EXECUTIVE ORDER 9980
REGULATIONS GOVERNING FAIR EMPLOYMENT PRACTICES WITHIN THE FEDERAL ESTABLISHMENT

WHEREAS the principles on which our Government is based require a policy of fair employment throughout the Federal establishment, without discrimination because of race, color, religion, or national origin; and

WHEREAS it is desirable and in the public interest that all steps be taken necessary to insure that this long-established policy shall be more effectively carried out:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the laws of the United States, it is hereby ordered as follows:

1. All personnel actions taken by Federal appointing officers shall be based solely on merit and fitness; and such officers are authorized and directed to take appropriate steps to insure that in all such actions there shall be no discrimination because of race, color, religion, or national origin.

2. The head of each department in the executive branch of the Government shall be personally responsible for an effective program to insure that fair employment policies are fully observed in all personnel actions taken in his department.

3. The head of each department shall designate an official thereof as Fair Employment Officer. Such Officer shall be given full operating responsibility, under the immediate supervision of the department head, for carrying out the fair-employment policy herein stated. Notice of the appointment of such Officer shall be given to all officers and employees of the department. The Fair Employment Officer shall, among other things:

   (a) Appraise the personnel actions of the department at regular intervals to determine their conformity to the fair-employment policy expressed in this order.

   (b) Receive complaints or appeals concerning personnel actions taken in the department on grounds of alleged discrimination because of race, color, religion, or national origin.

   (c) Appoint such central or regional deputies, committees, or hearing boards, from among the officers or employees of the department, as he may find necessary or desirable on a temporary or permanent basis to investigate, or to receive, complaints of discrimination.

   (d) Take necessary corrective or disciplinary action, in consultation with, or on the basis of delegated authority from, the head of the department.

4. The findings or action of the Fair Employment Officer shall be subject to direct appeal to the head of the department. The decision of the head of the department on such appeal shall be subject to appeal to the Fair Employment Board of the Civil Service Commission, hereinafter provided for.

5. There shall be established in the Civil Service Commission a Fair Employment Board (hereinafter referred to as the Board) of not less than seven persons, the members of which shall be employees of the Commission. The Board shall:

   (a) Have authority to review decisions made by the head of any department which are appealed pursuant to the provisions of this order, or referred to the Board by the head of the department for advice, and to make recommendations to such head. In any instance in which the recommendation of the Board is not promptly and fully carried out the case shall be reported by the Board to the President, for such action as he finds necessary.

   (b) Make rules and regulations, in consultation with the Civil Service Commission, deemed necessary to carry out the Board’s duties and responsibilities under this order.

   (c) Advise all departments on problems and policies relating to fair employment.

   (d) Disseminate information pertinent to fair-employment programs.

   (e) Coordinate the fair-employment policies and procedures of the several departments.

   (f) Make reports and submit recommendations to the Civil Service Commission for transmittal to the President from time to time, as may be necessary to the

(Continued on next page)
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8. The means of relief provided by this order shall be supplemental to those provided by existing statutes, Executive orders, and regulations. The Civil Service Commission shall have authority, in consultation with the Board, to make such additional regulations, and to amend existing regulations, in such manner as may be found necessary or desirable to carry out the purposes of this order.

HARRY S. TRUMAN

THE WHITE HOUSE

June 26, 1948

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HARRY S. TRUMAN

THE WHITE HOUSE

June 26, 1948

EXECUTIVE ORDER 9981

ESTABLISHING THE PRESIDENT'S COMMITTEE ON EQUALITY OF TREATMENT AND OPPORTUNITY IN THE ARMED SERVICES

WHEREAS it is essential that there be maintained in the armed services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the statutes of the United States, and as Commander in Chief of the armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.

2. There shall be created in the National Military Establishment an advisory committee to be known as the President's Committee on Equality of Treatment and Opportunity in the Armed Services, which shall be composed of seven members designated by the President.

3. The Committee is authorized on behalf of the President to examine into the rules, procedures and practices of the armed services in order to determine in what respect such rules, procedures and practices may be altered or improved with a view to carrying out the policy of this order. The Committee shall confer and advise with the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.

4. All executive departments and agencies of the Federal Government are authorized and directed to coordinate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.

5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for the use of the Committee such documents and other information as the Committee may require.

6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.

HARRY S. TRUMAN

THE WHITE HOUSE

June 26, 1948

TITe 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Part 20—Pilot Certificates

CITIZENSHIP REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 21st day of July 1948.

The present provisions of the Civil Air Regulations concerning citizenship requirements, promulgated as wartime regulations, lack uniformity of wording and do not prescribe standardized requirements. Certain sections provide for the granting of airman privileges to citizens of foreign governments which grant reciprocal privileges to citizens of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

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

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 21 of the Civil Air Regulations (14 CFR, Part 21, as amended) effective August 26, 1948:

By amending § 21.12 to read as follows:

§ 21.12 Citizenship. Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal airline transport pilot privileges to citizens of the United States and does not prescribe standardized requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

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

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 20 of the Civil Air Regulations (14 CFR, Part 20, as amended) effective August 26, 1948:

By amending § 20.31 to read as follows:

§ 20.31 Citizenship. Applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal commercial pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government. (Secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1068; 49 U. S. C. 425 (a), 561, 552)

By the Civil Aeronautics Board.

M. C. MULLIGAN,

Secretary.

[Seal]

[Civil Air Regs., Amdt. 22-1]
provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of an airman certificate with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

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

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 24 of the Civil Air Regulations (14 CFR, Part 24, as amended) effective August 26, 1948:

By amending § 24.12 to read as follows:

§ 24.12 Citizenship. Applicant shall be a citizen of the United States, while other sections do not provide reciprocal privileges. Information has been exchanged with a number of foreign governments relating to the granting of reciprocity in the issuance of an airman certificate with commercial privileges. As a result of these conversations it is deemed desirable to prescribe standardized citizenship requirements permitting the issuance of an airman certificate to a national of any country which grants or has undertaken to grant reciprocal privileges to citizens of the United States.

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

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 24 of the Civil Air Regulations (14 CFR, Part 24, as amended) effective August 26, 1948:

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Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.
TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—TESTS AND METHODS OF ASSAY FOR ANTI-BIOTIC DRUGS

PART 147—CERTIFICATION OF BATCHES OF PENICILLIN- OR STEPTOMYCIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Correction

The regulations shall become effective on the date of their publication in the Federal Register. The provisions of section 4 of the Administrative Procedure Act (50 Stat. 238; 5 U. S. C. 1003) relative to proposed rule-making and delayed effective date are inapplicable because these regulations involve foreign-affairs functions.

PART 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 60—VISES, DIPLOMATIC: REGULATIONS APPLICABLE TO GRANTING OF SUCH VISES

July 20, 1948.

The following amendments to Part 60, Chapter I, Title 22, Code of Federal Regulations (Departmental Regulation 15, 15 F. R. 12702) are prescribed:

1. Paragraph (b) of § 60.7 is amended to read as follows:

§ 60.7 Applications for diplomatic visas. * * *

(b) As a general rule an alien seeking a diplomatic visa should apply in person at the office from which he desires to obtain the visa. However, the chief of the office may, in his discretion, waive the personal appearance of the applicant. Application for a diplomatic visa shall be made on Foreign Service Form 257a or 257d, inclusive, for each person 14 years of age or over, even if several persons are to be included in one visa. No oath will be required. Forms 257a, 257b, and 257d shall be given to the bearer of the visa for delivery to the immigration inspector at the port of entry in the United States. Form 257c shall be retained for the office files. When the personal appearance of an applicant is waived the diplomatic or consular officer shall complete the application as far as possible from the information available and pin or clip Forms 257a, 257b and 257d to the applicant's passport. In the absence of specific instructions to the contrary, the requirements of a photograph of the applicant may be waived in the discretion of the responsible officer.

2. Paragraph (a) of § 60.13 is amended to read as follows:

§ 60.13 Reports to Department. (a) Whenever a diplomatic visa is granted in any month the office concerned shall report the granting of such visa in its monthly report to the Department on Foreign Service Form 258 in accordance with the instructions printed on that form.

Recommended, so far as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned, by:

TOM C. CLARK,
Attorney General.

the following company under the act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the act of Congress approved March 23, 1910, 36 Stat. 241 (U. S. C. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of $130,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as a surety on Federal bonds will appear in the next issue of Treasury Department Form 355, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

Section 226.1 Surety companies acceptable on Federal bonds; acceptable reinsurance companies is hereby amended by adding the following company:

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

Texas, Traders & General Insurance Company, Dallas, Texas.


**[SEAL]**

E. H. Foley, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-6738; Filed, July 27, 1948; 8:50 a.m.]

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**TITLE 38—PENSIONS, BONUSES, AND VETERANS’ RELIEF**

**Chapter I—Veterans’ Administration**

**PART II—ADJUDICATION: VETERANS’ CLAIMS**

(APPENDIX)

**INSTRUCTIONS RELATING TO ADJUSTMENT OF AWARDS UNDER PUBLIC LAW 876, 80TH CONGRESS**

1. **Public Law 876, 80th Congress, approved July 2, 1948, as follows:**

   Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective the first day of the first month following the passage of this Act, paragraph II of part II of Veterans Regulation Numbered I (a), as amended, is amended to read as follows:

   **II. For the purposes of Part II, paragraph I (a) hereof, if the disability results from injury or disease, the compensation shall be equal to 80 per centum of the compensation now hereafter payable for the disability, had it been incurred in or aggravated by active military or naval service during a period of war service as provided in part I of this regulation.**

2. **Adjustments under this enactment are effective August 1, 1948, and will be, as far as possible, automatically made from the finance records without individual adjudications. This adjustment includes those cases wherein payments are being made based on disabilities incurred in or aggravated by service other than in time of war under part II of Veterans Regulation I (a), as amended, and which are based only on the regular rates shown in paragraph 6 of this Instruction. Automatic adjustments will not be made in those cases receiving wartime rates under Public Law 359, 77th Congress; Public Law 788, 74th Congress; the General Law (act of July 14, 1862); nor on cases the propriety of automatic adjustments.**

3. **The following procedure will be used by finance divisions, regional offices, to effect automatic adjustments: The regional disbursing office will be requested to prepare the July book-run for Code 7B2. Immediately after the July book-runs for this code have been completed and certified, the award account cards, which carry an old rate shown in paragraph 6 of this Instruction, will be adjusted to the new rate shown in that paragraph. The necessary entries will be posted on the award account cards to reflect the increase in amount and authority therefore. The authority will be shown as “Adj. PL 876, 80th Cong.” which may be made by rub-ber stamp. Award account cards, which are adjusted, are the new monthly rate will be entered on the extra copy of the July book-run opposite the name of each payee. Extreme care will be exercised to insure that the new rate is correctly legible. Local agreements should be made with the regional disbursing offices concerning the transmission of annotated book-runs. It may be desirable to transmit portions of book-runs as they are prepared. Awards which are not automatically adjusted, including those at regular rates about which there is doubt as to the propriety of automatic adjustments, will be posted to 3 x 5 cards which will be forwarded to the Adjudication Division for individual authorizations. In these cases, the word “Same” will be entered on the book-run opposite the name of the payee. Prior to preparing the August book-run, the regional disbursing office will change the rates in the addressograph plates from the annotated copies of the July book-runs. Consequently, the August book-runs will contain the new rates. Prior to making any addressograph plate changes after the preparation of the July book-run, the regional disbursing office will also imprint each addressograph plate for Code 7B2 on an individual tabulating machine card. It will be the responsibility of the chief, finance division, in each regional office, to secure from the chief, administrative division, the necessary tabulating card stock for this purpose and arrange to have such stock transported to the regional disbursing office. The reverse side of the card stock is pre-printed with the rates automatically adjusted. Such cards will also bear the notation “Adj. PL 876, 80th Cong.” Upon receipt of these cards in the finance division, they will be carefully compared against the award account cards to insure that there is a tabulating card for each award account card. During this comparison, the tabulating cards corresponding to those awards which were not adjusted will be segregated and destroyed. The group of “adjusted” cards will be forwarded to the adjudication division, for the preparation of the monthly filing in the claims folder.**

