By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, and in order to provide for the removal from designated areas of the interests of national security, it is hereby ordered as follows:

1. There is established in the Office for Emergency Management of the Executive Office of the President the War Relocation Authority, at the head of which there shall be a Director appointed by and responsible to the President.

2. The Director of the War Relocation Authority is authorized and directed to formulate and effectuate a program for the removal, from the areas designated under such Executive Order, and for their re-employment, maintenance, and supervision.

3. In effectuating such program the Director shall have authority to:

(a) Accomplish all necessary evacuation not undertaken by the Secretary of War or appropriate military commander, provide for the relocation of such persons in appropriate places, provide for their needs in such manner as may be appropriate, and supervise their activities.

(b) Provide, as far as feasible and desirable, for the employment of such persons at useful work in industry, commerce, agriculture, or public projects, prescribe the terms and conditions of such public employment, and safeguard the public interest in the private employment of such persons.

(c) Secure the cooperation, assistance, or services of any governmental agency.

(d) Prescribe regulations necessary or desirable to provide effective execution of such program, and, as a means of coordinating evacuation and relocation activities, consult with the Secretary of War with respect to regulations issued and measures taken by him.

(e) Make such delegations of authority as he may deem necessary.

(f) Employ necessary personnel, and make such expenditures, including the making of loans and grants and the purchase of real property, as may be necessary, within the limits of such funds as may be made available to the Authority.

4. The Director shall consult with the United States Employment Service and other agencies on employment and other problems incident to activities under this order.

5. The Director shall cooperate with the Alien Property Custodian appointed pursuant to Executive Order No. 9066 of February 19, 1942, in formulating policies to govern the custody, management, and disposal of their property.

6. Departments and agencies of the United States are directed to cooperate with and assist the Director in his activities hereunder. The Departments of War and Justice, under the direction of the Secretary of War and the Attorney General, respectively, shall insofar as consistent with the national interest provide such protective, police and investigational services as the Director shall find necessary in connection with activities under this order.

7. There is established within the War Relocation Authority the War Relocation Work Corps. The Director shall provide, by general regulations, for the

*7 F.R. 1971.

**FEDERAL REGISTER**

Washington, Friday, March 20, 1942

**The President**

**EXECUTIVE ORDER 9102**

**ESTABLISHING THE WAR RELOCATION AUTHORITY IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES**

The President
CONTENTS—Continued

Federal Power Commission: Page
Border Pipe Line Co. (Del.), hearing postponed. 2178

Securities and Exchange Commission:
Atlantic Utility Service Corp., hearing postponed. 2179
Louisville Gas and Electric Co., et al., application granted. 2179
Panhandle Eastern Pipe Line Co., filing notice. 2178

enlistment in such Corps, for the duration of the present war, of persons removed under this order or under Executive Order No. 9066 of February 19, 1942, and shall prescribe the terms and conditions of the work to be performed by such Corps, and the compensation to be paid.

8. There is established within the war Reorganization Authority a Liaison Committee on War Relocation, which shall consist of the Secretary of War, the Secretary of the Treasury, the Attorney General, the Secretary of Agriculture, the Secretary of Labor, the Federal Security Administrator, the Director of Civilian Defense, and the Alien Property Custodian, or their deputies, and such other persons or agencies as the Director may designate. The Liaison Committee shall meet at the call of the Director and shall assist him in his duties.

9. The Director shall keep the President informed with regard to the progress made in carrying out this order, and perform such related duties as the President may from time to time assign to him.

10. In order to avoid duplication of evacuation activities under this order and Executive Order No. 9066 of February 19, 1942, the Director shall not undertake any evacuation activities within military areas designated under said Executive Order No. 9066, without the prior approval of the Secretary of War or the appropriate military commander.

11. This order does not limit the authority granted in Executive Order No. 8972 of December 12, 1941; Executive Order No. 9065 of February 16, 1942; Executive Order No. 9066 of February 19, 1942; Executive Proclamation No. 2535 of December 7, 1941; Executive Proclamation No. 2526 of December 8, 1941; Executive Proclamation No. 2537 of December 8, 1941; Executive Proclamation No. 2533 of December 29, 1941; or Executive Proclamation No. 2537 of January 14, 1942; nor does it limit the functions of the Federal Bureau of Investigation.

EXECUTIVE ORDER 9103
PROVIDING UNIFORM CONTROL OVER THE PUBLICATION AND USE OF FEDERAL STATISTICAL INFORMATION WHICH WOULD GIVE AID AND COMFORT TO THE ENEMY

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941 (Public Law 354, 77th Congress, 1st Session), as amended, December 16, 1941; and in order to prevent the publication by Government agencies of statistical information which would lend aid or comfort to the enemy, and at the same time to make available to appropriate Federal officials such information as may be withheld from general publication during the war, it is hereby ordered as follows:

1. The Director of the Bureau of the Budget shall maintain a continuous surveillance of governmental publication of statistical data and shall determine in any instance whether the publication of statistical data by any Government agency would be in accordance with governmental policy designed to guard against the unauthorized disclosure of vital information as such policy is formulated by appropriate authority.

2. Statistical data ordered released to the public but withheld from general publication during the war shall be released to authorized users in Federal agencies in such manner and under such rules and regulations as the Director of the Bureau of the Budget may prescribe. This section shall not apply to munitions data classified by the Departments of War, Navy or the War Production Board as "secret."

FRANKLIN D ROOSEVELT
THE WHITE HOUSE, March 18, 1942.

[Presidential Executive Order 9103, 8 FR 3814, filed March 19, 1942, 11:29 a.m.]

EXECUTIVE ORDER 9104
WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AERIAL GUNNERY RANGE

ARIZONA

By virtue of the authority vested in me by the act of July 9, 1912, c. 143, 40 Stat. 845, 848 (U.S.C., title 10, sec. 1341), it is ordered that, subject to valid existing rights and to power site classification No. 259, the public lands in the following described areas be, and they are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an aerial gunnery range:

CILA AND SALT RIVER MERIDIAN

T. 6 S., R. 4 W.
sec. 16, lots 3, 4, E½SW¼;
sec. 19, lots 1, 2, 3, 4, E½SW¼;
sec. 30, lots 1, 2, E½NW¼;
T. 6 S., R. 5 W.
sec. 13;
sec. 14, E½SW¼, SE½SW¼;
sec. 15;
sec. 16;
sec. 17;
sec. 18, lots 3, 4, E½SW¼, SE½SW¼, SE½NW¼, E½NW¼, SW¼NW¼;
sec. 19 to 28 and 29 to 30, incl.,
TITLE 2—Army: War Department

Chapter VII—Personnel

Part 79—Prescribed Service Uniform

§ 79.33 Distinguished Service Medal. The coat of arms of the United States in bronze surrounded by a circle of dark blue enamel 1\(\frac{1}{2}\) inches in diameter, bearing the inscription "For Distinguished Service—MCMXVIII." On the reverse is a scroll for the name of the recipient (which is to be engraved) upon a trophy of flags and weapons. The medal is suspended by a bar from a watered-silk ribbon 1\(\frac{1}{2}\) inches in length and 1\(\frac{1}{2}\) inches in width, composed of a band of scarlet (5\% inch), a stripe of dark blue (\(\frac{5}{6}\) inch), a band of white (\(\frac{5}{6}\) inch), a stripe of dark blue (\(\frac{5}{6}\) inch), and a band of scarlet (5\% inch). All medals to be serially numbered on the rim. (R.S. 1296; 10 U.S.C. 1391) [Secs. 1 to 12, incl.; P.R. Doc. 42-2371; Filed, March 19, 1942; 9:39 a.m.]

