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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11029

AMENDMENT OF EXECUTIVE ORDER NO. 11025[1] CREATING A BOARD OF INQUIRY TO REPORT ON A LABOR DISPUTE AFFECTING THE AIRCRAFT INDUSTRY OF THE UNITED STATES

By virtue of the authority vested in me by Section 206 of the Labor Management Relations Act, 1947, 61 Stat. 155 (29 U.S.C. 176), I hereby amend the title of Executive Order No. 11025 of June 7, 1962, to read as follows: "Creating a Board of Inquiry to Report on Labor Disputes Affecting the Tactical Fighter Production Industry, which is part of the Aircraft Industry of the United States."

By virtue of the above stated authority I further amend Executive Order No. 11025 by substituting the following for the first and second paragraphs:

"WHEREAS, there exists a labor dispute between Republic Aviation Corporation, Farmingdale, Long Island, New York, and certain of its employees represented by the International Association of Machinists; Republic Lodge 1987, International Association of Machinists, AFL–CIO; Local Union 775, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, AFL–CIO; International Brotherhood of Electrical Workers, Local Union 25, AFL–CIO; Local Union 1318, United Brotherhood of Carpenters and Joiners of America, AFL–CIO; and International Union of Operating Engineers, Local Unions 30 and 30–A, AFL–CIO; and between John G. Sharp, Cafeteria Concessionaire at this Republic Aviation Corporation facility and certain employees represented by Local 164, Hotel and Restaurant Employees and Bartenders International Union, AFL–CIO; and"

"WHEREAS, such disputes have resulted in a strike which, in my opinion, affects a substantial part of the tactical fighter production industry, an industry engaged in trade, commerce, and transportation among the several states and with foreign nations, and which strike will, if permitted to continue, imperil the national safety:"

JOHN F. KENNEDY

THE WHITE HOUSE,
June 13, 1962.

[F.R. Doc. 62-5925; Filed, June 14, 1962; 11:48 a.m.]

[1] 27 F.R. 5467.

Rules and Regulations

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 15,936]

PART 545—OPERATIONS

Amendments Relating to Loans

JUNE 8, 1962.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of liberalization of the provisions of § 545.6–1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6–1) by increasing to 30 years the limitation of 25 years contained in paragraph (a) of said § 545.6–1, and for the purpose of effecting such liberalization, hereby amends said § 545.6–1 as follows, effective June 15, 1962:

1. So much of paragraph (a) of said § 545.6–1 as precedes subdivision (i) of subparagraph (1) of said paragraph is hereby amended to read as follows:

(a) *Homes or combination of homes and business property*—(1) *Monthly installment loans.* Installment loans may be made on homes or combination of homes and business property for an amount not in excess of 75 percent of the value thereof, repayable monthly within 30 years or, if an insured or guaranteed loan, within the period acceptable to the insuring or guaranteeing agency: *Provided,* That, when the members of such an association have authorized loans to be made for an amount exceeding 75 percent of the value, such loans may be made up to the percentage of value authorized by the members but not in excess of:

2. So much of subparagraph (4) of paragraph (a) of said § 545.6–1 as precedes subdivision (i) of said subparagraph is hereby amended to read as follows:

(4) *Loans in excess of 80 percent of value.* The limitation of 80 percent set forth in subdivision (i) of subparagraph (1) of this paragraph shall be 90 percent of so much of such value as does not exceed $25,000 plus 80 percent of so much of such value as exceeds $25,000 in the case of any loan which is made in an amount not in excess of $26,500 and with respect to which the following requirements are met:

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as said amendments only relieve restriction, the Board hereby finds that notice and public procedure thereon are unnecessary under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Administrative Procedure Act and, as said amendments relieve restriction, deferment of the effective date thereof is not required under section 4(c) of said Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 62–5847; Filed, June 14, 1962; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7713 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Simpsen Timber Co. and Simpson Redwood Co.

Subpart—Acquiring stock or assets of competitor: § 13.5 *Acquiring stock or assets of competitor.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Divestiture order, Simpson Timber Company et al., Seattle, Wash., Docket 7713, Jan. 4, 1962]

Consent order requiring a substantial producer of redwood lumber, and its wholly owned subsidiary, both of Seattle, Wash.—which in 1955 occupied fourth position among major sellers of redwood, and which in 1956 acquired companies rating sixth and fifteenth, respectively, as well as another company's extensive redwood timber and timberlands, combined 1955 sales for which merging companies exceeded sales of the industry leader—to divest themselves of ownership of 500 million board feet of redwood lumber within a 13-year period, as in the order below in detail set out.

The order to divest is as follows:

I. 1. *It is ordered,* That respondents, Simpson Timber Company and Simpson Redwood Company, corporations, their subsidiaries, officers, directors, agents, representatives, and employees shall sell and divest themselves absolutely and in good faith within 13 years from January 1, 1961, of ownership of an amount of redwood timber and/or redwood logs equal to 500,000,000 board feet, not less than 90 percent of which shall be old growth and 10 percent of which may be second growth, in accordance with the following provisions of this order.

2. In disposing of the total amount required to be divested by this order, respondents, during each twelve-month period beginning January 1, 1961, shall sell and divest to purchasers, as purchasers are hereinafter defined, not less than 35,000,000 board feet of redwood timber and/or redwood logs. In the event respondents shall sell more than 55,000,000 board feet of redwood cutting rights and/or redwood logs in any one year, the amount by which such sales exceed 55,000,000 board feet shall not be credited against the total amount to be divested pursuant to this order. Respondents may average sales of redwood timber and/or logs over any three consecutive calendar years in complying with this order; *Provided however,* That any three consecutive years may exclude any year or years in which respondents are unable to sell 35,000,000 board feet at prices equal to or above the minimum prices specified in paragraph 5 of this section of this order. Sales to others than purchasers shall not be credited against the total amount to be divested.

3. The redwood timber and/or logs to be divested by respondents pursuant to this order may be any redwood timber and/or logs owned by respondents, whether or not acquired as a result of respondents' acquisition of M&M Woodworking Company.

4. In the event respondents shall sell redwood-type timberlands to purchasers during the period of this order, the board feet of redwood timber so sold may be credited against the total board feet required to be divested by this order or may be apportioned equally over the period ending December 31, 1973, in determining the minimum amount which respondents are required to sell and the maximum amount permitted to be credited in each calendar year. In the event respondents shall enter into cutting contracts for the sale of timber or into long-term contracts for the sale of logs with purchasers during the period of this order, the board feet of redwood timber and/or logs so sold or contracted to be sold may be apportioned equally over the term of such contracts or over the period ending December 31, 1973, in determining the minimum amount which respondents are required to sell and the maximum amount permitted to be credited in each calendar year. In the event respondents elect to apportion sales of redwood timber and/or logs under this paragraph 4 of this section of this order, all such amounts apportioned shall be credited against the total amount to be divested pursuant to this order, except to the extent that such apportionment results in a total amount for any calendar year which is greater than 55,000,000 board feet.

5. Respondents shall not be required during the 13-year period beginning January 1, 1961, to sell and divest redwood timber and/or logs at prices which are less than $20 per thousand board feet for stumpage, plus 8 percent per annum compounded from January 1, 1961, to cover actual carrying costs. In the event respondents perform the logging function of such redwood logs, the cost of logging shall be added to said price. Such costs of logging to be applied in de-

termining said minimum price shall be the actual logging costs of respondent Simpson Redwood Company for the preceding calendar year, and shall be verified by reports of independent certified public accountants of recognized standing from the books and records of respondent Simpson Redwood Company.

6. In the event respondents have not divested the total amount of 500,000,000 board feet during the 13-year period January 1, 1961, to December 31, 1973, this order shall remain in full force and effect until such date as total divestiture is completed or until December 31, 1980, whichever date is earlier, whereupon this order shall terminate: *Provided however,* That for any amount in excess of 100,000,000 board feet which has not been sold and divested by December 31, 1973, the minimum prices shall be reduced to an amount equal to 80 percent of the minimum prices provided for in paragraph 5 of this section of this order.

7. In the event respondents, acting in accordance with the provisions of this order, have divested the total of 500,000,000 board feet required to be divested prior to the expiration of 13 years from January 1, 1961, then, and in that event, this order shall terminate.

II. *It is further ordered:* 1. For the duration of this order respondents shall not acquire any interest whatsoever in redwood-type timberlands, old growth redwood cutting rights or old growth redwood logs containing a combined total of more than 100 million board feet of old growth redwood during the period of this order, and in the event respondents purchase redwood-type timberlands, old growth redwood cutting rights or old growth redwood logs containing in excess of 50 million board feet of old growth redwood during the period of this order, respondents shall divest themselves of an amount of old growth redwood timber and/or logs equal to the amount by which such purchases exceed 50 million board feet in accordance with the terms of this order.

In determining whether timberlands are redwood-type, such determination shall be made on the basis of forty (40) acre parcels.

2. For a period of 10 years from January 1, 1961, respondents shall not acquire any interest whatsoever in any old growth redwood sawmill; nor in any plant or company producing more than 10 percent old growth redwood plywood; nor in any plant or company producing more than 10 percent redwood pipes and tanks.

3. During the effective period of this order respondents' ownership of redwood-type timberlands shall not exceed 202,000 acres.

4. Nothing contained in this order shall apply to purchases by respondents of redwood timber or logs from lands owned or controlled by the United States Forest Service, Bureau of Indian Affairs, Bureau of Land Management, or the State of California.

5. In the event respondents make trades with purchasers, as purchasers are defined herein, of any of their old growth redwood timber or redwood-type timberlands for other timber or timberlands, including old growth redwood timber and redwood-type timberlands, the net balance of old growth redwood and/or redwood-type timberlands disposed of or obtained shall be subject to all of the terms and conditions of this order with such net balance being credited as either a divestiture or acquisition.

6. In the event of an act of God or major catastrophe, including but not limited to, fire, insect infestation or disease, which the respondents allege results in a substantial change of conditions in reference to their redwood timber holdings, the Commission shall, upon respondents' petition and affidavit, reopen the proceeding for reception of evidence as to whether the changed conditions require an alteration or modification of this order.

III. *It is further ordered,* That by such divestitures none of the redwood timber and/or logs required to be divested by this order shall be sold or transferred, directly or indirectly, to anyone who at the time of the divestiture is a stockholder, officer, director, employee, or agent of, or otherwise directly or indirectly connected with or under the control of, respondents or any of their subsidiaries or affiliated companies.

DEFINITIONS

1. "Purchasers" as referred to herein, shall include any person, partnership or firm engaging in the ownership or cutting of old growth redwood logs or timber or the production of redwood lumber therefrom, and shall exclude the following-named companies and their subsidiaries, affiliates, agents or representatives:

The Pacific Lumber Co.
The Georgia Pacific Corp.
Union Lumber Co.
Arcata Redwood Co.
Willits Redwood Products Co.

2. "Old growth" redwood timber means timber which is described interchangeably as "old growth" or "virgin" timber, as distinguished from what is commonly referred to as "young growth" or "second growth" timber. This includes redwood logs produced from felled redwood trees and timber cutting contracts as well as uncut redwood trees on the stump. "Old growth" redwood excludes "second growth" or "young growth" redwood timber which has grown on fully or partially cut-over lands subsequent to the logging of such lands and which is less than one hundred years of age.

3. "Cutting rights" or "cutting contracts" mean contracts for the purchase and sale of uncut redwood trees. Such contracts may or may not specify a third party, individual or firm who shall perform the logging, that is, the cutting and removal of the trees. They may or may not specify that the logging shall be done by the seller or purchaser.

4. "Redwood-type" timberlands means redwood timberlands, as defined by the U.S. Forest Service in Forest Survey Release No. 25, page 56, that is, forests in which 20 percent or more of the original stand is or was redwood.

5. "Board feet" means the unit of measure of volume of redwood timber and/or logs based on the Humboldt scale.

By "Final Order," report of compliance was required as follows:

It is further ordered, That respondents Simpson Timber Company, a corporation, and Simpson Redwood Company, a corporation, shall, on March 1, 1962, and at the expiration of each calendar year until termination of the order contained in the initial decision as provided by the terms thereof, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in said initial decision.

Issued: January 4, 1962.

By the Commission.

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

[F.R. Doc. 62-5841; Filed, June 14, 1962; 8:45 a.m.]

[File No. 21-538]

PART 61—STATIONERS INDUSTRY

Promulgation of Trade Practice Rules

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, to be promulgated as of June 15, 1962.

Statement by the Commission. Trade practice rules for the Stationers Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

The industry for which these rules are established is composed of persons, firms, corporations and organizations (including manufacturers, wholesalers, distributors, jobbers, importers, retailers and others) engaged in the sale, offering for sale, or distribution, in commerce, of any products of the industry which are as follows: Inks, other than printing inks, pastes, blank books, tablets, social stationery, art supplies, calendars, paper clips, crayons, filing cabinets and filing supplies, globes, maps, pencil sharpeners, rubber bands, staples and staplers, stenographic supplies, desk accessories and other office supplies and equipment except furniture not specified above and furnishings such as rugs, draperies and pictures. Also not included are products of the following industries for which trade practice rules already exist:

Gummed Paper and Sealing Tape Industry.
Fountain Pen and Mechanical Pencil Industry.
Marking Devices Industry.
Wood Cased Lead Pencil Industry.
Engraved Stationery and Allied Products Industry of the New York City Trade Area.
Luggage and Related Products Industry.
Manifold Business Forms Industry.

Fine and Wrapping Paper Distributing Industry.
School Supply and Equipment Industry.
Office Machine Marketing Industry.

Proceedings for the establishment of these rules were instituted pursuant to an industry application. A general industry conference was held under Commission auspices in Chicago, Illinois, at which proposals for rules were submitted for consideration by the Commission. Thereafter, proposed rules were published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or amendments as they desired to offer, and to be heard in the premises. Pursuant to such notice a public hearing was held in Chicago, Illinois, and all matters there presented or otherwise received in the proceeding, were considered by the Commission.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved the rules as hereinafter set forth.

The rules, as approved, become operative thirty (30) days after the date of promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

The unfair trade practices embraced in the rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission, and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.

61.0 Definitions.
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61.20 Exclusive dealing.
61.21 Tie-in sales—coercing purchase of one product as a prerequisite to the purchase of other products.

AUTHORITY: §§ 61.0 to 61.21 issued under 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.

§ 61.0 Definitions.

As used in this part the terms "industry products" and "industry member" shall have the following meanings, respectively:

(a) *Industry products.* Inks (other than printing inks), pastes, blank books, tablets, social stationery, art supplies, calendars, paper clips, crayons, filing cabinets and filing supplies, globes, maps, pencil sharpeners, rubber bands, staples and staplers, stenographic supplies, desk accessories, and other office supplies and equipment except furniture not specified above and furnishings such as rugs, draperies and pictures. In addition to the products indicated which are not included, products of the following industries for which trade practice rules already exist are also excluded:

Gummed Paper and Sealing Tape Industry.
Fountain Pen and Mechanical Pencil Industry.
Marking Devices Industry.
Wood Cased Lead Pencil Industry.
Engraved Stationery and Allied Products Industry of the New York City Trade Area.
Luggage and Related Products Industry.
Manifold Business Forms Industry.
Fine and Wrapping Paper Distributing Industry.
School Supply and Equipment Industry.
Office Machine Marketing Industry.

(b) *Industry member.* Any person, firm, corporation, or organization (including manufacturers, wholesalers, distributors, jobbers, importers, retailers and others) engaged in the sale, offering for sale, or distribution, in commerce, of industry products as defined above.

§ 61.1 Deception (general).

(a) It is an unfair trade practice for an industry member to sell or offer for sale any industry product under any representation, description, circumstance, or condition having the capacity and tendency or effect of deceiving purchasers or prospective purchasers thereof as to the type, kind, grade, quality, quantity, content, size, weight, color, character, substance, durability, serviceability, origin, price, value, preparation, production, manufacture or distribution of such industry product, or which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in any other material respect.