4. **Awards subject to adjustment under this law which are under the jurisdiction of central office will be automatically adjusted in substantially the same manner as that outlined in paragraph 3 of this Instruction. Payees accounts service will forward 3 x 5 cards, corresponding to those payees accounts which are not automatically adjusted, to the chief, claims division, veterans claims service, for the preparation of individual authorizations. The tabulating machine cards, received from the division of disbursment will be processed as indicated in paragraph 3 of this Instruction and forwarded to the claims statistics service, central office.**

5. **Cases in which no automatic adjustments of payments were made by the finance activity will be reviewed in numerical sequence and the amended compensation awards submitted without delay. However, in any case in this category which is before an adjudicating agency for some other purpose, the case will be deferred until such time as an amending award is otherwise in order or unless an automatic adjustment is discovered to be in error when a case is otherwise before an adjudicating agency. Any reduction occasioned by decrease in the rates automatically adjusted will be effective the date of last payment. The amended compensation award, when signed by the adjudicating activity, will be forwarded to the payee’s accounts service, central office, or to the finance division, field station, for appropriate payment action.**

6. **The rates of compensation provided by Public Law 876, 80th Congress are as follows:**

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<th>Percent</th>
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<tr>
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Automatic adjustments will be made by finance activities only on those cases being paid at the above “old rates.”

(a) If the disabled person, as the result of service incurred disability, has suffered the anatomical loss or loss of use of one foot or one hand, or blindness of one eye having only light perception, the rates of compensation provided in paragraph 6 above shall be increased by $33.60 per month; and in the event of anatomical loss or loss of use of one foot, or one hand, or blindness of one eye having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (1) to (n), inclusive, set forth in paragraph 6 (o) of this Instruction, the rate of compensation shall be increased by $288.00 per month for each such loss or loss of use but in no event to exceed $288.00 per month.

(b) Where entitlement under Part II, paragraph II (l) to (o) is established,
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the rate of compensation will be as follows:

Subparagraph (i)—$192.00.
Subparagraph (m)—$225.60.
Subparagraph (n)—$240.00.
Subparagraph (p)—Present intermediate rates will be increased from $195.35 to $208.00; $211.60 to $225.60; $233.00 to $240.00.

The above rates are basic rates and do not reflect any allowances for dependents as provided by section 2, Public Law 877, 80th Congress.

7. The X 5 cards forwarded to the chief, claims division, central office, or to the adjudication divisions, regional offices, will be used for individual authorization actions. The cases will be drawn under the provisions of § 2.2025 (i) and (j) in Public Law 786, 80th Congress, and General Law cases). While the General Law cases are increased, a determination will be made as to the amount payable upon the current evaluation under the 1933 Schedule where the service connected disability is based upon service prior to April 21, 1898, and subject to the adjudication organizational units pending as provided by section 2, Public Law 877, 80th Congress.

8. In automatically adjusting the accounts of veterans whose awards have been apportioned, including special apportionments, the increased amount will be prorated among the payees in accordance with the existing apportionment.

9. Where an institutional award has been authorized, any increase in the veteran's award will be deposited in Funds Due Incompetent Beneficiaries, provided deposits are being currently made into this fund, otherwise such adjustment will be accomplished by award action. Where there is an institutional award and the balance is paid to a guardian or other fiduciary, the increased amount will be paid to the guardian or fiduciary.

10. The increased rates authorized by Public Law 786, 80th Congress, will be effective from August 1, 1948. In new or reopened awards where the effective date of entitlement is prior to August 1, 1948, the former rates will apply to that date and the new rates from August 1, 1948, where only from or after August 1, 1948, the new rates will be applicable from the beginning date of the award. When adjusting awards pursuant to this instruction, there will be entered on VA Form 8-550c the apportionment specifying Public Law 876, 80th Congress, as authority for the award.

11. All amended award action on cases affected by this law will be held in the adjudication organizational units pending completion of the automatic adjustments described herein unless overpayment would result. Finance offices will notify the adjudication organizational units when the automatic adjustments are completed. Where conditions at any station are such that all amended awards can be processed simultaneously with the automatic adjustments and without retarding the latter process, the finance offices will so advise the adjudication organizational unit, and such amended awards may then be released to the finance offices.

12. Where the awards are not automatically adjusted by the finance activities, the veteran, his representative, if any, or guardian will be notified of the action taken as a result of the review under Public Law 876, 80th Congress.

(Pub. Law 876, 80th Cong.)

[SEM.] O. W. CLARK,
Executive Assistant Administrator.

[FR Doc. 48-7674; Filed, July 27, 1948; 8:53 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS

(Appendix)

INSURANCE RELATING TO INCREASE IN MONTHLY RATES OF DEATH COMPENSATION AND PENSION PAYABLE TO DEPENDENTS OF DECEASED VETERANS AT AN APPOINTED RATE

1. Review. Paragraph 6, Veterans' Administration Regulation No. 1, Public Law 868, 80th Congress, provides that the finance offices will furnish the adjudicating offices lists of all active cases under the codes affected in which payments are apportioned between a widow and a child or children. Upon receipt of the lists the adjudicating division will apportion the increased amount will be paid to the increased amount will be paid to the

2. Apportioned rates. Effective September 1, 1948, the rates for a widow shall be $50 monthly, where the death of the veteran was due to wartime service or $48 monthly where death was due to peacetime service. The remainder of the amount which would be payable to the widow if all children were in her custody will be divided equally among the children. The amount payable on behalf of any child in the widow's custody will be added to the widow's share.

3. Award procedure. On awards amended pursuant to the provisions of this Instruction, the following statement will be made under "Reason for amendment" on the supplemental award brief form, VA Form 8-550c: "Increase under Pub. Law 868, 80th Congress." The number of beneficiaries and apportionment status must also be shown, for example: "Award apportioned between widow with one child in her custody and two children not in her custody."

4. Current awards. In awards of death compensation which are currently approved covering periods both prior and subsequent to September 1, 1948, where the increased rates provided by this act are payable, the award will be apportioned in accordance with the provisions of paragraph 2, above, for periods on and after September 1, 1948.

(Pub. Law 868, 80th Cong.)

[SEM.] O. W. CLARK,
Executive Assistant Administrator.

[FR Doc. 48-7674; Filed, July 27, 1948; 8:53 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS

(Appendix)

PRESCRIPTION OF SERVICE CONNECTION FOR CHRONIC AND TROPICAL DISEASES

1. Provisions of section 1, Public Law 743, 80th Congress. Section 1, Public Law 743, 80th Congress, amends Veterans Regulation 1 (a), as amended, to provide that:

(a) If the conditions of paragraph I (c), Part I, of Veterans Regulation 1 (a), are subject to the adjudication organizational units, the increased amount will be paid to the

(b) The resultant disorders or diseases originating because of therapy, administered in connection with the above cited tropical diseases or as a preventive of these diseases, will be considered as having been incurred in wartime service if manifest to a degree of 10 percent or more within one year from the date of separation from active wartime service or within one year after the pertinent date prior to which a disability must have been incurred as provided in Veterans Regulation 1 (a), as amended, whichever is the earlier.

(1) Chronic diseases.

Bronchiectasis.
Cavitary tuberculosis.
Cystic fibrosis of the pancreas.
Diabetes mellitus.
Dysentery.
Eosinophilia.
Gonorrhoea.
Herpes zoster.
Hepatitis.
Hepatic cirrhosis.
Hepatitis B.
Hernia.
Hemiplegia.
Hypertension.
Hypothyroidism.
Infectious mononucleosis.
Influenza.
Infectious hepatitis.
Leukemia.
Lymphoma.
Malnutrition.
Malaria.
Malignant neoplasms.
Milk fever.
Miliary tuberculosis.
Mumps.
Nephritis.
Neurofibromatosis.
Nose.
Osteoarthritis.
Osteomyelitis.
Osteoporosis.
Otitis media.
Ovarian cyst.
Paraproctitis.
Paralysis agitans.
Parotitis.
Pneumonia.
Prostatic hypertrophy.
Pulmonary tuberculosis.
Purpura.
Puerperal sepsis.
Pyelonephritis.
Pregnancy.
Pyogenic meningitis.
Puerperal fever.
Rheumatic fever.
Rheumatoid arthritis.
Rubella.
Scleroderma.
Scleromalacia.
Sclerocystosis.
Scleritis.
Sclerosing cholangitis.
Scleromyxedema.
Scleroderma.
Scleromyxedema.
Scleromyxedema.
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Congress amends Veterans Regulation 4318. Part II, paragraph I, as amended, by adding a new subparagraph (d) thereto, providing that:

(a) Where a person served in the military or naval service for six months or more, was honorably discharged therefrom, and one of the tropical diseases listed below becomes manifest to a degree of ten percent or more within one year from date of separation from service, such tropical disease shall be deemed to have been incurred in active service for the purposes of paragraph I (a) of Veterans Regulation 4318, unless shown by clear and unmistakable evidence to the contrary. The provisions of this paragraph shall be construed to include the treatment of all instances of diseases originating because of therapy administered in connection with the tropical diseases set forth in paragraph 2 (a) of this regulation or as a preventative of these diseases will be considered as having been incurred in service if the conditions set forth in paragraph 2 (a) of this instruction are met.

(b) Section 2, Public Law 748, 80th Congress, also provides that service incurrance will be established under paragraphs 1 (a), Part II, of Veterans Regulation 4318, as amended, for any of the tropical diseases listed in paragraph 2 (a) of this Instruction when shown to exist at a time when standard and accepted treatises indicate that the incubation period commenced during active service.

3. Rebuttal of presumption of service connection. Where the expression "clear and unmistakable evidence" appearing in paragraph 1 (d), Part II, of Veterans Regulation 1 (a), as amended, shall be construed to be synonymous with the expression "affirmative evidence to the contrary" contained in paragraph 1 (c), Part I, of Veterans Regulation 1 (a). As to tropical diseases, incurred in either wartime or peacetime service, the fact that the veteran had no evidence in the tropics or in a locality having a high incidence of the disease, may be considered as evidence to rebut the presumption. The rebuttal procedure as to in-service prior or subsequent to service, and residence during the year following the service must not have been in the tropics or in a region where the particular disease is endemic. It is further necessary in disability claims that the conditions other than malaria be properly diagnosed on Veterans Administration examination. The known incubation period for such diseases should be used as a factor in the rebuttal of service connection, that is, five years from date of infection prior or subsequent to active service.

4. Effective dates of awards and evaluations. The effective dates of awards and evaluations will be in accordance with the provisions of controlling regulations provided that in no event will benefits under Public Law 748, 80th Congress, be awarded on the date of enlistment thereof. It should be borne in mind that benefits may be in order prior to the date of enactment of Public Law 748, 80th Congress, when the requirements of § 2.1095 as to peptic ulcer and § 2.1102 as to amebic dysentery, bacillary dysentery, filariasis (Bancroft's type), leishmaniasis, including kala-azar, schistosomiasis, trypanosomiasis, yaws and malaria, are met.