§ 79.60 Belts.

(b) Warrant officers. (1) A belt of Army russet leather 1\(\frac{1}{2}\) inches in width, (a) with brass center bar buckle, and with a rusted leather keeper.

1 § 79.33 and 79.60 (b) are amended.

T. 7 S., R. 5 W.
T. 6 S., R. 6 W.
T. 5 S., R. 6 W.
T. 6 S., R. 7 W.
T. 5 S., R. 7 W.

FEDERAL REGISTER, Friday, March 20, 1942

§ 79.33 and 79.60 (b) are amended.

(2) The officers' belt, cloth, same as in paragraph (a) (2) of this section. (R.S. 1296; 10 U.S.C. 1391) [Par. 60b, AR 600-35, Nov. 10, 1941, as amended by Cir. 78, W.D., March 13, 1942; 9:39 a.m.]

[SEAL]
J. A. ULO
Major General
The Adjutant General.

[F. R. Doc. 42-2371; Filed, March 19, 1942; 9:39 a.m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

Part 201—Discounts for and Advances to Member Banks by Federal Reserve Banks

Section 201.2 (b) is amended, effective March 20, 1942, to read as follows:

§ 201.2 Advances to member banks.

(b) Advances on Government obligations. Any Federal Reserve Bank may make advances, under authority of section 13 of the Federal Reserve Act, to any of its member banks for periods not exceeding ninety days on the promissory note of such member bank secured by direct obligations of the United States, and for periods not exceeding fifteen days on the promissory note of such member bank secured (1) by the deposit or pledge of obligations of the United States, or (2) by the deposit or pledge of Federal Home Loan Mortgage Corporation bonds issued under the Federal Home Loan Mortgage Corporation Act of 1932, as amended, and guaranteed both as to principal and interest by the United States, or (3) by the deposit or pledge of Home Owners' Loan Corporation bonds issued under the provisions of subchapter (O) of the Home Owners' Loan Act of 1933, as amended, and guaranteed both as to principal and interest by the United States. (a) Such information (other than financial statements) in regard to the administration of the Federal Reserve System and the accommodation which it affords to the member banks, shall be furnished in accordance herewith. Where the issuer and its subsidiaries are to be invested, if the prospectuses prepared in accordance herewith are sent or given only to employees of the issuer who have previously received a prospectus for registered interests or participations in the plan and for the corresponding information furnished to members of the plan in previous prospectuses, for each fiscal year after the last fiscal year for which financial statements of the issuer and its subsidiaries were furnished to members of the plan in previous prospectuses. (b) Financial statements of the plan, corresponding to those included in previous prospectuses, for each fiscal year after the last fiscal year for which financial statements of the plan were furnished to members of the plan in previous prospectuses.

3. The financial statements specified in instruction 1 above must contain the following information:

(a) Such information (other than financial statements) in regard to the administration of the Federal Reserve System and the accommodation which it affords to the member banks, shall be furnished in accordance herewith. Where the issuer and its subsidiaries are to be invested, if the prospectuses prepared in accordance herewith are sent or given only to employees of the issuer who have previously received a prospectus for registered interests or participations in the plan and for the corresponding information furnished to members of the plan in previous prospectuses, for each fiscal year after the last fiscal year for which financial statements of the plan were furnished to members of the plan in previous prospectuses.

4. The fiscal year of the issuer of the underlying stock has ended within 90 days.
prior to the date when it is desired to distribute the prospectus to members of the plan.

(b) The prospectus contains or is accompanied by financial statements (which need not be certified) substantially meeting the requirements of instruction 2.

(c) Within 120 days after the close of the fiscal year the financial statements omitted from the prospectus pursuant to this instruction are made conveniently available to all members of the plan at their respective places of employment.

tions, halves" and preceding the phrase "peeled immediately following the phrase "peeled of the optional peach ingredients in said paragraph (b) of the said § 2700 is amended as follows:

(i) The term "enemy national" shall mean the following:

(iii) Any individual within enemy territory and any agent, instrumentality, or representative thereof, or any person acting therefor, actually situated within enemy territory; and

(iv) Any person whose name appears on The Proclaimed List of Certain Blocked Nationals and any other person acting therefor.

(2) The term "enemy territory" shall mean the following:

(i) The territory of Germany, Italy and Japan; and

(ii) The territory controlled or occupied by the military, naval or police forces or other authority of Germany, Italy or Japan.

The territory so controlled or occupied shall be deemed to be the territories of Albania; Austria; that portion of Belgium within continental Europe; Bulgaria; that portion of Burma occupied by Japan; that portion of China occupied by Japan; Czechoslovakia; Denmark; that portion of Denmark within continental Europe; Estonia; that portion of France within continental Europe occupied by Germany or Italy; French Indochina; Greece; Hong Kong; Hungary; Latvia; Lithuania; Luxembourg; British Malaya; that portion of the Netherlands within continental Europe; that portion of the Netherlands East Indies occupied by Japan; Norway; that portion of the Philippines occupied by Japan; Poland; Rumania; San Marino; Thailand; that portion of Italian Social Republic occupied by Germany; Yugoslavia; and any other territory controlled or occupied by Germany, Italy or Japan.

(3) The term "The Proclaimed List of Certain Blocked Nationals" shall mean "The Proclaimed List of Certain Blocked Nationals" as amended and supplemented, published pursuant to the President's Proclamation of July 17, 1941.

(4) The term "trade or communication with an enemy national" shall mean the sending, taking, bringing, transportation, importation, exportation, or transmission of, or the attempt to send, take, bring, transport, import, export or transmit

(i) Any letter, writing, paper, telegram, cablegram, wireless message, telephone message or other communication of any nature whatsoever, or

(ii) Any property of any nature whatsoever, including any goods, wares, merchandise, securities, currency, stamps, coin, bullion, money, checks, drafts, proxies, powers of attorney, evidences of ownership, evidences of indebtedness, evidences of property, or contracts directly or indirectly or from an enemy national after March 18, 1942.

(c) This general ruling shall not be deemed to affect any outstanding specific license in so far as such license expressly authorizes any transaction which involves trade or communication with any person whose name appears on The Proclaimed List of Certain Blocked Nationals.

d) Any transaction prohibited by section 3 (a) of the Trading with the enemy Act, as amended, is licensed thereunder unless such transaction is prohibited pursuant to section 5 (b) of that Act and not licensed by the Secretary of the Treasury. In this connection, attention is directed to the General License under section 3 (a) of the Trading with the enemy Act, issued by the President on December 13, 1941. (Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 139; Pub., No. 354, 77th Cong., 35 Stat. 838; E.O. 8339, Apr. 10, 1940, as amended by E.O. 6785, June 14, 1941, E.O. 8332, July 26, 1941, E.O. 8996, Dec. 9, 1941, and E.O. 8996, Dec. 26, 1941, Resols., Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941) [F. R. Doc. 42-2383; Filed, March 19, 1942; 11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

SUBCHAPTER B—DIVISION OF INDUSTRY OPERATIONS

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

AMENDMENT NO. 1 OF PRIORITIES REGULATION 81

Appendix B of Rules Regulation No. 81 is amended as follows:

By striking therefrom any reference to Order P-56-a, and by adding thereto Order P-56.

PART 1032—DIRECT-CONSUMPTION SUGAR
INTERPRETATION NO. 1 OF GENERAL PREFERENCE ORDER NO. M-55, AS AMENDED JANUARY 24, 1942

The following official interpretation is hereby issued by the Director of Industry Operations with respect to § 1032.1, General Preference Order M-55 as amended January 24, 1942.