(b) The prohibitions of this section are applicable to all forms of advertising, whether in periodicals, on the radio or television, and whether written or oral, and to any form of marking or labeling of products or their containers. [Rule 1]

§ 61.2 Misleading illustrations.

It is an unfair trade practice, in connection with the offering for sale, sale, or distribution of industry products, to use, as part of any packaging material, label, advertisement, or other sales promotion matter, any visual representation, picture, illustration, diagram, or other depiction which, either alone or in conjunction with any accompanying words or phrases, has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers concerning the type, kind, grade, quality, quantity, content, size, weight, color, character, substance, durability, serviceability, origin, preparation, production, manufacture or distribution of any industry product, or which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in any other material respect. [Rule 2]

§ 61.3 Misrepresentation as to character of business.

It is an unfair trade practice for any member of the industry to represent, directly or indirectly, through the use of any word or term in his corporate or trade name, in his advertising, or otherwise, that he is a producer, manufacturer, wholesaler, distributor, importer or retailer of products of the industry, when such is not the fact, or in any other manner to misrepresent the character, extent, volume, or type of his business. [Rule 3]

§ 61.4 Deceptive pricing.

(a) It is an unfair trade practice for any member of the industry to represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise to deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or to furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

(b) Among the practices prohibited by this section are:

(1) Representing or implying that a stated price is the seller's usual and regular price of an industry product when in fact such stated price is in excess of the price at which such product is regularly and customarily sold by the seller in the usual and recent course of business.

NOTE: The words and phrases "regularly," "usually," "formerly," "was _____ now _____," "_____% off" and "You save $_____" when used in connection with prices constitute representations of the advertiser's former usual and customary prices in recent course of business.

(2) Representing or implying that a stated price constitutes a reduction from the trade area price unless the saving or reduction is from the usual and customary price of an industry product in the trade area, or areas where the representation is made.

NOTE: The words and phrases "manufacturer's suggested list $_____—our price

$_____," "sold nationally at $_____" and "value $_____" constitute representations of an article's usual and customary retail price in the trade area where the representations are made.

(3) Pre-ticketing a product with any price figure or otherwise representing, contrary to the fact, that there is a usual and customary price for the product in the trade area where it is offered for sale and that the usual and customary price is the pre-ticketed price, or pre-ticketing a product with any price if the pre-ticketed product is usually and customarily sold at a lower price or at a variety of prices significantly lower than the pre-ticketed price in the trade area or areas where it is offered for sale.

(4) Disseminating pre-ticketed price figures for use in connection with the offer for sale of products at retail by others (even though they themselves are not engaged in retail sales) when the price figures do not meet the standard set forth in this section.

(5) Placing in the hands of others, a means or instrumentality by which they may mislead the public. For the purposes of this section pre-ticketing includes the use of price figures.

(i) Affixed to the product by tag, label or otherwise, or

(ii) In such a form as to be affixed to the product by others, or

(iii) In material, such as display placards, which are used, or designed to be used, with the product at point of sale to the consuming public.

EXAMPLE: A manufacturer pre-tickets his products with "Price $12.95." Although this price prevails in many trade areas, in other areas the product generally sells for $10.95. The pre-ticketed price would violate this section in any trade area where the $12.95 price was not the usual and customary retail price.

NOTE: Guides Against Deceptive Pricing adopted by the Commission October 2, 1958, are now in the process of revision. The new guides will supplement this section by affording additional guidance on the subject. When approved, the new guides will be published in the FEDERAL REGISTER and copies thereof will be furnished upon request.

[Rule 4]

§ 61.5 Misuse of terms "close-outs," "discontinued lines," "special bargains," etc.

It is an unfair trade practice to offer for sale, sell, advertise, describe, or otherwise represent, industry products as "Close-Outs," "Discontinued Lines," or "Special Bargains," by use of such terms, or by words or representations of similar import, when such either is false, or has the capacity and tendency or effect of leading the purchasing or consuming public to believe such products are being offered for sale or sold at greatly reduced prices, or at so-called "bargain" prices, when such is not the fact. [Rule 5]

§ 61.6 Substitution of products.

It is an unfair trade practice for a member of the industry to make unauthorized substitutions of products, where such substitutions have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers, by:

(a) Shipping or delivering industry products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without advising the purchaser of the substitution and obtaining his consent thereto prior to making shipment or delivery; or

(b) Falsely representing the reason for making substitutions. [Rule 6]

§ 61.7 Use of the word "free."

In connection with the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to use the word "free," or any other word or words of similar import, in advertisements or in other offers to the public, as descriptive of an article of merchandise, or service, which is not an unconditional gift, under the following circumstances:

(a) When all the conditions, obligations, or other prerequisites to the receipt and retention of the "free" article of merchandise or service offered are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the offer will be misunderstood, and, regardless of such disclosure:

(b) When, with respect to any article of merchandise required to be purchased in order to obtain the "free" article or service, the offerer (1) increases the ordinary and usual price of such article of merchandise, or (2) reduces its quality, or (3) reduces the quantity on size thereof.

NOTE: The disclosure required by paragraph (a) of this section shall appear in close conjunction with the word "free" (or other word or words of similar import) wherever such word first appears in each advertisement or offer. A disclosure in the form of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the word "free," will not be regarded as compliance.

[Rule 7]

§ 61.8 Guarantees, warranties, etc.

(a) It is an unfair trade practice to represent in advertising or otherwise that a product is "guaranteed" without clear and conspicuous disclosure in conjunction therewith of:

(1) The nature and extent of the guarantee, and

(2) Any material conditions or limitations in the guarantee which are imposed by the guarantor, and

(3) The manner in which the guarantor will perform thereunder, and

(4) The identity of the guarantor.

Representations that a product is "guaranteed for life" or has a "lifetime guarantee" in addition to meeting the above requirements, shall contain a conjunctive and conspicuous disclosure of the meaning of "life" or "lifetime" as used (whether that of the purchaser, the product or otherwise).

(b) Guarantees shall not be used which under normal conditions are impractical of fulfillment or which are for such a period of time or are otherwise of such nature as to have the capacity and tendency of misleading purchasers or prospective purchasers into the belief that the product so guaranteed has a greater degree of serviceability, durability or performance capability in actual use than is true in fact.

(c) This section has application not only to "guarantees" but also to "warranties," to purported "guarantees" and "warranties," and to any promise or representation in the nature of a "guarantee" or "warranty." [Rule 8]

§ 61.9 Misrepresentation as to origin and disclosure of foreign origin.

(a) It is an unfair trade practice to misrepresent the place of origin, production, or manufacture of industry products or their components.

(b) It is an unfair trade practice to offer for sale, sell, or distribute any industry product manufactured or produced in a foreign country, or any industry product containing a substantial or material part or parts manufactured or produced in a foreign country, without affirmatively disclosing thereon, or in immediate conjunction therewith, by a truthful, conspicuous and nondeceptive mark, stamp, brand, or label, the country of origin of such product, or part, where failure to so disclose the country of origin has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public. [Rule 9]

§ 61.10 Deceptive use and imitation of trade or corporate names, trademarks, etc.

It is an unfair trade practice for any member of the industry, to use any trade name, corporate name, trade-mark or other trade designation, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the character, name, nature, or origin of any product of the industry, or of any material used therein, or which is false or misleading in any other material respect. (See also § 61.3.) [Rule 10]

§ 61.11 False invoicing.

Withholding from or inserting in invoices or sales slips any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices or sales slips, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public, in any material respect, is an unfair trade practice. [Rule 11]

§ 61.12 Commercial bribery.

It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products sold or offered for sale by such industry member, or to influence such employers or principals to refrain from

dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 12]

§ 61.13 Consignment distribution.

(a) It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment without the express request or prior consent of the purchasers.

(b) Nothing in this section shall be construed to authorize any understanding or agreement, combination or conspiracy, or planned common course of action, by and between industry members, mutually to conform or restrict their practice of shipping goods on consignment. [Rule 13]

§ 61.14 Inducing breach of contract.

(a) Knowingly inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or between competitors and their suppliers, or interfering with or obstructing the performance of any such contractual duties or services, under any circumstance having the capacity and tendency or effect of substantially injuring or lessening competition, is an unfair trade practice.

(b) Nothing in this section is intended to imply that it is improper to solicit the business of a customer of a competing industry member; nor is the section to be construed as in anywise authorizing any agreement, understanding, or planned common course of action by two or more industry members not to solicit business from, or to sell to, the customers of either of them, or customers of any other industry member. [Rule 14]

§ 61.15 Defamation of competitors or false disparagement of their products.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors' products in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 15]

§ 61.16 Enticing away employees of competitors.

It is an unfair trade practice for any member of the industry wilfully to entice away employees or sales-contact personnel of competitors with the intent and effect of thereby hampering or injuring competitors in their business or destroying or substantially lessening competition: *Provided,* That nothing in this section shall be construed as prohibiting such persons from seeking more favorable employment, or as prohibiting employers from hiring or offering employment to employees of a competitor in good faith and not for the purpose of inflicting competitive injury. [Rule 16]

§ 61.17 Push money.

It is an unfair trade practice for any industry member to pay or contract to pay anything of value to a salesperson employed by a customer of the industry member, as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the salesperson in promoting the resale of products supplied by the industry member to the customer:

(a) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the salesperson's employer; or

(b) When the terms and conditions of the agreement or understanding are such that any benefit to the salesperson or customer is dependent on lottery; or

(c) When any provision of the agreement or understanding requires or contemplates practices or a course of conduct unduly and intentionally hampering sales of products of competitors of an industry member; or

(d) When, because of the terms and conditions of the agreement or understanding, including its duration, or the attendant circumstances, the effect may be to substantially lessen competition or tend to create a monopoly; or

(e) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms in compliance with sections 2 (d) and (e) of the Clayton Act.

NOTE: Payments made by an industry member to a salesperson of a customer under any agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this section, but are to be considered as subject to the requirements and provisions of section 2(a) of the Clayton Act, as amended.

[Rule 17]

§ 61.18 Prohibited forms of trade restraints (unlawful price fixing, etc.).[1]

It is an unfair trade practice for any member of the industry, either directly or indirectly, to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any goods or otherwise unlawfully to restrain trade; or to use any form of threat, intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. [Rule 18]

§ 61.19 Prohibited discrimination.

(a) *Prohibited discriminatory prices, rebates, discounts, etc.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use;

(2) That nothing contained in this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

NOTE 1: Cost justification under subparagraph (2) of this paragraph depends upon net savings in cost based on all facts relevant to the transactions under the terms of such subparagraph. For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

NOTE 2: In determining whether a price differential based on cost savings under subparagraph (2) of this paragraph is warranted there shall be taken into account any portion of the goods involved which are returned by the customer-purchaser to the seller for credit or refund. See also Note 2 under paragraph (e) of this section.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this paragraph shall prevent price changes from time to time where made in re-

[1] The prohibitions of this section are subject to Public Law 542, approved July 14, 1952—66 Stat. 632 (the McGuire Act, commonly referred to as the Fair Trade Amendment) which provides that with respect to a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer therof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

sponse to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor.

NOTE: Subsection (b) of section 2 of the Clayton Act, as amended, reads as follows: "Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor."

(b) *Examples of prohibited price differential practices.* The following are examples of price differential practices to be considered as subject to the prohibitions of paragraph (a) of this section when involving goods of like grade and quality which are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and which are not purchased by schools, colleges, universities, public libraries, churches, hospitals, or charitable institutions not operated for profit, as supplies for their own use, and when:

(1) The commerce requirements specified in paragraph (a) of this section are present; and

(2) The price differential has a reasonable probability of substantially lessening competition or tending to create a monopoly in any line of commerce, or of injuring, destroying, or preventing competition with the industry member or with the customer receiving the benefit of the price differential, or with customers of either of them; and

(3) The price differential is not justified by cost savings (see paragraph (a) (2) of this section); and

(4) The price differential is not made in response to changing conditions affecting the market for or the marketability of the goods concerned (see paragraph (a) (4) of this section); and

(5) The lower price was not made to meet in good faith an equally low price of a competitor (see paragraph (a) (5) of this section).

EXAMPLE 1. At the end of a given period an industry member grants a discount to a customer equivalent to a fixed percentage of the total of the customer's purchases during such period and fails to grant a discount of the same percentage to other customers on their purchases during such period.

EXAMPLE 2. An industry member sells goods to one or more of his customers at a higher price than he charges other customers for like merchandise. It is immaterial whether or not such discrimination is accomplished by misrepresentation as to the grade and quality of the products sold.

(c) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(d) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is made known to and is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

NOTE 1: Industry members giving advertising allowances to competing customers must exercise precaution and diligence in seeing that all of such allowances are used in accordance with the terms of their offers.

NOTE 2: When an industry member gives allowances to competing customers for advertising in a newspaper or periodical, the fact that a lower advertising rate for equivalent space is available to one or more, but not all, such customers, is not to be regarded by the industry member as warranting the retention by such customer or customers of any portion of the allowance for his or their personal use or benefit.

(e) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

NOTE 1: Subsection (b) of section 2 of the Clayton Act, as amended, which is set forth in the note concluding paragraph (a) of this section is applicable to this paragraph.

NOTE 2: Among the practices prohibited by this paragraph is that of an industry member according to one or more customers the privilege of returning for credit or refund any or all of the goods purchased by them and failing to accord the same privilege to another or other competing customers on proportionally equal terms. In this connection see also Note 2 under cost justification proviso (paragraph (a) (2) of this section).

(f) *Inducing or receiving an illegal discrimination in price, advertising or promotional allowances, or services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price, advertising or promotional allowances, or services or facilities, prohibited by the foregoing provisions of this section. [Rule 19]

§ 61.20 Exclusive dealing.

It is an unfair trade practice for any member of the industry to lease, contract to sell or sell any industry product, or fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the lessee or purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such sale or contract for sale, or of such condition, agreement, or understanding, may be substantially to lessen competition or tend to create a monopoly in any line of commerce. [Rule 20]

§ 61.21 Tie-in sales—coercing purchase of one product as a prerequisite to the purchase of other products.

The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably to restrain trade, is an unfair trade practice. [Rule 21]

Authorized: May 29, 1962.

By the Commission.

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

[F.R. Doc. 62-5805; Filed, June 14, 1962; 8:45 a.m.]

Title 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Docket No. R-213; Order 250]

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

Revised Annual Report Form for Class C and Class D Public Utilities and Licensees

JUNE 11, 1962.

The Commission has under consideration in this proceeding the revision of its F.P.C. Form No. 1-F, Annual Report Form Prescribed for Class C and Class D Public Utilities and Licensees Subject to the Provisions of the Federal Power Act and § 141.2, Part 141, Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18, Code of Federal Regulations (CFR), prescribing F.P.C. Form No. 1-F. That form, as revised, is prescribed hereinafter effective for use in reporting for the calendar year beginning January 1, 1961 or subsequently during the calendar year 1961 if an es-

tablished fiscal year is other than the calendar year, and years thereafter.

The various schedules comprising F.P.C. Form No. 1–F now prescribed in § 141.2 (18 CFR 141.2) correspond to, and appear as pages 1–6 of the Commission's F.P.C. Form No. 1–F, Public Utilities and Licensees, Class C and Class D.[1]

This proceeding was commenced by notice of proposed rule making served upon interested parties, including State and Federal regulatory agencies, and by publication in the FEDERAL REGISTER on April 4, 1962 (27 F.R. 3206). As proposed, the subject matters and revisions in § 141.2, and the General Instructions and other Schedules comprising F.P.C. Form No. 1–F were set forth in the notice of proposed rule making and attached forms of proposed revised Schedules served upon the aforesaid interested parties and filed as a part of the notice submitted to the Office of the Federal Register for publication. The notice of proposed rule making invited the submission to the Commission of written data, views, comments and suggestions concerning the proposed revisions of F.P.C. Form No. 1–F and Part 141 on or before April 20, 1962. No filing responsive to the notice of proposed rule making has been received.