(Pub. Law 748, 80th Cong.)

[SEAL.

O. W. CLARK, Executive Assistant Administrator.

[F. R. Doc. 48-6745; Filed, July 27, 1948; 8:53 a.m.]

PART 2—ARTICULATION: VETERANS' CLAIMS (APPENDIX)

INSTRUCTIONS RELATING TO INCREASE IN MONTHLY RATES OF DEATH COMPENSATION AND PENSION PAYABLE TO DEPENDENTS OF DECEASED VETERANS

1. Public Law 868, 80th Congress.

Part II, Veterans Regulation 868, 80th Congress, approved July 1, 1948 provides as follows:

Be it enacted, * * *

That paragraph IV of part I of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

The surviving widow, child or children, and dependent mother or father of any deceased person who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided in part I, paragraph I hereof, shall be entitled to receive compensation at the monthly rates specified next below:

Widow but no child, $75; widow with one child, $100 (with $15 for each additional child) or with two children, $130 (equally divided); no widow but two children, $180 (equally divided) for the two children; division of additional child (total amount to be equally divided); dependent mother or father, $60 (or both), $35 each.

Sec. 2. Subparagraph (c), paragraph I, part II, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

(c) Any veteran or the dependents of any deceased veteran otherwise entitled to compensation under the provisions of part II of this regulation or the general pension law shall be entitled to receive the rate of compensation provided in part I of this regulation. If the disability or death of such veteran resulted from injury in the line of duty received in line of duty (1) as a direct result of armed conflict, or (2) while engaged in extra-hazardous service, including such service under conditions simulating war, or (3) while the United States is engaged in war.

Sec. 3. Paragraph III of part II of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

The surviving widow, child or children, and dependent mother or father of any deceased person who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided for in part II, paragraph 1, shall be entitled to receive compensation at 80 per centum of the rates specified for such dependents in paragraph IV, part I hereof, as now or hereafter amended.

Sec. 4. The increases provided by this act shall become effective on the date of enactment of the second following the passage of this act.

2. Cases affected. The increased rates of death compensation are applicable to widows, children and dependent parents where the death of the veteran resulted from injury in the line of duty due to service during any war or peace-time, or where the death of the veteran resulted under the conditions set forth in section 31, Public Law 381, 76th Congress, section 12, Public No. 866, 76th Congress, or section 2 (Veterans Regulation No. 1 (a), as amended, Part VII, Paragraph 4), Public No. 16, 76th Congress. The increased rates are not applicable, however, to cases in which a protected rate is being paid under the provisions of section 20, Public No. 78, 73d Congress or section 28, Public No. 141, 73d Congress.

3. Current awards. The provisions of this law will be applied in awards for periods on and after September 1, 1948. Automatic adjustments.—(a) Central office cases. The payees accounts service, central office, will review the award account cards under codes 541, 6A1, 7B1, 7B2, 10A, 10B. In the cases of widows, children and dependent parents. Except where the award has been apportioned between a widow and a child or children not in her custody, the total available monthly under the award will be increased effective September 1, 1948 as provided in the attached Tables A, B or C, whichever is applicable. (b) The division of increased award will be requested to prepare transcripts of the plates for the finance office on cards 3P 4X 75%. These cards will be handled in addition to those of peptic ulcer and those of malaria, in the counties having a high incidence of the disease, be considered as evidence to rebut the presumption. The rebuttal procedure as to in-service prior or subsequent to service, and residence during the year following the service must not have been in the tropics or in a region where the particular disease is endemic. It is further necessary in disability claims that the conditions other than malaria be properly diagnosed on Veterans Administration examination. The known incubation period for such diseases should be used as a factor in the rebuttal of service connection, that is, five years from date of infection prior or subsequent to active service.

4. Effective dates of awards and evaluations. The effective dates of awards and evaluations will be in accordance with the provisions of controlling regulations provided that in no event will benefits under Public Law 748, 80th Congress, be awarded on the date of enlistment thereof. It should be borne in mind that benefits may be in order prior to the date of enactment of Public Law 748, 80th Congress, when the requirements of § 2.1095 as to peptic ulcer and § 2.1102 as to amebic dysentery, bacillary dysentery, filariasis (Bancroft's type), leishmaniasis, including kala-azar, schistosomiasis, trypanosomiasis, yaws and malaria, are met.

(Pub. Law 748, 80th Cong.)
automatic adjustment is made, the neces-

sary entries will be posted on the award ac-
count cards, to reflect the increase in an-

The authority will be shown as “Adj. P. L. 868, 

80th Cong.,” which may be made by rub-
bber stamp. As the award account cards are 

adjusted, the new monthly rate will be

registered on an added copy of the Au-

tumn book-run opposite the name of each 

payee. Extreme care will be exercised to

insure that such entries are clearly leg-

ible. Adjustments should be made with the 

regional disbursing offices concerning the

transmittal of annotated book-runs. It may be 

desirable to trans-

mit portions of book-runs containing 200 

or 600 names as they are prepared.

(1) Where there is doubt as to the

propriety of an automatic adjustment,

such doubtful cases will be referred to the 

dependents and beneficiaries claims divi-

sion for preparation of an amended 

award. A pencil notation of this action 

will be made on the award account card.

In these cases and in apportionment 

cases we will be retained in the provi-

sion of the paragraph.

The following statement will be made 

under “Supreme court” of the addi-

tion of an automatic adjustment, 

and pension is being paid at this

rate because the widow was the wife of 

the soldier during his war service.

(b) On awards amended pursuant to 

the provisions of this paragraph, the 

following statement will be under 

“Supreme court” of the addi-

tion of an automatic adjustment, 

and pension is being paid at this

rate because the widow was the wife of 

the soldier during his war service.

6. Apportioned awards. The payees 

accounts service in central office will 

furnish the dependents and beneficiaries 

claims service a list of all active cases 

under codes 6A1, 10A, 10A, 16A 

and 16A1, and the finance service in the 

accounts service in central office will fur-

nish the adjudicating division, depend-

ents, and beneficiaries claims service, a 

list of all active cases in which payments 

are being made based on service rendered 

during the Civil War or Indian Wars 

(Codes 2A and 4A), to a widow for her-

self, by the rate of $60, or to a 

widow for herself and a child or children 

at the rate of $75.60. The adjudicating 

division will examine and review the 

XC-folders in these cases.

The increased rates provided in 

Table A will be authorized effective Sep-

tember 1, 1948, in those cases in which 

dependents, and beneficiaries claims service, 

a list of all active cases in which payments 

are being made based on service rendered 

during the Civil War or Indian Wars 

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(1) The increased rates provided 

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self, by the rate of $60, or to a 

widow for herself and a child or children 

at the rate of $75.60. The adjudicating 

division will examine and review the 

XC-folders in these cases.

Table B

A

B

No. 141, 78th Congress, or Section 12 

PUBLIC NO. 866, 76th Congress.

Appendix

Part II

Table A

Widows

<table>
<thead>
<tr>
<th>Code</th>
<th>Rate of Compensation</th>
<th>Present Rate</th>
<th>New Rate effective September 1, 1948</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A</td>
<td>Widows under 50</td>
<td>$57.00</td>
<td>$72.00</td>
</tr>
<tr>
<td>4A</td>
<td>Widows over 60</td>
<td>$75.00</td>
<td>$90.00</td>
</tr>
<tr>
<td>6A1</td>
<td>Widows under 60</td>
<td>$45.00</td>
<td>$55.00</td>
</tr>
<tr>
<td>7B1</td>
<td>Widows over 60</td>
<td>$60.00</td>
<td>$75.60</td>
</tr>
<tr>
<td>7B3</td>
<td>Widows under 60</td>
<td>$30.00</td>
<td>$37.50</td>
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Table B

Widow

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<tr>
<th>Age</th>
<th>Rate</th>
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<tr>
<td>50-64</td>
<td>$24.00</td>
</tr>
<tr>
<td>65+</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

6. Prior adjudications. Previous deter-

minations on which an award was predi-
cated will be accepted as correct in the 

absence of clear and unmistakable error 

or fraud.

Table A

<table>
<thead>
<tr>
<th>Code</th>
<th>Rate of Compensation</th>
<th>Present Rate</th>
<th>New Rate effective September 1, 1948</th>
</tr>
</thead>
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</tr>
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<td>$45.00</td>
<td>$55.00</td>
</tr>
<tr>
<td>7B1</td>
<td>Widows over 60</td>
<td>$60.00</td>
<td>$75.60</td>
</tr>
<tr>
<td>7B3</td>
<td>Widows under 60</td>
<td>$30.00</td>
<td>$37.50</td>
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Table B

Widow

<table>
<thead>
<tr>
<th>Age</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>50-64</td>
<td>$24.00</td>
</tr>
<tr>
<td>65+</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

6. Prior adjudications. Previous deter-

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cated will be accepted as correct in the 

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<td>4A</td>
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<td>7B1</td>
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<td>$60.00</td>
<td>$75.60</td>
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<tr>
<td>7B3</td>
<td>Widows under 60</td>
<td>$30.00</td>
<td>$37.50</td>
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</table>

Table B

Widow

<table>
<thead>
<tr>
<th>Age</th>
<th>Rate</th>
</tr>
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<tbody>
<tr>
<td>50-64</td>
<td>$24.00</td>
</tr>
<tr>
<td>65+</td>
<td>$30.00</td>
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</tbody>
</table>

6. Prior adjudications. Previous deter-

minations on which an award was predi-
cated will be accepted as correct in the 

absence of clear and unmistakable error 

or fraud.
TABLE B—Continued
SECTION 21, PUBLIC NO. 141, 79th CONGRESS, OR
SECTION 12, PUBLIC NO. 866, 76th CONGRESS—
continued

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<th>Codes</th>
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| PRACTICE RATES—continued
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<tbody>
<tr>
<td>Children where there is no widow (total payable equally divided)</td>
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<td></td>
</tr>
<tr>
<td>PUB. LAW 386, 76th Cong.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 child.........</td>
<td>$7.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>2 children........</td>
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<tr>
<td>Each additional child</td>
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<td></td>
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<tr>
<td>Parent..........</td>
<td>6.00</td>
<td>6.00</td>
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<tr>
<td>Dependent mother or father</td>
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<tr>
<td>(Or both) each</td>
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<td>12.00</td>
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| Table C
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<tr>
<td>Peace time rates of death compensation</td>
<td>Present</td>
<td>New</td>
</tr>
<tr>
<td></td>
<td>rate</td>
<td>effective</td>
</tr>
<tr>
<td></td>
<td></td>
<td>rate</td>
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</table>

<table>
<thead>
<tr>
<th>Widows</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Widows........</td>
<td>$30.00</td>
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<tr>
<td>Widows with 1 child</td>
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<tr>
<td>Each additional child</td>
<td>6.00</td>
<td>6.00</td>
</tr>
<tr>
<td>Children where there is no widow (total payable equally divided)</td>
<td></td>
<td></td>
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<tr>
<td>PUB. LAW 386, 76th Cong.)</td>
<td></td>
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</tr>
<tr>
<td>1 child.........</td>
<td>10.00</td>
<td>10.00</td>
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<tr>
<td>2 children........</td>
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<tr>
<td>3 children........</td>
<td>30.00</td>
<td>30.00</td>
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<tr>
<td>Each additional child</td>
<td></td>
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<tr>
<td>Parents</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>12.00</td>
<td>12.00</td>
</tr>
<tr>
<td>Dependent mother or father (Of both) each</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>18.00</td>
<td>18.00</td>
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| TABLE D
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Peace time rates of death compensation</td>
<td>Present</td>
<td>New</td>
</tr>
<tr>
<td></td>
<td>rate</td>
<td>effective</td>
</tr>
<tr>
<td></td>
<td></td>
<td>rate</td>
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<table>
<thead>
<tr>
<th>Widows</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Widows........</td>
<td>$30.00</td>
<td>$30.00</td>
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<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>(Of both) each</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12.00</td>
<td>12.00</td>
</tr>
<tr>
<td>16A1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The foregoing rates are payable in pesos rather than in dollars.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[SEAL]
O. W. CLARK, Executive Assistant Administrator.