Paragraph (a) of General Preference Order No. M-55 incorporates, by reference, the provisions of Priorities Regulation No. 1 (Part 944) to the extent that they are not inconsistent with the Order. § 944.43 of Priorities Regulation No. 1 provides, in part, that no person shall accept delivery of any material if his inventory of such material is, or will be, less than the applicable minimum working inventory. Consequently, the quantity of sugar which may be accepted under subparagraphs (a) (3) (vi), (vii), (viii), (ix), or (x), by any person is restricted by the application of the practicable minimum working inventory provision of Priorities Regulation No. 1 to the persons specified in said subparagraphs.

The provisions of General Preference Order No. M-55 do not prevent any receiver from transferring, without charge to his quota, the right to receive sugar due him from a distributor under any contract for future delivery executed prior to December 13, 1941, provided he has not accepted and does not accept actual or constructive delivery of such sugar and provided ultimate delivery is made in accordance with the Order. It is not material whether the cost of such sugar is billed by the distributor to the receiver who held the contract for future delivery or to the ultimate purchaser.

Issued this 19th day of March, 1942.

J. S. KNOWLSON,
Director of Industry Operations.

FEDERAL REGISTER, Friday, March 20, 1942

PART 1034—TUNG OIL
AMENDMENT NO. 2 TO GENERAL PREFERENCE ORDER NO. M-57 TO CONSERVE THE SUPPLY AND DIRECT THE DISTRIBUTION OF TUNG OIL.

Section 1034.1, as amended (General Preference Order M-57) is hereby amended as follows:

Paragraph (a) of § 1336.101 is hereby amended to read as follows:

(a) Parts sold and offered for sale between July 15, 1941, and October 15, 1941. The maximum price, exclusive of federal excise tax, for any part offered during the period between July 15, 1941, and October 15, 1941, inclusive, for sale during such period, shall be the highest net price f.o.b. seller's point of shipment and exclusive of federal excise tax at which such part was billed by the manufacturer for delivery during such period or if there was no such billing, the highest net price, exclusive of federal excise tax, at any time quoted in writing by the manufacturer for a delivery during such period to the same person or a person of the same general class, except that

1. The maximum price for the basic record changer (Model No. 201) manufactured by General Instruments Corporation shall be $8.40.

3. § 1336.101a Effective dates of amendments. (a) Amendment No. 1 (1336.101a) to Revised Price Schedule No. 48 shall become effective March 20, 1942.

PART 1340—FUEL
TEMPORARY MAXIMUM PRICE REGULATION NO. 97-MOTOR FUEL SOLD AT SERVICE STATIONS IN THE CURTAILMENT AREA.

In the judgment of the Acting Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942 to establish temporary maximum prices for motor fuel sold at service stations in the Curtailment Area the prices prevailing with respect thereto within five days prior to the issuance of this Regulation.

Therefore, under the authority vested in the Acting Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1, issued by the Office of Price Administration, Temporary Maximum Price Regulation No. 11 is hereby issued.

§ 1340.171 Maximum prices for motor fuel sold at service stations in the curtailment area. On and after March 23, 1942, to and including 12 o'clock midnight on May 21, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver motor fuel at service stations in the curtailment area at prices higher than the maximum prices set forth in Appendix A hereto, incorporated herein as § 1340.171.
and no person shall agree, offer, solicit or attempt to sell or deliver motor fuel at service stations in the curtailment area at prices higher than the maximum prices provided by §1340.171(1) to 1340.182 inclusive issued pursuant to Pub. Law 421, 71st Cong., 2d Sess.
§ 1340.172 Less than maximum prices. Lower prices than those set forth in Appendix A (§1340.181) may be charged, demanded, paid or offered.
§ 1340.173 Permanent agreements. No seller of motor fuel at service stations in the curtailment area shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by §1340.181, in the event that this Temporary Maximum Price Regulation No. 11 is amended or is determined by a court to be invalid or upon any other contingency; Provided, That if a petition for amendment under §1340.178 has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this regulation in permitting the making of contracts adjustable upon the granting of the petition for amendment.
§ 1340.174 Evasion. The price limitations set forth in this Temporary Maximum Price Regulation No. 11 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or resale of motor fuel sold at service stations in the curtailment area, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade undertakings, or otherwise.
§ 1340.175 Posting of prices. Every person selling motor fuel at a service station in the curtailment area in the course of trade or business, or otherwise dealing therein, shall post conspicuously the maximum prices provided by Temporary Maximum Price Regulation No. 11 for each grade of motor fuel sold at that service station. Such maximum price posting shall be marked “Maximum Prices” in letters at least five inches in height, and shall indicate the maximum price for each grade of motor fuel in figures no smaller than those in which the selling price at the pump is posted.
§ 1340.176 Records and reports. Every person making sales of motor fuel after March 23, 1942, at a service station in the curtailment area in the course of trade or business, or otherwise dealing therein, shall keep such records for inspection and submit such reports to the Office of Price Administration as it may from time to time require.
§ 1340.177 Violation. (a) Persons violating any provision of this Temporary Maximum Price Regulation No. 11 are subject to the criminal penalties and civil enforcement actions provided for by the Emergency Price Control Act of 1942.
(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 11 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation shall communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.
§ 1340.178 Petitions for amendment. Persons seeking any modification of this Temporary Maximum Price Regulation No. 11 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.
§ 1340.179 Replacement by regulation. This Temporary Maximum Price Regulation No. 11 may be replaced by a permanent maximum price regulation or order issued under the Emergency Price Control Act of 1942, which when issued shall have the effect of revoking this Temporary Maximum Price Regulation No. 11.
§ 1340.180 Definitions. (a) When used in this Temporary Maximum Price Regulation No. 11, the term:
(1) “Person” includes an individual, partnership, corporation, association, or any other organization, group or person, or any legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;
(2) “Motor fuel” means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.
(3) “Service station” means any place of business or part thereof where motor fuel is delivered into the fuel supply tanks of motor vehicles or motor boats.
(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.
§ 1340.181 Appendix A: Maximum prices for motor fuel sold at service stations in the curtailment area. (a) The maximum prices for each grade of motor fuel at each service station in the curtailment area shall be no higher than the price posted at such service station for each grade of motor fuel at the close of business or at eleven o’clock at night on March 13, 1942.
(b) Where the maximum price for any grade of motor fuel at a service station in the curtailment area cannot be determined under (a) above, the maximum price shall not be in excess of the price charged on the last sale of such motor fuel made prior to March 13, 1942 at the same service station, provided such sale was made after January 13, 1942.
(c) Where the maximum price for any grade of motor fuel at a service station in the curtailment area cannot be determined under (a) or (b) above, sellers may establish a temporary maximum price, which must be equal to or lower than the maximum price for that grade of motor fuel for other service stations in the locality, if any, which shall be submitted to the Office of Price Administration within ten days after the establishment of such price for approval or disapproval.
§ 1340.182 Effective period. Temporary Maximum Price Regulation No. 11 (§§1340.171 to 1340.182, inclusive) shall become effective March 23, 1942, and shall, unless earlier revoked or replaced, expire at twelve o’clock midnight on May 21, 1942.
Issued this 16th day of March 1942.
JOHN E. HAMM,
Acting Administrator.
[For. B. Doc. 42-2394; filed, March 18, 1942; 5:07 p.m.

