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## TITLE 6—AGRICULTURAL CREDIT

### Subtitle A—Office of the Secretary

#### PART 01—DEBT SETTLEMENT

##### TRANSFER OF PART

CROSS REFERENCE: For transfer and redesignation of Part 01, and amendment thereto, see Title 7, Subtitle A, Part 3, *infra*.

## Chapter III—Farmers Home Administration, Department of Agriculture

### Subchapter A—Administration

#### PART 300—GENERAL

##### FIELD ORGANIZATION IN VIRGIN ISLANDS

Section 300.1, in Title 6, Code of Federal Regulations as amended (6 CFR, 1946 Supp., 300.1; 6 CFR, 1947 Supp., 300.1), is amended by adding to paragraph (c) thereof a subparagraph, numbered (7), reading as follows:

§ 300.1 *General functions and organization of the Farmers Home Administration.* \* \* \*

(c) *Field organization.* \* \* \*

(7) *Territorial subdivisions in Virgin Islands.* In the Virgin Islands, for the purposes of title I, title II, and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act, as amended, each of the areas identified below is designated a subdivision to be deemed synonymous with the term "county" as the term is used in said titles. Each such subdivision consists of, and is co-extensive with the geographical limits of, the area set forth opposite the name of the subdivision.

##### VIRGIN ISLANDS

##### NAME OF SUBDIVISION AND AREA COMPRISING SUBDIVISION

*Christiansted:* All of Saint John Island, all of Saint Thomas Island, and that portion of Saint Croix Island which is bounded on the north, south, and east by the sea, and is bounded on the west by the estates of Sweet Bottom, Fountain, River, Hermitage, Blue Mountain, Colquhoun Mt. Pleasant, and Bethlehem.

*Frederiksted:* That portion of Saint Croix Island which is not included in the area comprising Christiansted Subdivision.

(60 Stat. 1062; Pub. Law 249, 80th Cong., 61 Stat. 493)

Issued this 19th day of November 1948.

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

[F. R. Doc. 48-10223; Filed, Nov. 23, 1948; 8:52 a. m.]

### Subchapter G—Farm Ownership

#### PART 364—REGULATIONS

##### AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS

In Puerto Rico, for the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified in the order of the Acting Secretary of Agriculture issued October 19, 1948 (13 F. R. 6232), are determined to be as herein set forth; and the table of counties, average values, and investment limits for Puerto Rico, contained in § 364.11, of Title 6, of the Code of Federal Regulations, as amended (6 CFR, 1946 Supp., 364.11 (11 F. R. 13611); 6 CFR, 1947 Supp., 364.11; 13 F. R. 6194), is hereby superseded by the following table.

##### PUERTO RICO

County	Average value	Investment limit
Adjuntas.....	\$8,000	\$8,000
Aguadilla.....	14,500	12,000
Angeles.....	8,000	8,000
Arecibo.....	10,000	10,000
Arroyo.....	8,000	8,000
Barranquitas.....	10,000	10,000
Bayamon.....	12,000	12,000
Caguas.....	12,000	12,000
Camuy.....	10,000	10,000
Canovanas.....	12,000	12,000
Carolina.....	12,500	12,000
Cayey.....	12,000	12,000
Ciales.....	8,000	8,000
Comerio.....	8,000	8,000
Corozal.....	12,500	12,000
Fajardo.....	12,000	12,000
Humacao.....	14,000	12,000
Jayuya.....	10,000	10,000
Juana Diaz.....	8,000	8,000
Juncos.....	12,000	12,000
Lares.....	10,000	10,000
Manati.....	8,000	8,000
Mayaguez.....	10,000	10,000
Orocovis.....	8,000	8,000
Ponce.....	12,000	12,000
Rio Piedras.....	9,000	9,000
San German.....	12,000	12,000

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**PUERTO RICO—Continued**

County	Average value	Investment limit
San Lorenzo.....	\$10,000	\$10,000
San Sebastian.....	8,000	8,000
Utuado.....	8,000	8,000
Vega Baja.....	12,000	12,000
Yabucoa.....	18,000	12,000
Yauco.....	12,000	12,000

(Secs. 3 (a), 41 (1), 60 Stat. 1074, 1066; 7 U. S. C. 1003 (a), 1015 (1))

Issued this 19th day of November 1948.

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

[F. R. Doc. 48-10224; Filed, Nov. 23, 1948; 8:51 a. m.]

**TITLE 7—AGRICULTURE**

**Subtitle A—Office of the Secretary of Agriculture**

**PART 3—DEBT SETTLEMENT**

**REDESIGNATION AND AMENDMENT TO REGULATIONS**

Part 01 of Subtitle A of Title 6 if hereby redesignated Part 3 of Subtitle A of Title

7 and §§ 01.1 through 01.10 redesignated 3.1 through 3.10, respectively.

Section 3.5 (formerly 01.5) is amended to read as follows:

§ 3.5 *Delegations of authority.* The heads of any administration or other agency having jurisdiction over any of the acts or programs listed in § 3.10 (including those of Commodity Credit Corporation and Federal Crop Insurance Corporation) are hereby authorized, within their respective jurisdictions, to exercise any or all of the functions prescribed by this part. The head of each of such agencies may delegate and authorize the redelegation of any of the functions vested in him by this part: *Provided*, That the determination of any settlement shall not be delegated beyond the head of the highest field office having jurisdiction, except that in the case of the Production and Marketing Administration such delegation shall not be beyond the head of the highest field office having immediate jurisdiction over the act or program involved, and except that in the case of the Farmers Home Administration, such authority may also be delegated to Assistant State Directors and Chiefs, Production Loan Operations, in State offices of that administration.

(Sec. 1, 58 Stat. 836; 12 U. S. C. 1150)

Executed this 19th day of November 1948.

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

[F. R. Doc. 48-10226; Filed, Nov. 23, 1948; 8:51 a. m.]

**Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)**

**PART 41—STANDARD CONTAINERS**

**MISCELLANEOUS AMENDMENTS**

Pursuant to the provisions of the so-called United States Standard Container Act of 1916 (39 Stat. 673; 48 Stat. 930; 15 U. S. C. 251-256) and of the so-called United States Standard Container Act of 1928 (45 Stat. 685; 15 U. S. C. 257-257i), the regulations thereunder (7 CFR and Supps. Part 41) are hereby amended in the manner hereinafter set forth to be and become effective upon publication in the FEDERAL REGISTER. These amendments are designed to reflect the current organizational set-up of the Department and the authority of the Director of the Fruit and Vegetable Branch, Production and Marketing Administration, with respect to these regulations.

1. Delete paragraphs (c), (d), (e), and (f) of § 41.2 *Definitions: general* and insert in lieu thereof the following:

(c) "Department" means the United States Department of Agriculture;

(d) "Secretary" means the Secretary of the Department or any officer or employee of the Department who has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead;

(e) "Administration" means the Production and Marketing Administration of the Department;

(f) "Administrator" means the Administrator of the Administration or any officer or employee of the Administration to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead;

(g) "Branch" means the Fruit and Vegetable Branch of the Administration;

(h) "Director" means the Director of the Branch or any officer or employee of the Branch to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

2. Delete § 41.5 and insert in lieu thereof the following:

§ 41.5 *Director.* The Director shall perform, for and under the supervision of the Secretary and Administrator, such duties as the Secretary or Administrator may require in the administration and enforcement of the acts and the regulations of this part.

