchange of any rebuttal engineering material; from March 15, 1962, to March 29, 1962.

Request for witnesses in connection with rebuttal engineering material; from March 22, 1962, to April 5, 1962.

Commencement of hearing; from April 2, 1962, to April 10, 1962.

Released: March 6, 1962.

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

[F.R. Doc. 62-2386; Filed, Mar. 9, 1962; 8:48 a.m.]

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[Docket Nos. 14473, 14474; FCC 62M-330]

## PENINSULA TELEVISION RELAY CORP. AND EASTERN SHORE MICROWAVE RELAY CO.

### Order Continuing Hearing

In re applications of Peninsula Television Relay Corporation, Salisbury, Maryland, Docket No. 14473, File Nos. 2604/2605-C1-P-60; Eastern Shore Microwave Relay Company, Salisbury, Maryland, Docket No. 14474, File No. 3423-C1-P-60; for construction permits for common carrier point-to-point microwave relay stations.

The Hearing Examiner having under consideration a joint motion filed March 1, 1962, on behalf of the applicants herein requesting postponement of certain procedural dates as follows: Exchange of direct exhibits and written testimony from March 14, 1962, to April 17, 1962; exchange of rebuttal exhibits, designation of witnesses for cross-examination, and requests for further exhibits from March 26, 1962, to May 7, 1962; and hearing from April 16, 1962, to May 23, 1962;

It appearing that counsel for the Common Carrier Bureau does not object to the extensions of time herein requested and agrees to a waiver of 47 CFR 1.43(a) to permit immediate consideration of the subject joint motion and that a grant thereof will conduce to the orderly dispatch of the Commission's business;

*It is ordered,* This 2d day of March 1962, that the subject joint motion is granted; that the time for exchanging the parties written direct cases and for identification and notification of their witnesses and subject matter concerning which these witnesses will testify is extended from March 14, 1962, to April 17, 1962; that the time for notification of witnesses desired for cross-examination and the submission of any motion resulting from the exchange of the written direct cases is extended from March 26, 1962, to May 7, 1962; and that the hearing now scheduled to commence on April 16, 1962 is continued to 10:00 a.m., May 23, 1962.

Released: March 5, 1962.

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

[F.R. Doc. 62-2387; Filed, Mar. 9, 1962; 8:48 a.m.]

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[Docket No. 14546]

## LOCAL TELEVISION PROGRAMMING, CHICAGO, ILL.

### Notice of Time and Place of Hearing, etc.

In the matter of inquiry into local television programming in Chicago, Illinois, Docket No. 14546.

All persons interested in this proceeding are hereby advised that the hearing herein will commence at 10 a.m. c.s.t. on March 19, 1962, in Room 677 of the Federal Building, 219 South Clark Street, Chicago, Illinois.

Public witnesses, who have advised the Commission in writing, prior to March 12, as prescribed in our order of February 21, 1962, herein, of their desire to appear and be heard will be expected to proceed on March 19 and will be heard on that day and such succeeding days as may be required. Following completion of testimony by such public witnesses, the hearing will adjourn until April 9, 1962. At that time the Chicago television station licensees will commence presentation of their evidence and such testimony will be taken in the following order: WNBQ, WBBM-TV, WBKB, WGN-TV, and WTTW.

It is highly desirable that all witnesses prepare and, have available for distribution at the time of testifying, a written statement. Such statement may, in appropriate circumstances, be made an exhibit in the hearing record provided no less than 12 copies are provided at the time of presentation. Since it will probably be necessary to limit the time available for each witness's testimony, it will be practicable for witnesses to give a short oral summary of their prepared statements and to rely upon the full presentation set out in the written exhibit. When feasible, advance copies of such written presentations should be supplied to the Federal Communications Commission, Attention: Mr. Arthur A. Gladstone, Washington 25, D.C., no later than March 15, 1962. Such procedure will greatly facilitate the presentation of each witness and afford the Commission an opportunity to develop fully the salient points in each witness's testimony.

Dated: March 6, 1962.

Released: March 6, 1962.

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

[F.R. Doc. 62-2388; Filed, Mar. 9, 1962; 8:48 a.m.]

# DEPARTMENT OF JUSTICE

## Office of Alien Property

## KUWANO HOSOKAWA

### Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property, and Location*

Mrs. Kuwano Hosokawa, Hiroshima, Japan; Claim No. 35985; Vesting Order No. 10300; $2,497.00 in the Treasury of the United States.

Executed at Washington, D.C., on March 2, 1962.

For the Attorney General.

[SEAL] PAUL V. MYRON,
*Deputy Director,*
*Office of Alien Property.*

[F.R. Doc. 62-2348; Filed, Mar. 9, 1962; 8:45 a.m.]

# CIVIL AERONAUTICS BOARD

[Docket No. 12127 etc.]

## NORTH CENTRAL AIRLINES, INC.; "USE IT OR LOSE IT" INVESTIGATION

### Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled investigation is assigned to be heard on March 29, 1962, at 10 a.m. e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., March 7, 1962.

[SEAL] FRANCIS W. BROWN,
*Chief Examiner.*

[F.R. Doc. 62-2372; Filed, Mar. 9, 1962; 8:47 a.m.]