PART 1351—FOODS AND FOOD PRODUCTS
ORDER NO. 1 UNDER REVISED PRICE SCHEDULE NO. 91—TEA

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of Price Administration, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:
§ 1351.31 Order No. 1 under Revised Price Schedule No. 91 (a) Eppers, Smith Company, Warren and Washington Streets, New York and Elway Food Products Corp., 22 Hudson Street, New York may sell and receive, sell and deliver, the kinds, grades and quantities of tea set forth in paragraph (b), at prices not in excess of those stated therein, and the persons named therein as the buyers may buy and receive, and agree, offer, solicite and attempt to sell and deliver, such kinds, grades and quantities of tea set forth in paragraph (b), at prices not in excess of those stated therein, and the persons named therein as the buyers may buy and receive, and agree, offer, solicit and attempt to buy and receive, such kinds, grades and quantities of tea at such prices from Eppers, Smith Company and Elway Food Products Corp., respectively.
(b) The prices listed below shall be the maximum prices at which each of the sellers listed may deliver the kind, grade and quality of tea named.

(1) The following prices apply to Eppers, Smith Company:

<table>
<thead>
<tr>
<th>Buyer</th>
<th>Description</th>
<th>Price per lb. New York</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teller Coffee Co., 125 E. Laredo St., Detroit, Mich.</td>
<td>Java BOP</td>
<td>49¢ per lb.</td>
</tr>
<tr>
<td>J. C. Coleman, 41 Vesey St., New York, N. Y.</td>
<td>Java OP</td>
<td>50¢ per lb.</td>
</tr>
</tbody>
</table>

17 F.R. 1378. 1857.
(q) Unless the context otherwise requires, the definitions set forth in § 1351.259 of Revised Price Schedule No. 51 shall apply to terms used herein. (Pub. Law, 421, 77th Cong., 2d Sess.)

This Order No. 1 shall become effective March 20, 1942. Issued this 18th day of March, 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2357; Filed, March 19, 1942; 9:22 a.m.]

Chapter XVI—Office of Censorship

PART 1804—POSTAL CENSORSHIP REGULATIONS

HANDELING OF PUBLICATIONS CONTAINING SCIENTIFIC, TECHNICAL, OR PROFESSIONAL DATA

Sec. 1804.1 License necessary for export.

1804.2 Application for license.

1804.3 Questionnaire and affidavits.

1804.4 Review of publication material.

1804.5 Issuance of license.

1804.6 Declaration of content.

1804.7 Correspondence.

1804.8 What shall make application.

§ 1804.1 License necessary for export. Effective April 1, 1942, publications devoted in whole or in part to scientific, technical, or professional data which may contain information, the transmission of which to foreign countries may be detrimental to the military interests of the United States, will be licensed prior to export. Before a license will be granted, the conditions set forth in §§ 1804.2 to 1804.6 inclusive, must be complied with.

* * * § 1804.1 to 1804.8, inclusive, issued under the authority contained in EO. 8968, 6 F.R. 6025.

§ 1804.2 Application for license. For applications for licenses shall be made to the Technical Data License Division, Office of Export Control, Board of Economic Warfare on forms provided by and available at that Agency. A separate application must be made for each license, and a separate license will be required for each separate export of each publication. The application shall show the name of the publisher, the name of the publication, the period covered by the particular issue, and names of the countries to which export is to be made. With each application there shall be submitted two copies of the publication in galley proof or other copy.

* § 1804.9 Questionnaire and affidavits. With the initial application for a license a Censorship questionnaire shall be filed on forms provided by and available at the Technical Data License Division. This questionnaire will show complete information concerning the publisher, including the nationality of all officials and a list of all enemy alien employees. At the time of initial application, each publisher will be required to designate from one to three employees to be charged with supervising the wrapping of the publication. Accompanying the questionnaire will be an affidavit of each such employee showing that he is an American citizen or, if not a citizen, that he has been approved by the Chief Postal Censor, length of time employed by the applicant, and that the employee has never been, and is not now, connected with any organization advocating the overthrow of the United States Government by force or violence, and that investigation has shown that none is or has been connected with any organization advocating the overthrow of the United States Government by force or violence. Each employee making such affidavit shall furnish three specimens of his signature. Accompanying the questionnaire there will also be an affidavit of the employer which will show the length of time each employee mentioned above has been employed and that investigation has shown that none is or has been connected with any organization advocating the overthrow of the United States Government by force or violence. This affidavit must be signed by a responsible official of the applicant.

§ 1804.4 Review of publication material. Upon receipt of each application for a license, the Technical Data License Division, Office of Export Control, Board of Economic Warfare, will review the copies of the publication submitted for objectionable subject matter from the viewpoint of Censorship Requirements and Regulations and national security. Every effort will be made to certify applicants of approval or other decision within forty-eight hours of receipt of the material. If certain portions are not approved for export, such portions will be subject to marking with the condition that the materials may then be resubmitted on the same application form for further examination after deletion of the marked portions. Upon final approval of the material, the Technical Data License Division will recommend to the Office of Censorship that a license be granted. Ordinarily, such license will issue immediately thereafter.

§ 1804.5 Issuance of license. A license from the Office of Censorship, when granted, will authorize the publisher to export the copies of the particular issue of the publication to the foreign countries specified therein. The license will not be transferable, and will be subject to revocation without notice. The possession of the license will not relieve the holder of the necessity of obtaining any other permit or license that may be required by any other Governmental Agency. The license will be granted on the express condition that
each copy of the publication mailed thereunder corresponds in every respect to the copy submitted to and approved by the Technical Data License Division, and on the further condition that the wrapping of all copies for export will be under the supervision of one of the employees designated in the questionnaire.*

§ 1804.6 Declaration of content. As soon as the license from the Office of Censorship is granted, the publisher may then release the issue for export subject to the following conditions.Copies for foreign shipment shall be wrapped without open ends. A Declaration of Content shall be annexed to the outer cover of each package for export, which Declaration shall show the number of copies, the name of the publisher, the name of the publication, the designation, and the license number. The Declaration shall further state that none of the copies are addressed to persons in enemy-occupied territory and that the material in the package corresponds in every respect to that approved by the Office of Censorship for which a license with a designated number has been granted. The Declaration shall further state that the package has been wrapped under the supervision of a designated employee of the publisher and that it does not contain any additional enclosures, writings, or other extraneous material. The Declaration shall be signed by the employee under whose supervision it was wrapped and whose name is shown thereon, such employee to be one of those previously designated by the publisher and whose signature is on file in the Office of Censorship. The package may then be posted in the usual manner.*

§ 1804.7 Correspondence. All correspondence concerning the approval, disapproval, deletions, or corrections of the material in the publication shall be directed to the Technical Data License Division, Office of Export Control, Board of Economic Warfare, Washington, D.C.*

§ 1804.8 All correspondence concerning the approval, disapproval, deletions, or corrections of the material in the publication shall be received by the Technical Data License Division, Office of Export Control, Board of Economic Warfare, Washington, D.C.*

Part 1865—Communications Rules

Communications Rule No. 1

By virtue of the authority vested in me by Executive Order No. 8865 (F.R. Doc. 41-5680) and T.D. 50536 (F.R. Doc. 41-9796):

§ 1865.1 Communications Rule No. 1.

(a) The sending or transmitting out of the United States in the ordinary course of the mail of any letter or other writing, book, or other paper, or through any public telegraph or cablegram, cablagegram or wireless message of any communication is permitted, provided that both of the following conditions are satisfied:

(1) Such communication complies with all regulations issued by the Office of Censorship; and

(2) Such communication is not addressed to or intended for, or to be delivered, directly or indirectly, to an enemy national.