[R. F. Doc. 48-6746; Filed, July 27, 1948; 8:52 a.m.]

TITLE 39—POSTAL SERVICE

PART 25—MEDICAL OCCUPATIONAL THERAPY


§ 25.6090 Definition. [Canceled July 12, 1948.]

§ 25.6081 Account of supplies and equipment; determination of values by appraisers. [Canceled July 12, 1948.]

§ 25.6082 Account of supplies issued to patients. [CANCELED JULY 12, 1948.]

§ 25.6083 Disposition of fabricated articles. [CANCELED JULY 12, 1948.]

§ 25.6084 Disposal through extra-administration agencies. [CANCELED JULY 12, 1948.]

§ 25.6085 Tagging of finished articles. [CANCELED JULY 12, 1948.]

§ 25.6086 Entry of disposition of articles. [CANCELED JULY 12, 1948.]

§ 25.6087 Boards of appraisers. [CANCELED JULY 12, 1948.]

§ 25.6088 Considerations in fixing prices; record of repairs to Government property. [CANCELED JULY 12, 1948.]

§ 25.6089 Reappraisal. [CANCELED JULY 12, 1948.]

§ 25.6090 By-products taken for Government use. [CANCELED JULY 12, 1948.]

§ 25.6091 Preparation of appraisers lists. [CANCELED JULY 12, 1948.]

§ 25.6092 Surplus occupational therapy by-products. [CANCELED JULY 12, 1948.]

(SEC. 7, 48 STAT. 9; 38 U. S. C. 707)

[SEAL]
O. W. CLARK, Executive Assistant Administrator.

[R. F. Doc. 48-6742; Filed, July 27, 1948; 8:52 a.m.]

PART 27—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

STATE OF ISRAEL; LIMITED MAIL SERVICE INITIATED

In Part 127, Title 27, Code of Federal Regulations (13 F. R. 822), make the following changes:

1. In the Table of Contents, Part 127, Subpart D, "Rates and conditions applicable to articles in the regular (Postal Union) mails and to parcel post packages," (13 F. R. 822), insert, in the list of countries therein contained, between §§ 127.230, Iraq (Mesopotamia), and 127.261, Italy, a new section number and country § 127.280a, Israel (State of).

2. In § 127.3, Letters and letter packages (13 F. R. 894), make the following change in paragraph (g): Insert, between Guatemala (ordinary), and Japan and dependencies, in the list of countries therein contained, a new country, Israel (State of).

3. In § 127.10, Small packets (13 F. R. 889), make the following change in paragraph (f): Insert, between Israel and Italy, in the list of countries therein contained, a new country, Israel (State of).

4. In § 127.129, Alphabetical Index to Subpart D (13 F. R. 929), make the following change: Insert, between "Ireland (Northern), 127.268 Great Britain and Northern Ireland," and "Italy, 127.281," in the list of countries and section numbers headed "Country and Section," a new country and section number, "Israel (State of), 127.280a."

5. In Subpart D, Rates and Conditions Applicable to Articles in the Regular (Postal Union) Mails and to Parcel Post Packages (13 F. R. 929), insert a new § 127.280a, Israel (State of), reading as follows:

§ 127.280a Israel (State of)—(a) Regular mails. See Table No. 1, § 127.200, for classifications, weight limits, rates and dimensions. Service limited to letters and post cards only. Small packets not accepted. There is no provision for registry service.

(1) Special delivery. No service.

(2) Air mail service. Postage rate, 25 cents one-half ounce. (See § 127.20.)

(3) Observations. The following are the principal post offices and postal agencies in the State of Israel:

Post Offices

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<tbody>
<tr>
<td>Binyamina.</td>
<td>Pardees Hanna.</td>
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<tr>
<td>Bnei Braq.</td>
<td>Petah-Tiqva.</td>
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<tr>
<td>Givat Ayin.</td>
<td>Qiryat Hayim.</td>
</tr>
<tr>
<td>Hadara.</td>
<td>Qiryat Motzkin.</td>
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<tr>
<td>Haifa.</td>
<td>Rasanna.</td>
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<tr>
<td>Hertsela.</td>
<td>Ramat Ayin.</td>
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<tr>
<td>Holon.</td>
<td>Rehovot.</td>
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<tr>
<td>Kfar Atta.</td>
<td>Sde-Pina.</td>
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<tr>
<td>Kfar Saba.</td>
<td>Safed.</td>
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<tr>
<td>Kfar Vitkin.</td>
<td>Tel Aviv.</td>
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<tr>
<td>Kinneret.</td>
<td>Tel Mond.</td>
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<tr>
<td>Mefi.</td>
<td>Tiberias.</td>
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<tr>
<td>Nahalal.</td>
<td>Yajar-Nesher.</td>
</tr>
<tr>
<td>Nathanya.</td>
<td>Zichron-Yaakov.</td>
</tr>
</tbody>
</table>

Postal Agencies

| Afkim Alonim. | Kfar Shmaryahu. |
| Ahuat Herbert Samuel. | Kfar Sirkin. |
| Aleyet Hashahar. | Kfar Yona. |
| Bat Galim. | Kiryat Anavim. |
| Bat Yam. | Kfar Yedidya. |
| Beer Tuvia. | Kfar Yehoshua. |
| Beit Alpha. | Meir-Shefatiah. |
| Beit Hakarem. | Mezad Yajur. |
| Ben Shenon. | Migdat. |
| Ein Harod. | Mishmar Haemek. |
| Ein Hashofet. | Mizra-Ne'eman. |
| Gevat. | Nahlal. |
| Ger. | Nesher. |
| Gedera. | Nataf. |
| Hertseliya. | Oreet. |
| Holon. | Sha'ar Hagay. |
| Kfar Saba. | Shomron. |
| Kfar Vitkin. | Sde-Long. |
| Kfar Saba. | Tibrat. |
| Kfar Saba. | Yatir. |
| Kfar Saba. | Yodefat. |
| Kfar Saba. | Yosef. |

Cross Reference: For instructions relating to adjustment of awards under Public Law 876, 80th Congress; to increase in monthly rates of death compensation and pension payable to dependents of deceased veterans at an apportioned rate; and to presumption of service connection for chronic and tropical diseases, see Part 2, supra.
PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR, Ch. I]

CONVERSION OF CANADIAN DOLLAR AND NEWFOUNDLAND DOLLAR

NOTICE OF PROPOSED INSTRUCTIONS FOR PURPOSE OF ASSESSMENT OF DUTY ON MERCHANDISE IMPORTED INTO UNITED STATES

Notice is hereby given that, pursuant to section 251 of the Revised Statutes and sections 532 and 624 of the Tariff Act of 1930 (19 U. S. C. 66, 31 U. S. C. 372, 19 U. S. C. 1624), it is proposed to issue instructions for the conversion of Canadian dollars and Newfoundland dollars for the purpose of the assessment of duties on merchandise imported into the United States, the terms of which proposed instructions, in tentative form, are as follows:

To Collectors of Customs and Others Concerned:

Reference is made to the conversion by the Federal Reserve Bank of New York, pursuant to statute 532 of the Tariff Act of 1930 (31 U. S. C. 572 (c)), of dual rates of exchange, designated "Official" and "Free," for the Canadian dollar and the Newfoundland dollar since March 22, 1940. Reference is also made to the instructions contained in T. D. 50154, April 15, 1940 (5 F. R. 1447), regarding the conversion of these currencies into currency of the United States for the assessment and collection of duties upon imported merchandise. The Federal Reserve Bank of New York still certifies both the Canadian and Newfoundland currency which varies by less than 0.25 cent from the Canadian dollar and the Newfoundland dollar. The "Official" rate is the higher rate and the "Free" rate is the lower rate (1.65 to 1.77). The "Free" rate is the rate used in making capital investments in Canada and, when brought in by tourists, for tourist expenses and purchases; that, with the exception of purchases by tourists and some other limited cases for which the Canadian exchange control authorities permit the use of the "Free" rate, the "Official" rate only is used in payment for exports from Canada. The Department has no information that the "Free" rate is used uniformly and legally in payment for any type of commodity.

It is understood that the use of the "Official" and "Free" rates for the Canadian dollar is substantially the same as the use of the "Official" and "Free" rates for the Canadian dollar.

In the case of any importation of merchandise exported from Canada or Newfoundland on or after March 22, 1940, the appraiser and collector shall proceed, respectively, with the appraisal and liquidation according to the following procedure:

1. No rate of exchange shall be used for customs purposes under these instructions except a rate certified by the Federal Reserve Bank of New York for the date of exportation of the merchandise, unless there is a proclaimed value for the Canadian or Newfoundland dollar of at least 0.25 cent per cent from the certified rate determined to be applicable to that merchandise in accordance with the numbered paragraphs below, in which case that proclaimed value shall be used as to that merchandise.

2. Where the appraisement is made in Canadian currency, the appraiser shall designate in his report to the collector the class of currency in which the appraisement is made by using the term "Official" dollars or "Free" dollars, as the case may be, to identify the two types of currency for which the Federal Reserve Bank has certified rates.

3. For all purposes of appraisement and assessment of duties, the amount of any value established in Canadian currency shall be considered to be in the class of dollars designated in the certifications of the Federal Reserve Bank of New York as "Official," except that if the appraiser or collector has credible information that the "Free" rate of exchange, or any rate other than the "Official" rate, was used uniformly during any period in connection with the payment for the particular merchandise on which duty is being assessed and all the merchandise of the same type, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the same type exported to the United States during the period involved, and a detailed report shall be transmitted immediately to the Bureau of Customs.

In all cases of importations from Canada or Newfoundland where the conversion of Canadian dollar and the Newfoundland dollar shall be considered to be in the class of dollars designated in the certifications of the Federal Reserve Bank of New York as "Official," except that if the appraiser or collector has credible information that the "Free" rate of exchange, or any rate other than the "Official" rate, was used uniformly during any period in connection with the payment for the particular merchandise on which duty is being assessed and all the merchandise of the same type, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the same type exported to the United States during the period involved, and a detailed report shall be transmitted immediately to the Bureau of Customs.

In all cases of importations from Canada or Newfoundland where the conversion of Canadian or Newfoundland currency is involved, estimated duties shall be calculated with the use of the "Official" rate.

Following the issuance of these instructions both the "Official" and the "Free" rates for the Canadian dollar and the Newfoundland dollar, as certified by the Federal Reserve Bank of New York.
serve Bank, will be published in the Treasury Decisions.

FRANK DOW,
Acting Commissioner of Customs,
Approved: July 21, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

This notice is published pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Cong.). Prior to the issuance of the proposed instructions, consideration will be given to any relevant data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., and received not later than 20 days from the date of publication of this notice in the Federal Register. No hearing will be held.

[Signature]
FRANK DOW,
Acting Commissioner of Customs,
Approved: July 21, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[FR Doc. 48-6785: Filed, July 27, 1948; 8:51 a.m.]