The exact nature of each of the revisions in Form 1–F is fully set forth in the respective accompanying schedule pages. The changes would be accomplished mainly through modification of existing schedules. One new schedule, Transmission Lines Added During the Year, has been added. The revised Annual Report Form has been adapted to changes prescribed in the Uniform System of Accounts, Prescribed for Public Utilities and Licensees effective January 1, 1961.

The Commission finds:

(1) The notice and opportunity to comment in this rule making proceeding with respect to the matters presently before the Commission in the manner as described above are consistent and in accordance with the procedural requirements of section 4 of the Administrative Procedure Act.

(2) In view of the foregoing, and upon consideration of all relevant matters presented it is necessary and appropriate for the purposes of the Federal Power Act that:

(a) The revised Annual Report Form as set forth in annexed Appendix A be adopted and promulgated as this Commission's F.P.C. Form No. 1–F effective for use in reporting for the calendar year beginning January 1, 1961, or subsequently during the calendar year if an established fiscal year is other than the calendar year, and years thereafter; all as hereinafter provided.

(b) Section 141.2, Part 141, Subchapter D—Approved Forms Federal Power Act, Chapter I, Title 18, Code of Federal Regulations be amended to read as hereinafter provided.

(3) Good cause exists for adoption and promulgation of the matters referred to above immediately upon issuance of this order; all as hereinafter provided.

The Commission acting pursuant to the Federal Power Act, as amended particularly sections 3(13), 4 (a), (b), (c), 301(a), 302, 304, 309, and 311 thereof (16 U.S.C. 796 (13), 797 (a), (b), (c), 825(a), 825a, 825c, 825h, and 825j) orders:

(A) The revised Report Form as set forth in annexed Appendix A is adopted and promulgated as this Commission's F.P.C. Form No. 1–F effective for use in reporting for the calendar year beginning January 1, 1961, or subsequently during the calendar year 1961 if an established fiscal year is other than the calendar year, and years thereafter.

(B) Section 141.2, Part 141, Subchapter D—Approved Forms, Federal Power Act, of Chapter I of Title 18 of the Code of Federal Regulations, is amended to read as follows:

§ 141.2 Form No. 1–F; Annual Report for public utilities and licensees, (Class C and Class D).

(a) (1) The form of Annual Report for public utilities and licensees, Class C and Class D, designated as F.P.C. Form No. 1–F[2] in the Commission's regulations under the Federal Power Act is prescribed for the year 1961 and thereafter.

(2) This report form is not prescribed for municipalities as defined in section 3 of the Federal Power Act; i.e., a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.

(b) Each public utility or licensee, as defined in the Federal Power Act which is included in Class C or Class D as defined in the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees, effective January 1, 1961, shall prepare and file with the Commission for the year beginning January 1, 1961, or subsequently during the calendar year 1961 if its established fiscal year is other than the calendar year, and for each year thereafter, on or before the last day of the third month following the close of the calendar year or other established fiscal year (except that such reports for the calendar year 1961 or a fiscal year beginning during 1961 may be filed on or before July 16, 1962, or one month after the end of the fiscal year whichever is later) an original and one conformed copy of the above-designated F.P.C. Form 1–F, all properly filled out and verified. One copy of said report should be retained by the correspondent in its files. The conformed copy may be a carbon copy if legible.

(c) This annual report contains the following schedules:

Identification.
General Instructions.
General Information.
Security Holders and Voting Powers.
Officers and Directors.
Comparative Balance Sheet.
Accumulated Provision for Depreciation and Amortization of Utility Plant.
Capital Stock.
Long-Term Debt.
Condensed Income Statement.
Earned Surplus.
Electric Sales Data for the Year.
Sales of Electricity for Resale.
Electric Operation and Maintenance Expenses.
Purchased Power.
Utility Plant.
Generating Station Statistics.
Transmission Line Statistics.
Transmission Lines Added During Year.
Verification.

(Secs. 3(13), 4 (a), (b), (c), 41 Stat. 1065, as amended, secs. 301(a), 302, 304, 309, 311, 49 Stat. 838, 839, 854, 855, 858, 859; 16 U.S.C. 796(13), 797 (a), (b), (c), 825(a), 825a, 825c, 825h, 825j)

(C) This order shall be effective upon the date of issuance thereof.

(D) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

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

[F.R. Doc. 62–5840; Filed, June 14, 1962; 8:45 a.m.]

[1] For reporting years 1939 through 1958 this Commission had separate annual report forms for Class C and Class D electric utilities and licensees. The report form for Class C companies was prescribed by Order No. 55 of September 7, 1938 (3 F.R. 2254, September 20, 1938) and amended by Order No. 76 of September 24, 1940 (5 F.R. 3860, October 1, 1940), Order No. 110 of December 21, 1943 (8 F.R. 17337, December 28, 1943), and Order No. 150 of November 22, 1949 (14 F.R. 7248, December 2, 1949). The report form for Class D companies was prescribed by Order No. 56 of September 7, 1938 (3 F.R. 2255, September 20, 1938), and amended by Order No. 77 of September 24, 1940 (5 F.R. 3860, October 1, 1940), Order No. 111 of December 21, 1943 (8 F.R. 17337, December 28, 1943), and by Order No. 150 of November 22, 1949 (14 F.R. 7248, December 2, 1949).

The combined report form, for Class C and Class D companies, F.P.C. Form No. 1–F was promulgated by Order No. 212 of March 26, 1959 (24 F.R. 2526, April 1, 1959).

[2] Form filed as part of original document.

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2694]

[Arizona 026036]

ARIZONA

Revoking Air Navigation Site Withdrawal No. 143; Partly Revoking Air Navigation Site Withdrawal No. 158

By virtue of the authority vested in the Secretary of the Interior by section 4 of the act of May 24, 1928 (45 Stat. 728; 49 U.S.C. 214), it is ordered as follows:

1. The departmental orders of July 31, 1940, and April 9, 1941, so far as they withdrew the following described public lands for use of the Department of Commerce in the maintenance of air navigation facilities, are hereby revoked, as indicated:

GILA AND SALT RIVER MERIDIAN

(a) Order of July 31, 1940 (Air Navigation Site No. 143).

T. 1 N., R. 3 W.,
Sec. 7, W½NE¼ and E½NW¼.

(b) Order of April 9, 1941 (Air Navigation Site No. 158).

T. 3 N., R. 20 W.,
Sec. 16, S½SW¼SW¼, SE¼SW¼, SW¼NW¼SE¼, and N½SW¼SE¼;
Sec. 20, N½NW¼NE¼, N½NE¼NE¼, SW¼NW¼NE¼, and SE¼NE¼NW¼;
Sec. 21, NW¼NW¼NW¼.

Containing 320 acres.

2. The lands in subparagraph (a), above, are located some three miles north of the Town of Buckeye; those in (b), about 12 miles south and west of Quartzsite, Arizona. Vegetation consists of the usual southern desert types.

3. The lands are hereby restored to the operation of the public land laws, subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals provided, that, until 10:00 a.m. on December 10, 1962, the State of Arizona shall have a preferred right of application to select the lands in accordance with subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning 10:00 a.m. on December 10, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Phoenix, Arizona.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5875; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2695]

[Wyoming 0118976]

WYOMING

Withdrawing Public Lands for Reclamation Purposes; Savery-Pot Hook Project

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws, for reclamation purposes, for making surveys, and irrigation investigations in connection with the Savery-Pot Hook Project:

SIXTH PRINCIPAL MERIDIAN

T. 13 N., R. 89 W.,
Sec. 11, SE¼NW¼, NE¼SW¼, and SW¼SW¼;
Sec. 15, SW¼SE¼.
T. 14 N., R. 89 W.,
Sec. 2, lots 5, 6, 7, and NE¼NW¼.
T. 15 N., R. 89 W.,
Sec. 25, lot 6;
Sec. 35, lots 1 to 5, incl., SE¼NW¼, and SW¼.
T. 12 N., R. 90 W.,
Sec. 1, lot 1;
Sec. 8, SE¼;
Sec. 17, NE¼NE¼;
Sec. 19, lots 1 and 2.
T. 13 N., R. 91 W.,
Sec. 27, SW¼NW¼;
Sec. 34, lot 1.
T. 12 N., R. 93 W.,
Sec. 17, SW¼NE¼, S½NW¼, and S½;
Sec. 18, SE¼SE¼;
Sec. 19, lot 2;
Sec. 20, lots 1 and 2;
Sec. 21, lots 1 and 2.

The areas described aggregate 1,485.45 acres.

The lands shall be administered by the Bureau of Land Management under appropriate public land laws until such time as they or any portion thereof are needed for project works or irrigation purposes.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5876; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2696]

IDAHO AND CALIFORNIA

Opening Lands Under Section 24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to determinations of the Federal Power Commission docketed as DA-556, 560-Idaho, and DA-987-California, it is ordered as follows:

1. The following-described lands are hereby restored to the operation of the public land laws, subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations and the provisions of any existing withdrawals:

[Idaho 013072, 013088]

IDAHO

BOISE MERIDIAN

T. 25 N., R. 1 E. (Project 2273),
Sec. 14, lot 1, less patented M.S. No. 2381).
T. 6 S., R. 12 E. (Project 1975),
Sec. 9, lots 4 and 5.

[Sacramento 062877]

CALIFORNIA

MOUNT DIABLO MERIDIAN

T. 16 N., R. 6 E.,
Sec. 28, lot 13.

Containing 141.89 acres.

2. Until 10:00 a.m. on December 10, 1962, the State of California shall have (1) a preferred right of application to select the California lands in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways.

3. Disposals of any of the lands described in this order shall be subject to the provisions of Section 24 of the Federal Power Act, as amended. Disposals of the lands in T. 25 N., R. 1 E., shall be further subject to the condition that in the event the land is required for power purposes, any improvements or structures placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with power development at no cost to the United States, its permittées or licensees. Disposals of the lands in T. 6. S., R. 12 E., shall be further subject to the prior rights of the licensee for Project No. 1975 and its successors to use the affected portion of the lands for project purposes as contemplated in the license for said project.

4. The State of Idaho has waived its preference rights under the Act of August 27, 1958, and under section 24 of the Federal Power Act, supra.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621). The lands in Projects 2273 and 1975 shall be open to mining location, subject to the stipulations prescribed by the Commission in its determinations, beginning at 10:00 a.m. on July 17, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho, or Sacramento, California, as appropriate.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5877; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2697]

[1609198, 1633262]

ARIZONA AND NEW MEXICO

Modification of Grazing Districts; New Mexico No. 3 and Arizona No. 4

By virtue of the authority contained in the act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315 et seq.), as amended, known as the Taylor Grazing Act, it is ordered as follows:

1. The order of the Bureau of Land Management of March 24, 1953 (18 F.R. 1761), excluding the following described lands from New Mexico Grazing District No. 3 and adding them to Arizona Grazing District No. 4, is hereby revoked, and the lands shall resume their status as, and be administered as a part of New Mexico Grazing District No. 3:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 S., R. 19 W.,
Sec. 27, W½;
Secs. 28 to 33, incl.;
Sec. 34, W½.

T. 21 S., R. 19 W.,
Secs. 4 to 9, incl.
T. 16 S., R. 20 W.,
Sec. 18, S½, E½NW¼, and SW¼NW¼;
Secs. 19, 30, and 31.
T. 17 S., R. 20 W.,
Sec. 4, E½, E½W½, and W½SW¼;
Sec. 5, S½;
Secs. 6 to 9, incl.;
Secs. 17 to 21, incl.;
Sec. 22, N½NW¼, SW¼NW¼, and NW¼SW¼;
Sec. 28, N½ and NW¼SW¼;
Sec. 29, N½, N½SE¼, and NE¼SW¼;
Secs. 30 and 31.
T. 18 S., R. 20 W.,
Sec. 6, W½ and W½NE¼;
Sec. 7, W½;
Sec. 18, W½NW¼ and NW¼SW¼.
T. 19 S., R. 20 W.,
Sec. 7, SW¼ and SW¼SE¼;
Sec. 17, S½ and SW¼NW¼;
Secs. 18 to 20, incl.;
Sec. 21, W½SW¼ and SE¼SW¼;
Sec. 27, W½W½ and SE¼SW¼;
Secs. 28 to 33, incl.;
Sec. 34, W½ and W½SE¼.
T. 20 S., R. 20 W.,
Sec. 3, W½, W½E½, and NE¼SE¼;
Secs. 4 to 9, incl.;
Sec. 10, W½ and W½E½;
Sec. 15, W½ and W½E½;
Secs. 16 to 21, incl.;
Sec. 22, W½ and W½E½;
Secs. 25 to 36, incl.
T. 21 S., R. 20 W.,
Secs. 1 to 31, incl.;
Sec. 32, NW¼, N½SW¼, SW¼SW¼, W½NE¼, and NE¼NE¼;
Sec. 33, N½ and NE¼SE¼;
Sec. 34;
Sec. 35, N½ and N½SW¼;
Sec. 36, N½NW¼ and SW¼NW¼.
T. 22 S., R. 20 W.,
Sec. 3, NW¼NE¼, NE¼NW¼ (lots 2 and 3).
T. 16 S., R. 21 W.,
Secs. 2 to 11, incl.;
Sec. 12, W½ and W½E½;
Sec. 13, W½, W½E½, E½SE¼, and SE¼NE¼;
Secs. 14 to 36, incl.
T. 17 S., R. 21 W.
T. 18 S., R. 21 W.,
Secs. 1 to 22, incl.;
Sec. 23, N½;
Sec. 24, NW¼ and W½NE¼;
Secs. 27 to 34, incl.;
Sec. 35, S½.
T. 19 S., R. 21 W.,
Secs. 2 to 11, incl.;
Sec. 12, W½, SE¼, and S½NE¼;
Secs. 13 to 36, incl.
T. 20 S., R. 21 W.
T. 21 S., R. 21 W.
T. 22 S., R. 21 W.
Secs. 6 and 7;
Secs. 18 and 19;
Sec. 30, W½.
T. 23 S., R. 21 W.,
Secs. 30 and 31.
T. 25 S., R. 21 W.,
Secs. 6 and 7;
Secs. 16 to 21, incl.;
Sec. 27, W½;
Secs. 28 to 33, incl.;
Sec. 34, W½.
T. 26 S., R. 21 W.,
Secs. 4 to 9, incl.;
Sec. 15, W½;
Secs. 16 to 21, incl.;
Sec. 22, W½ and S½SE¼;
Secs. 27 to 34, incl.
T. 27 S., R. 21 W.,
Secs. 3 to 10, incl.;
Sec. 14, W½;
Secs. 15 to 22, incl.;
Sec. 23, W½, SE¼, and SW¼NE¼;
Sec. 26, NW¼ and NW¼NE¼;
Sec. 27, N½, SW¼, N½SE¼, and SW¼SE¼;
Secs. 28, 29, 30, 31, 32, and 33;
Sec. 34, W½ and NW¼NE¼.
T. 28 S., R. 21 W.,
Sec. 3, W½W½ and SE¼SW¼;
Secs. 4 to 10, incl.;
Sec. 11, W½, SE¼, and SW¼NE¼;
Secs. 13 to 23, incl.;
Sec. 24, W½ and W½NE¼;
Sec. 25, NW¼;
Secs. 26 to 34, incl.
T. 29 S., R. 21 W.,
Secs. 3 to 10, incl.;
Sec. 11, W½ and W½NE¼;
Sec. 14, N½NW¼;
Sec. 15, N½, N½S½, and SW¼SW¼;
Secs. 16 to 20, incl.;
Sec. 21, N½, SW¼, and NW¼SE¼;
Sec. 22, NW¼NW¼;
Sec. 28, W½NW¼ and SW¼SW¼;
Secs. 29 to 32, incl.;
Sec. 33, W½.
T. 30 S., R. 21 W.,
Sec. 4, W½ and SE¼;
Secs. 5 to 9, incl.;
Secs. 17 and 18.
T. 34 S., R. 21 W.,
Sec. 4, W½W½;
Secs. 5 to 8, incl.;
Sec. 9, W½W½;
Sec. 15, N½;
Sec. 16;
Sec. 17, N½NW¼ and SW¼NW¼;
Sec. 18;
Sec. 19.
Tps. 26, 27, 28, 29, and 30 S., R. 22 W.
T. 31 S., R. 22 W.,
Secs. 1 and 2;
Secs. 11 and 12.
T. 34 S., R. 22 W.