(b) Nothing contained in this Rule shall be deemed to limit the authority of the Office of Censorship to cause to be censored in its absolute discretion, communication by mail, cable, radio or other means of transmission passing between the United States and any foreign country. All communications permitted by this Rule shall be subject to censorship to the extent of the authority of the Office of Censorship as if this Rule had not been issued.

(c) As used in this Rule the term "United States" and the term "person" shall have the meaning prescribed in Executive Order No. 8389, as amended, and the term "enemy national" shall have the meaning prescribed in General Rule No. 11, issued by the Secretary of the Treasury thereunder.

(d) This Rule may be amended or modified at any time; and the right is reserved to exclude from the operation hereof, or from the privileges hereby conferred, any or all of the means of transmission hereof with respect to, particular persons or communications or classes thereof.

(e) The regulations in this part governing the sending, receiving, and use of radio, telegraph, and cable communications are to be amended from time to time to meet the circumstances prevailing at the time of such amendment. The regulations with respect to radio and cable communications are to be subject to the direction and control of the appropriate Government agencies.

(f) The regulations in this part governing the sending, receiving, and use of radio, telegraph, and cable communications are to be subject to the direction and control of the appropriate Government agencies.

Chapter XVII—Office of Civilian Defense

[OCR corrections 1]

Part 1901—Loans of Equipment and Supplies to Civil Authorities

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, and Executive Order No. 9088 dated March 6, 1942, and pursuant to section 1 of the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088 dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, the following regulations are hereby made and issued:

§ 1901.1 General program.

§ 1901.2 Definitions.

§ 1901.3 Certificate and Agreement of civil authority of borrowing community.

§ 1901.4 Duties of Regional Directors.

§ 1901.5 Appointment and tenure of State and local property officers.

§ 1901.6 Bonding of property officers.

§ 1901.7 Distribution of civilian defense property.

§ 1901.8 Duties of State property officers.

§ 1901.9 Duties of local property officers.

§ 1901.10 Operating instructions.

§ 1901.11 General program. (a) The Director of Civilian Defense will from time to time make available to localities of the United States, its territories and possessions, equipment and supplies for the protection of persons and property from bombing attacks, sabotage and other war hazards.

(b) Such equipment and supplies will be made available by loans to communities within the United States, which communities may in turn distribute, under the direction of the local defense council, the equipment and supplies to responsible and qualified individuals or organizations, all in accordance with regulations issued by the Director of Civilian Defense.

(c) Each borrowing community will designate a local property officer who will act as custodian of the property and will be responsible therefor to the Office of Civilian Defense. State property officers are to be appointed to maintain records with respect to all property loaned in their respective States or areas, and property may, in certain instances, be delivered to the communities through the State property officers. State property officers and local property officers will deal with and distribute the property only in the manner prescribed by the Director of Civilian Defense.

(d) Regional Directors of the Office of Civilian Defense are to supervise the activities of State property officers and local property officers.

(e) The equipment and supplies shall at all times be at the disposition of the United States Government, and the United States Government shall retain its full rights as owner, lessee or borrower, as the case may be, of such property. To such extent as may be practicable, all such supplies and equipment shall at all times be clearly and distinctly marked as the property of, or under the control of, the United States Government, Office of Civilian Defense.

(f) The regulations in this part governing such loans are part of the agreement of each community receiving such a loan, and in addition should serve as a guide to State and local property officers in the performance of their duties.*

*§ 1901.11 to 1901.19, inclusive, issued under the authority contained in Pub. Law 416.
§ 1901.2 Definitions. (a) "Civil authority" means any State or community, as the case may require, or any duly elected or appointed official, agent, board, commission or other body of persons duly authorized to act on behalf of any State or community.

(b) As a condition precedent to the making of any loan to a community, the duly authorized appointive authority of such community shall duly appoint a local property officer to serve as the authorized agent of the community to receive such loan upon such terms and conditions as shall be prescribed by the Director of Civilian Defense. The duties and obligations of each local property officer shall be as set forth in these regulations or as otherwise prescribed by the Director of Civilian Defense.

(c) The Office of Civilian Defense, Washington, D.C., requires State property officers to be bonded in the amount of $10,000 to the Federal Government, and the obligation for the premium thereon shall be assumed by the State property officer or by the State designating any such State property officer.

§ 1901.4 Duties of Regional Directors. Regional Directors of the Office of Civilian Defense, appointed by the Director of Civilian Defense, will supervise the activities of State property officers and local property officers with the view of assuring the full and proper performance of all specified duties.

§ 1901.5 Appointment and tenure of State and local property officers. (a) As a condition precedent to the making of any loan to a community in any State, the Governor of such State shall duly appoint a State property officer. In the event that an area is designated as a special area by the Director of Civilian Defense, a State property officer thereof shall, as a condition precedent to a loan to any community therein, be duly appointed by the Governor of the State in which the largest city in such area is located, and in such case the State property officer for the State or States in which such special area is located shall have no duties or accountability with respect to the said special area. The duties and obligations of each State property officer shall be as set forth in these regulations or as otherwise prescribed by the Director of Civilian Defense. Each State property officer shall hold office during the pleasure of the appointing Governor.

§ 1901.6 Bonding of property officers. (a) The Office of Civilian Defense, Washington, D.C., requires state property officers to be bonded in the amount of $10,000 to the Federal Government, and the obligation for the premium thereon shall be assumed by the State property officer or by the State designating any such State property officer.

§ 1901.7 Distribution of civil defense property. Each local property officer shall distribute the property received by him, as the authorized agent of the community to receive such loan upon such terms and conditions as shall be deemed advisable in order to comply with the requirements of Federal law, including the requirement that such property shall be distributed for the adequate protection of persons and property from bombing attacks, sabotage or other war hazards: Provided, however, That such distribution shall at all times be subject to and in accordance with such rules, regulations, orders and instructions as the Director of Civilian Defense may make with respect thereto. Each local property officer shall obtain from each individual or organization to which any property is distributed, whether for further distribution or for their own use, as well as from any transferee of such property, a duly executed OCD Form Number 519, which shall constitute a receipt for the property and an agreement with respect to the protection, maintenance, use and return thereof in accordance with all rules, regulations, orders and instructions of the Director of Civilian Defense.
§ 1901.8 Duties of State property officers. The duties of each State property officer are to:

(a) Receive all property shipped to him by the Office of Civilian Defense for communities within his State or area, and cause such property to be delivered forthwith and without delay to the local property officers of the respective communities, in such amounts and manner as shall be specified in any order or instruction issued by the Office of Civilian Defense, Washington, D.C.

(b) Maintain an adequate record of all property delivered to him and all property delivered to local property officers within his State or area, and preserve all receipts for such property.

(c) Prepare and submit to the Office of Civilian Defense, Washington, D.C., and to his Regional Director, reports and information in such form and manner as required by them, respectively, as to the location, custody, condition and status of all property in his State or area.

(d) Supervise the examination and checking of all property shipped to or by him.

(e) Supervise the storage and handling of all property in his custody, and make arrangements so that such property may be inspected at any time by the representatives of the Office of Civilian Defense.

(f) Make arrangements, satisfactory to the Office of Civilian Defense, Washington, D.C., for the prompt return of any property received by him (unless lost, destroyed or consumed in the course of its use in accordance with proper report of adjustment with respect thereto), to the Office of Civilian Defense and in his custody if and when recalled for any reason whatsoever by the Office of Civilian Defense, Washington, D.C., and cause such property forthwith and without delay to be expeditiously transported and delivered to or upon the order of the Office of Civilian Defense, Washington, D.C.; provided, however, that any reasonable expense incident to the return of such property will be borne by the Office of Civilian Defense and in whose custody property is to be or has been transferred.