DEPARTMENT OF AGRICULTURE
Production and Marketing Administration
(7 CFR, Part 927)

PROPOSED RULE MAKING

Exceptions to the recommended decision were filed on behalf of the Milk Dealers' Association of Metropolitan New York, Inc.; Mutual Cooperative Milk Producers, Inc.; Metropolitan Cooperative Milk Producers' Bargaining Agency, Inc.; Dairymen's League Co-operative Association, Inc.; Mutual Cooperative of Independent Producers, Inc.; United Milk Workers of America; Eastern Milk Producers Cooperative Association, Inc.; United Farmers of New England; Milton Cooperative Dairy Corporation; Grand Isle County Creamery; Mt. Mansfield Cooperative Creamery and Grain Association; Bethel Cooperative Creamery; Richmond Cooperative Creamery; New England Milk Producers' Association; Northern Farms Cooperative, Inc.; and Maine Dairymen's Association.

All exceptions filed were considered in making the findings and conclusions set forth in this decision. Rulings on certain of the exceptions are hereinafter set forth in connection with the findings and conclusions with which the exception referred. Exceptions not otherwise ruled upon are denied to the extent to which they are at variance with the findings and conclusions herein set forth.

The exceptions are based upon evidence in the record of this hearing is whether the relationship between the following two factors: (1) the cost of production, and (2) the level at which minimum floor prices (if any) for Class I-A milk for the Greater Boston milk market area are established for the months July through December 1948. It was alleged in support of these exceptions that such proposed findings and conclusions and recommended amendments (1) are contrary to the record revealed by the evidence in the hearing record, (2) do not provide prices consistent with the standards of section 8c (18) of the act, (3) will not establish and maintain orderly market conditions, and (4) do not establish prices high enough to provide an increase (over 1947) in producer returns more than commensurate with the increased competitive production. In other words, the exceptions do nothing to arrest the trend of declining production during recent months. A further review of the evidence in the hearing record reveals inadequate support for these exceptions. It is apparent from the findings in the recommended decision (and herein adopted with minor revision) that the recommended floor prices may reasonably be expected to result in an increase in producer returns in 1948 which is enough greater than the increase (over 1947) in costs to arrest the recent prevailing trend of declining production. These exceptions, accordingly, are denied.

A reduction in the number of dairies from which milk was delivered to pool plants, together with the receipts of milk per day per dairy, has resulted in a smaller quantity of milk received at pool plants in each of the months November 1947 through May 1948 than for the same months a year earlier. Milk was received at pool plants from 46,176 dairies in May 1947 and from 45,079 in May 1948. The record does not indicate what part of this reduction in the number of dairies delivering milk to pool plants is accounted for by shifting to other plants or to discontinuing operation. Deliveries of milk per day per dairy declined from 443 pounds in May 1947 to 434 pounds in May 1948. The reductions in the total quantity of pool milk in relation to a year ago were 3.7 percent in April, 4.3 percent in May 1948 and 9.3 percent in November 1947. The receipts in April 1948 were 4.3 percent lower than in May 1947. Total milk production (receipts of milk at all plants) in New York State, the source of about 80 percent of all pool milk, has been less than a year earlier in each month since October 1947, in amounts ranging from 1.4 percent in November to 5.5 percent in March and April. Such lower total production appears to be due to the reduced numbers of dairies delivering milk per cow. Cow numbers remain unchanged from, or perhaps only slightly lower than, a year ago. Continuing relatively high prices for dairy cattle sold for beef results in a continuing tendency to sell cows and heifers which would otherwise be retained for milk. The amount of grain fed per cow was 4 percent higher than the year earlier in each month since November 1947, and the quality of roughage fed was below average.

Estimates of changes in the average cost of producing milk in New York State indicate that such cost for the 12-month period from May 1947 through April 1948 was about 12 percent higher than for the
corresponding period ending in April 1947, and that the level of costs in May 1948 remains about 10 percent higher than in May 1947. Prices paid by farmers for dairy feed declined about 10 percent from January to May 1948. Favorable weather conditions up to the middle of June this year provided a reasonable prospect (though no absolute assurance) of a low level of other costs, including farm wages and interest and taxes makes any significant reduction during 1948 in the total cost of milk production appear unlikely.

The price for Class I-A milk was 31.4 percent higher in June 1948 than in June 1947 and averaged for the first half of 1948 about 16 percent higher than for the same period in 1947. The price payable to producers for all milk delivered (uniform price) was about 30 percent higher in May 1948 than for June 1948, and will average for the first half of 1948 about 20 percent higher than for the same period in 1947. The New York Class I-A price for milk paid for at the Northeast generally, is more than 10 percent higher than in June, while in 1947, November receipts were only 50 percent as high as in November 1941 but only 2.1 percent higher in November 1947 than in November 1941. Receipts of milk per day per dairy has increased materially in recent years, but the increase during the spring and summer months has been much more pronounced than during the fall and winter months. This trend of wider seasonal variation, and particularly the absence of any significant increase in the level of production observed in the past, indicates a substantial increase in fluid milk sales since 1941, has resulted in a relatively unfavorable supply-demand condition during the fall months. The need for higher fall production to justify a continuation of the seasonal price policy under which producers receive a uniform price during the short season substantially higher than during the long season. The Class I-A minimum floor price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.5 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.5 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price minus 19 cents during any of the months of August through December of this year.

Evidence in the record indicates little, if any, prospect that the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.5 percent butterfat 3 cents higher than the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price minus 19 cents during any of the months of August through December of this year.

Evidence in the record reveals pronounced disagreement and differences of opinion as to the proper relationship between New York and Boston Class I prices. Consideration of the problem, and its appropriate solution, is complicated and aggravated by existing price differences between the two markets in the butterfat test of milk for which minimum basic prices are established, and in the butterfat and transportation differentials used in adjusting established prices (both Class I and uniform prices). Existence of these differences precludes establishment of Class I prices for milk which are identical in all respects and for milk containing different amounts of butterfat. Evidence in the record appears to be in conflict, not only as to the butterfat test, but as to the minimum price which should be used in making comparisons, but also as to the actual butterfat test of milk received in areas where New York and Boston handlers directly compete for milk supplies. In view of these differences and of these apparent conflicts, the evidence in this record is considered not to constitute an adequate basis for changing the relationship which has prevailed generally since October 1946 between the New York and Boston Class I prices. Evidence of any significant shift of milk from New York pool plants to Boston pool plants considered as an active competition of handlers for milk supplies, and that (2) the New York Class I-A price for milk should not be less than the Boston Class I price minus 19 cents during any of the months of August through December of this year.

Evidence in the record reveals pronounced disagreement and differences of opinion as to the proper relationship between New York and Boston Class I prices. Consideration of the problem, and its appropriate solution, is complicated and aggravated by existing price differences between the two markets in the butterfat test of milk for which minimum basic prices are established, and in the butterfat and transportation differentials used in adjusting established prices (both Class I and uniform prices). Existence of these differences precludes establishment of Class I prices for milk which are identical in all respects and for milk containing different amounts of butterfat. Evidence in the record appears to be in conflict, not only as to the butterfat test, but as to the minimum price which should be used in making comparisons, but also as to the actual butterfat test of milk received in areas where New York and Boston handlers directly compete for milk supplies. In view of these differences and of these apparent conflicts, the evidence in this record is considered not to constitute an adequate basis for changing the relationship which has prevailed generally since October 1946 between the New York and Boston Class I prices.

Evidence in the record indicates little, if any, prospect that the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price minus 19 cents during any of the months of August through December of this year.

Evidence in the record reveals pronounced disagreement and differences of opinion as to the proper relationship between New York and Boston Class I prices. Consideration of the problem, and its appropriate solution, is complicated and aggravated by existing price differences between the two markets in the butterfat test of milk for which minimum basic prices are established, and in the butterfat and transportation differentials used in adjusting established prices (both Class I and uniform prices). Existence of these differences precludes establishment of Class I prices for milk which are identical in all respects and for milk containing different amounts of butterfat. Evidence in the record appears to be in conflict, not only as to the butterfat test, but as to the minimum price which should be used in making comparisons, but also as to the actual butterfat test of milk received in areas where New York and Boston handlers directly compete for milk supplies. In view of these differences and of these apparent conflicts, the evidence in this record is considered not to constitute an adequate basis for changing the relationship which has prevailed generally since October 1946 between the New York and Boston Class I prices.

Evidence in the record indicates little, if any, prospect that the Boston Class I price for milk of 3.7 percent butterfat 3 cents higher than the Boston Class I price minus 19 cents during any of the months of August through December of this year.
PROPOSED RULE MAKING

Order Amending the Order, as Amended, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area

§ 927.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and reaffirmed except such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 17, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(ii) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8(e) of the act are not reasonable in view of the price of feed, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the proposed amendments to the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement for the Handling of Milk in the New York Metropolitan Milk Marketing Area" and "Order Amending the Order, As Amending, Regulating the Handling of Milk in the New York Metropolitan Milk Marketing Area" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective until and unless the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the attached order amending the order, as amended, which will be published with the decision.

This decision filed at Washington, D. C., this 23d day of July 1948.

[SEAL]

Charles F. Brennan, Secretary of Agriculture.
amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Nashville, Tennessee, marketing area, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.

Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the 7th day after the publication of this recommended decision in the Federal Register. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order has been formulated, was called by the Production and Marketing Administration, United States Department of Agriculture, following receipt of proposals for amendment of the Nashville Milk Producers, Inc., and by the handlers in the marketing area. The public hearing was held in Nashville, Tennessee, on June 15, 1948, pursuant to a notice issued on June 7, 1948, FR. 7, 1875.(30)

The material issues presented on the record of the hearing were whether:

(1) The definition of "other source skim milk" should be revised to exclude non-fluid milk products received and disposed of in the same form.

(2) The allocation provisions should be revised to provide for the prorating of excess producer butterfat whenever receipts of producer skim milk are less than 105 percent of the skim milk used in Class I, Class II, and cottage cheese.

(3) The provisions with respect to the computation of the uniform price to producers should be revised to provide for the adoption of a fall premium payment plan whereby a specified amount per hundredweight would be deducted from the uniform price for producer milk received during the delivery periods of April, May, and June and paid to the market administrator and held in escrow to determine his own yearly production. The record shows that for each year since 1945 receipts of producer milk during the shortest month of production have been less than 60 percent of such receipts during the months of highest production. Thus, an appropriate approach to the problem is to induce producers to shift part of their flush production to the short production season of September, October, and November.

The so-called "fall premium payment plan" of leveling milk production is a device of providing a monetary incentive to producers to make a shift in their production pattern by withholding from the uniform price a specified amount per hundredweight of milk delivered during the months of April, May, and June and by subsequently distributing to the producers through the producer-settlement fund during each of the months of September, October, and November, one-third of the amount of money so deducted. The plan does not change the use-class price and it does not affect a control of production since it does not establish a maximum or minimum quantity of milk that producers either individually or collectively may ship to the market. Under the plan all producers receive the same price per hundredweight of milk of similar test delivered during any particular delivery period. This free approach to the problem is in keeping with the unique production pattern in the Nashville market.

FEDERAL REGISTER
4325
Wednesday, July 28, 1948

The so-called 'Tall premium payment plan' of leveling milk production is a device of providing a monetary incentive to producers to make a shift in their production pattern by withholding from the uniform price a specified amount per hundredweight of milk delivered during the months of April, May, and June and by subsequently distributing to the producers through the producer-settlement fund during each of the months of September, October, and November.