3. Delete the words "Chief of Branch" wherever they appear in §§ 41.7, 41.8, 41.9, 41.11, and 41.12 and insert in lieu thereof the word "Director."

(39 Stat. 673, 48 Stat. 930, 45 Stat. 685; 15 U. S. C. 251-256, 257-2571)

Done at Washington, D. C., this 19th day of November 1948.

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

[F. R. Doc. 48-10210; Filed, Nov. 23, 1948; 8:47 a. m.]

#### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 2]

##### PART 419—COTTON CROP INSURANCE

###### SUBPART—REGULATIONS FOR CONTINUOUS CONTRACTS FOR THE 1949 AND SUCCEEDING CROP YEARS

The Cotton Crop Insurance Regulations for Continuous Contracts for the 1949 and Succeeding Crop Years (13 F. R. 5261, 6475) are hereby amended as follows:

1. Section 419.16 is amended to change paragraphs (a) and (b) of section 8 of the Commodity Coverage Policy to read as follows:

8. *Life of contract, cancellation thereof.* (a) Subject to the provisions of paragraph (d) of this Section, the contract shall be in effect for the 1949 crop year and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation for any year may be made by either party giving written notice to the other party on or before the applicable cancellation date (set forth in section 32) preceding the planting of the crop for which cancellation is to become effective. Any notice of cancellation given by the insured to the Corporation shall be submitted in writing to the county office.

(b) If the insured cancels the contract, he shall not be eligible for cotton crop insurance for the next succeeding crop year unless he subsequently files an application for insurance on or before the final date for cancellation preceding such crop year.

2. Section 419.16 is amended to change section 32, *Date Table*, of the Commodity Coverage Policy to provide a cancellation date of December 31 for Lubbock County, Texas and January 31 for all other states and counties.

3. Section 419.17 is amended to change paragraphs (a) and (b) of section 8 of the Monetary Coverage Policy to read as follows:

8. *Life of contract, cancellation thereof.* (a) Subject to the provisions of paragraph (d) of this section, the contract shall be in effect for the 1949 crop year and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation for any year may be made by either party giving written notice to the other party on or before the applicable cancellation date (set forth in section 32) preceding the planting of the crop for which cancellation is to become effective. Any notice of cancellation given by the insured to the Corporation shall be submitted in writing to the county office.

(b) If the insured cancels the contract, he shall not be eligible for cotton crop insurance for the next succeeding crop year unless he subsequently files an application for insurance on or before the final date for cancellation preceding such crop year.

4. Section 419.17 is amended to change section 32, *Date Table*, of the Monetary Coverage Policy to provide a cancellation date of December 31 for Lubbock County, Texas and January 31 for all other States and counties.

(52 Stat. 73-75, 77, 61 Stat. 718; 7 U. S. C., 1506 (e), 1507 (c), 1508, 1509, 1516 (b))

Adopted by the Board of Directors on October 26, 1948.

[SEAL] E. D. BERKAW,  
*Secretary,*  
*Federal Crop Insurance Corporation.*

Approved: November 19, 1948.

A. J. LOVELAND,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 48-10227; Filed, Nov. 23, 1948; 8:51 a. m.]

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

##### PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF., AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

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

On October 16, 1948, notice of proposed rule making was published in the FEDERAL REGISTER (13 F. R. 6085) regarding the budget of expenses and the fixing of the rate of assessment for the 1948-49 fiscal period under Marketing Agreement No. 96 and Order No. 55 (7 CFR, Cum. Supp. 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as

amended. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which were submitted by the Administrative Committee (established pursuant to the marketing agreement and order), it is hereby found and determined that:

§ 955.203 *Budget of expenses and rate of assessment for the 1948-1949 fiscal period.* (a) The expenses necessary to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal period beginning August 1, 1948, and ending July 31, 1949, both dates inclusive, of the Administrative Committee, established under the aforesaid marketing agreement and order, will amount to \$16,275 and the rate of assessment to be paid by each handler who first ships fruit shall be one and one-half cents (\$0.015) per standard box of fruit (as such box is defined in the aforesaid agreement and order) shipped by such handler as the first shipper thereof during the said fiscal period; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

(b) It is hereby further found and determined that it is impracticable and contrary to the public interest to postpone the approval of the aforesaid rate of assessment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that: (1) The rate of assessment is applicable, pursuant to the marketing agreement and order, to all shipments of grapefruit made during the fiscal period beginning August 1, 1948, and ending July 31, 1949, both dates inclusive; (2) the aforesaid Administrative Committee has been operating since August 1, 1948, at a deficit; (3) it was not practicable (i) due to the immaturity of the fruit, for the Administrative Committee to complete its estimate of the production of California-Arizona grapefruit and submit the proposed budget of expenses and rate of assessment, based thereon for the 1948-1949 fiscal year, prior to early October 1948, and (ii) for notice of the proposed budget and rate of assessment to be issued prior to October 15, 1948; (4) a reasonable time was allowed, in such notice, in which all interested persons were permitted to submit relevant views, data, and arguments; (5) in order for the regulatory assessments to be collected, it is essential that the publication of the assessment rate be issued immediately, effective at the time hereinafter specified, so as to enable the Administrative Committee to perform its requisite duties and functions under the aforesaid marketing agreement and order; and (6) a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(c) The provisions hereof shall become effective at 12:01 a. m., P. s. t., November 24, 1948.

(d) As used in this section the terms "standard box," "handler," "ship," and "fruit" shall have the same meaning as is given to each such term in said mar-

keting agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 955.1 et seq.)

Done at Washington, D. C., this 19th day of November 1948.

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

[F. R. Doc. 48-10208; Filed, Nov. 23, 1948; 8:47 a. m.]

**PART 987—IRISH POTATOES GROWN IN MAINE**

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

The State of Maine Potato Committee, established under Marketing Agreement No. 108 and Order No. 87 (13 F. R. 5549), regulating the handling of Irish potatoes grown in the State of Maine, is the agency authorized to administer the terms thereof, among which the provisions of § 987.3 authorize said committee to incur such expenses and collect such assessments as the Secretary finds may be necessary. The State of Maine Potato Committee has presented a proposed budget of expenses and a proposed rate of assessment for the current fiscal period ending June 30, 1949. After consideration of all relevant matters, including the proposed budget of expenses and the proposed rate of assessment submitted by the State of Maine Potato Committee, it is hereby found and determined that:

§ 987.201 *Budget of expenses and rate of assessment.* The expenses necessary to be incurred by the State of Maine Potato Committee, established pursuant to the aforesaid marketing agreement and order, to enable such committee to perform its functions pursuant to provisions of the aforesaid marketing agreement and order and regulations duly issued thereunder during the fiscal period ending June 30, 1949, will amount to \$44,000. The rate of assessment to be paid by each handler who first ships potatoes shall be eighty cents per railroad carload, or truckload of a net weight of 30,000 pounds or more, or fifty cents per truckload of at least 10,000 pounds but less than 30,000 pounds net weight, or 25 cents per truckload of less than 10,000 pounds net weight, during the fiscal period ending June 30, 1949, and such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this order until 30 days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that:

(a) Harvesting of the 1948 crop of potatoes grown in the State of Maine has been completed and said crop is now being shipped;

(b) Regulations limiting shipments of potatoes grown in the State of Maine are now in effect (13 F. R. 6644), and expenses are being incurred by the State of Maine Potato Committee in connection

with the administration of the marketing agreement and order and such regulations;

(c) Handlers of the aforesaid potatoes are required by the marketing agreement and order to pay the expenses of the State of Maine Potato Committee for each fiscal year, each first handler's pro rata share of such expenses to be equal to the ratio between the total quantity of potatoes handled by him as the first handler thereof and the total quantity of potatoes handled by all handlers as the first handlers thereof during such fiscal year;

(d) The State of Maine Potato Committee has immediate and urgent need for assessment funds to satisfy current expenses and immediate fixing of the assessment rate to be paid by each first handler of potatoes as aforesaid will satisfy such need and permit such handlers to pay assessments on virtually all potato shipments as consummated;

(e) The delay resulting from giving preliminary notice, engaging in public rule making procedure, and postponing the effective date hereof for 30 days after publication in the FEDERAL REGISTER would jeopardize or preclude successful operation of the marketing agreement and order and regulations issued thereunder because of lack of administrative funds; and

(f) Compliance herewith will not require any special preparation on the part of persons affected hereby.

Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 108 and Order No. 87. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 19th day of November 1948.

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

[F. R. Doc. 48-10209; Filed, Nov. 23, 1948; 8:47 a. m.]

**Chapter XXI—Organization, Functions and Procedures**

**PART 2206—OFFICE OF PERSONNEL DISCONTINUANCE OF CODIFICATION**

The codification of Part 2206 (7 CFR, Subtitle C, Chapter 21) is hereby discontinued. Future amendments to organizational statements will hereafter appear in the notices section of the FEDERAL REGISTER.

T. ROY REID,  
Director of Personnel.

[F. R. Doc. 48-10238; Filed, Nov. 23, 1948; 8:54 a. m.]

**TITLE 14—CIVIL AVIATION**

**Chapter I—Civil Aeronautics Board**

[Reg. Serial No. ER-135]

**PART 202—ACCOUNTS, RECORDS, AND REPORTS**

**FORMS OF REPORTS OF FINANCIAL AND OPERATING STATISTICS**

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of November 1948.

Section 202.1 (b) of the Economic Regulations authorizes the Director of the Bureau of Economic Regulation to waive certain reporting requirements of such section with respect to air carriers engaged in scheduled air transportation.

It is the purpose of this amendment to remove this delegation from the Economic Regulations. By another amendment adopted concurrently herewith, its scope is being expanded and it is being placed in the Organizational Regulations where it appropriately belongs.

Since this amendment contains a rule of agency organization and practice, notice and public procedure hereon is not required.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends § 202.1 of the Economic Regulations (14 CFR 202.1) as follows, effective December 23, 1948:

1. By repealing paragraph (b).
2. By re-designating the existing paragraphs (c) and (d) as paragraphs (b) and (c).

(Secs. 205 (a), 407 (a), 52 Stat. 984, 1000; 49 U. S. C. 425, 674)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-10285; Filed, Nov. 23, 1948; 9:02 a. m.]

[Reg., Serial No. ER-134]

**PART 228—FREE AND REDUCED-RATE TRANSPORTATION**

**FREE TRAVEL FOR POSTAL EMPLOYEES**

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 17th day of November 1948.

The purpose of this amendment is to add the Fourth Assistant Postmaster General to the list of postal officers who are to be carried free when traveling by air on official business relating to the transportation of mail by aircraft.

The Board finds that the Fourth Assistant Postmaster General has important duties in connection with the transportation of mail by aircraft; that this amendment is minor in nature, and that notice and public procedure hereon are therefore unnecessary.

In consideration of the foregoing the Civil Aeronautics Board hereby amends subparagraph (3) of § 228.1 (a) of the Economic Regulations (14 CFR § 228.1 (a)) effective December 22, 1948:

§ 228.1 *Free travel for postal employees—(a) Postal employees to be carried free.*

(3) The Third Assistant Postmaster General; the Fourth Assistant Postmaster General; the Assistant Postmaster General who at the time is charged with the duty of the general management of post offices; the Assistant Postmaster General who at the time is assigned the supervision of Air Postal Transport, his Confidential Assistant, his Under Second Assistant, and his four Deputy Second Assistants; the Solicitor of the Post Office Department and the Assistant Solicitor, and any attorney in the Office of the Solicitor who at the time is assigned by

the Solicitor to handle matters relating to the transportation of mail by aircraft; the Chief Inspector and the Assistant Chief Inspector.

(Secs. 205 (a), 405 (m); 52 Stat. 984; 49 U. S. C. 425, 485)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-10253; Filed, Nov. 23, 1948; 8:58 a. m.]

[Reg. Serial No. OR-9]

PART 301—ORGANIZATION, DELEGATIONS OF AUTHORITY, AND PUBLIC INFORMATION

DELEGATIONS OF AUTHORITY; WAIVERS, MODIFICATIONS AND INTERPRETATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of November 1948.

Section 202.1 of the Economic Regulations authorizes the Director of the Bureau of Economic Regulation to waive certain reporting requirements of such section with respect to air carriers engaged in scheduled air transportation. No similar authorization exists with respect to the reporting requirements for irregular air carriers, noncertificated cargo carriers and air freight forwarders, and any other carriers operating pursuant to exemption.

It is the purpose of this amendment to expand the Director's authority with regard to the waiver of the reporting requirements applicable to these other types of carriers making reports in order to assure proper administrative flexibility in connection with the filing of such reports. Since such a provision more appropriately belongs in the Organizational Regulations as a delegation of authority rather than in Part 202 relating to substantive requirements, it is being accomplished by an amendment to § 301.2, and a companion amendment adopted concurrently herewith, repeals the present paragraph § 202.1 (b), *supra*.

Since this amendment constitutes a rule of agency organization and practice, notice and public procedure hereon is not required.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends § 301.2 of the Organizational Regulations (14 CFR 301.2) as follows, effective December 23, 1948:

1. By adding thereto a new paragraph (f) reading as follows:

§ 301.2 *Delegations of authority.* \* \* \*

(f) *Waiver, modification and interpretation of reports.* The Director, Bureau of Economic Regulation is authorized to waive, modify, or interpret any of the reporting requirements of § 202.1 of the Economic Regulations and to establish detailed uniform practices in connection with the submission of the reports required therein; *Provided*, That upon application by any air carrier affected by such action of the Director, any waiver, modification, interpretation or established practice shall be submitted to the Board for review.

(Secs. 205 (a), 407 (a), 52 Stat. 984, 1000; 49 U. S. C. 425, 674)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-10252; Filed, Nov. 23, 1948; 8:58 a. m.]