(g) Make arrangements, satisfactory to the Office of Civilian Defense, Washington, D.C., adequately to store, handle, maintain, protect, deliver and return all property in his custody, and provide suitable facilities, at the expense of the State, for the proper storage, handling, protection and delivery and return of all such property: provided, however, that he is not required to obtain fire, burglary or other insurance with respect to any property.

(h) Be accountable to the Office of Civilian Defense for all property within his State or area.

(i) Be responsible to the Office of Civilian Defense for the performance of his duties, including the storing, handling, maintaining, protecting, delivering and returning of all property received by him or his agents until such property shall have been delivered by him to and received by local property officers in accordance with rules, regulations, orders and instructions of the Director of Civilian Defense.

(j) Perform such other duties as may be necessary in administering his office, or as shall be prescribed by the Director of Civilian Defense.

State property officers may appoint agents to assist in the performance of their duties, but shall be responsible for the acts or omissions of such agents.

§ 1901.9 Duties of local property officers. The duties of each local property officer are to:

(a) Receive all property loaned to his community by the Office of Civilian Defense and shipped to him, as the agent of his community, by the Office of Civilian Defense or by or on behalf of the State property officer, and cause such property to be distributed forthwith and without delay in accordance with § 1901.7 and any other rules, regulations, orders or instructions of the Director of Civilian Defense.

(b) Maintain an adequate record of all property delivered to him or for his account, and of all property distributed by him, directly or indirectly, to individuals or organizations within his community or in territory adjacent thereto, and preserve all receipts for such property.

(c) Prepare and submit reports and information, in such form and manner as required by his State property officer or the Office of Civilian Defense, Washington, D.C., or his Regional Director as to the location, custody, condition, and status of all property loaned to his community.

(d) Supervise the examination and checking of all property shipped to or by him.

(e) Supervise the storage and handling of all property in his custody, and make arrangements so that such property may be inspected at any time by representatives of the Office of Civilian Defense.

(f) Pursuant to the agreement of his community contained in OCD Form Number 501, make arrangements satisfactory to the Office of Civilian Defense, Washington, D.C., adequately to store, handle, maintain, protect, deliver and return all property in his custody, and supervise the furnishing of suitable facilities and the making of suitable arrangements for the proper storage, handling, maintenance, protection, distribution and return of all property loaned to his community in accordance with the instructions of the Director of Civilian Defense; provided, however, that he is not required to obtain fire, burglary or other insurance with respect to any property.

(g) Ascertain, as a condition precedent to the distribution by him of any property, that the individuals or organizations to whom the property is to be distributed, either by him or by his agents or organizations, are in the first instance shall have distributed, have authorized and returned any property received by him or his agents until such property has been delivered by him to and received by individuals or organizations to whom custody of property is to be or has been transferred.

(h) Ascertain, before distributing any fire fighting pumping units, that the community, pursuant to its Agreement contained in OCD Form No. 501, and for which fire fighting pumping units have been transferred, is adequately to store, maintain, protect, deliver and return same. Such fire fighting pumping units shall be returned at the expense of the community to assure the mobility of such equipment.

(i) Obtain from all individuals or organizations in his community to whom any property is distributed, whether for further distribution or for their own use, as well as any transferee of such property, a receipt and agreement as provided in § 1901.7.

(j) Make arrangements satisfactory to the Office of Civilian Defense, Washington, D.C., for the prompt return of all property loaned to his community (unless lost, destroyed or consumed in the course of its use in accordance with proper report of adjustment with respect thereto) to the Office of Civilian Defense if and when recalled for any reason whatsoever by the Office of Civilian Defense, Washington, D.C.; provided, however, that any reasonable expense incident to the return of such property will be borne by the Office of Civilian Defense upon the presentation of duly verified vouchers.

(k) Be responsible to the Office of Civilian Defense for the performance of his duties, including (1) the storing, handling, maintaining, protecting, delivering and returning of all property received by him or his agents until such property shall have been distributed by him to and received by individuals or organizations in his community to whom custody of property is to be or has been transferred.

(l) Initiate and transmit Reports of Adjustment (on OCD Form 518) when required by rules, regulations, orders and instructions of the Director of Civilian Defense.

(m) Perform such other duties as may be necessary in administering his office, or as shall be prescribed by the Director of Civilian Defense.

Local property officers may appoint agents to assist in the performance of their duties, but shall be responsible for the acts or omissions of such agents.

§ 1901.10 Operating instructions. The Office of Civilian Defense, Washington, D.C., will from time to time issue instructions to State and local property officers relating to procedures and forms for use in performance of their duties.

James M. Landis, Director of Civilian Defense.

March 10, 1942.

[F. R. Doc. 42-2955; Filed, March 18, 1942; 5:11 p.m.]
Chapter I—Coast Guard, Department of the Navy

PART 6—ANCHORAGE REGULATIONS

REGULATIONS FOR THE CONTROL OF VESSELS IN THE TERRITORIAL WATERS OF THE UNITED STATES

Pursuant to the authority contained in section 1, Title II, of the Espionage Act approved March 31, 1917 (40 U.S.C. title 50, sec. 191), as amended by the Act of November 15, 1941 (Pub. Law 239, 77th Cong.), and by virtue of the Proclamation and Executive Order issued June 27, 1919 (3 F.R. 2419), and November 1, 1941 (6 F.R. 5381), respectively, the Regulations relating to the control of vessels in the territorial waters of the United States, the master, operator, person in charge, member of the crew or passenger.

Paragraph (a) of § 6.6, Special authorization for licenses, etc., is changed to read as follows:

§ 6.6 Special authorization for licenses.

(a) Except with respect to the departure of a vessel for which a departure permit is required by § 6.7, or in case of emergency missions to save life or property in distress, no vessel shall depart from the local waters of the United States, its territories or possessions, to a point or place outside of said waters or on the high seas unless the owner, agent, or master of such vessel shall first obtain from the captain of the port in whose jurisdiction the vessel is to depart a license authorizing such departure. The term "local waters," as used in this paragraph and in paragraph (b) of this section, embraces all territorial waters of the United States, its territories and possessions, except such areas, as rivers, harbors, bays, sounds, roadsteads, inlets and other arms of the sea between projections of land, as the Great Lakes, but does not include any portion of the high seas below the shore-line along the coasts of the United States, its territories or possessions, or outside of the arms of the sea between projections of land, as the Great Lakes, but does not include within the traditional three-mile limit. Subject to the provisions of paragraph (c) of this section, the captain of the port, if the vessel is registered as such under the Alien-Registation Act of 1940, as amended, or the Territorial Waters Act of 1919, shall issue a license to depart from local waters as follows:

(1) Where it is necessary for the vessel to depart from local waters, or from territorial waters, in order to avoid collision with vessels, for the purpose of transportation of passengers or freight of the public for hire, or for any other legitimate business: Provided, That the master, operator, or person in charge of such vessel is a citizen of the United States, or the vessel has at least fifty percent of the personnel complement of said vessel not aliens: Provided further, That no department or other public official shall be granted to any vessel having an enemy alien on board, in the capacity of master, operator, person in charge, member of the crew or passenger.