The so-called "fall premium payment plan" of leveling milk production is a device of providing a monetary incentive to producers to make a shift in their production pattern by withholding from the uniform price a specified amount per hundredweight of milk delivered during the months of April, May, and June and by subsequently distributing to the producers through the producer-settlement fund during each of the months of September, October, and November, one-third of the amount of money so deducted. The plan does not change the use-class price and it does not affect a control of production since it does not establish a maximum or minimum quantity of milk that producers either individually or collectively may ship to the market. Under the plan all producers receive the same price per hundredweight of milk of similar test delivered during any particular delivery period. This free approach to the problem is in keeping with the unique production pattern in the Nashville market.
PROPOSED RULE MAKING

PROPOSAL TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER

The proposed amendment to the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The marketing agreement is not included in the recommendation because the regulatory provisions thereof would be the same as those contained in the proposed amendment to the order.

1. Delete § 978.1 (m) and substitute therefor the following:

"(m) "Other source milk" means all skim milk and butterfat received in any form from a producer-handler or from a source other than producers or other handlers, except any nonfluid milk product which is received and disposed of in the same form.

2. Delete thesemicolon at the end of § 978.4 (i) (1) (ii) and add the following:

"(ii) If the received amounts of skim milk from producers and from other handlers are less than 150 percent of the amount of skim milk in Class I and Class II skim milk which is obtained by transfer or diversion pursuant to paragraph (d) of this section, the pounds of skim milk which is in excess of the receiving points of skim milk in Class III milk shall be subtracted proportionately from the pounds of skim milk in Class I and Class II milk."

3. Delete the period at the end of § 978.4 (i) (2) and add the following:

"except that the proviso in subparagraph (1) (ii) of this paragraph shall not apply."

4. Delete § 978.7 (b) (3) and (5) and substitute therefor the following:

"(3) Add an amount equivalent to the cash balance on hand in the producer-settlement fund established by the provisions of subparagraph (5) (i) of this paragraph, less the total amount of continuing obligations to handlers pursuant to § 978.8 (d);

(5) For each of the delivery periods of September, October, and November, beginning September 1949, add an amount equivalent to one-third of the total of the three amounts representing the balance established, during the delivery periods of April, May, and June, a subsidized milk price incentive pursuant to subparagraph (5) (ii) of this paragraph.

5. (i) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers;

(ii) for each of the delivery periods of April, May, and June, beginning April 1949, subtract 45 cents, for the purpose of establishing in the producer-settlement fund a cash balance for distribution pursuant to subparagraph (3) (ii) of this paragraph. This shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat and cream milk plant.

[Filed at Washington, D.C., this 23rd day of July 1948.]

[SEAL]

JOHN L. THOMPSON
Assistant Administrator.

[FR Doc. 46-6749; Filed, July 27, 1948; 8:54 a.m.]

[7 CFR, Part 980]

HANDLING OF MILK IN TOPEKA, KANSAS, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure governing findings to formulate marketing agreement and orders (7 CFR, Supps. 900.1 et seq.; 12 F. R. 1139, 4904), notice is hereby given of the filing of the Hearing Clerk of the recommended decision of the Assistant Administrator, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Topeka, Kansas, marketing area. Interested persons may file written exceptions to the recommended decision with the Hearing Clerk, Room 1844, Federal Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this recommended decision in the Federal Register. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendment to the tentative marketing agreement and to the order was formulated was conducted at Topeka, Kansas, on June 4, 1948, pursuant to notice therefor published in the Federal Register on May 15, 1948 (13 F. R. 5571).

The only material issues of record were the amounts of the Class I and Class II differentials over the basic price.

Findings and conclusions. The following findings and conclusions on these issues are based upon the evidence introduced at the hearing and the record pertaining thereto.

The Class I differential should be increased from 60 cents to 65 cents during the months of March to August, inclusive, and to $1.30 during the months of September to February, inclusive.

The Class II differential should be increased from 35 cents to 60 cents during the months of March to August, inclusive, and to $1.05 during the months of September to February, inclusive.

Immediate action must be taken if the Topeka market is to avoid a serious shortage of milk during the fall and winter months. Average production per farm on the Topeka market during each of the first four months of 1948 was substantially under that of the correspondingly higher production of 1947. While the number of producers is somewhat higher than it was in early 1947, it is well below the peak which was reached in early 1947.

Placid milk sales on the Topeka market have been much greater during the first four months of 1948 than they were during the corresponding period of 1947. A comparison of sales and receipts by the handlers for whom records are available for both years shows that the comparison is increasing more rapidly than production. There would be much greater increase in demand during the next few months as a result of the reactivation of military installations within the marketing area. The personnel of these bases together with their families will represent a substantial increase in population.

Since Topeka has been for several years a short market, having enough milk for its Class I and Class II requirements only during the months of flush production, it is evident that if present trends continue the shortage later in the year will be much greater than in recent years. The market was adequately supplied with milk during the fall months of 1947, and it was necessary to use substantial quantities of other source milk in Class I and Class II. The amount of milk in excess of Class I and Class II production on the spring of 1948, however, was much greater than in 1948. With the great increase in consumption that has taken place since last fall, it is evident that the shortage during the coming fall will be far greater unless production can be very materially increased.

Under the existing conditions the present differentials are failing to maintain the existing supply of milk let alone increase it to the volume needed. As pointed out above the number of producers has declined since August 1947, and average production per producer is substantially under a year ago. While a great many factors have contributed to this decline in the milk supply there are two which are of particular importance. These are (1) the fact that the Topeka market lies principally in a diversified farm area, and producers may shift from milk dairying to other farm enterprises as new markets for milk and milk by-products become more favorable and (2) the Topeka milk shed in part overlaps the milk shed of the Greater Kansas City market and producers can readily shift to that market if the prices on the Topeka market lag behind those on the Kansas City market.

Over the past eighteen months the production of beef, hogs, and grains has been relatively more favorable than milk production. The price of cattle for slaughter has been at an all time high. The result has been that producers have greatly reduced their herds and have concentrated on the production of more profitable commodities. This movement is clearly reflected in the decline in average milk production per farm.

Both producer and handler witnesses testified that the class prices on the Topeka market had to be maintained in their normal relationship to the prices on the Greater Kansas City market and it has been demonstrated that when the price difference between the two markets varies much from 15 cents milk will shift from one market to the other. Last
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fall when the Kansas City price was more than 15 cents over the Topeka price, Topeka lost several producers to the Kansas City market.

If sufficient milk is to be induced on the market, the price of milk must be brought into a more favorable relationship to the Greater Kansas City market. Under the conditions likely to prevail in the immediate future the Class I and Class II differentials should be increased to 85 cents and 60 cents, respectively, during the months of March to August, inclusive, and to $1.30 and $1.05 respectively, during the remaining months of the year in order to attract sufficient milk to the market.

The proposal contained in the notice of hearing provided that these increased differentials should continue until changing conditions of supply and demand on the Topeka market indicate the need for revision.

The increase in differentials was objected to principally on the ground that it would result in a decrease in consumption. The weight of the record evidence does not substantiate this view. The population of the marketing area is on a high level and promises to continue so for some time to come. It appears, therefore, that the effects upon total consumption which might result from the increased differentials will be negligible.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Shawnee County Milk Producers Association and Beatrice Foods Company, Inc. The briefs contain statements of fact, conclusions and arguments with respect to the provisions of the proposed amendment. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinafter set forth. To the extent that the conclusions proposed in the briefs are inconsistent with the proposed findings and conclusions contained herein the request to make such findings or to reverse such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this decision.

Recommended marketing agreement and order. The following amendment to the order is recommended as the tentative marketing agreement which the following conclusions may be carried out. The proposed amendment to the tentative marketing agreement is not repeated in this decision because the regulatory provisions thereof would be identical with the following:

Amend § 980.5

(a) by deleting sub-paragraphs (1) and (2) thereof and substituting therefor the following:

(1) Class I milk. The price per hundredweight of Class I milk shall be the price determined pursuant to paragraph (b) of this section plus 85 cents during the months of March through August of each year and plus $1.30 during all other months of each year.

(2) Class II milk. The price per hundredweight of Class II milk shall be the price determined pursuant to paragraph (b) of this section plus 60 cents during the months of March through August of each year and plus $1.05 during all other months of each year.

Filed at Washington, D. C., this 23d day of July 1948.

[SEAL]
John I. Thompson,
Assistant Administrator.

FEDERAL POWER COMMISSION

[DOCKET No. G-892]

TRUNKLINE GAS SUPPLY CO.
ORDER ADVANCING DATE OF HEARING

JULY 22, 1948.

It appears to the Commission that:

(a) By its order entered June 22, 1948, the hearing which had been fixed to commence June 28, 1948, concerning the application filed March 20, 1947, by Trunkline Gas Supply Company (Applicant), in the above-entitled matter, was postponed to November 8, 1948.

(b) On June 25, 1948, Applicant filed a motion requesting an advancement in the hearing date from November 8, 1948, to not later than September 13, 1948, urging that it will be prepared to present its entire case at any date before or not later than September 13, 1948.

(c) No objection or protest to the advancement of the hearing date has been filed with the Commission.

(d) Due notice has been given of the filing on March 20, 1947, of the application on which the above-entitled matter is pending, and on June 18, 1948, of Applicant's "First Amendment to Original Application," including publication in the Federal Register on April 12, 1947, and July 15, 1948, respectively (12 F. R. 2415; 13 F. R. 4026).

(e) It is appropriate that the date of hearing be advanced from November 8, to September 8, 1948.

(f) It is appropriate, in connection with advancing the date of hearing and in the interest of expediting the proceeding, to provide that Applicant and intervenors supporting the amended application herein, file with the Commission and serve upon the parties to the proceeding, not later than August 25, 1948, copies of all exhibits which Applicant...
cant and such interveners propose to offer on direct examination at the hearing. The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, the hearing in the above-entitled matter now set for November 8, 1948, be advanced to commence on September 8, 1948, at 10:00 a.m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues represented by the application, as amended, and other pleadings in this proceeding.

(B) Applicant and interveners supporting the amended application herein, file with the Commission and serve upon the parties to this proceeding, not later than August 25, 1948, copies of all exhibits which Applicant and such interveners propose to offer upon direct examination at the hearing.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.97 (f) of the said rules of practice and procedure.

Date of issuance: July 23, 1948.

By the Commission.

[Seal]

LEON M. FOUQUAY,
Secretary.

[F. R. Doc. 48-6726; Filed, July 27, 1948; 8:48 a.m.]

[DOCKET NO. G-1081]

IROQUOIS GAS CORP.
NOTICE OF APPLICATION

JULY 21, 1948.

Notice is hereby given that on July 13, 1948, an application was filed with the Federal Power Commission by Iroquois Gas Corporation (Applicant), a New York corporation with its principal place of business at Buffalo, New York, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following natural-gas facilities:

(A) Construction. Approximately 13 miles of 22-inch I. D. welded pipe line as a loop section in Applicant’s transmission lines from Eckhardt Road Junction near the boundary lines of the Towns of Eden and Hamburg, Erie County, New York, extending in a northerly direction in the Towns of Eden, Hamburg, City of Lackawanna, and the Town of West Seneca, to Mineral Springs Works located on Mineral Spring Road, West Seneca, Erie County, New York.

(B) Underground storage—(1) New development of a natural gas storage field to be named Collins Storage Field with active and protective leaseholds in the Town of Collins, Erie County, New York, comprising Lots 120, 20, 21, 22, 23, 29, 30, 31, 32, 33, 34, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 65, and 76 of Town 6, Range 8 of the Holland Land Company’s survey.