2. The following described lands, not now a part of any Grazing District, are hereby added to and made a part of New Mexico Grazing District No. 3:

NEW MEXICO PRINCIPAL MERIDIAN

T. 15 S., R. 7 W.,
Sec. 23, S½;
Sec. 24, S½;
Secs. 25, 26, 27, 33, 34, 35, and 36.
T. 16 S., R. 7 W.,
Secs. 2, 3, 4, 9, and 10.
T. 15 S., R. 6 W.,
Sec. 31.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5878; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2698]

[Anchorage 027817]

ALASKA

Withdrawing Lands for Use of the Department of the Army

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved under jurisdiction of the Department of the Army for the protection of Nike Site facilities erected on the lands:

SEWARD MERIDIAN

T. 14 N., R. 1 W.,
Sec. 31, N½SW¼.

Containing 80 acres.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5879; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2699]

[Nevada 057553, 1916095]

NEVADA

Partly Revoking Public Land Order No. 6 of July 26, 1942

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 6 of July 26, 1942, withdrawing lands for use of the War Department as an air base, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 20 N., R. 19 E.,
Sec. 4, the south 200 ft. of S½SW¼.

Containing 12.11 acres.

2. The lands are subject to rights-of-way to the State of Nevada for material sites under section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U.S.C. 18), as amended. At 10:00 a.m. on July 17, 1962, the lands shall be subject to such forms of use and disposition as may by law be made of lands so appropriated (61 I.D. 255).

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5880; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2700]

[Oregon 011894]

OREGON

Revoking Reclamation Withdrawal; Vale Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental order of March 18, 1929, and any other order or orders which withdrew lands for reclamation purposes under the provisions of the act of June 17, 1902, supra, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 21 S., R. 36 E.,
Sec. 21, W½W½;
Sec. 27, E½SW¼;
Sec. 28, SW¼NE¼, E½NW¼, and W½SE¼;
Sec. 33, NE¼NE¼;
Sec. 34, NE¼, NW¼NW¼, and SW¼SW¼.

T. 22 S., R. 36 E.,
Sec. 2, lot 3 and SW¼SE¼;
Sec. 3, lot 2, SW¼NE¼, and W½SE¼;
Sec. 10, E½E½;
Sec. 11, NE¼NE¼, NW¼SW¼, and S½SW¼;
Sec. 12, NW¼ and NE¼SW¼;
Sec. 13, W½E½ and E½SW¼;
Sec. 14, W½NE¼, E½NW¼, NE¼SW¼, S½SW¼, and NW¼SE¼;
Sec. 21, SE¼;
Sec. 22, N½S½;
Sec. 23, W½NW¼;
Sec. 24, NW¼NE¼, SE¼NE¼, and E½SE¼;
Sec. 25, SW¼NW¼;
Sec. 26, S½NW¼ and S½;
Sec. 27, S½N½ and SE¼SE¼;
Sec. 28, NE¼;
Sec. 34, E½E½;
Sec. 35, NW¼, SW¼, and NW¼SE¼.
T. 23 S., R. 36 E.,
Sec. 2, lots 3, 4, SW¼NW¼, NW¼SW¼, and S½SW¼;
Sec. 3, lots 1, 2, S½NE¼, and SE¼;
Sec. 11, SW¼NE¼, NW¼, N½SW¼, SW¼SW¼, and NW¼SE¼;
Sec. 13, W½W½ and E½SW¼;
Sec. 14, E½, N½NW¼, and SE¼NW¼;
Sec. 24, N½.
T. 22 S., R. 37 E.,
Sec. 19, lot 4;
Sec. 30, N½NW¼, SE¼NW¼, W½SE¼, and SE¼SE¼;
Sec. 31, N½NE¼, SE¼NE¼, and NE¼SE¼;
Sec. 32, W½W½.
T. 23 S., R. 37 E.,
Sec. 4, SW¼SW¼;
Sec. 5, lots 3, 4, NE¼SW¼, W½SE¼, S½NW¼, and SE¼SE¼;
Sec. 7, SE¼SW¼ and SW¼SE¼;
Sec. 8, NE¼NE¼, S½NE¼, and SE¼;
Sec. 9, NW¼;
Sec. 18, NE¼NW¼;
Sec. 19, lots 1, 2, and E½NW¼.

The areas described aggregate approximately 7,533 acres.

2. The lands are hereby restored to the operation of the public land laws, effective at 10:00 a.m. on July 17, 1962, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

3. The State of Oregon has waived the preference right of application granted to it by subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5881; Filed, June 14, 1962; 8:48 a.m.]

[Public Land Order 2701]

[Colorado 014413 etc.]

COLORADO

Opening Lands Under Section 24 of the Federal Power Act; Power Site Reserve No. 124, Power Site Classification No. 176

1. In DA Nos. 385, 393, 432, 437, and 439-Colorado, the Federal Power Commission determined that the value of the following-described lands will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended:

SIXTH PRINCIPAL MERIDIAN

T. 1 N., R. 90 W.,
Sec. 20, lots 5 and 7.
T. 1 N., R. 91 W.,
Sec. 25, lots 5, 8, 9, and 10;
Sec. 35, lot 1 and SW¼NE¼.

Containing approximately 140 acres.

2. The lands are situated along the North Fork of the White River, from three to eight miles upstream from Buford, Colorado.

3. Subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on December 10, 1962, the State of Colorado shall have (1) a preferred right of application to select the lands described in Paragraph 1 hereof, in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of section 24 of the Federal Power Act, as amended.

(b) All valid applications and selections under the nonmineral public land laws other than any from the State of Colorado presented prior to 10:00 a.m. on December 10, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. Any disposals of the lands described in this order shall be subject to the provisions of section 24 of the Federal Power Act, supra, as specified by the Federal Power Commission in its determinations.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

6. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colorado.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5882; Filed, June 14, 1962; 8:48 a.m.]

Chapter II—Bureau of Reclamation, Department of the Interior

PART 416—RECLASSIFICATION AS IRRIGABLE OF HIGH LAND IN FARM UNITS, COLUMBIA BASIN PROJECT, WASHINGTON

The purpose of this amendment is to prescribe the policies and procedures under which high land in farm units on the Columbia Basin Project, Washington, may be reclassified as irrigable and eligible to receive project irrigation water. Notice and publication procedures thereon are deemed unnecessary. This part has been prepared after receiving comments of the three Columbia Basin Irrigation Districts as representatives of the affected water users and reflects their approval in accordance with existing law and repayment contracts. The procedures herein are effective on approval of each application and contract and by the individual affected and the irrigation district in which the land is located. These regulations are hereby adopted and shall become effective upon publication in the FEDERAL REGISTER.

A new Part 416 is added to Title 43, Chapter II, reading as follows:

Sec.
416.1 Purpose.
416.2 Definitions; address.
416.3 Filing of application.
416.4 Conditions precedent to reclassification.
416.5 Contract with the United States and the Irrigation District.
416.6 Execution of contract by the Irrigation District and the United States.
416.7 Recording of contract.
416.8 Water service charge when no assessment.

AUTHORITY: §§ 416.1 to 416.8 issued under sec. 8, 57 Stat. 14 et seq.; 16 U.S.C. 835 et seq.

§ 416.1 Purpose.

The regulations in this part prescribe the policies and procedures under which high land in farm units on the Columbia Basin Project, Washington, may be reclassified as irrigable so that the high land will be eligible to receive project irrigation water on the same basis as other lands in farm units of similar quality classed as irrigable.

§ 416.2 Definitions; address.

As used in this part:

(a) "Project Manager" means the Project Manager, Columbia Basin Project, Bureau of Reclamation. Communications should be addressed to that officer at Ephrata, Washington.

(b) "Project Act" means the Columbia Basin Project Act (16 U.S.C. 835 et seq.) as amended.

(c) "Farm unit" means a farm unit on the Columbia Basin Project as referred to in the Project Act.

(d) "Landowner" has the meaning ascribed to it in the Project Act.

(e) "High land" means land within a farm unit which land, although arable, is classified as nonirrigable because of higher elevation or location with respect to the turnout and measuring device provided for delivery of water from the Project irrigation system to the farm unit or portion therof.

(f) "Reclassified high land" means high land which the United States has reclassified as irrigable.

(g) "Irrigation District" means the particular irrigation district on the Columbia Basin Project in which the farm unit is located.

§ 416.3 Filing of application.

A landowner or contract purchaser holding a farm unit containing high land may make application to the Project Manager through the Irrigation District, on a form to be provided by the Project Manager, to have all or a portion of the high land in the farm unit reclassified as irrigable.

§ 416.4 Conditions precedent to reclassification.

As a condition precedent to reclassification as irrigable, following receipt of an application therefor, the Project Manager shall determine that:

(a) The irrigation block, as defined in the Reclamation Project Act of 1939, containing the high land is in the development period, established pursuant to the repayment contract between the United States and the Irrigation District, and the irrigable area of the block has not yet been finally determined by the Secretary of the Interior.

(b) The total irrigable area of the farm unit, including the high land sought to be reclassified, does not exceed 160 acres or a nominal quarter section.

(c) The total irrigable acreage of farm units held by the landowner and eligible for water, including such high land covered by the application as is classified as irrigable, does not exceed the maximum permitted by law and regulations thereunder.

(d) Capacity in the Project irrigation distribution system is available under normal conditions to serve the high land.

(e) Reclassification of the high land as irrigible is in the interests of sound Project development and the land may reasonably be expected to support project irrigation charges over a continuing period.

§ 416.5 Contract with the United States and the Irrigation District.

If the Project Manager makes those determinations listed in § 416.4, he shall present a form of contract to the applicant which will reclassify the high land as irrigable and will contain the following provisions and such others as may be appropriate:

(a) The Contractor agrees that the reclassified high land will be subject to irrigation assessments for construction, development period water rental, operation and maintenance, and other charges, to land classification and water allotment determinations, and to other provisions of the repayment contract between the United States and the District and to laws, rules and regulations in the same manner and to the same extent as lands in farm units heretofore classified as irrigable.

(b) The District will pay the United States on behalf of the reclassified high land, pursuant to the provisions of its repayment contract with the United States, the construction, development period water rental, operation and maintenance, and other charges applicable to such land at the same times and at the same rates as for other lands in Project farm units of similar land class.

(c) An allotment of water will be available to the reclassified high land in the same quantity per acre as for other lands in Project farm units of the same water requirement class or classes (such classes being provided for in the said repayment contract). Irrigation water for the reclassified high land will be delivered through the turnout or turnouts serving the farm unit in which the reclassified high land is located as the turnout or turnouts now exist or may hereafter be reconstructed. Irrigation water shall be conveyed by the Contractor from the said turnout or turnouts to the reclassified high land at his own expense and without cost to the United States or the District for construction or operation and maintenance of any special facilities required to make water available to the reclassified high land, provided, that the Contractor shall not maintain the water surface in the head ditch or ditches receiving water from the said turnout or turnouts at higher than the level established by the United States or the District as the delivery water surface elevation for the turnout involved.

(d) The Contractor, in consideration of the reclassification of high land as irrigable as provided for herein and the agreement to furnish water to such land, expressly waives any rights with respect to the reclassified high land which may be available under laws of the State of Washington or otherwise, such as for decreased construction, development period water rental, operation and maintenance, and other charges, on account of benefits from the Columbia Basin Project being less for the reclassified high land because of location as compared to the other lands and the added costs and inconvenience to him of his serving such lands.

(e) Subject to the Federal Reclamation Laws and the above said repayment contract, as the same may be amended, the provisions of this contract shall be binding on the heirs, devisees, successors or assigns of the Contractor and the successors and assigns of the United States and the District, and all such provisions are covenants that shall run with and bind the high land. This contract may not be terminated or amended by or at the request of the Contractor, and it will be understood that the same is for the permanent reclassification of high land as irrigable and is in no sense a temporary contract.

§ 416.6 Execution of contract by the Irrigation District and the United States.

Upon execution of the contract by the landowner and, if the farm unit is under contract of sale, the vendee, and its return to the Project Manager, the latter shall submit the contract to the Irrigation District for execution if satisfactory. Upon execution by the Irrigation District, the Project Manager will execute the contract on behalf of the United States, if satisfactory.

§ 416.7 Recording of contract.

After execution by all parties thereto, each contract shall be recorded by the United States in the office of the appropriate county auditor. The cost of recording shall be borne by the landowner or contract purchaser.

§ 416.8 Water service charge when no assessment.

If a contract is fully executed and recorded prior to the end of an irrigation season but subsequent to the date of the annual levy of assessments for the season, the landowner or contract purchaser will be required, as a condition precedent to receiving water service for the reclassified high land that year, to make appropriate payment to the Irrigation District for the water service which will be available to the reclassified high land during that irrigation season or the remaining portion thereof.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5883; Filed, June 14, 1962; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 61, 65, 106, 132, 166, 167, 169, 181, 185, 186, 192, 216, 234, 240, 244, 270, 273]

SERVICE FEES AND CHARGES

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by Title II of the act of July 14, 1960 (74 Stat. 506), and section 2478 of the Revised Statutes (43 U.S.C. 1201), it is proposed to amend portions of 43 CFR, Chapter I, as set forth below. The purpose of the amendment is to establish reasonable filing fees, service fees and charges and commissions with respect to applications and other documents relating to public lands and resources administered by the Bureau of Land Management in lieu of existing fees, charges, and commissions which were established by acts of the Congress and which are no longer reasonable under existing conditions.

Section 201 of the act of 1960, supra, provides that before any action is taken thereunder, the Secretary of the Interior shall publish in the FEDERAL REGISTER notice of his intention to take such action, and shall afford interested parties a period of at least 30 days within which to submit data, views and arguments either in writing or in open hearing. Accordingly, interested persons may submit written data, views and arguments, and comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Land Management, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

§ 61.16 [Revocation]

1. Section 61.16 is revoked.

Section 61.17 is renumbered § 61.16 and revised to read as follows:

§ 61.16 Entry and final certificate.

The application and proof filed therewith will be carefully examined and, if all be found regular, the application will be allowed and final certificate issued upon the payment of a service charge of $25 and in the absence of objections shown by the records.

2. Section 61.18 is renumbered § 61.17 and revised to read as follows:

§ 61.17 Scrip which may and may not be located in Alaska.

No scrip or lieu rights can be located in Alaska except soldier's additional homestead rights.

3. Section 65.24 is revised to change the heading and to read as follows:

§ 65.24 Payments required at the time of entry and proof; form of remittances.

(a) When a homesteader applies to make entry he must pay an application nonrefundable service charge of $25. In addition, he must pay with his final proof, a nonrefundable service charge of $25. A successful contestant for the lands, pursuant to the Act of May 14, 1880 (21 Stat. 143; 43 U.S.C. 185), as amended, must pay, as a nonrefundable cancellation service charge, an additional $10. On all final proofs made before the manager, or before any other officer authorized to take proofs, the claimant must pay to the manager the costs of reducing the testimony to writing, as determined by the manager. No proof shall be accepted or approved until all charges have been paid.