(2) Where it is necessary for the vessel to depart from local waters, or from territorial waters, in order to avoid collision with vessels, for the purpose of transportation of passengers or freight of the public for hire, or for any other legitimate business: Provided, That such transportation shall involve passage through, or arrival within, waters under the jurisdiction of another captain, or other captains of the port, the captain of the port shall cause an inspection to be made of the vessel for the purpose of determining the nationality of the vessel, which nationality, or any other information which may be deemed necessary, and shall, prior to the departure of said vessel, require every person on board to meet the identification requirements of § 6.4(b).

Paragraph (b) of § 6.6, Special authorization for licenses, etc., is changed to read as follows:

(b) Except (1) with respect to the departure of a vessel for which a departure permit is required by § 6.7, (2) or for which a departure license is required by paragraph (a) of this section, (3) or in case the vessel is included in a general license issued by the Commandant, with the approval of the Secretary of the Navy, under paragraph (d) of this section, (4) or in case of emergency missions to save life or property in distress, no vessel shall move in local waters of the United States, its territories or possessions, to a point or place outside of said waters or on the high seas unless the owner, agent, or master of such vessel shall first obtain from the captain of the port in whose jurisdiction the vessel is to move a license authorizing such movement. No license will be issued to a vessel, other than a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes, which has, or intends to have, an alien enemy on board, or which has, or intends to have, an enemy alien on board, and such enemy alien has not complied with all applicable travel regulations of the Attorney General, or the President, or the President's authorized representative.

Before making the finding required by paragraph (c) of this section and issuing a departure license under the provisions of this paragraph, the captain of the port shall cause an inspection to be made of the vessel and such other information may be deemed necessary, and shall, prior to the departure of said vessel, require every person on board to meet the identification requirements of § 6.4(b).

Paragraph (c) of § 6.6, Special authorization for licenses, etc., is changed to read as follows:

(c) Except with respect to any person described in subparagraphs (3) or (4) of this section, the term "enemy alien" shall in no case be construed as limiting in any manner the authority of the captain of the port under the last clause of § 6.4(a) with respect to any person described in subparagraphs (3) or (4) of this section, or any other person, if such action is deemed warranted in any case.

FRANK KNOX, Secretary of the Navy.
§ 320.1 Creation of Pacific Coast Maritime Industry Board. There is hereby created a Pacific Coast Maritime Industry Board (hereinafter referred to as the Board) as an agency of and within the War Shipping Administration.*

*§ 320.1 to 320.7, Inclusive, issued under authority contained in E.O. 9844, 7 F.R. 887.

§ 320.2 Membership. The Board shall consist of five members: A Chairman, and a Vice-Chairman to act in his absence, two representatives of the owners, operators, or agents on the Pacific Coast, and two representatives of the longshore unions on the Pacific Coast.

(a) *Chairmen.* The Chairman shall be appointed by the Administrator.

(b) *Employers and union representatives and alternates.* The representatives of the employers and the unions shall be appointed by the Administrator. He may also designate two employer alternates and four union alternates. The four union alternates shall be divided equally by the A. F. of L. and C. I. O. unions. In matters arising in ports in which the A. F. of L. unions represent the stevedores for collective bargaining purposes, the two A. F. of L. alternates shall, at the request of the Chairman, serve on the Board as the Union representatives. The Administrator may at any time revoke such employment or designation, and make a new appointment or designation.

(c) *Vice-Chairman.* The Vice-Chairman shall be selected by the Chairman with the approval of the Administrator, and with the consent of the Board. In the absence of the Chairman and shall have full power granted to the Chairman.*

§ 320.3 Delegation of power. Subject to such directives as may be issued and such policies as may be determined by the Administrator, the Board shall have all the power vested in the Administrator by Executive Order of the President, (No. 9054), dated February 7, 1942, to coordinate the efforts of the employer and employee groups on the Pacific Coast for the purpose of increasing efficiency in loading and discharging vessels in that area.*

§ 320.4 Consultation with Pacific Coast Director of Administration. The Board shall consult with the Pacific Coast Director of the War Shipping Administration with regard to matters that affect efficiency in the Longshore Industry as well as with regard to matters that affect efficiency in the Marine and Longshore Industries jointly.

§ 320.5 Surveys. The Board shall from time to time conduct surveys of the loading and discharging of vessels on the Pacific Coast for the purpose of recommending to the Administrator and to the Industry (employer and employee groups alike) measures to increase the efficiency thereof; to devise means for increasing efficiency and also ways and means to waive collective bargaining agreements and any rights therein of either party to such agreements if the Board determines such waiver to be in the interest of the war effort.*

§ 320.6 Rules and regulations. The Board shall have power to promulgate rules and regulations appropriate for the performance of its duties and such rules and regulations shall be in effect. * § 320.7 Reports to Administrator. The Board shall from time to time report to the Administrator on its activities hereunder and on the status of the efficiency of ship loading and discharging operations on the Pacific Coast, insofar as such operations are related to the prosecution of the war effort.*

By Order of the War Shipping Administration.

[Seal]

W. C. Peet, Jr.,
Secretary.

MARCH 11, 1942.

[FR Doc. 42-2382; Filed, March 19, 1942; 11:11 a. m.]

NOTES

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-231]

IN THE MATTER OF OSCAR VAAL, ALSO KNOWN AS OSCAR B. VAAL, CODE MEMBER.

NOTICE OF AND ORDER FOR HEARING

A complaint dated March 5, 1942, pursuant to the provisions of section 4 I 2 (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on March 9, 1942, by Bituminous Coal Producers Board for District No. 11, to the Secretary, Bituminous Coal Division (the "Division"), alleging willful violation by Oscar Vaal, also known as Oscar B. Vaal, (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on April 28, 1942, at 10 a.m. at a hearing room of the Bituminous Coal Division at the Superior Court Room of Knox Circuit Court, Vincennes, Indiana. It is further ordered, That J. D. Dermody or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the
premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division for a Statement of Facts, and for a hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code or directing the Code member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herein is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows: That said Code member, whose address is St. Meinrad, Indiana, and whose code membership became effective as of August 31, 1936.

1. Subsequent to September 30, 1940 sold to various purchasers approximately 235,185 tons of 1½" x 0 slack coal produced by said Code member at its Vaal Mine, Mine Index No. 222, located in Harrison Township, Spencer County, Indiana, District No. 11, at the price of 55 cents per net ton f. o. b. said mine, whereas such coal is classified as Size Group No. 4-6, at a price of $1.40 per net ton f. o. b. said mine in the Schedule of Effective Minimum Prices for District No. 11 For Truck Shipments, resulting in the effective minimum prices established for such coal.

2. During the period October 1, 1940 to October 27, 1941, both dates inclusive, failed to file and maintain tickets, sales slips, ledgers, memoranda and records, and data as required by Order No. 296, dated September 23, 1940, Order No. 297, dated October 22, 1940, Order No. 307, dated December 1, 1940, and Order No. 312, dated February 24, 1941, resulting in violations of said Orders.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[ORDER NO. 337]

AN ORDER DIRECTING CODE MEMBERS TO FILE DUPLICATE COPIES OF SALES AGENCY CONTRACTS AND OF AMENDMENTS TO SALES AGENCY CONTRACTS, MADE AND ENTERED INTO ON AND AFTER APRIL 1, 1942.

Pursuant to the provisions of sections 4 (a) and 19 (a) of the Bituminous Coal Act of 1937.

It is ordered, That certified copies of all contracts appointing sales agents or sub-sales agents, entered into on or after April 1, 1942, and of all amendments of existing contracts which may be made on or after April 1, 1942, and which are required to be filed pursuant to the provisions of Rule 4 of section II of the Marketing Rules and Regulations, be filed in duplicate with the statistical bureau of the Division for the district in which the mine or mines of the code member principal may be located.