(b) Nine existing wells to be reconditioned to operate on pressures up to 800 pounds.

(c) 15 to 20 new storage wells to be drilled.

(d) Construction of approximately 4 miles of 36-inch and 30-inch gas lines to transport gas to and from the storage wells.

(2) Expansion of existing storage in Zoar storage field. (a) Natural gas storage field consisting of active and protective leaseholds, located in the Town of Collins, Erie County, New York, in Lots 9 and 16, Town 6, Range 8; and in Lots 30, 31, 32, 33, 34, 35, 36, 37, 38, 50, 51, 52, 63, and 64, Town 6, Range 7, of the Holland Land Company’s survey; and in the Town of Concord in said county in Lots 40, 47, 48, 49, 50, 57, 58, 59, 60, 61, 62, 66, 67, 70, Town 6, and 81, Town 6, Range 7, of the Holland Land Company’s survey.

(b) Existing wells and lines to be reconditioned to permit carrying of higher pressures.

(c) Fou additional wells to be drilled from a total of 34 with an estimated storage capacity of 1 million Mcf from an initial initial of 14,000 Mcf to a storage pressure of 450 pounds.

(3) Expansion of existing storage in Quaker storage field. (a) Natural-gas storage field consisting of active and protective leaseholds, located in the Town of Collins, Erie County, New York, in Lot 41, Town 7, Range 8, and in Lots 44, 45, 49, 51, 52, 53, 54, 57, 59, 60, 61, 62, 67, 68, 69, and 70, Town 7, and 81, Town 6, Range 8 of the Holland Land Company’s survey.

(b) Eleven existing wells and lines to be reconditioned to operate on pressures up to 800 pounds.

Applicant states the proposed projects will help it meet heavy winter peak day demands particularly in Buffalo and is part of a general program to increase deliverability from storage on peak days without choking back deliveries coming from the south through the United Natural Gas Company; that loop section (Line "F") for which authorization is sought and 13 miles of 22-inch line extending northerly from Eckhardt Road Junction, Erie County, New York) will serve to eliminate excessive pressure drops now occurring in its transmission system north of Zoar By-pass Station, and will provide additional transmission capacity needed to carry additional gas from storage.

Applicant further states the construction program will increase the capacity of lines between Zoar By-pass and Buffalo from 79,000 Mcf to approximately 225,500 Mcf daily; a total increase of 146,500 Mcf; that peak day gas sell out for the winter of 1947-48 was 144,400 Mcf, which was not sufficient to meet the needs of its customers (90% on a volume basis coming from domestic and commercial, resulting in an estimated deficiency of 8,000 Mcf on that peak day; and that the estimated peak day requirement of 1948-49 will be 163,500 Mcf. The estimated total over-all capital costs of the proposed construction and storage projects will be $1,357,000, the cost of which will be met in part from existing funds, but principally from a portion of the proceeds of the sale to its parent company, National Fuel Gas Company, of 48,500 shares of common capital stock at $100 per share. Applicant states in this connection it has made application to the Public Service Commission of New York for authorization to issue and sell this stock; that an order was issued by the New York Commission on May 18 and 19, 1948 authorizing the sale of 15,000 shares and that a hearing concerning the remaining 33,500 shares was closed on July 1, 1948, but that no order has yet been issued. Applicant further states that a joint application-declaration has been filed by National Fuel Gas Company, United Natural Gas Company (also a subsidiary of National Fuel Gas Company) and Applicant with the Securities and Exchange Commission, and an order was issued by that Commission on June 30, 1948 describing the financial arrangements between the affiliates and approving them subject to the authority of certain specified further orders. Applicant also states National Fuel has represented in the joint application that, pending purchase of stock from Iroquois, it will make available to Applicant a line of credit on open account in the amount of $3,350,000 for a period of not exceeding 6 months.

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

The application of Iroquois Gas Corporation is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission held at its office in the city of Washington, D. C., not later than 15 days from the date of publication of this notice in the Federal Register, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[Seal]

LEON M. FOQUAY,
Secretary.

[F. R. Doc. 48-6714; Filed, July 27, 1948; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1968]

CENTRAL MAINE POWER CO.
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 24th day of July, 1948.

Central Maine Power Company ("Central Maine") a public utility subsidiary of New England Public Service Company,
a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, requesting an exemption from the provisions of section 6 (a) of the act, with respect to the issuance and sale, at competitive bidding, of $5,000,000 principal amount of First and General Mortgage Bonds, Series Q, . . . , due 1978; the proceeds from the sale of the bonds being applied toward the retirement of outstanding notes; and

Applicant having requested that the ten-day notice period for inviting bids for the purchase of its bonds, as provided in Rule U-50 (b), be shortened to five days so as to permit the opening of bids on July 26, 1948; and it appearing appropriate to grant such request; and

A public hearing having been held on said application, as amended, after appropriate notice, and the Commission having examined the record and having made and filed its findings and opinion herein;

IT IS ORDERED, That said application, as amended, be and the same hereby is granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the following additional conditions:

1. That the proposed issuance and sale of bonds by Central Maine shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose; and

2. That jurisdiction be reserved with regard to the payment of all legal fees incurred or to be incurred in connection with the proposed bond financing.

IT IS FURTHER ORDERED, That the ten-day period for inviting bids on the bonds as provided by Rule-50 be, and the same hereby is, continued.

By the Commission.

NELLYS A. THORSEN, Assistant Secretary.

[F. R. Doc. 48-6718; Filed, July 27, 1948; 8:46 a. m.]
bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, jurisdiction being reserved, inter alia, to impose further terms and conditions as might then be deemed appropriate; and

Equitable Gas Company having, on July 21, 1948, filed a further amendment to said application-declaration in which it is stated that it has offered the bonds for sale to the public in an amount which will not exceed $500,000, and in connection therewith, the pledging of Central Vermont's common stock in an amount which will not exceed $500,000, and in connection therewith, the offering of subscription warrants and forms.

The amendment further stating that Equitable Gas Company has accepted the bid of The First Boston Corporation for the underwriters' spread and the allocation of outstanding common stock of Central Vermont, and an exemption from competitive bidding of the proposed new issuance of common stock and bonds, and having also permitted to become effective said declaration of and U-45 promulgated thereunder; and

The Commission having, at the request of Central Vermont and NEPSFCO, severed the issues herein, and having, on April 30, 1948, granted and permitted to become effective the application and declaration, as amended, of Central Vermont insofar as it related to proposed amendments to its Articles of Association, solicitation of proxies, payment of preferred dividends out of capital surplus, accounting entries, acquisition, retirement and issuance of shares of common stock pursuant to said amendment of outstanding common stock of Central Vermont, and an exemption from competitive bidding of the proposed new issuance of common stock and bonds, and having also permitted to become effective said declaration of NEPSFCO insofar as it related to the surrender by NEPSFCO of its shares of common stock of Central Vermont; and the Commission having reserved jurisdiction to pass upon all other aspects of the transactions proposed by Central Vermont and NEPSFCO; and

A further hearing having been held, and the Commission having made and filed its supplemental findings and opinion herein, with regard to (a) the issue and sale by Central Vermont of $1,900,000 principal amount of First Mortgage 5% Bonds, Series E, due 1978, and a sufficient number of shares of common stock of Central Vermont to raise approximately $2,600,000, and in connection therewith, the issuance of transferable subscription warrants and forms to stockholders, (b) the issue and sale by NEPSFCO of a series of promissory note to The First National Bank of Boston in an amount which will not exceed $500,000, and in connection therewith, the pledging of Central Vermont's common stock presently held by it, together with other common stock proposed to be acquired, as collateral for said loan, and (c) the acquisition by NEPSFCO of sufficient number of shares to retain its approximate proportionate common stock interest in Central Vermont:

It is ordered, That said applications and declarations, as amended, of Central Vermont Public Service Corporation and New England Public Service Company be, and the same hereby are, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

1. That Central Vermont obtain orders from the Vermont Public Service Commission and the New Hampshire Public Service Commission approving the issue of subscription warrants and forms.
2. That the proposed issue and sale of bonds and common stock by Central Vermont shall not be consummated until the results of negotiation, including the prices, the interest rate on the bonds, underwriters' commissions and allocation thereof, and the finder's fee, have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, and the terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose.

3. That jurisdiction be reserved with respect to the payment of all legal fees incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] NELLY A. THORSEN, Assistant Secretary.

[File No. 70-1799]

CENTRAL VERMONT PUBLIC SERVICE CORP. AND NEW ENGLAND PUBLIC SERVICE CO.

ORDER GRANTING APPLICATIONS AND DECLARATIONS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 21st day of July A. D. 1948.

Central Vermont Public Service Corporation and New England Public Service Company ("NEPSFCO"), a registered holding company, having filed an application and declaration, and amendments thereto, pursuant to sections 9 (a), 10 and 12 (f) of the act and Rule U-45 promulgated thereunder; and

The Commission having, at the request of Central Vermont and NEPSFCO, severed the issues herein, and having, on April 30, 1948, granted and permitted to become effective the application and declaration, as amended, of Central Vermont insofar as it related to proposed amendments to its Articles of Association, solicitation of proxies, payment of preferred dividends out of capital surplus, accounting entries, acquisition, retirement and issuance of shares of common stock pursuant to said amendment of outstanding common stock of Central Vermont, and an exemption from competitive bidding of the proposed new issuance of common stock and bonds, and having also permitted to become effective said declaration of NEPSFCO insofar as it related to the surrender by NEPSFCO of its shares of common stock of Central Vermont; and the Commission having reserved jurisdiction to pass upon all other aspects of the transactions proposed by Central Vermont and NEPSFCO; and

A further hearing having been held, and the Commission having made and filed its supplemental findings and opinion herein, with regard to (a) the issue and sale by Central Vermont of $1,900,000 principal amount of First Mortgage 5% Bonds, Series E, due 1978, and a sufficient number of shares of common stock of Central Vermont to raise approximately $2,600,000, and in connection therewith, the issuance of transferable subscription warrants and forms to stockholders, (b) the issue and sale by NEPSFCO of a series of promissory note to The First National Bank of Boston in an amount which will not exceed $500,000, and in connection therewith, the pledging of Central Vermont's common stock presently held by it, together with other common stock proposed to be acquired, as collateral for said loan, and (c) the acquisition by NEPSFCO of sufficient number of shares to retain its approximate proportionate common stock interest in Central Vermont:

It is ordered, That said applications and declarations, as amended, of Central Vermont Public Service Corporation and New England Public Service Company be, and the same hereby are, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

1. That Central Vermont obtains orders from the Vermont Public Service Commission and the New Hampshire Public Service Commission approving the issue of subscription warrants and forms.
2. That the proposed issue and sale of bonds and common stock by Central Vermont shall not be consummated until the results of negotiation, including the prices, the interest rate on the bonds, underwriters' commissions and allocation thereof, and the finder's fee, have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, and the terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose.

3. That jurisdiction be reserved with respect to the payment of all legal fees incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] NELLY A. THORSEN, Assistant Secretary.

[F. R. Doc. 48-6721; Filed, July 27, 1948; 8:47 a.m.]

[File No. 70-1465]

REPUBLIC SERVICE CORP. AND PENNSYLVANIA POWER & LIGHT CO.

SUPPLEMENTAL ORDER GRANTING SALE AND TRANSFER OF STOCK

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 21st day of July A. D. 1948.