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

[3d Gen. Rev. of Export Regs., Amdt. 22]

PART 371—GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Section 371.7a *Authenticated shipper's export declaration* is amended in the following particulars:<sup>1</sup>

1. Subparagraph (3) of paragraph (a) *Procedure for authentication* is amended to read as follows:

(3) Unless the exporter shall otherwise state in writing in the power of attorney set forth in the shipper's export declaration, or in a general power of attorney, or other written form, subscribed and sworn to by a duly authorized officer or employee, filed with the collector of customs, the forwarding agent named by the exporter in said power of attorney or other form shall be deemed to be the true agent of the exporter for export control and customs purposes.

2. Subparagraph (7) of paragraph (a) is amended to read as follows:

(7) No person shall submit to the collector of customs for authentication any shipper's export declaration unless such person is the licensee or his carrier, the duly authorized forwarding agent of the licensee, or a duly authorized officer or employee of either.

3. Subparagraph (10) of paragraph (a) is amended to read as follows:

(10) Collectors of customs shall not, except in case of hardship or emergency, authenticate any shipper's export declaration showing evidence of change, alteration or amendment, but shall require clean copy. Where demonstrated cases of hardship or emergency exist in which collectors of customs find it desirable to make exception, collectors may approve on the face of the declaration specific changes, alterations, or amendments. The duly authorized forwarding agent or carrier for an exporter may insert or correct in declarations presented by him required items of information peculiarly within his own knowledge, such as the designation of the actual exporting carrier, the actual date of exportation, or the actual Schedule B number to which the commodity described in the declaration unambiguously refers; but nothing herein shall relieve such forwarding agent or

<sup>1</sup> An Explanatory Statement accompanying and interpretative of this amendment appears at the end hereof. The statement is also contained in Current Export Bulletin 488, dated October 15, 1948, issued by the Department of Commerce, Office of International Trade.

carrier from liability for any misrepresentation of facts so inserted or corrected. The forwarding agent or carrier making such insertion or correction must specifically identify the same in writing on the face of the declaration.

This amendment shall become effective as of October 15, 1948, except that collectors of customs may until November 1, 1948, authenticate shipper's export declarations where they are otherwise satisfied that (1) the forwarder is the authorized agent of the exporter, (2) the person executing the declaration has authority to do so, and (3) compliance with the provisions of § 371.7a as herein amended, with respect to filing of designations, would create hardship.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 18, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

*Explanatory statement.* A. Under the export control regulations (13 F. R. 4069 et seq.), the exporter to whom a license is issued or who undertakes to export under a general license has always been legally responsible for the proper use of that license and for the due performance of all its terms and provisions. And this responsibility continues even when he acts through a freight forwarder or other forwarding agent. Recent experience in the administration of export controls indicated, however, that it was often difficult to establish that relationship as a matter of record and fix responsibility when violations occurred. Amendment No. 3 to the export control regulations (13 F. R. 4147) and the OIT form "Power of Attorney—Designation of Forwarding Agent"<sup>1</sup> were designed to remedy that situation.

Said form, which was prepared for this purpose, was not mandatory but only suggested. Power-of-attorney terminology was used to accord with common business practice in establishing agency relationships, and by way of interpretation considerable flexibility was permitted. Nevertheless, there are situations where firms have found compliance with some of the required formalities in the execution of a general power of attorney, such as corporate seal, special resolution of the board of directors, etc., to be unduly onerous.

Accordingly, the regulations are herein amended, as above set forth, to permit, alternatively to the power of attorney form, the use of any written form of designation, provided it is subscribed and sworn to before a notary public or other person authorized to administer oaths, by a duly authorized officer or employee of the licensed exporter. Such designation must, of course, clearly indicate that the firm or person named is authorized to represent the licensed exporter for export control and customs purposes. The extent of the authority in this designation, as in the power of attorney, may be restricted, however, with respect to time, country, commodity, specific license, or other matter. It is also intended to permit the use of such documents to designate one or more em-

<sup>1</sup> This form was published in Current Export Bulletin 482, dated September 15, 1948. Copies of the Bulletin were filed with the Division of the Federal Register simultaneously with this amendment.

ployees, or other persons, such as an export manager or agent, to, in turn, appoint as many freight forwarders or other forwarding agents as may be required.

In addition, by the above amendment specific reference to carriers has been made in those parts of the regulations dealing with the submission of the shipper's export declaration in order to make clear that carriers, not otherwise acting as forwarding agents, may deliver executed declarations without specific authorization therefor. The amendment also extends to such carriers the privilege of making certain specified insertions or corrections in the declaration prior to authentication.

SUMMARY OF INTERPRETATIONS<sup>1</sup>

A. Applicability of Amendment No. 3

1. Q. Do the provisions of Amendment No. 3 to the export control regulations (13 F. R. 4147), with respect to presentation of additional copies of shipper's export declarations, and with respect to procedure for authentication of declarations, filing of powers of attorney or other forms of designations of forwarding agent, and use of authenticated declarations (announced in Current Export Bulletin 471), apply to Canada?

A. No, unless the particular exportation from the United States is destined for a third country, for which a license is required, and the shipment is via Canada.

2. Q. Do the above provisions of the regulations, announced in CEB 471, apply to general license shipments?

A. Yes. General license shipments have always been subject to Customs scrutiny and are covered by the new regulations, along with shipments under validated license, in order to curb possible abuse of the general license privileges.

3. Q. Are the export control regulations announced in CEB 471 applicable to exportations regulated by U. S. governmental agencies other than the OIT, such as the Atomic Energy Commission and the Department of State?

A. No.

4. Q. What is the effect of making the shipper's export declaration an "export control document"?

A. A shipper's export declaration has always been an official document of the United States Government so that, for example, the penalties relating to making false statements on Government documents were always applicable to the use of that document. The only effect of the new export control regulations announced in CEB 471 (and CEB 467) in this respect has been to bring shipper's export declarations under the export control laws as well as under the laws of the United States relating to Government documents generally and shipper's export declarations in particular.

5. Q. Is the use of a power-of-attorney form hereinafter referred to mandatory?

A. As now provided in the amendment set forth above, it is only an optional form.

6. Q. May the exporter designate more than one forwarding agent?

A. Yes. It is not intended that the power of attorney or other authorization designating a forwarding agent should constitute such agent the sole and exclusive forwarding agent of the exporter for all exportations. Exporters may execute powers of attorney or authorizations for any and all of the forwarding agents whom they employ.

7. Q. Where a forwarding agent is suggested by the foreign buyer in a transaction (rather than by the seller in this country), must the seller designate such forwarding agent as his agent for export control and customs purposes?

A. Exporters have in some such cases expressed reluctance to designating such for-

warders as their agents, because they do not regularly deal with them, or because they may not wish thereby to disturb contractual relations with their own forwarders. It is assumed that the underlying problem here is the exporter's unwillingness to give any general authorization to such agent. It is, therefore, suggested that the form of designation on the shipper's export declaration be used which would limit the authority granted to the particular transaction involved. It should also be noted that in some such cases the solution to the problem may lie in having the agent for the foreign buyer apply for the license. (Part B of Explanatory Statement to Amendment No. 1, 13 F. R. 4099; also contained in CEB 467, page 2, paragraph B.)