(b) Remittances other than cash or currency are to be made payable to the Bureau of Land Management. Checks or drafts are accepted subject to collection and final payment without cost to the government.

4. Section 106.15 is added reading as follows:

§ 106.15 Reducing testimony to writing.

On all final proofs made before the manager, or before any other officer authorized to take proofs, the claimant must pay to the manager the costs of reducing the testimony to writing, as determined by the manager. No proof shall be accepted or approved until such payment has been made.

5. Section 132.13 is revised to read as follows:

§ 132.13 Allowance of application and issuance of final certificate.

A soldier's additional application does not segregate the land nor prohibit the filing of other applications for such land until after its allowance. The entry and final certificate should bear the same date. The manager, after collecting a service charge of $25, will issue final certificate.

§ 166.1 [Amendment]

6. Paragraphs (c), (d), and (e) of § 166.1 are revoked in their entirety.

7. The heading and present text of § 166.8 are amended to read as follows:

§ 166.8 Payments required at the time of entry and proof; form of remittance.

(a) When a homesteader applies to make entry he must pay a nonrefundable application service charge of $25. In addition, he must pay with his final proof, a nonrefundable service charge of $25. A successful contestant for the lands, pursuant to the act of May 14, 1880 (21 Stat. 141; 43 U.S.C. 185), as amended, must pay, as a cancellation service charge, an additional $10, which is not returnable. On all final proofs made before the manager, or before any other officer authorized to take proofs, the claimant must pay to the manager the costs of reducing the testimony to writing, as determined by the manager. No proof shall be accepted or approved until all charges have been paid.

(b) Remittances other than cash or currency are to be made payable to the Bureau of Land Management. Checks or drafts are accepted subject to collection and final payment without cost to the government.

8. The heading and present text of § 167.4 are amended to read as follows:

§ 167.4 Compactness; payments, forms of remittances.

(a) A tract included in an entry under the Enlarged Homestead Acts or in any entry under the general law, and an additional entry under said acts, should be in compact form, and such claim may not be permitted to entirely surround a subdivision of unappropriated lands subject to entry under said acts.[3]

(b) When a homesteader applies to make entry, he must pay a nonrefundable application service charge of $25. In addition, he must pay with his final proof, a nonrefundable service charge of $25. A successful contestant for the lands pursuant to the act of May 14, 1880 (21 Stat. 141; 43 U.S.C. 185), as amended, must pay, as a nonrefundable cancellation service charge, an additional $10. On all final proofs made before the manager, or before any other officer authorized to take proofs, the claimant must pay to the manager the costs of reducing the testimony to writing, as determined by the manager. No proof can be accepted or approved until all charges have been paid.

(c) Remittances other than cash or currency are to be made payable to the Bureau of Land Management. Checks or drafts are accepted subject to collection and final payment without cost to the government.

9. The heading and present text of § 169.10 are amended to read as follows:

§ 169.10 Payments required at the time of entry and proof; form of remittances.

(a) When a homesteader applies to make entry, he must pay a nonrefundable application service charge of $25. In addition, he must pay with his final proof, a nonrefundable service charge of $25. A successful contestant for the lands, pursuant to the act of May 14, 1880 (21 Stat. 141; 43 U.S.C. 185), as amended, must pay, as a nonrefundable cancellation service charge, an additional $10. On all final proofs made before the manager, or before any other

[3] An original entry under the Enlarged Homestead Acts may not exceed one and one-half miles in extreme length (47 L.D. 370).

officer authorized to take proofs, the claimant must pay to the manager the costs of reducing the testimony to writing, as determined by the manager. No proof shall be accepted or approved until all charges have been paid.

(b) Remittances other than cash or currency are to be made payable to the Bureau of Land Management. Checks or drafts are accepted subject to collection and final payment without cost to the government.

10. Paragraph (a) of § 181.6 is revised to read as follows:

§ 181.6 Soldiers' and sailors' declaratory statements.

(a) "Veterans of other wars" may initiate a homestead entry by filing a soldiers' and sailors' declaratory statement. Veterans who served between May 9, 1916, and March 3, 1921, must file their statements in person on Form 4–546. Others may file either on Form 4–545 through an agent acting under power of attorney, or on Form 4–546 when filing in person. Such statements must be accompanied by a nonrefundable application service charge of $10.

11. Paragraph (b) of § 185.36 is amended to read as follows:

§ 185.36 Mineral locations in reclamation withdrawals.

* * * * *

(b) Application to open lands to location under the act may be filed by a person, association or corporation qualified to locate and purchase claims under the general mining laws. The application must be executed in duplicate and filed in the land office of the district in which the lands are situated, must describe the land the applicant desires to locate, by legal subdivision if surveyed, or by metes and bounds if unsurveyed, and must set out the facts upon which is based the knowledge or belief that the lands contain valuable mineral deposits, giving such detail as the applicant may be able to furnish as to the nature of the formation, kind and character of the mineral deposits. Each application shall be accompanied by a $10 nonrefundable service charge.

12. The heading and present text of § 185.84 are amended to read as follows:

§ 185.84 Service charge.

The service charge payable to the Bureau of Land Management for filing and acting upon applications for mineral-land patents is $25 to be paid by the applicant for patent at the time of filing, and a sum of $10 is payable by an adverse claimant at the time of filing his adverse claim. These charges are nonrefundable.

13. The present text of § 185.86 is designated as paragraph (a) and a new paragraph (b) added as follows:

§ 185.86 Protest against mineral applications.

* * * * *

(b) Such protest filed by any party, other than a Federal agency, must be accompanied by a $10 nonrefundable service charge.

14. Paragraph (a) of § 185.96 is amended to read as follows:

§ 185.96 Filing of petition for deferment, contests.

(a) In order to obtain temporary deferment, the claimant must file with the manager of the land office for the district in which the lands are situated, a petition in duplicate requesting such deferment. No particular form of petition is required, but the applicant must attach to one copy thereof a copy of the notice to the public required by the act which shows that it has been filed or recorded in the office in which the notices or certificates of location were filed or recorded. The petition and duplicate should be signed by at least one of the owners of each of the locations involved, shall give the names of the claims, dates of location, and the date of the beginning of the one-year period for which deferment is requested. Each petition shall be accompanied by a $10 nonrefundable service charge.

15. A new subparagraph (4) is added to paragraph (c) of § 186.10 reading as follows:

§ 186.10 Request for publication of notice of Leasing Act filing; supporting instruments.

(c) * * *

(4) A nonrefundable $10 remittance to cover service charge.

16. Section 192.60 is amended to read as follows:

§ 192.60 Application to exchange lease for a new lease.

Any lease which issued for a term of 20 years, or any renewal thereof, or which issued in exchange for a 20-year lease prior to August 8, 1946, may be exchanged for a new lease. Such new lease will be issued for a primary term of five years and so long thereafter as oil or gas is produced in paying quantities and will contain the rental and royalty rates prescribed in §§ 192.80, 192.81, and 192.82. An application to exchange a lease for a new lease should be filed in triplicate by the lessee with the manager of the appropriate land office, must show full compliance by the applicant with the terms of the lease and applicable regulations, and must be accompanied by a nonrefundable filing fee of $10.

17. Paragraph (a) of § 192.61 is amended to read as follows:

§ 192.61 Application for renewal.

(a) Twenty-year leases or renewals thereof may be renewed for successive terms of 10 years at the rental and royalty rates specified for such renewal leases in §§ 192.80, 192.81, and 192.82. An application to renew should be filed in triplicate, in the proper office as prescribed in § 192.42(b), at least 90 days, but not more than six months, prior to the expiration of its term, and must be accompanied by a nonrefundable filing fee of $10. Such application should be made by the record title holder or holders of the lease and may be joined in or consented to by the operator of record. The application should show whether all moneys due the United States have been paid and whether operations under the lease have been conducted in accordance with the regulations of the Department.

18. Part 216 is revised in its entirety to read as follows:

PART 216—PAYMENTS

Sec.
216.1 Amount of payments.
216.2 Forms of remittances.

§ 216.1 Amount of payments.

(a) The amount of payments required in connection with the processing of any application, sale, entry, lease, permit, or other transaction governed by the regulations in this chapter are set forth in applicable regulations.

(b) The amount of payments required for copies and abstracts of records, including plats and diagrams showing the status of lands, are determined as provided in Part 2 of this title.

§ 216.2 Forms of remittances.

(a) Subject to the condition set forth in paragraph (b) of this section, forms of remittances that will be accepted in payment of fees, rentals, purchase price, and other charges required by the regulations in this Chapter include cash and currency of the United States and checks, money orders, and bank drafts if they are made payable to the Bureau of Land Management. Checks or drafts are accepted subject to collection and final payment without cost to the Government.

(b) Personal checks are an acceptable form of remittance except where the regulations in this chapter specifically provide otherwise.

19. The text of § 234.4 preceding the lettered paragraphs of that section, is amended to read as follows:

§ 234.4 Application.[1]

Any qualified applicant desiring to explore for water under the terms of this act should file with the manager of the land office of the district in which the land is situated, an application for permit, together with a corroborated statement as to the character of the land, and pay a nonrefundable application service fee of $75. The application should be filed in duplicate and cover the following points:

Paragraph (f) of § 234.11 is added to read as follows:

§ 234.11 Final proof.

* * * * *

(f) The claimant must pay to the manager a nonrefundable service charge of $25 and also the costs of reducing testimony to writing, as determined by the manager.

§§ 240.9, 240.11, 240.12 [Revocations]

20. Sections 240.9, 240.11, and 240.12 are revoked in their entirety.

[1] 18 U.S.C. 1001 makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

21. Section 244.30 and the text of § 244.31 preceding the lettered paragraphs of that section are revised to read as follows:

§ 244.30 Declaratory statement.

To apply for a reservoir site under §§ 244.29 to 244.37, the applicant must file with the manager a declaratory statement drawn in accordance with Form 7,[14] together with a nonrefundable application service fee of $10. No other application is necessary.

§ 244.31 Action on declaratory statements; size, location, and number of reservoir sites.

In acting upon these statements the following general rules will be applied:

22. Paragraph (e) of § 270.3 and paragraph (b) of § 270.9 are revised to read as follows:

§ 270.3 Applications for selection.

* * * * *

(e) Applications for selection must be accompanied by a nonrefundable application service charge of $5.

§ 270.9 Applicable regulations.

* * * * *

(b) Section 270.3(c)(1) is modified to require reference to the appropriate granting act; § 270.3(c)(3) is modified to require a statement testifying to the nonmineral character of each smallest legal subdivision of the selected land; § 270.3(d)(2) is modified to permit as much as 6,400 acres in a single selection; § 270.3(e) is modified to require a nonrefundable application service fee of $10, and § 270.3(c)(2)(v) is modified to require a certificate that the selection and those pending, together with those approved, do not exceed the total amount granted for the stated purpose of the grant.

23. Sections 273.70 and 273.73 are revised to read as follows:

§ 273.70 Applications.

Application, and supporting evidence, must be filed by the carrier in the proper land office, accompanied by a nonrefundable application service charge of $10. The lands listed in any one application must be limited to those embraced in a single sale upon which the claim for patent is based. The application should state that it is filed under the railroad land grant act involved, properly cited, and subsection (b) of section 321, Part II, Title III of the Transportation Act of 1940 (54 Stat. 954). The application must be supported by a showing that the land is of the character which would pass under the grant involved, and was not by some superior or prior claim, withdrawal, reservation, or other reason, excluded from the operation of the grant. Full details of the alleged sale must be furnished, such as dates, the terms thereof, the estate involved, consideration, parties, amounts and dates of payments, made, and amounts due, if any, description of the land, and transfers of title. The use, occupancy, and cultivation of the land and the improvements placed thereon by the alleged purchaser should be described. All statements should be duly corroborated. Available documentary evidence, including the contract or deed, should be filed, which may be authenticated copies of the originals. An abstract of title may be necessary, dependent upon the circumstances of the particular case. No application for a patent under this act will be favorably considered unless it be shown that the alleged purchaser is entitled forthwith to the estate and interest transferred by such patent. Evidence of a recorded deed of conveyance from the carrier to the purchaser may be required. Where the company has on file an application in which the sold land is embraced, it need not file a new application, but may file a request for amendment of the pending application to come under the Transportation Act of 1940, together with the showing, supra, required as to the bona fide sale.

§ 273.73 Patents.

If all be found regular and in conformity with the governing law and regulations, patent shall be issued in the name of the grantee under the railroad grant, the carrier paying the costs of preparation and issuance of the patent.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JUNE 11, 1962.

[F.R. Doc. 62-5884; Filed, June 14, 1962; 8:48 a.m.]

[14] See appendix for forms.

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Proposed Rule Making With Respect to Approval of Budget and Fixing of Rate of Assessment for the Year

Consideration is being given to the approval of a budget of expenses of the Control Agency established under the marketing agreement and the marketing order (9 CFR 131.1 et seq.), regulating the handling of anti-hog-cholera serum and hog-cholera virus, and the fixing of the rate of assessment to be paid by handlers, for the calendar year 1962, as follows:

§ 131.162 Budget of expenses and rates of assessment for the calendar year 1962.

(a) *Budget of expenses.* The expenses which will necessarily be incurred by the Control Agency, established pursuant to the provisions of the marketing agreement and of the marketing order, for the maintenance and functioning of said Agency during the calendar year 1962, will amount to $45,115.00 under the recommendation of the Control Agency, from which shall be deducted the unexpended balance of $10,014.31 on hand with said Control Agency on January 1, 1962, from assessments collected during the calendar year 1961, leaving a balance of $35,100.69 to be collected during the calendar year 1962.

(b) *Rates of assessment.* Of the amount of $35,100.69 to be collected during the calendar year 1962, the sum of $27,694.44 shall be assessed against handlers who are manufacturers, and $7,406.25 shall be assessed against handlers who are wholesalers. The pro rata share of the expenses of the Control Agency to be paid for the calendar year 1962 by each handler who is a manufacturer shall be $14.67 for each ten thousand dollars or fraction thereof of serum and virus sold by such handler during the calendar year 1961 and the pro rata share of such expenses to be paid for the calendar year 1962 by each handler who is a wholesaler shall be $25.00 for the first ten thousand dollars or fraction thereof and $5.43 for each additional ten thousand dollars or fraction thereof of serum and virus sold by such handler. Such assessments shall be paid by each respective handler in accordance with the applicable provisions of the marketing agreement and order.

(c) *Terms.* As used herein, the terms "handler", "manufacturer", "wholesaler", "virus", and "serum" shall have the same meaning as is given to each such term in said marketing agreement and marketing order.

Interested parties may obtain copies of the budget mentioned herein from the Executive Secretary of the Control Agency, 714 Veterans of Foreign Wars Building, Kansas City 11, Missouri.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid consideration shall file the same with the Hearing Clerk, Room 112, Building A, United States Department of Agriculture, Washington 25, D.C., not later than the close of business on the thirtieth (30th) day after the publication of this notice in the FEDERAL REGISTER. All documents shall be filed in quadruplicate.

(49 Stat. 781; 7 U.S.C. 851 et seq.)

Issued this 12th day of June 1962.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 62-5850; Filed, June 14, 1962; 8:46 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 2]

[Docket No. R-218]

INDEPENDENT PRODUCER PRICING AREAS

Notice of Proposed Revision of Boundaries

JUNE 11, 1962.

1. Notice is hereby given of a proposed revision of the boundaries of the pricing areas set out in the appendix to Statement of General Policy No. 61-1 issued by the Commission September 28, 1960 (24 FPC 818 at 820, 25 F.R. 13969, 18

CFR 2.56), and the establishment of certain new areas.