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[Docket No. 13040]

## OFF-PEAK COACH RATES

### Notice of Prehearing Conference

In the matter of off-peak fares from San Francisco to Dallas proposed by Delta Air Lines, Inc.

Notice is hereby given that a prehearing conference on the above-entitled matter is assigned to be held on March 22, 1962, at 10 a.m., e.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Exmainer Milton H. Shapiro.

Dated at Washington, D.C., March 6, 1962.

[SEAL] FRANCIS W. BROWN,
*Chief Examiner.*

[F.R. Doc. 62-2373; Filed, Mar. 9, 1962; 8:47 a.m.]

# FEDERAL MARITIME COMMISSION

## COMMONWEALTH STEAMSHIP, INC., ET AL.

### Notice of Agreement Filed for Approval

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

Agreement 8745-1, between Commonwealth Steamship, Inc., A. H. Bull Steamship Co., Bull Lines, Inc., A. H. Bull & Co., Waterman Steamship Corporation of Puerto Rico, and Sea-Land Equipment, Inc., modifies the basic agreement (8745) of the parties, which covers an arrangement for the contract of the sale of ships. The purpose of the modification is to include a new paragraph to section 9 of Agreement 8745, as follows:

Bull agrees that, on and after the closing of the transactions provided for herein, Bull will not, for a period one year from the date of such closing, compete with Puerto Rico in common carrier steamship service between U.S. Gulf ports and ports in Puerto Rico.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., and may submit on or before March 19, 1962, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: March 7, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 62-2358; Filed, Mar. 9, 1962; 8:46 a.m.]

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## SEAWAY STEVEDORING CO., INC., ET AL.

### Notice of Agreement Filed for Approval

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

Agreement numbered 8755, between Seaway Stevedoring Company, Inc.; International Marine Terminals, Inc.; and Calumet Harbor Terminals, Inc.; is a cooperative working arrangement providing for the pooling of resources and facilities of the parties for the purpose of carrying on stevedoring and marine terminal operations at Transit Sheds Nos. 2 and 3 and at other marine terminal facilities located within the boundaries of the Customs Fort of Entry of Chicago, Illinois, which the parties may from time to time operate. All such operations shall be for the joint account of the parties and all capital, net profits, losses and expenses will be shared equally. Operations by each party shall be conducted under its own separate name.

International's operation at 3434 East 95th Street and Calumet's facility known as "Ship Yard Site", are excluded from the agreement. The parties may use the "Ship Yard Site" if use thereof does not interfere with Calumet's operation. The parties will compensate Calumet for any such use.

All parties shall have equal rights and responsibilities for the management of the joint affairs which shall be administered by an Executive Committee, consisting of one representative of each party. The actual operating management shall be supervised and controlled by International, who shall at all times be subject to the authority, control and direction of the Executive Committee. The Executive Committee shall approve all marine terminal and stevedore rates to be assessed by the parties.

The agreement stipulates that it shall be subject to the terms and conditions of the following:

(1) Berthing Agreement, dated December 5, 1957, between Oranje Lijn, Calumet and Chicago Calumet Stevedoring Co., Inc.

(2) Berthing Agreement, dated December 9, 1957, between Fjell Line, joint service, Calumet and Chicago Calumet Stevedoring Co., Inc.

(3) All regulations, rules, tariffs, or ordinances of the Chicago Regional Port District whether now in effect or hereafter adopted or enacted.

The Commission will consider whether this agreement or any part thereof is subject to section 15, Shipping Act, 1916, as amended, and if so whether it should be approved under the standards of that section.

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

Dated: March 7, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
*Secretary.*

[F.R. Doc. 62-2359; Filed, Mar. 9, 1962; 8:46 a.m.]

# DEPARTMENT OF COMMERCE

## RICHMOND LEWIS

### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months.

A. Deletions: None.
B. Additions: None.

This statement is made as of February 27, 1962.

RICHMOND LEWIS.

FEBRUARY 28, 1962.

[F.R. Doc. 62-2368; Filed, Mar. 9, 1962; 8:47 a.m.]

# SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3848]

## APEX MINERALS CORP.

### Order Summarily Suspending Trading

MARCH 6, 1962.

In the matter of trading on the San Francisco Mining Exchange in the common stock, $1.00 par value of Apex Minerals Corporation, File No. 1-3848.

The common stock, $1.00 par value, of Apex Minerals Corporation, being listed and registered on the San Francisco Mining Exchange a national securities exchange; and

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

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

*It is ordered,* Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, March 7, 1962, to March 16, 1962, both dates inclusive.

By the Commission.

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

[F.R. Doc. 62-2370; Filed, Mar. 9, 1962; 8:47 a.m.]

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[File No. 1-4597]

## INDUSTRIAL ENTERPRISES, INC.

### Order Summarily Suspending Trading

MARCH 6, 1962.

In the matter of trading on the San Francisco Mining Exchange in the common assessable stock, $1.00 par value of Industrial Enterprises, Inc.; File No. 1-4597.

The common assessable stock, $1.00 par value, of Industrial Enterprises, Inc., being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

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

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

*It is ordered,* Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, March 6, 1962, to March 15, 1962, both dates inclusive.

By the Commission.

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

[F.R. Doc. 62-2371; Filed, Mar. 9, 1962; 8:47 a.m.]

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# CUMULATIVE CODIFICATION GUIDE—MARCH

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