B. Powers of attorney

8. Q. Must an exporter use the OIT form of power of attorney designating a forwarding agent, or may he give such authority by other and more limited powers of attorney?

A. The language of the OIT form of power of attorney is not mandatory. As announced in CEB 471, Amendment No. 3 to the export control regulations (as well as the above amendment) specifically provides that it may be made more restrictive by the exporter; likewise, an exporter may restrict the power of attorney set forth in the shipper's export declaration. Of course, no limitation may be made which would relieve the exporter from responsibility for carrying out the exportation authorized by the license which he holds.

9. Q. May the exporter vary the language of the acknowledgment set forth in the OIT forms of power of attorney?

A. Yes. The forms were drafted to permit use by exporters who are individuals, partnerships, corporations, associations, or quasi-governmental bodies. The acknowledgment forms may be modified to fit the legal status of the exporter.

10. Q. May exporters authorize forwarding agents to sign and swear to declarations and to present them to collectors of customs for authentication by executing the designation appearing on the face of the shipper's export declarations?

A. Yes. The exporter may execute the designation appearing on the shipper's export declaration, which is applicable only to the transaction referred to in the declaration. The power of attorney or other written authorization may be used where the same forwarding agent handles numerous shipments and it is impracticable to execute a specific designation on the declaration for each transaction.

C. Who should execute

11. Q. Who is deemed to be a "duly authorized officer or employee" for the purpose of signing and swearing to shipper's export declarations?

A. There is and can be no fixed rule in this respect. In general, such corporate officers as the president, vice president, treasurer, and secretary of a corporation, any partner of a partnership, and any responsible head of any other form of private or quasi-governmental organization will be deemed to have the requisite authority. Assistant officers will, in general, be accorded a like assumption. Such employees as export managers who, by their official titles, are apparently vested with power to deal with exportations, will also be deemed to have authority to execute the designation appearing on the face of a declaration and to sign and swear to such declarations.

D. Proof of authority

12. Q. Under what circumstances must Customs be furnished with supporting evidence of authority of persons executing powers of attorney or other authorizations?

A. Customs may in any case require proof of the authority of any such person signing a power of attorney or other authorization. In general, however, Customs will require such proof only when there is some reason to doubt the authority of the person involved.

E. Miscellaneous

13. Q. Must a forwarding agent have an office at the port of exportation or otherwise be known to the collector at such port?

A. No. A forwarding agent need not have an office at every port of exportation. If a forwarding agent signs and swears to a declaration which is intended for clearance of an exportation through a port where he has no office, he should furnish to the collector at such port his power of attorney or other authorization from the exporter. He should also furnish to the person who will arrange physically to present the declaration to the collector an authorization in writing for that purpose.

14. Q. May a forwarding agent who does not have an office at the port of exportation redelegate to another forwarding agent his authority to sign and swear to declarations and to present declarations for authentication at such port?

A. Yes; provided that the power of attorney or other authorization from the exporter permits such re delegation or there is presented to the collector written evidence of consent of the exporter to such re delegation.

15. Q. If a forwarding agent has a power of attorney or other authorization filed with a collector in one port, must he file additional original documents with collectors in other ports through which he may effect exportations?

A. No. It is only necessary to file the original documents in one port. Photostatic copies thereof, certified by the collector of such port, may be transmitted by the forwarding agent to other ports where needed unless the authorization is otherwise specifically limited by the exporter.

16. Q. How should forwarding agents and exporters handle such matters as changes of weights, measurements, quantities, etc., which must frequently be made on declarations after authentication?

A. In general, as announced in CEB 471, parts D and E, Amendment No. 3 to the export control regulations permit certain types of amendments and insertions to be made in declarations before and after authentication. A forwarding agent, however designated on the declaration or by separate document, may make such changes, unless specifically precluded from doing so by the exporter in his designation. Collectors of customs are empowered to permit such amendments upon written authorization therefor by the collectors set forth on such authenticated declaration. Collectors will exercise discretion to allow amendments of this character. Where the amendments have the effect of converting a declaration into one for a substantially different shipment, however, a new declaration will have to be prepared. Unless otherwise limited by the exporter, the power of attorney or other authorization given to a forwarding agent is deemed also to authorize him to prepare substitute declarations reflecting such changes.

[F. R. Doc. 48-10237; Filed, Nov. 23, 1948; 8:57 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 17]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

CERTIFICATION OF ACCEPTED ORDER

Section 373.2 *Export licensing general policy* is amended by adding to paragraph (b), *Evidence of accepted order*, a new subparagraph (3) to read as follows:

<sup>1</sup> This summary was also published in Current Export Bulletin 488.

(3) *Certification as to accepted order.* The requirement of subparagraph (b) as to submission of clear evidence of an accepted order covering the transaction between the applicant and buyer is discontinued with respect to license applications covering the following commodities:

Iron and steel products (excluding surplus and reject iron and steel products).

Caustic soda (applications for licenses against fourth calendar quarter, 1948, quotas).

Calf and kip skins, Schedule B Nos. 020602, 020604, 020702, and 020704.

Soda ash.

The applicant for export license covering the above commodities must, however, certify on the face of the application, or on an attachment thereto, that he does have an accepted order for the commodities covered in the application, as follows:

As a material representation in connection with this application -----

(applicant's reference

-----, I (we) certify that it represents a number)

request to export commodities which, subject only to conditions beyond the control of either the applicant or named purchaser, the named purchaser has contracted to buy from the applicant, and the applicant has contracted to sell to the named purchaser, at the price stated in the application. The documents or records evidencing this contract will be kept for the duration of export control and will be made available to the Office of International Trade upon demand.

If the above certification is made on an attachment to the license application, it must be signed by the applicant or an officer or a duly authorized agent of the applicant.

This amendment shall become effective as of October 13, 1948, with respect to iron and steel products and caustic soda, and with respect to calf and kip skins and soda ash, as of November 9, 1948.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 16, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 48-10232; Filed, Nov. 23, 1948; 8:53 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 19]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

VALIDITY PERIOD AND EXTENSIONS OF EXPORT LICENSES

Section 373.3, *Special provisions for iron and steel products*, is amended in the following particulars:

1. Paragraph (g), *Validity period*, is amended by adding thereto the following unnumbered paragraph:

Licenses to export iron and steel products which have been amended to change the country of destination pursuant to

§ 373.3 (h) (1) will be valid for only 90 days from such amendments date.