2. In our Statement of Policy we stated "as experience and changing factors may indicate, we will change or alter these areas from time to time in order to eliminate such inequities as may appear to exist because of our use of geographical boundaries." Experience in the 20 months since these boundaries were established has suggested the need for some revisions. Geological considerations (nature, size and location of production areas), purchasing patterns in the areas of the major sources of supply and other pertinent factors have been taken into account. They indicate that certain pricing areas originally established should be altered and that some new boundaries should be established.

3. Accordingly, we are proposing to revise some of the boundaries of the pricing areas set out in the appendix to Policy Statement No. 61–1 and to establish certain other areas, all as described in the attachment hereto [1] and delineated on the appendix map.[1]

4. A comparison of the areas proposed to be established with those now in use will disclose, in general terms:

(a) There are no changes in the areas comprised of Texas Railroad Commission Districts Nos. 1, 5, 7–b, 9, and 10, or the States of Louisiana (northern and southern) and Kansas.

(b) Existing pricing areas have been divided or consolidated to form new areas as follows:

Texas Districts 2, 3, and 4 have been consolidated into the Texas Gulf Coast Area.

Texas Districts 7–c and 8 have been combined with the existing New Mexico Permian Basin Area.

Ten southwestern counties in Colorado have been combined with the existing San Juan Basin Area.

Existing Oklahoma Panhandle and Carter-Knox areas have been combined with northwestern Oklahoma counties into the Anadarko Basin Area.

(c) Proposed areas, including States or parts thereof, not heretofore included when pricing areas were originally established are as follows:

Aneth Field Areas consist of a portion of San Juan County, Utah.

Uintah-Green River Basin Area includes eight northeastern counties of Utah and portions of the existing Colorado and Wyoming areas.

Colorado-Julesburg Basin Area includes eleven northwestern counties of Nebraska and portions of the existing Colorado and Wyoming areas.

Montana-Wyoming Area includes nine Montana counties and the northern portion of the existing Wyoming area.

Montana-Dakota Area (entirely new) combines all of North Dakota with portions of Montana and South Dakota.

Oklahoma-Arkansas Area includes the portion of Arkansas east of Oklahoma and the adjoining eastern and southern portions of the existing Oklahoma area.

East Texas-Arkansas Area includes the southern tier of counties of Arkansas and the existing Texas District No. 6 area.

Mississippi Area includes four Alabama counties and the existing Mississippi area.

Illinois Basin Area (all new) includes the State of Illinois and the western portion of Kentucky.

Appalachian Area includes, in addition to the existing West Virginia area, the State of Ohio, the eastern portion of Kentucky, the western portions of Maryland, Pennsylvania and New York, and Buchanan County, Virginia.

5. Although section 4 of the Administrative Procedure Act does not, in our opinion, contemplate that prior notice be given of a proposal of this nature, the Commission will welcome the comments and suggestions of interested parties thereon and is accordingly following the formal rulemaking procedure.

6. The proposed revision of the boundaries of the pricing areas heretofore established, and the establishment of new areas as described in the attachments hereto, would be issued under the authority granted to the Federal Power Commission by the Natural Gas Act, particularly sections 4, 5, 7, and 16 thereof (52 Stat. 822, 823, 824, 830; 56 Stat. 83; 76 Stat. 72; 15 U.S.C. 717c, 717o).

7. Any interested person may submit to the Federal Power Commission, Washington 25, D.C., on or before July 11, 1962, data, views, and comments in writing concerning the proposals set forth herein. The Commission will consider these written submittals before acting upon the proposals. An original and nine (9) copies of any such submittals should be filed.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–5839; Filed, June 14, 1962; 8:45 a.m.]

[1] Filed as part of original document.

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1962 Rev. Supp. No. 1]

POTOMAC INSURANCE COMPANY

Surety Company Acceptable on Federal Bonds

JUNE 11, 1962.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C., secs. 6–13, as an acceptable surety on Federal bonds.

An underwriting limitation of $3,874,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next revision of Department Circular 570, to be issued as of May 1, 1963. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

State in Which Incorporated, Name of Company and Location of Principal Executive Office

PENNSLYVANIA

Potomac Insurance Co., Philadelphia, Pa.

[SEAL] J. DEWEY DAANE,
Acting Fiscal Assistant Secretary.

[F.R. Doc. 62-5849; Filed, June 14, 1962; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 60; Offer 21]

NEW MEXICO

Small Tract Classification

1. Pursuant to authority delegated to me by Bureau Order No. 684, dated August 28, 1961 (26 F.R. 8216), I hereby offer for sale at public auction under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, 140 tracts listed in Part 3 of this order.

2. Units Nos. 1 through 25 are located ½ mile south of the Village of Chamberino and 23 miles south of Las Cruces, New Mexico, and west of the Rio Grande. An existing unimproved road crosses Lots 22, 29, 30, 31, 36, 38, 39, and 44 of Sec. 24 and provides public access to the 25 tracts. The topography is flat to rolling with east-facing breaks along the east half of the tract. The soil is sandy and the area is cut by numerous arroyos. Vegetation consists of creosote bush, mesquite, chamisa, cacti, sand dropseed and grama grass. Units Nos. 26 through 140 are located along U.S. Highway 80–85 and near the interchange on Interstate Highway 10. Lots 14, 15, and 28 of Sec. 11 and Lots 1, 22, 23, 44, and 45 of Sec. 14 are traversed by a frontage road accessory to the Interstate Highway, and Lots 66, 67, and 88 of Sec. 14 are traversed by U.S. Highway 80–85. These tracts are located 4 miles north of Anthony, New Mexico; 20 miles north of El Paso, Texas; and 24 miles southeast of Las Cruces, New Mexico. The topography is level to undulating with mesquite-covered sand dunes. The soil is sandy to gravelly loam with slight gully erosion and moderate wind erosion. Vegetation consists of mesquite, creosote bush, chamisa, snakeweed, Russian thistle, and yucca.

The highest and best use for these lands is for desert homesite development and a limited number of business sites. These areas afford an excellent view of the Organ Mountains, the Franklin Range and the Rio Grande Valley. There are no zoning restrictions. Each area is accessible by improved county dirt roads or from paved highways. Anthony, New Mexico; El Paso, Texas; and Las Cruces, New Mexico; afford medical, educational, recreational, and religious facilities.

The climate is mild and semi-arid; the average frost-free season is about 212 days; and the annual precipitation is 9 inches. Electric power is available from nearby installations and suppliers of bottled gas, for heating purposes, are located in the nearby communities. Culinary water can be obtained by drilling domestic wells. The minerals will be reserved to the United States. The units vary in size from 2.17 acres to 5.02 acres and will be sold subject to existing rights-of-way, together with rights-of-way shown under Part 3, hereof.

3. The unit numbers, legal description by lot number, sides with 33-foot right-of-way reservations, and the appraised value are shown below:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

[T. 26 S., R. 2 E., Sec. 24]

Unit	Lot	33' R/W	Acres	Value
1	14	North	2.17	$200
2	15	do	2.50	200
3	16	North and West	2.50	200
4	17	North and East	2.50	200
5	18	East and South	2.50	200
6	19	West and South	2.50	200
7	20	South	2.50	200
8	22	North and West	2.29	175
9	23	North and East	2.49	175
10	24	North and West	2.49	200
11	25	North and East	5.00	300
	26	East		
12	27	West	4.98	300
	28	East		
13	29	West	2.36	200
14	30	do	2.41	200
15	31	East	4.98	300
	32	West		
16	33	East	2.49	200
17	34	East and South	2.49	200
18	35	West and South	2.49	200
19	36	South and East	2.49	175
20	37	West	2.46	200
21	38	do	2.49	200
22	39	North and East	4.98	300
	40	North and West		
23	41	North and East	2.49	200
24	42	South	4.98	300
	43	do		
25	45	West and South	2.49	200

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

[T. 26 S., R. 3 E., Sec. 11]

Unit	Lot	33' R/W	Acres	Value
*26	2	South	2.48	$375
*27	3	South and West	2.48	375
28	4	South and East	2.48	375
29	5	South	2.48	375
*30	6	do	2.48	375
31	7	South and West	2.48	375
32	8	North and West	2.48	375
33	9	North	2.48	375
34	10	do	2.48	375
35	11	North and East	2.47	375
*36	12	North and West	2.49	375
37	13	North	2.49	375
38	14	do	4.97	375
*39	15	South	4.97	475
*40	16	do	2.48	375
*41	17	South and West	2.48	375
42	18	South and East	2.48	375
43	19	South	2.48	375
44	20	do	2.48	375
45	21	South and West	2.48	375
46	22	North and West	2.48	375
47	23	North	2.48	375
48	24	do	2.48	375
49	25	North and East	2.47	375
*50	26	North and West	2.49	375
*51	27	North	2.49	375
*52	28	do	4.98	475

[T. 26 S., R. 3 E., Sec. 14]

*53	1	South	5.02	$475
*54	2	do	2.51	375
*55	3	South and West	2.50	375
56	4	South and East	2.51	375
57	5	South	2.50	375
*58	6	do	2.50	375
59	7	South and West	2.50	375
60	8	South and East	2.50	375
61	9	South	2.50	375
*62	10	do	2.50	375
63	11	South and West	2.49	375
64	12	North and West	2.50	375
*65	13	North	2.50	375
66	14	do	2.50	375
67	15	North and East	2.50	375
68	16	North and West	2.50	375
69	17	North	2.51	375
70	18	do	2.50	375
*71	19	North and East	2.51	375
*72	20	North and West	2.51	375
*73	21	North	2.51	375
*74	22	do	5.01	475
*75	23	South	5.02	475
*76	24	do	2.51	375
*77	25	South and West	2.52	375
78	26	South and East	2.51	375
79	27	South	2.50	375
80	28	do	2.50	375
81	29	South and West	2.50	375
82	30	South and East	2.50	375
83	31	South	2.50	375
*84	32	do	2.50	375
85	33	South and West	2.49	375
86	34	North and West	2.50	375
87	35	North	2.50	375
88	36	do	2.50	375
*89	37	North and East	2.50	375
90	38	North and West	2.50	375
*91	39	North	2.51	375
92	40	do	2.50	375
*93	41	North and East	2.51	375
*94	42	North and West	2.51	375
*95	43	North	2.51	375
96	44	do	5.01	475
*97	45	South	5.02	475
*98	46	do	2.51	375
*99	47	South and West	2.51	375
100	48	South and East	2.51	375
101	49	South	2.50	375
102	50	do	2.51	375
103	51	South and West	2.50	375
104	52	South and East	2.50	375
105	53	South	2.50	375
106	54	do	2.50	375
107	55	South and West	2.50	375
108	56	North and West	2.50	375
109	57	North	2.50	375
110	58	do	2.50	375
111	59	North and East	2.51	375
112	60	North and West	2.50	375
*113	61	North	2.51	375
114	62	do	2.51	375
115	63	North and East	2.51	375
*116	64	North and West	2.52	375
*117	65	North and East	2.51	375
118	66	North and West	5.01	700

See footnote at end of table.

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

[T. 26 S., R. 3 E., Sec. 14]

Unit	Lot	33' R/W	Acres	Value
*119	67	South and West	5.01	$700
*120	68	South and East	2.51	375
*121	69	South and West	2.52	375
*122	70	South and East	2.51	375
123	71	South	2.50	375
124	72	do	2.51	375
125	73	South and West	2.51	375
126	74	South and East	2.50	375
127	75	South	2.50	375
128	76	do	2.50	375
129	77	South and West	2.50	375
130	78	North and West	2.50	375
131	79	North	2.50	375
132	80	do	2.50	375
133	81	North and East	2.51	375
134	82	North and West	2.51	375
135	83	North	2.51	375
136	84	do	2.51	375
137	85	North and East	2.51	375
*138	86	North and West	2.51	375
139	87	North and East	2.51	375
*140	88	North and West	5.02	709

*Covered by applications from persons entitled to preference right as provided by 43 CFR 257.5.

4. The above-described units will be sold at public auction at a public sale to be held at the Federal Court Room, Post Office Building, Las Cruces, New Mexico, beginning at 10 a.m. on September 12, 1962.

Bids may be made personally by the bidder or his agent at the sale or may be mailed. Bids sent by mail will be considered only if received at the Santa Fe Land Office, Bureau of Land Management, prior to 10 a.m. on September 10, 1962. (See mailing address below.) No sealed bid will be accepted if it is less than the appraised value of the tract. Oral bidding will be in increments to be announced at the sale. See Part 3 above for appraised values.

5. Persons who have previously acquired a tract under the Small Tract Act are not qualified to purchase a tract at the sale unless they can make a showing satisfactory to the Bureau of Land Management that the acquisition of another tract is warranted in the circumstances.

6. Each bid sent by mail must clearly show (a) the name and post office address of the bidder, (b) Offer No. 21, and (c) the land description of the tract for which the bid is made, described in accordance with Paragraph 3 of this order. Each bid must be accompanied by the full amount bid in the form of a certified or cashier's check, post office money order, or bank draft made payable to the Bureau of Land Management. Each bid must be enclosed in a separate envelope but payment need accompany only the highest bid, provided all other bids designate the envelope containing the payment. Each envelope must carry on its reverse the following information and nothing else: (a) Offer No. 21, September 12, 1962, (b) the number of the tract for which the bid is made, described in accordance with Paragraph 3 of this order.

7. Each tract will be awarded to the highest qualified bidder. If the highest bid is oral, the bidder will be required to make payment for the tract at the close of bidding and a personal check will be acceptable for that purpose. Any person who is declared high bidder for any tract will automatically be disqualified from consideration for other tracts at the sale.

8. Any tracts not sold when offered in the course of bidding (and on which no qualifying mailed bid has been received) will be reoffered at public auction upon the motion of any qualified bidder beginning at 10:30 a.m., September 19, 1962, at the Bureau of Land Management, Greer Building, 113 Washington Avenue, Santa Fe, New Mexico. The remaining tracts will continue to be subject to nomination and auction at that place each succeeding Wednesday at 10:30 a.m. (except holidays) until all tracts are sold or until the termination of the sale, March 13, 1963.

9. Inquiries concerning these lands should be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 1251, Santa Fe, New Mexico.

Dated: June 5, 1962.

CHESLEY P. SEELY,
State Director.

[F.R. Doc. 62-5793; Filed, June 14, 1962; 8:45 a.m.]

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Land

JUNE 5, 1962.

The United States Department of Agriculture has cancelled its proposed Withdrawal Application Serial No. Sacramento 050595 insofar as it involves the land described below, in order that conflicting Forest Exchange Application Serial No. Sacramento 065506 may be processed. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such land will be at 10:00 a.m. on July 10, 1962, relieved of the segregative effect of the aforementioned proposed Withdrawal Application Serial No. Sacramento 050595.

The land involved in this notice of termination is:

MOUNT DIABLO MERIDIAN

TAHOE NATIONAL FOREST

Cedar Point

T. 16 N., R. 14 E.,
Sec. 12: SW¼SW¼.

WALTER E. BECK,
Manager, Land Office,
Sacramento.

[F.R. Doc. 62-5842; Filed, June 14, 1962; 8:45 a.m.]

Fish and Wildlife Service

ADMINISTRATION; PERSONNEL

Amendment to Delegations of Authority

On pages 6655 and 6656 of the FEDERAL REGISTER of July 14, 1960, there were published delegations of authority with respect to personnel of the Bureau of Commercial Fisheries. These regulations were amended by FEDERAL REGISTER issuances of August 17, 1960; August 31, 1960; and February 17, 1962. Further amendment of these regulations is as follows:

SERIES 2000—ADMINISTRATION

TITLE 2300—PERSONNEL

In Chapter 2310—Policy and Delegation of Authority:

2311.5 *Redelegation.* * * *

(1) The Chief, Division of Administration, may redelegate to the Chief, Branch of Personnel Management, the authorities contained in section 2311.3 with authority to redelegate to the Assistant Personnel Officer (Compensation and Labor Relations) authority for position classification, pay and wage administration, and the authority to redelegate to the Supervisory Personnel Management Specialist in charge of the Washington personnel operations section all of the authorities stated in section 2311.3 with respect to positions through Grade GS-11.