Dated: March 18, 1942.

[SEAL] DAN H. WHEELER, Acting Director.
NOTICE OF HEARING

All interested parties are hereby notified that a hearing will be held before the Public Contracts Board in Room 3225, Department of Labor Building, Washington, D. C., commencing at 10 a. m., on Tuesday, April 7, 1942, to take testimony and receive evidence upon which findings of fact and recommendations shall be made by the Board to assist the Secretary of Labor in determining the prevailing minimum wages in the Cane Sugar Refining and Beet Sugar Manufacturing Industries.

The entire record will be considered by the Secretary of Labor before the wage determination is made.

Dated: March 12, 1942.

W. R. McCombs, Assistant Administrator.

[F. R. Doc. 42-2366; Filed, March 19, 1942; 11:45 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-228]

IN THE MATTER OF BORDER PIPE LINE COMPANY (DELWARE)

ORDER POSTPONING HEARING

March 17, 1942.

Upon motion filed March 13, 1942, by applicant, Border Pipe Line Company (Delaware), for continuance of the hearing set in the above-entitled matter:

It appearing to the Commission that: Good cause has not been shown for the postponement of the date of hearing herein:

The Commission orders that: 'The hearing in this proceeding, heretofore set to commence on March 16, 1942, be and it is hereby postponed to April 6, 1942, at the same time and place as heretofore fixed.'

By the Commission.

[Seal]

LEON M. FOGUES, Secretary.

[F. R. Doc. 42-2362; Filed, March 18, 1942; 9:26 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-813]

IN THE MATTER OF PANHANDLE EASTERN PIPE LINE COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on March 15, 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Panhandle Eastern Pipe Line Company, a subsidiary of Columbia Oil & Gasoline Corporation, in turn a subsidiary of Columbia Gas & Electric Corporation, a registered holding company and, in turn, a subsidiary of The United Corporation, also a registered holding company; and

Notice is further given that any interested person may, not later than March 26, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania. Interested persons interested to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therewith proposed, which may be summarized as follows:

Declarant proposes to commence on about April 1, 1942 to acquire and redeem shares of its 5.60% Cumulative Preferred Stock in amounts required for the years 1942 and 1943 by the sinking fund provisions contained in the Certificate relating to said Preferred Stock, in excess of $180,000 is to be deposited on April 1, 1942 in a segregate account and a sum sufficient to redeem not more than 3 1/8% of the largest par amount at any time outstanding (presently $525,000) on April 1, 1943.

The declarant may, at any time or from time to time, all or any part of the sinking fund payment dues annually on April 1 (a) by delivering to the Commission the sinking fund shares of the said Preferred Stock which have been purchased or otherwise acquired, or (b) by redeeming shares of said Preferred Stock at $105.00 per share, plus accrued dividends, the number of shares of said Preferred Stock acquired in anticipation of sinking fund payments is to be limited to the amount necessary to satisfy the next succeeding payment.

Any acquisitions are to be in compliance with the restrictions contained in declarant's Mortgages and Deed of Trust dated November 1, 1940; as supplemented on January 1, 1942, restricting, among other things, the acquisition and retirement of any stock to the amount of surplus earned since January 1, 1943, plus $5,000,000. As provided in the Certificate relating to said Preferred Stock, no acquisition will be made while there is default in dividends except with the consent of the holders of the majority of said Preferred Stock. According to the declaration, no acquisition will be made from affiliates or associate companies except when shares of said Preferred Stock are called by lot for redemption; no acquisition of said Preferred Stock will be made from any Principal Underwriter during the period of distribution thereof; and all purchases are to be made at the best price obtainable but not to exceed the sinking fund redemption price ($105.00 per share), and all purchases in the open market are to be made only through or from licensed brokers and dealers.

To the extent that shares of said Preferred Stock acquired will be insufficient to meet the requirements of said sinking fund, then the moneys remaining in said sinking fund will be applied to the redemption of shares of said Preferred Stock, to be selected by lot, at the redemption price ($165.00 per share) as provided by the
Certificate relating to said Preferred Stock.

Section 12 of the Act and Rule U-42 promulgated thereunder are designated as being applicable to the proposed transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 42-2369; Filed, March 19, 1942; 9:39 a. m.]

[F. R. Doc. 42-2369; Filed, March 19, 1942; 9:39 a. m.]

IN THE MATTER OF ATLANTIC UTILITY SERVICE CORPORATION

ORDER POSTPONING DATE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of March, A. D. 1942.

The Commission having on January 29, 1942, issued its Notice of Filing and Order for Hearing pursuant to section 13 of the Public Utility Holding Company Act of 1935 in the above entitled matter and said order having set the date for the hearing therein on February 17, 1942; and

Said date of hearing having been postponed at the requests of the several parties in the matter, by subsequent orders of the Commission, to March 19, 1942; and

Atlantic Utility Service Corporation having now requested that said date of hearing be further postponed subject to call upon 15 days notice by Counsel for the Commission or Counsel for Atlantic Utility Service Corporation; and

The Commission being of the opinion that said request should not appropriately be granted but that a postponement of fifteen days from said hearing date of March 19, 1942, may appropriately be granted:

It is ordered, That the date of the hearing in this matter be and is hereby postponed to April 3, 1942, at 10 a. m. at the offices of the Securities and Exchange Commission, 16th and Locust Streets, Philadelphia, Pennsylvania, in each room as may be designated by the hearing room clerk in room 318, before the officer of the Commission previously designated herein.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 42-2370; Filed, March 19, 1942; 9:39 a. m.]

IN THE MATTER OF LOUISVILLE GAS AND ELECTRIC COMPANY (KY); LOUISVILLE TRANSMISSION CORPORATION (KY); AND LOUISVILLE TRANSMISSION CORPORATION (IN)

SUPPLEMENTAL FINDINGS AND ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of March, A. D. 1942.

The Commission having made findings and entered an order herein on March 3, 1942, granting the application, as amended, and permitting the declaration, as amended, to become effective forthwith, except that no findings were made in regard to the price to the Louisville Transmission Corporation (Kentucky), spread and distribution thereof and redemption prices applicable to the First Mortgage Sinking Fund Bonds due March 1, 1947, to be issued and sold by said Corporation, and the Commission having reserved jurisdiction in said order in regard thereto:

An amendment to said application and declaration having been filed as provided in Rule U-56 (c), specifying the terms and conditions for the purchase of said Bonds pursuant to the invitation of competitive bids therefor, and stating that Louisville Transmission Corporation (Kentucky) had accepted a bid from The Northwestern Mutual Life Insurance Company of 100% for the Bonds bearing coupons of 3 1/4% and Louisville Gas and Electric Company (Kentucky), and otherwise at 103 1/2%, said redemption prices diminishing thereafter at the rate of one half of the initial premium on March 1, 1943, and by an additional 1/4 of the initial premium on each March 1, thereafter:

The Commission having examined the record and making no adverse findings under section 7 (d) of the Public Utility Holding Company Act of 1935 in regard to the price to the issuer and redemption prices applicable to said Bonds, and there being no spread as the purchaser is not recalling said Bonds to the public:

It is ordered, That said application, as amended, be and it is hereby granted and said declaration, as amended, be and it is hereby permitted to become effective forthwith in regard to the price to the issuer and redemption prices applicable to said Bonds subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 42-2373; Filed, March 19, 1942; 10:13 a. m.]

Friday, March 20, 1942

2179