2. Paragraph (h), *Amendments and extension*, is amended to read as follows:

(h) *Amendments and extensions.* (1) Save for exceptional circumstances, requests for amendments to increase the quantity specified on a license or to substitute another commodity for the one licensed will not be granted. Where no change of country destination is involved, requests for amendment of consignee or purchaser will be considered provided a full and detailed explanation is submitted. Requests for amendments of licenses covering iron and steel products which involve a change in the country of destination will be considered by the Office of International Trade: *Provided*, The granting of such request does not result in an unjustifiable increase either in the quota set aside for the new destination or in the exporter's participation in such quotas. Requests for amendments of licenses involving a change in the country of destination must show that shipment under the original license could not be effected, imposing unusual hardship upon the exporter. It must also be shown that failure to ship results from circumstances which have arisen in the original country of destination with respect to foreign exchange and dollar shortage or with respect to other factors preventing the foreign purchaser from securing the necessary import documents. In connection with the request the following must be submitted:

(i) The original license;

(ii) A letter from the original consignee in the foreign country showing that he has been unable to consummate the transaction, and reasons therefor;

(iii) A new license application including the necessary certification required by § 373.2 (b);

(iv) Evidence that the applicant has the material on hand or proof that the material can be obtained within 30 days subsequent to the date of filing the request for amendment.

(2) No extensions of the validity period will be granted with respect to export licenses amended to change the country of destination pursuant to subparagraph (1) of this paragraph. Requests for extension of the validity period of export licenses which have not been so amended will be considered in cases of material ready for shipment only for the limited period of time necessary to clear such shipment.

This amendment shall become effective as of November 9, 1948.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 16, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 48-10233; Filed, Nov. 23, 1948; 8:53 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 19]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

Part 373, Licensing Policies and Related Special Provisions, is amended in the following particulars:

1. Section 373.2, *Export licensing general policy*, is amended in the following particulars: Subparagraph (2) of paragraph (h), *Commodities subject to this export licensing policy* is amended by adding to the list of commodities therein the following:

Commodity:	Schedule B No.
Calf skins, dry-----	020602
Calf skins, wet (include slunk skins)-----	020604
Kip skins, dry-----	020702
Kip skins, wet-----	020704

This part of the amendment shall become effective as of November 9, 1948.

2. Section 373.4, *Special provisions for surplus and reject steel*, is amended in the following particulars:

Subparagraph (1), *Validity period*, of paragraph (g), *License limitations*, is amended to read as follows:

(1) *Validity period and amendments involving a change in the country of destination.* The validity period of all individual licenses authorizing the exportation of surplus steel or reject steel will be stated on the license. All such licenses shall be valid for a period of ninety (90) days from the date of validation, unless otherwise stated. Applications for extension of the validity period will not be granted save where warranted in unusual circumstances. The provisions of § 373.3 (h) shall be applicable to requests for amendments involving a change in the country of destination shown on licenses to export surplus and reject steel.

This part of the amendment shall become effective as of November 9, 1948.

3. A new § 373.14 is added to read as follows:

§ 373.14 *Special provisions for caustic soda.* Caustic soda will be licensed for export against fourth calendar quarter 1948 quotas in accordance with the licensing policy set forth in § 373.2 and the following special provisions.

(a) *Time for submission of applications.* Applications for licenses to export caustic soda to the following destinations may be submitted at any time during the fourth calendar quarter:

British Guiana.	Lebanon.
British West Indies.	Mozambique.
Burma.	Netherlands East Indies.
Costa Rica.	
Curacao.	New Zealand.
Dominican Republic.	Nicaragua.
Ecuador.	Panama.
El Salvador.	Paraguay.
French Oceania.	Saudi Arabia.
French West Indies.	Siam.
Guatemala.	Southern Rhodesia.
Haiti.	Surinam.
Honduras.	Turkey.

All other license applications must be submitted during the period October 15 through November 1, 1948. Applications received subsequent to this period will be



returned to the applicants without action; such applications may be resubmitted for consideration against first calendar quarter 1949 quotas in accordance with the time schedule for that quarter.

(b) *Price changes on resubmitted license applications.* If an applicant desires to change the price on a license application which he is resubmitting, he shall strike out the former price shown on the application, enter the new price, write the words "amended by", and sign and set forth the date of the change. The price change may be made on the duplicate copy only and must be signed by the applicant or, on his behalf, by any person who at the time is authorized to sign the application itself.

(c) *Validity period and extensions.* Export licenses for caustic soda will generally be issued for a validity period of three months, unless otherwise stated on the license. Licenses will not be extended more than once, nor for more than sixty (60) days. Requests for extension must be accompanied by a statement explaining why the applicant was unable to make shipment within the validity period of the license.

This part of the amendment shall become effective as of October 13, 1948.

4. A new § 373.15 is added to read as follows:

§ 373.15 *Special provision for calf and kip skins.* Calf and kip skins. Schedule B Nos. 020602, 020604, 020702 and 020704, will be licensed for export against export quotas for the fourth calendar quarter, 1948, and subsequent calendar quarters in accordance with the licensing policy set forth in § 373.2 and the following special provisions:

(a) *Export quotas.* Beginning with the fourth calendar quarter, 1948, a portion of the quarterly export quota will be allotted for licensing in each of the three months in the quarter.

(b) *Time for submission of applications—(1) Monthly quota allotments for November, 1948, and subsequent months.* Applications for licenses to export calf and kip skins against monthly allotments for November and December, 1948, must be submitted during the first twenty days of such months. Applications for licenses against current monthly allotments subsequent to December, 1948, must be submitted during the first ten days of the current month. Applications received after the submission periods specified above will be returned to the applicants without action; such applications may be resubmitted for consideration against export quota allotments for subsequent months.

(2) *Pending license applications.* Pending applications that were not considered for licensing against the October, 1948, allotment will be considered against the November, 1948, allotment together with applications received during the first twenty days of November.

(c) *Validity period.* Export licenses for calf and kip skins will generally be issued for a validity period of six months, unless otherwise stated.

This part of the amendment shall become effective as of November 9, 1948.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 17, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 48-10234; Filed, Nov. 23, 1948; 8:53 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 20]

PART 374—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

CHEMICALS AND MEDICINES; SODA ASH

Section 374.7, *Special provisions concerning applications to export certain commodities*, is amended in the following particulars:

Subparagraph (4), *Soda ash*, is deleted from paragraph (a), *Chemicals and medicinals*.

This amendment shall become effective as of November 9, 1948.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O.; 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 16, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 48-10235; Filed, Nov. 23, 1948; 8:53 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 21]

PART 374—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

APPLICATIONS FOR EXPORT LICENSES

Section 374.14 *Applications for licenses to export to South Korea, Japan, Marcus Island and Germany*, is amended in the following particulars:

Section 374.14 (b) is amended to read as follows:

(b) Except as provided in this paragraph, license applications covering proposed exportations to the combined American and British Zones of Germany must contain (under item 5 of Form IT 419) the import permit number or the contract number assigned by the Joint Export-Import Agency in Germany covering the proposed shipment.

License applications to export bona fide trade samples, other than samples of streptomycin, cigarettes, and other tobacco products, to the combined American and British Zone of Germany need not contain the import number or the contract number assigned by the Joint Export-Import Agency provided the applicant clearly indicates on the license application that the commodities in-

involved are samples only, and provided the quantities of samples involved are not excessive in relation to the nature of the commodities. As used herein, the term "sample" means all commercial and industrial specimens.

This amendment shall become effective November 22, 1948.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: November 16, 1948.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 48-10236; Filed, Nov. 23, 1948; 8:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5531]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL PRESSURE COOKER CO. ET AL.