Sections of the FEDERAL REGISTER issuance of February 17, 1962, relating to testimony of government employees, are renumbered to read as follows:

2312.1 *Policy.* It is the policy of the Director, Bureau of Commercial Fisheries, to delegate to Regional and Area Directors, and such others as are specified in this delegation, all authority necessary for carrying out the responsibilities of their offices. Such delegation of authority is subject to review by persons authorized to make such review.

2312.2 *Testimony of employees.* 43 CFR 2.20 requires written approval from the head of the Bureau, or his designee, before any employee of the Department of the Interior may testify concerning matters relating to the business of the government. The section contains requirements for the submission of affidavit requests by parties desiring the testimony. Some attorneys outside the Federal service may not be familiar with this requirement. Requests for testimony generally come on extremely short notice and it is felt that fewer delays will be entailed by delegating the authority included in 43 CFR 2.20 to those offices having the greatest need for such authority.

Consultation with the nearest Regional or Field Solicitor's office is suggested prior to the granting of permission. When the Regional or Area Director is of the opinion that a request should be denied, the request must be forwarded to the Director with an appropriate recommendation.

2312.3 *Delegation.* The Chief, Division of Administration and Regional and Area Directors are severally authorized, unless specifically excepted to the extent stated in each case or in section 2312.4, Limitations, to exercise the authority of the Director with respect to administrative matters concerning the granting of written approval for employees to testify as set forth in section 2312.2 herein.

2312.4 *Limitations.*

A. Where requests may be made for the Chief, Division of Administration or Regional or Area Directors to testify, written authority must be obtained in

each instance from the Director, Bureau of Commercial Fisheries.

B. The foregoing authorization shall be exercised in strict conformity with applicable laws, regulations, policies and administrative procedures.

HAROLD E. CROWTHER,
Acting Director.

JUNE 11, 1962.

[F.R. Doc. 62-5845; Filed, June 14, 1962; 8:45 a.m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order 272-62]

DEPARTMENT OF JUSTICE UNIT OF NATIONAL DEFENSE EXECUTIVE RESERVE

Abolishment

By virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) I hereby abolish the Department of Justice Unit of the National Defense Executive Reserve, and Order No. 136-56 of November 29, 1956, and Memorandum No. 209 of November 29, 1956, which established that Unit and prescribed the policies and procedures with respect thereto, are hereby revoked.

Dated: June 12, 1962.

ROBERT F. KENNEDY,
Attorney General.

[F.R. Doc. 62-5848; Filed, June 14, 1962; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL AND SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001) the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below.

The following certificates were issued pursuant to § 519.6 (c) and (g) providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

Region II

J. J. Newberry Co., Main Street, Hackettstown, N.J.; effective 6-10-62 to 6-9-63 (variety department store; 46 employees).

J. J. Newberry Co., 77 Broad Street, Red Bank, N.J.; effective 6-10-62 to 6-9-63 (variety department store; 49 employees).

J. J. Newberry Co., 3306 Pacific Avenue, Wildwood, N.J.; effective 6-10-62 to 6-9-63 (variety department store; 11 employees).

McCrory Stores Corp., Store No. 240, 271 Main Street, Orange, N.J.; effective 6-10-62 to 6-9-63 (variety retail store; 86 employees).

McCrory Stores Corp., 701 Broad Street, Newark, N.J.; effective 6-10-62 to 6-9-63 (variety retail store; 227 employees).

McCrory-McLellan-Green Stores, 1017 Springfield Avenue, Irvington, N.J.; effective 6-10-62 to 6-9-63 (variety retail store; 68 employees).

McCrory-McLellan-Green Stores, No. 301, 1008 Stuyvesant Avenue, Union, N.J.; effective 6-10-62 to 6-9-63 (variety retail store; 46 employees).

Newberry Asbury Park Corp., Asbury Park, N.J.; effective 6-10-62 to 6-9-63 (variety department store; 98 employees).

Newberry Dover Corp., 1-5 West Blackwell Street, Dover, N.J.; effective 6-10-62 to 6-9-63 (variety department store; 105 employees).

Region VII

Ball's Super Market, Inc., 5420 Leavenworth Road, Kansas City, Kans.; effective 6-10-62 to 6-9-63 (retail grocery; 29 employees).

Ball's Thrift-Way Market, Inc., 3400 State Avenue, Kansas City, Kans.; effective 6-10-62 to 6-9-63 (retail grocery; 18 employees).

J. J. Newberry Co., 114 West Ninth Street, Coffeyville, Kans.; effective 6-10-62 to 6-9-63 (variety department store; 37 employees).

McCrory-McLellan-Green Store, 814 Main Street, Winfield, Kans.; effective 6-10-62 to 6-9-63 (variety retail store; 23 employees).

North Carolina

Boone Crest 5-10-25¢ Stores Co., Boone, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 18 employees).

H. S. Cohen Co., Inc., Shelby, N.C.; effective 6-10-62 to 5-31-63 (department store; 29 employees).

McCrory-McLellan Stores, Albemarle, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 20 employees).

McCrory-McLellan-Green Stores, Durham, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 34 employees).

McCrory-McLellan-Green Stores Corp., Raleigh, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 53 employees).

McCrory-McLellan-Green Stores No. 283, Roanoke Rapids, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 36 employees).

North Wilkesboro Crest 5-10-25¢ Stores Co., North Wilkesboro, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 22 employees).

Rose's 5-10-25¢ Store, Ahoskie, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 21 employees).

Rose's 5-10-25¢ Store No. 145, Asheville, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 33 employees).

Rose's 5-10-25¢ Store, Burlington, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 32 employees).

Rose's 5-10-25¢ Store, Chapel Hill, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 18 emlpoyees).

Rose's 5-10-25¢ Store, Dunn, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 25 employees).

Rose's 5-10-25¢ Store No. 99, Greenville, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 32 employees).

Rose's Stores, Inc., Henderson, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 50 employees).

Rose's 5-10-25¢ Store No. 60, Marion, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 39 employees).

Rose's 5-10-25¢ Store No. 51, Morganton, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 15 employees).

Rose's 5-10-25¢ Store, North Wilkesboro, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 13 employees).

Rose's 5-10-25¢ Store, Sanford, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 32 employees).

Rose's 5-10-25¢ Store, Tarawa Terrace, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 23 employees).

Rose's 5-10-25¢ Store No. 143, Wilson, N.C.; effective 6-10-62 to 5-31-63 (variety retail store; 50 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Dated: June 7, 1962.

ROBERT G. GRONEWALD,
Authorized Representative, of the Administrator.

[F.R. Doc. 62-5843; Filed, June 14, 1962; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-151]

BOARD OF TRUSTEES OF UNIVERSITY OF ILLINOIS

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2, set forth below, to Facility License No. R-69. The license authorizes The Board of Trustees of The University of Illinois to operate its TRIGA Mark II nuclear reactor, located in Urbana, Illinois. The amendment authorizes the licensee to perform an experiment which will produce a linear ramp change in reactivity in the reactor as described in the licensee's application for license amendment dated April 3, 1962.

The Commission has found that:

(1) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, will not present any substantial change in the hazards to the health and safety of the public from those considered and evaluated in connection with the previously approved operation.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a related hazards analysis prepared by the Test & Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated April 3, 1962, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room or upon request, addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 1st day of June 1962.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test & Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R–69; Amdt. 2]

License No. R–69, as amended, issued to The Board of Trustees of The University of Illinois, is hereby amended in the following respects:

In addition to the activities previously authorized by the Commission in License No. R–69, as amended, The Board of Trustees of The University of Illinois is authorized to perform an experiment which will produce a linear ramp change in reactivity with the University's TRIGA Mark II nuclear reactor located on the University's campus in Urbana, Illinois, as described in its application for license amendment dated April 3, 1962. Operation of the reactor shall be performed in accordance with the procedures and subject to the limitations contained in License No. R–69, as amended, and in the application for license amendment dated April 3, 1962.

This amendment is effective as of the date of issuance.

Date of issuance: June 1, 1962.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62–5834; Filed, June 14, 1962; 8:45 a.m.]

[Docket No. 50–111]

NORTH CAROLINA STATE COLLEGE

Notice of Issuance of Amendment to Utilization Facility License

Please take notice that the Atomic Energy Commission has issued Amendment No. 2, set forth below, to Facility License No. R–63. The amendment authorizes North Carolina State College, as requested by its application for license amendment dated December 20, 1961, and supplements thereto dated April 11 and April 19, 1962, to conduct experiments for the measurement of effective delayed neutron fraction in its nuclear reactor located on its campus in Raleigh, North Carolina. The amendment also authorizes the installation of an auxiliary control rod and drive system in the reactor, as requested by the applicant, for use in the conduct of the experiments.

The Commission has found that:

1. Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

2. The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

3. Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, will not present any substantial change in the hazards to the health and safety of the public from those considered and evaluated in connection with the previously approved operations.

Within not less than fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated December 20, 1961 and supplements thereto dated April 11 and April 19, 1962, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 4th day of June 1962.

For the Atomic Energy Commission.

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

[License No. R–63; Amdt. 2]

In addition to the activities previously authorized by License No. R–63, as amended, North Carolina State College is hereby authorized, as requested by its application for license amendment dated December 20, 1961, and supplements thereto dated April 11, 1962, and April 19, 1962, to install an auxiliary control rod and drive system in its reactor located in Raleigh, North Carolina, for use in the conduct of experiments for the measurement of effective delayed neutron fraction, and to conduct the described experiments in the reactor. Installation of the auxiliary control rod and drive system and conduct of the experiments shall be in accordance with the procedures and subject to the limitations in License No. R–63, as amended, the procedures and limitations set forth in the application for license amendment dated December 20, 1961, and the supplements thereto dated April 11, 1962, and April 19, 1962 and the following additional conditions:

1. Prior to performance of the ramp experiments, the reactivity worth of the auxiliary rod shall be determined experimentally to be no greater than 0.4 percent.

2. A written record of the determination in 1 above shall be placed in the official reactor log.

This amendment is effective as of the date of issuance.

Date of issuance: June 4, 1962.

For the Atomic Energy Commission.

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

[F.R. Doc. 62–5835; Filed, June 14, 1962; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Order E–18433]

NORTHEAST AIRLINES, INC.

Order Tentatively Granting Suspension Authority and Disapproving Airport Notices

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of June 1962.

Northeast Airlines, Inc. (Northeast) filed with the Board on March 16, 1962, pursuant to § 202.3 of the Economic Regulations, a notice of its intention to serve Bar Harbor, Maine, through Dow Air Force Base at Bangor, Maine, on or

about June 15, 1962. On April 4, the carrier filed additional notices of its intention to serve Auburn-Lewiston, Maine, through the Portland Municipal Airport; Houlton, Maine, through the Presque Isle Municipal Airport; Lawrence, Mass., through Logan International Airport; Rockland, Maine, through State Airport; Laconia, N.H., through Manchester Municipal Airport, all on or after April 29, 1962, and Newport, Vt., through the Barre-Montpelier Airport, on or after June 15, 1962.

Subsequently, on April 12, 1962, Northeast filed a statement waiving the thirty-day rule provisions of section 202 of the Economic Regulations and saying that it will not take action pursuant to said notices until such time as the Board acts affirmatively thereon.

In its notices Northeast states that Lewiston and Auburn are 34 and 30 miles, respectively, from Portland via limited access turnpike; that Houlton is approximately one-hour driving time from the Presque Isle Airport; that Lawrence is less than an hour's driving time from Logan Airport; that Rockland is approximately an hour's drive from the Augusta Airport; that Laconia is about an hour's drive from the Manchester Airport; and that Newport is approximately one hour's driving time from the Barre-Montpelier Airport.

Northeast's proposal at Bar Harbor contemplates a scheduled limousine service at the Bar Harbor Airport meeting its arrivals and departures at Dow Air Force Base. No such arrangements have been made at any of the other points for which an airport notice was filed.

Northeast has submitted a memorandum in support of the April 4 airport notices. The carrier states that its New England service is extremely costly and that it no longer has the financial means of sustaining those losses and that traffic at these points is not significant—Houlton and Newport generate less than two passengers a day; Rockland and Laconia, four and seven daily passengers, respectively, including summer seasonal traffic; Lawrence, slightly over three passengers a day and Auburn-Lewiston, six daily passengers.

Memoranda in opposition to the Laconia, N.H., airport notice were filed by the State of New Hampshire, the City of Laconia, the Laconia Airport Authority, the Greater Laconia-Weirs Beach Chamber of Commerce, the Laconia Industrial Development Corporation, and the Town of Meredith, N.H. Opposition was also registered by individuals and firms that would be affected.

Other memoranda were submitted by the State of Vermont in opposition to the Newport notice, the Commonwealth of Massachusetts and the City of Lawrence, Mass., in opposition to the Lawrence airport notice, the Cities of Auburn and Lewiston, Maine, in opposition to the Auburn-Lewiston airport notice, the Town of Bar Harbor, Maine, in opposition to the Bar Harbor airport notice and the State of Maine in opposition to the Bar Harbor, Auburn-Lewiston, Houlton, and Rockland airport notices.

The memorandum of the State of Maine (Maine), which is representative of the many objections filed, alleges that the airport notice is not the proper vehicle in which to discontinue service to the named communities notified; that instead of providing regular services to these communities, the notices indicate a reduction and discontinuance of regular service; and that such discontinuance of service should not be allowed without giving the affected communities an opportunity to be heard. Additionally, Maine states that approval would adversely affect the public interest, especially since many of these points are tourist areas and the summer season, which offers the greatest demand for air service, will just be getting under way; that curtailment of air services will be a serious blow to these areas, in view of the discontinuance of rail travel; that other areas will be affected in their industrial development; that Northeast's notices constitute a prejudgment of the Board's New England Regional Airport Investigation; and that there is doubt that elimination of service to these communities will remove Northeast from the "crossroads" of survival. Many of the objections dispute the nearness in travel time of adjacent airports as alleged by Northeast in its notices, and urge that the matter be explored in the Board's investigation.

Northeast's entire support for the proposals is predicated upon its poor financial condition, the low traffic generation at the various points and the losses sustained in serving these points. However, it has submitted no economic data with respect to the amount of cost savings which it might realize from its proposed action. Indeed, as we note below, there is a real question as to savings at some of these points during the peak summer months. Nevertheless, we are concerned with Northeast's perilous financial condition and are therefore appraising the merits of the proposed service at these seven points, on the basis of information readily available within the Board. Having carefully weighed the relative passenger inconvenience against the possible cost savings at each of these points, we tentatively conclude that a suspension of service is warranted at four of these points—Newport, Houlton, Lawrence, and Lewiston-Auburn.

While, as noted above, the carrier has not provided us with an estimate of cost saving, our own study of Northeast's operations indicates that the carrier could effect a net cost reduction estimated to be some $275,000 annually at all these points through its proposed pattern of service. (See Appendix A.)[1] Necessarily, we have relied on judgment in some areas of our analysis. The estimated expense savings have been based upon Northeast's 1961 schedule pattern and operations actually performed at each of these points. Direct costs have been computed by applying standard costing techniques.

Although we do not have precise information as to surface travel time to the alternate airports selected by Northeast, only the Laconia and Newport airports are more than 40 miles from their respective alternate airports. Newport, which is a seasonal point, enplaned only 2.3 daily passengers in 1961, Houlton generated 1.8, Lawrence 2.3 and Lewiston-Auburn 6.2 daily passengers. While admittedly Lewiston-Auburn would be marginal under "use-it-or-lose-it" standards, the relative convenience of the alternate airport is not in dispute. The Portland Airport is only 27 miles farther than the Lewiston-Auburn airport via a limited-access turnpike. These circumstances indicate that Northeast's proposed service to these four points would not have any serious adverse effect on the overall public interest.