The Commission having, on September 29, 1947, having issued its findings, opinion, and order approving, among other things, the sale by Republic Service Corporation ("Republic") of all the outstanding securities of two public utility companies and one non-utility company, namely, The Mauch Chunk Heat, Power and Light Company, Renovo Edison Light, Heat and Power Company, and Renovo Heating Company to Pennsylvania Power & Light Company ("Pennsylvania") for the base consideration of $674,590 to be paid in shares of Pennsylvania common stock, and accordingly having acquired 24,156 shares of Pennsylvania common stock; and

The Commission having conditioned its order with respect to the acquisition by Republic of the said Pennsylvania common stock as follows: "That Republic shall divest itself of all the shares of Pennsylvania's common stock, which it acquires as a result of this transaction, within six months from the date of acquisition;" and

Republic having subsequently sold 20,000 shares of such stock after notifying the Commission of its intention to do so and having requested the Commission to extend the time in which to dispose of the remaining 14,156 shares; and

The Commission having entered its findings of opinion dated April 29, 1948 (Republic Service Corporation and its Subsidiary Companies, -- S. E. C. -- (1948), Holding Company Act Release No. 8170), approving Republic's Amended Joint Plan of Reorganization, and other things, having extended the time in which Republic was required to sell
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the remaining 14,156 shares of Pennsylvania's common stock to the date of the consummation of Republic's said Amended Joint Plan of Reorganization; and

Republic having subsequently sold an additional 3,356 shares of the common stock of Pennsylvania, leaving Republic owning a balance of 10,809 of such shares, and

Republic having now advised the Commission that it has entered into a contract to sell 5,000 shares of the common stock of Pennsylvania, and having requested that the Commission enter an appropriate order to conform to the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended; and

The Commission deeming the sale of the common stock of Pennsylvania by Republic to be a step in compliance with the above-mentioned order and necessary or appropriate to effectuate the provisions of section 11 (b) of the act and deeming it appropriate to grant the request of Republic as to suggested recitals; It is hereby ordered and recited, That the sale and transfer by Republic of 5,000 shares of said 34,156 shares of common stock of Pennsylvania are necessary or appropriate to the integration or simplification of the holding company system of which Republic is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. By the Commission.

[SEAL]

ORVAL L. DU BOIS,
Secretary.

[F. R. Doc. 48-6722; Filed, July 27, 1948; 8:47 a. m.]

DEPARTMENT OF JUSTICE
Office of Alien Property


[Executing Order 11538]

KUWAICHI NONIN

In re: Stock owned by a debt owing to Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin, F-39-5254-A-2; F-39-5254-A-3; F-39-5254-D-2; F-39-5254-D-3.

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

1. That Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin, whose last known address is Hiroshima, Hiroshima City, Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in the aforesaid Exhibit A and presently in the custody of The Liberty Bank of Honolulu, 99 North King Street, Honolulu, T. H., together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of Bishop National Bank of Hawaii at Honolulu, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 1795, entitled Kauai Soda Co., Ltd., Trustee for Kuwaichi Nonin, maintained at the branch office of the aforesaid bank located at Kihue, Kauai, T. H., and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or which is evidence of ownership or control by, Kuwaichi Nonin, also known as K. Nonin and as Kuwato Nonin, the aforesaid national of a designated enemy country (Japan); and

it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL]

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

[VESTING ORDER 11540]

ROOHILG & CO. ET AL.

In re: Cash owned by Roohilg & Co. and others.

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

1. That Roohilg & Co., Hagel & Heyden, Dabig and Boden & Haac, each of whose address is Bremen, Germany, is a corporation organized under the laws of Germany.

2. That Roohilg & Co., Hagel & Heyden, Dabig and Boden & Haac, each of whose last known address is Bremen, Germany, are corporations, partnerships, associations or other business organizations organized under the laws of Germany and which have or, since the effective date of Executive Order 3839, as amended, have had their principal place of business in Germany and are nationals of a designated enemy country (Germany);

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

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL]

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

Cash in the amounts listed below presently in the possession of the Attorney General of the United States, in the accounts whose titles and numbers are set forth below opposite said amounts, as follows:

<table>
<thead>
<tr>
<th>Amount of cash</th>
<th>Title of account</th>
<th>Account No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,300</td>
<td>Roohilg &amp; Co., Bremen, Germany</td>
<td>29-250, 254</td>
</tr>
<tr>
<td>$1,050</td>
<td>Hagel &amp; Heyden controlling A/C</td>
<td>29-250, 252</td>
</tr>
<tr>
<td>$300</td>
<td>Dabig, Bremen, Germany</td>
<td>29-250, 251</td>
</tr>
<tr>
<td>$387.50</td>
<td>N. V. Roessingh &amp; Co., Amsterdam, Holland</td>
<td>29-250, 253</td>
</tr>
</tbody>
</table>

is property within the United States owned or controlled by, payable or deliverable to, held in behalf of or on account of, or owing to, or which is evidence of ownership or control by Roohilg & Co., Hagel & Heyden, Dabig and N. V. Ex. and Import Mij. Roessingh & Company, also known as N. V. Roessingh & Co., the aforesaid nationals of a designated enemy country (Germany); and

it is hereby determined:

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

5. That to the extent that Roohlig & Co., Hagel & Heyden, Dabig, Boden & Himes and N. V. Roessingh & Co., are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

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

[For R. Doc. 48-4768; Filed, July 27, 1948; 8:49 a.m.]

[Vesting Order 11568]

HERMAN SCHROEDER

In re: Stock owned by Herman Schroeder, F-28-5676-C-1; F-28-5675-D-1.

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

1. That Herman Schroeder, whose last known address is Arbergen-Bremen Feldpostz. Kreisachim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Forty-two (42) shares of no par value common capital stock of Inland Steel Company, 38 South Dearborn Street, Chicago 3, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificates numbered 326, registered in the name of Herman Schroeder, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

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

[For R. Doc. 48-4768; Filed, July 27, 1948; 8:49 a.m.]

[Vesting Order 11568]

S. ATSUUMI AND F. Y. OMUREI

In re: Stock owned by S. Atsuumi, also known as S. Atsunmi and as Sakunojo Atsunmi, and F. Y. Omurei, also known as Fred Y. Omurei and as Fred Yohachiro Omurei, P-39-6213-A-1; P-39-6213-D-1; P-39-2279-D-2.

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

1. That S. Atsunumi, also known as S. Atsunmi and as Sakunojo Atsunmi, and F. Y. Omurei, also known as Fred Y. Omurei and as Fred Yohachiro Omurei, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. Two (2) shares of $25.00 par value common capital stock of The Waialua Garage Company, Ltd. (now Service Motor Company, Ltd.), a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 313, registered in the name of F. Y. Omurei, and presently in the custody of Yoshijiro Saito, P. O. Box 482, Waiipahu, Oahu, T. H., and Certificate Number 315, registered in the name of F. Y. Omurei, and presently in the custody of Fred H. Akasohi, Room 21, Dillingham Building Annex, Honolulu, T. H., together with all declared and unpaid dividends thereon, and

b. Ten (10) shares of $1.00 par value 6% cumulative preferred capital stock of The Waialua Garage Company, Ltd. (now Service Motor Company, Ltd.), a corporation organized under the laws of the Territory of Hawaii, evidenced by certificates numbered 32 for two (2) shares and 62 for six (6) shares, registered in the name of Sakunojo Atsunmi, and presently in the custody of Yoshijiro Saito, P. O. Box 482, Waiipahu, Oahu, T. H., and Certificate Number 31 for two (2) shares, registered in the name of F. Y. Omurei, and presently in the custody of The Waialua Garage Company, Ltd., aforesaid, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on July 1, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYTON, Deputy Director, Office of Alien Property.

[For R. Doc. 48-4768; Filed, July 27, 1948; 8:49 a.m.]

[Vesting Order 11568]

HEINRICH NOLZEN

In re: Stock and interest in oil, gas and other minerals in certain lands owned by Heinrich Nolzen, also known as Henry Nolzen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

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

1. That Heinrich Nolzen, also known as Henry Nolzen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Nineteen thousand four hundred (19,400) shares of $1 par value common capital stock of The Miami Mining and Milling Company, a corporation organized under the laws of the State of Colorado, evidenced by the certificates described in Exhibit A, attached hereto and by reference made a part hereof, presently in the possession of the Attorney General of the United States in Account No. 28-200,284, together with all declared and unpaid dividends thereon,
b. Bearer certificate No. 719 for one-twentieth (1/20) share of capital stock of Rahn Aircraft Corporation, a corporation organized under the laws of the State of Delaware, recently in the possession of the Attorney General of the United States in Account No. 28-200,284, together with any and all rights thereunder thereto, and c. An undivided one-three hundred thirtieth (1/330) interest in and to all of the oil, gas and other minerals in and under and that may be produced from the following described lands situated in Hughes County, State of Oklahoma, to wit: 

Northwest quarter (NW1/4) and West half (W1/2) of Northeast quarter (NE1/4) and Southeast quarter (SE1/4) of Northeast quarter (NE1/4), and Northeast quarter (NE1/4) of Southeast quarter (SE1/4) and North half (N1/2) of North half (N1/2) of Northeast quarter (SE1/4) of Southeast quarter (SE1/4) (being 330 acres more or less) in Section 14, Township 7 North, Range 8 East of I. M. 

together with any and all claims for royalties, rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Heinrich Nozlen, also known as Henry Nozlen, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

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

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest, There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a and 2-b hereof, and There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-c hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, and subject to being used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States. The terms "national" and "designated enemy country, as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended. 

Exhibited at Washington, D. C., on July 1, 1948.

For the Attorney General.

[Seal] HAROLD H. BAINTON, Deputy Director, Office of Alien Property.

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**FEDERAL REGISTER**

**EXHIBIT A**

<table>
<thead>
<tr>
<th>Certificate No.</th>
<th>Number of shares</th>
<th>Name in which registered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1045/8</td>
<td>100 shares each</td>
<td>D. Gilbert</td>
</tr>
<tr>
<td>1046/6</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1111/6</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1124/6</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1140/2</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1168/4</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1179/4</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1180/4</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>1350/6</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>2418/7</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>2420/4</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>2471/8</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>2472/8</td>
<td>Do</td>
<td>Do</td>
</tr>
<tr>
<td>2520/4</td>
<td>1,000 shares each</td>
<td>Do</td>
</tr>
<tr>
<td>2550/4</td>
<td>1,000 shares each</td>
<td>Do</td>
</tr>
<tr>
<td>2553/6</td>
<td>1,000 shares each</td>
<td>Do</td>
</tr>
</tbody>
</table>

[F. R. Doc. 48-6732; Filed, July 27, 1949; 8:49 a. m.]
of a designated enemy country (Germany);
2. That the property described as follows:
a. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, in the amount of $130.02, as of December 31, 1945, arising out of a refund of a General Average Deposit, paid as security for payment of charges due on a shipment, said shipment designated as Interest No. 641, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and
b. That certain debt or other obligation of Johnson & Higgins, 63 Wall Street, New York 5, New York, in the amount of $299.00, as of December 31, 1945, representing a balance from allowance to cargo for less on a shipment, said shipment designated as Interest No. 641, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Gustav Ziegler, also known as G. Ziegler, a resident of Germany and a national of a designated enemy country (Germany);
and it is hereby determined:
3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).
All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,
There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.
The terms “national” and “designated enemy country” as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.
Executed at Washington, D. C., on July 2, 1948.
For the Attorney General.

[Seal]  HAROLD I. BAYNTON
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-6734; Filed, July 27, 1948; 8:49 a.m.]