§ 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To enter into exclusive and tying dealing agreements—By cutting off supplies or threats of:* § 3.30 (b 5) *Cutting off competitors' or others' access to customers or market—Interfering, generally, with distributive outlets:* § 3.30 (g) *Cutting off competitors' or others' access to customers or market—Withholding supplies or goods from competitors' customers:* § 3.39 *Dealing on exclusive and tying basis:* § 3.72 (f 25) *Offering unfair, improper and deceptive inducements to purchase or deal—Inducement conditioned on unlawful practice.* In connection with the offering for sale, sale or distribution in interstate commerce of pressure cookers, pressure canners, and the component parts thereof and accessories thereto, (1) selling or making any contract for the sale of any such products on the condition, agreement or understanding that the purchaser thereof shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent; (2) enforcing or continuing in operation or effect any condition, agreement or understanding in or in connection with any existing sales contract which condition, agreement or understanding is to the effect that the purchaser of said products shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent; (3) offering favorable shipment allocations, or any other inducement, to distributors or other purchasers or prospective purchasers of such products on the condition, agreement or understand-

ing that such distributors or other purchasers or prospective purchasers shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent; (4) refusing, or directly or by implication threatening to refuse, to deliver such products to distributors or other dealers who are not willing to purchase or contract for the purchase of such products on the condition, agreement or understanding that they shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent; or, (5) directly or indirectly inducing or attempting to induce any distributor of such products, or other customer of the corporate respondent, to cease or refrain from using or dealing in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent; prohibited. (Sec. 3, 38 Stat. 731, 15 U. S. C., Sec. 14; Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, National Pressure Cooker Company et al., Docket 5531, Oct. 20, 1948]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 20th day of October A. D. 1948.

*In the Matter of National Pressure Cooker Company, a Corporation, Lewis E. Phillips, A. A. De Bonville, Morton Phillips, Ed H. Wittenberg, (Erroneously Described in the Complaint as Ed Whittenberg), Margaret M. Whelihan, (Erroneously Described in the Complaint as Morgan M. Whelehan) and J. Phillips*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the respondents' joint and several answer thereto, and a stipulation as to the facts entered into by and between the respondents, by their counsel, and Richard P. Whiteley, Chief Trial Counsel of the Commission, in which it was provided, among other things, that, subject to the approval of the Commission, the statement of facts contained therein may be taken as the facts in this proceeding in lieu of all evidence, and that the Commission may proceed upon said statement of facts to make its report, stating its findings as to the facts, including inferences which it may draw from the stipulated facts, and its conclusion based thereon, and enter its order disposing of the proceeding without the filing of briefs or other intervening procedure; and the Commission, having approved said stipulation and having made its findings as to the facts and its conclusion that said respondents have violated section 3 of an act of Congress entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act), and the provisions of section 5 of the Federal Trade Commission Act:

*It is ordered*, That the respondent National Pressure Cooker Company, a cor-

poration, and its officers, and the respondents Lewis E. Phillips, A. A. De Bonville, Morton Phillips, Ed H. Wittenberg and J. Phillips, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in interstate commerce of pressure cookers, pressure canners, and the component parts thereof and accessories thereto, do forthwith cease and desist from:

(1) Selling or making any contract for the sale of any such products on the condition, agreement or understanding that the purchaser thereof shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent;

(2) Enforcing or continuing in operation or effect any condition, agreement or understanding in or in connection with any existing sales contract which is to the effect that the purchaser of said products shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent;

(3) Offering favorable shipment allocations, or any other inducement, to distributors or other purchasers or prospective purchasers of such products on the condition, agreement or understanding that such distributors or other purchasers or prospective purchasers shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent;

(4) Refusing, or directly or by implication threatening to refuse, to deliver such products to distributors or other dealers who are not willing to purchase or contract for the purchase of such products on the condition, agreement or understanding that they shall not use or deal in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent;

(5) Directly or indirectly inducing or attempting to induce any distributor of such products, or other customer of the corporate respondent, to cease or refrain from using or dealing in the pressure cookers or pressure canners, or component parts thereof or accessories thereto, of a competitor or competitors of the corporate respondent.

*It is further ordered*, For reasons appearing in the findings as to the facts, that the complaint herein be, and it hereby is, dismissed as to the respondent Margaret M. Whelihan.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 48-10219; Filed, Nov. 23, 1948; 8:50 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg., Amdt. 50]

#### PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

##### CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule B, Item 34, is hereby revoked effective as of November 13, 1948.

2. A new Item 34 is hereby incorporated in Schedule B, to read as follows:

34. Provisions relating to Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma:

*Increase in Maximum Rents Based Upon the Recommendation of the Local Advisory Board and the Order of the Emergency Court of Appeals.* Pursuant to the provisions of, and subject to the limitations contained in, the Housing and Rent Act of 1947, as amended, the maximum rents for housing accommodations in Oklahoma County, Oklahoma, a portion of the Oklahoma City, Oklahoma, Defense-Rental Area, are hereby increased, effective as of November 13, 1948, as follows:

a. For all housing accommodations for which the maximum rent was first determined under Section 4 (a) or 4 (b) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, the increased maximum rent shall be the amount of such first determined maximum rent plus 20 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order which were based upon difference in rental value as of March 1, 1942 or upon the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

b. For all other housing accommodations for which an order was entered prior to October 15, 1948 under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, the increased maximum rent shall be the amount of the maximum rent fixed by such order plus 20 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order which were based upon difference in rental value as of March 1, 1942.

c. Any maximum rent which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, plus 20 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 20 percent, on the filing of an individual petition for adjustment under § 825.5 (a) (11).

All provisions of §§ 825.1 to 825.12 insofar as they are applicable to the Oklahoma City Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

13 F. R. 5706, 5788, 5783, 5937, 6246, 6283, 6411, 6566.

This amendment shall become effective as of November 13, 1948.

Issued this 19th day of November 1948.

TIGHE E. WOODS,  
Housing Expediter.

*Statement To Accompany Amendment 50 to the Controlled Housing Rent Regulation*

Effective October 15, 1948, Amendment No. 44 was issued granting a rent increase in Oklahoma County, Oklahoma, a portion of the Oklahoma City, Oklahoma, Defense-Rental Area. This amendment was based upon a recommendation, made by the Local Advisory Board for Oklahoma County, for a rent increase of 25 per cent applicable to freeze date rents and those established at freeze date comparability, the amount of certain types of adjustments to be included only after applying the 25 per cent increase. Amendment No. 44 granted a rent increase of 15 per cent which was made applicable to current maximum rents including all except certain types of adjustments.

After issuance of Amendment No. 44, the recommendation of the Local Advisory Board, together with other related documents, was filed with the Emergency Court of Appeals, pursuant to section 204 (e) (4) of the Housing and Rent Act of 1947, as amended. On November 13, 1948, the Emergency Court of Appeals approved the recommendation of the Local Advisory Board to the extent of a rent increase of 20 per cent, such rent increase to be applied in the manner provided by the Court order.