Although Northeast's proposals at these four points were filed with the Board as airport notices, in our opinion the proposals must more properly be considered to be requests for suspension of service. It is apparent that the findings made herein with respect to the justification for the proposals go beyond the matters normally considered in connection with a change of airport. Instead they are concerned with the lack of economic support for service to the point in the light of the cost of the service, and with other matters considered in suspension requests. Rather than require new filings by the carrier, however, we have concluded that we should treat the notices as service suspension requests filed pursuant to Part 205 of the Board's regulations. In order to provide adequate notice of the matter of suspension, however, we have decided to tentatively approve the suspension, subject to the condition referred to hereinafter, and to give interested persons a reasonable period, not exceeding 14 days, in which to file comments. Such comments should conform to the requirements of Part 205.

Under its request as filed, Northeast proposed to show service to such points through nearby airports in its timetables and schedules. The suspension of service at such points, however, would normally require Northeast to delete them from its timetables and schedules. In the light of Northeast's proposal and the fact that the relative proximity of such airports has been considered by the Board in reaching its tentative conclusion to suspend, we have in this instance also tentatively decided to make our approval subject to the condition that Northeast can continue to show such points in its timetables and schedules, but only if adequate ground transportation is available between the suspended points and the airports specified in the airport notices.

While the annual average of passenger enplanements at any of the points included in Northeast's proposal is not large,[2] the seasonal average of daily passengers at Bar Harbor, Laconia and

[1] Filed as part of the original document.

[2] The appendix filed as part of the original document indicates that only three of the points—Bar Harbor, Lawrence, and Lewiston-Auburn—exceed the "use-it-or-lose-it" standard customarily applied to new local service route authorizations.

Rockland is significantly higher, with third quarter daily enplanements of 7.7, 21.6, and 12.1, respectively. Assuming an equal number of deplanements, we are concerned here with a total of 15, 43, and 24 passengers daily. We do not know that the summer service pattern as previously operated by Northeast at these three points will cause a drain on the carrier's resources; and in fact, such seasonal service may contribute to the carrier's net cash position. Therefore, we will disapprove the notices for these three points. Cessation of direct service at the other four points should permit Northeast to save at least $140,000 in net costs.

It should be noted that our proposed action would not involve a prejudgment of the issues in the forthcoming New England Airport Investigation. Decision in that case must necessarily depend on the record to be developed therein. Our tentative conclusions here are based upon the immediate and serious financial situation in which Northeast finds itself, and our belief that the overall public interest warrants immediate action in this area to prevent any reasonably avoidable drain on its resources. However, we will make the term of any action authorized pursuant to these tentative conclusions effective until 60 days after final order in the airport investigation.

In view of the foregoing, the Board tentatively finds that suspension of service at Newport, Vt., Lawrence, Mass., and Houlton and Lewiston-Auburn, Maine, would be in the public interest and we have tentatively determined to authorize such suspension. This order, constituting notice of such tentative determination, will be served upon all necessary parties and published in the FEDERAL REGISTER, and interested persons will be afforded an opportunity to comment on the Board's tentative decision.

Accordingly, it is ordered, That:

1. The services to Laconia, N.H., and Bar Harbor and Rockland, Maine, proposed by Northeast pursuant to the airport notices, herein, shall not be inaugurated as proposed;

2. All interested persons be and they hereby are directed to show cause within 14 days from the date of this order why the authority of Northeast Airlines, Inc., to serve Auburn-Lewiston, Houlton, Lawrence, and Newport should not be suspended as proposed herein;

3. The suspension authority tentatively approved herein be subject to the condition that Northeast can continue to show each such point in its timetables and schedules, but only if adequate ground transportation is available between such point and the airport specified in the airport notice filed by Northeast;

4. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-5851; Filed, June 14, 1962; 8:46 a.m.]

[Docket No. 12377; Order E-18432]

REEVE ALEUTIAN AIRWAYS, INC.

Application for Amendment of Route Certificate; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of June 1962.

Reeve Aleutian Airways, Inc. (Reeve) is a corporation organized and existing under the laws of the State of Alaska and authorized to engage in the air transportation of persons, property and mail over route 127, consisting of the following two segments:

1. Between the terminal point Anchorage, the intermediate points King Salmon, Port Heiden, Chignik, Ivanof Bay, Sand Point, Cold Bay, Sarichef-Scotch Cap, Dutch Harbor, St. George Island, St. Paul Island, Umnak Island, Atka Island, Adak Island, and the terminal point Shemya Island.

2. Between the terminal point Anchorage, the intermediate points Kodiak and Sitkinak, and the terminal point Port Heiden.

By Order E-14786, approved October 29, 1959, Reeve was authorized by certificate amendment to serve Shemya and Segment 2 until March 13, 1962.

Order E-15938, adopted October 19, 1960, authorized Reeve to serve Attu Island, which is west of Shemya, on segment 1, by exemption until March 13, 1962. The Board has extended that authority until 60 days after final decision in this docket by Order E-18092, adopted March 9, 1962.

On May 1, 1961, Reeve filed an application requesting certain certificate amendments:

1. Extension for an indefinite period of the authorization to serve segment 2 and to serve Shemya Island on segment 1;

2. Elimination of Sitkinak as an intermediate point on segment 2;

3. Substitution of Attu Island for Shemya Island as the western terminal point on segment 1, and redesignation of Shemya Island as an intermediate point on segment 1, for an indefinite period;

4. Addition of Dillingham as an intermediate point between King Salmon and Port Heiden; Port Moller between Ivanof Bay and Sand Point; Driftwood Bay between St. Paul Island and Umnak Island; and Nakolski between Umnak Island and Atka Island, all on segment 1; and

5. Deletion from its certificate of condition 5 which provides that "[f]lights scheduled to serve both Anchorage and King Salmon shall originate or terminate at Port Heiden or a point west thereof." [1]

The Board has tentatively concluded that the public convenience and necessity require the approval of the first three of Reeve's amendment requests. Reeve presently provides the only air service along the route under consideration. Except for an occasional surface carrier, no other transportation to the islands in the Aleutian archipelago exists. The service consists primarily of supplying the national defense facilities and attendant activities in the islands from the Alaskan mainland. The volume of traffic which Reeve has carried to and between the islands, including Shemya and Attu, indicates that the factors which justified initiation of these services on segment 2 and to Shemya and Attu continue to exist. Furthermore, Reeve has provided them without requiring subsidy payments, having operated without such assistance since 1957. Its financial situation appears sound and its profits have steadily increased during its operations under its temporary authority.

Termination of Reeve's authority to serve Shemya and Attu and segment 2 at this time might impede the national defense effort and impose a hardship on the traveling public in this area. On the other hand, an indefinite extension of Reeve's authority to operate this service of limited scope and extent will not adversely affect any other carrier.

The intermediate point Sitkinak on segment 2 is not now served, nor has service ever been inaugurated by Reeve, and we are not aware of any recent request that service be provided thereto. Segment 2 is presently served with DC-4 aircraft, and Sitkinak airfield, under the jurisdiction of the Coast Guard, consists of a single graveled strip 5,000 feet in length, having no lights. There are no radio aids to navigation and approach facilities and the Federal Aviation Agency has no plans for improving the airfield.

The Board has concluded that the last two of Reeve's amendment requests should be dismissed without prejudice to Reeve's right to reapply for such certificate amendment.

The addition of Dillingham as an intermediate point between King Salmon and Port Heiden, and the alteration of conditions on service in the Anchorage and King Salmon markets necessarily involve complex and controversial issues concerning competition in those markets. At this time, the Board does not have before it sufficient information, as to these issues, upon which to base tentative conclusions in this show cause order. Rather than have these portions of the application remain on the Board's docket, we are, pursuant to Rule 12(d) of the Board's rules of practice, dismissing them without prejudice.

There is already implicit in Reeve's certificate the authority to serve the other proposed intermediates on segment 1, Port Moller, Driftwood Bay, and Nakolski, since none is more than 25 miles off the airline course over Reeve's route and none is named in the certificate of another carrier.[2] We are not aware of any restriction or burden which would

[1] A motion to consolidate this application for hearing in the Reopened Intra-Alaska Case (King Salmon), Docket 6093, et al., was denied by Order E-17300, adopted August 9, 1961.

[2] Condition 2 in Reeve's certificate.

befall Reeve in serving these points as a result of their omission as specifically named points, nor would Reeve realize any particular benefit in serving them should the requested amendment be granted. Conversely, the inclusion of the requested intermediates could result in a future subsidy burden to the Government or the imposition of a service requirement on the carrier should circumstances change.

Based on the foregoing, it is the tentative conclusion of the Board that the public convenience and necessity require that Reeve's certificate should be amended to designate Attu Island as a terminal point and Shemya Island as an intermediate point on segment 1, such amendment and the authority to serve these points to be for an indefinite period; that Sitkinak be eliminated as an intermediate point on segment 2, and that Reeve's certificate be amended to authorize service on segment 2 for an indefinite period.

That part of Reeve's application which requests authorization to serve certain intermediate points on segment 1 and the removal of condition 5 from its certificate will be dismissed without prejudice.

Accordingly, it is ordered:

1. That all interested persons be and they hereby are ordered to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein to amend Reeve Aleutian Airways, Inc.'s certificate for route 127 by designating Attu Island as a terminal point and Shemya Island as an intermediate point on segment 1, such amendment and the authority to serve these points to be for an indefinite period; by eliminating Sitkinak as an intermediate point on segment 2; and by authorizing service on segment 2 to be for an indefinite period;

2. That any interested person having objection to the issuance of an order making final the findings and conclusions herein shall, within 15 days from the date hereof, file with the Board written notice of objections; [1]

3. That if no objections are filed, further procedural steps shall be deemed waived and the matter submitted to the Board for issuance of a final order;

4. That if objections are filed, the matters or issues thereby raised will be afforded consideration before further action is taken by the Board;

5. That those portions of Reeve's application which request that Dillingham be added as an intermediate point between King Salmon and Port Heiden; Port Moller between Ivanof Bay and Sand Point; Driftwood Bay between St. Paul Island and Umnak Island; and Nakolski between Umnak Island and Atka Island, all on segment 1; and that Condition 5 in its certificate be deleted; are hereby dismissed without prejudice.

6. That copies of this order shall be served upon Pacific Northern Airlines, Inc.; Northern Consolidated Airlines, Inc.; the Alaska Division of Aviation; the Secretary of Defense; the Commandant, United States Coast Guard; the Postmaster General, and Reeve Aleutian Airways, Inc.; and

7. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-5852; Filed, June 14, 1962; 8:47 a.m.]

[1] Since an ample opportunity to object or comment regarding the scope and the issues of this proceeding is provided for herein, a petition for reconsideration of this order would be cumulative and will not be entertained.

[Docket No. 13041]

BRANIFF AIRWAYS, INC.; SERVICE TO CHATTANOOGA CASE

Notice of Prehearing Conference

In the matter of the application of Braniff Airways, Inc. in Docket 13041 for amendment of its certificate for its route so as to delete therefrom the intermediate point, Chattanooga, Tennessee. See Order E-17874.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 21, 1962, at 10 a.m., e.d.s.t., in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., June 12, 1962.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 62-5853; Filed, June 14, 1962; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP62-246]

MISSISSIPPI RIVER FUEL CORP.

Notice of Application and Date of Hearing

JUNE 8, 1962.

Take notice that on April 23, 1962, Mississippi River Fuel Corporation (Applicant), 9900 Clayton Road, St. Louis 24, Missouri, filed in Docket No. CP62-246 an application for a certificate of public convenience and necessity authorizing the construction during the calendar year 1962 and the operation of certain miscellaneous natural gas transmission facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it may become necessary or desirable to move, relocate, alter or reconstruct existing facilities, or to construct and operate substitute facilities for existing facilities, in order to accommodate the desires or activities of others, including governmental authorities, landowners, and direct industrial and resale customers. For the most part, such changes would be made in response to requests of others. The cost of relocating or altering Applicant's facilities in such instances will usually be borne entirely or partly by the party desiring the change and will not ordinarily involve any increase or decrease in the designed capacity of the particular facilities being altered or replaced, nor any essential change in the character of Applicant's service to any of its customers.

Applicant further states that it will not undertake more than nine projects during the calendar year 1962. The total cost of the facilities will not exceed $500,000, with no single project to exceed a cost of $200,000. The foregoing amounts represent Applicant's gross costs which may be offset entirely or reduced by reimbursement from others.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 12, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 2, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-5838; Filed, June 14, 1962; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 651]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 12, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition

will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 64744. By order of June 7, 1962, the Transfer Board approved the transfer to Harold W. Morgan, doing business as Dunn's Delivery, Sharon, Pa., of Certificate No. MC 109860, issued September 12, 1956, to Robert J. Dunn, doing business as Dunn's Delivery, Sharon, Pa., authorizing the transportation of: Such merchandise as is dealt in by retail merchandising establishments, and used contractors outfits, except machinery, from, to, or between specified points in Pennsylvania and Ohio. Leo L. Luchette, 1 Valley View Drive, Brookfield, Ohio, attorney for applicants.

No. MC–FC 65033. By order of June 7, 1962, the Transfer Board approved the transfer to Victor C. McCollum, doing business as H. C. Byrol Trucking Company, Lock Haven, Pa., of Certificate No. MC 102350, issued October 24, 1941, to Helen C. Byrol, Lock Haven, Pa., authorizing the transportation of: Airplanes, crated, and airplane parts, from Lock Haven, Pa., to New York, N.Y., Sitka spruce, from Utica and New York, N.Y., to Lock Haven, Pa., airplane parts, damaged airplanes, and damaged airplane parts, between Lock Haven, Pa., on the one hand, and, on the other, points in Delaware, Maryland, Michigan, New Jersey, New York, Ohio, Virginia, West Virginia, and the District of Columbia, restricted to shipments to or from disabled airplanes. Edward L. Willard, 201 East Beaver Avenue, State College, Pa., attorney for applicants.

No. MC–FC 65053. By order of June 7, 1962, the Transfer Board approved the transfer to John J. Byers, Duluth, Minn., of Certificate No. MC 118853, issued August 22, 1960, to Asa Lyons, Inc., Duluth, Minn., authorizing the transportation of: Passengers and their baggage, in round trip charter and special service, beginning and ending at points in Saint Louis County, Minn., and extending to points in Michigan, North Dakota, South Dakota, and Wisconsin. Joseph B. Johnson, 811 First American National Bank Building, Duluth 2, Minn., attorney for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 62–5846; Filed, June 14, 1962; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

INVESTIGATION OF IMPORTS OF SURPLUS MILITARY RIFLES

Notice of Publication of Report

The Director of the Office of Emergency Planning made public on June 5, 1962, his report in the above matter. The report is made in the form of a "Memorandum of Decision" and concludes an investigation on application of the President of the Sporting Arms and Ammunition Manufacturer's Institute on behalf of six American manufacturers of sporting firearms, on June 29, 1959, under authority of section 8 of the Trade Agreements Extension Act of 1958.

The Director found that surplus military rifles are not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Dated: June 8, 1962.

EDWARD A. McDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 62–5836; Filed, June 14, 1962; 8:45 a.m.]

INVESTIGATION OF IMPORTS OF TRANSISTORS AND RELATED PRODUCTS

Notice of Publication of Report

The Director of the Office of Emergency Planning made public on May 29, 1962, his report in the above matter. The report is made in the form of a "Memorandum of Decision" and concludes an investigation on application of the Electronic Industries Association on September 17, 1959, under authority of Section 8 of the Trade Agreements Extension Act of 1958.

The Director found that transistors and related products are not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Dated: June 8, 1962.

EDWARD A. McDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 62–5837; Filed, June 14, 1962; 8:45 a.m.]

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