Accordingly, this amendment is being issued, effective as of November 13, 1948, to effectuate the recommendation of the Local Advisory Board to the extent and in the manner approved by the Emergency Court of Appeals.

[F. R. Doc. 48-10255; Filed, Nov. 23, 1948; 8:58 a. m.]

[Rent Reg. for Controlled Rooms in Rooming Houses and Other Establishments,<sup>1</sup> Amndt. 50]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED**

**RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS**

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule B, Item 35, is hereby revoked effective as of November 13, 1948.
2. A new Item 35 is hereby incorporated in Schedule B, to read as follows:

35. Provisions relating to Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma:

*Increase in Maximum Rents Based Upon the Recommendation of the Local Advisory Board and the Order of the Emergency Court of Appeals.* Pursuant to the provisions of,

<sup>1</sup> 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556.

and subject to the limitations contained in, the Housing and Rent Act of 1947, as amended, the maximum rents for housing accommodations in Oklahoma County, Oklahoma, a portion of the Oklahoma City, Oklahoma, Defense-Rental Area, are hereby increased, effective as of November 13, 1948, as follows:

a. For all housing accommodations for which the maximum rent was first determined under section 4 (a) of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, the increased maximum rent shall be the amount of such first determined maximum rent plus 20 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order which were based upon difference in rental value as of March 1, 1942 or upon the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

b. For all other housing accommodations for which an order was entered prior to October 15, 1948 under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, the increased maximum rent shall be the amount of the maximum rent fixed by such order plus 20 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order which were based upon difference in rental value as of March 1, 1942.

c. Any maximum rent which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942 plus 20 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 20 percent, on the filing of an individual petition for adjustment under § 825.85 (a) (8).

All provisions of §§ 825.81 to 825.92 insofar as they are applicable to the Oklahoma City Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective as of November 13, 1948.

Issued this 19th day of November 1948.

TIGHE E. WOODS,  
Housing Expediter.

*Statement To Accompany Amendment 50 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments*

Effective October 15, 1948, Amendment No. 44 was issued granting a rent increase in Oklahoma County, Oklahoma, a portion of the Oklahoma City, Oklahoma, Defense-Rental Area. This amendment was based upon a recommendation, made by the Local Advisory Board for Oklahoma County, for a rent increase of 25 per cent applicable to freeze date rents and those established at freeze date comparability, the amount of certain types of adjustments to be included only after applying the 25 per cent increase. Amendment No. 44 granted a rent increase of 15 per cent which was made applicable to current

maximum rents including all except certain types of adjustments.

After issuance of Amendment No. 44, the recommendation of the Local Advisory Board, together with other related documents, was filed with the Emergency Court of Appeals, pursuant to section 204 (e) (4) of the Housing and Rent Act of 1947, as amended. On November 13, 1948, the Emergency Court of Appeals approved the recommendation of the Local Advisory Board to the extent of a rent increase of 20 per cent, such rent increase to be applied in the manner provided by the Court order.

Accordingly, this amendment is being issued, effective as of November 13, 1948, to effectuate the recommendation of the Local Advisory Board to the extent and in the manner approved by the Emergency Court of Appeals.

[F. R. Doc. 48-10256; Filed, Nov. 23, 1948; 8:59 a. m.]

**TITLE 33—NAVIGATION AND NAVIGABLE WATERS**

**Chapter II—Corps of Engineers, Department of the Army**

**PART 202—ANCHORAGE REGULATIONS**

**SPECIAL ANCHORAGE AREAS**

Pursuant to the provisions of section 1 of the act of Congress approved April 22, 1940 (54 Stat. 150; 33 U. S. C. 180), § 202.1 (b) is hereby amended by the addition thereto of two subparagraphs designating areas in Bowery Bay, New York, and Indian River Bay, Delaware, as special anchorage areas wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, as follows:

§ 202.1 *Special anchorage areas.*

(b) The areas hereinafter described are designated as special anchorage areas. (All bearings are referred to true meridian.)

THE PORT OF NEW YORK

*Flushing Bay, north area.* That portion of East River Anchorage No. 10 (as described in § 202.25 (b)).

*Flushing Bay, south area.* That portion of East River Anchorage No. 10 (as described in § 202.25 (b)).

*Bowery Bay.* That portion of East River Anchorage No. 10 (as described in § 202.25 (b)), on the west side of Bowery Bay, southward of a line ranging from the Aero Beacon on the Administration Building of LaGuardia Field to the easterly corner of the Consolidated Edison Company of New York, Inc., bulkhead on the north side of the entrance to Steinway Creek, southeastward of the east rack of Log Pond adjacent to Steinway Creek, northwestward of the New York City Sewage Disposal Plant pier near the foot of 42nd Street, Astoria, New York, and westward of a line ranging 9° from the northwest corner of the sewage plant pier to the tank on Rikers Island.

INDIAN RIVER BAY, DEL.

Beginning at a point bearing 174°, 300 feet, from a point on the southerly edge of the project channel 5,500 feet westerly from the State highway bridge across Indian River Inlet; thence 174°, 600 feet; thence 264°, 800

feet; thence 354°, 600 feet; and thence 84°, 800 feet, to the point of beginning.

[Regs. Nov. 3, 1948, 800.212—ENGWR] (54 Stat. 150; 33 U. S. C. 180)

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

[F. R. Doc. 48-10229; Filed, Nov. 23, 1948; 8:52 a. m.]

PART 202—ANCHORAGE REGULATIONS

PART 204—DANGER ZONE REGULATIONS

PART 207—NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917, chapter XIX of the Army Appropriation Act of July 9, 1918, and section 7 of the River and Harbor Act of March 4, 1915 (33 U. S. C. 1, 3, and 471), the following regulations contained in Part 6, 33 CFR, Chapter I (which were adopted and continued in full force and effect by the Secretary of the Army by an order published in the FEDERAL REGISTER June 5, 1947, 12 F. R. 3664), are hereby revoked, the revocation of § 6.5-20 to be effective December 31, 1948:

SUBPART C—ANCHORAGE AND RESTRICTED AREAS

FIRST NAVAL DISTRICT

Sec.

6.1-10 Anchorage for vessels without lights. [Revoked.]

FIFTH NAVAL DISTRICT

6.5-10 Hampton Roads and the Harbors of Norfolk and Newport News, Virginia. [Revoked.]

6.5-15 Chesapeake Bay; Lynnhaven Roads, anchorage grounds. [Revoked.]

6.5-20 Baltimore, Maryland. [Revoked, effective December 31, 1948.]

6.5-25 to 6.5-275, inclusive. [Revoked.]

6.5-325 Maryland-Virginia Seacoast, Sinepuxent and Chincoteague Bays, target danger areas. [Revoked.]

6.5-330 Restricted firing area in waters adjacent to Fort John Custis, Cape Charles, Va. [Revoked.]

6.5-335 Virginia seacoast; Dam Neck Firing Range, danger zones, restricted areas. [Revoked.]

TWELFTH NAVAL DISTRICT

6.12-15 San Luis Obispo Bay, California, special anchorage area. [Revoked.]

2. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), §§ 202.30 and 202.40 are hereby amended, and § 202.38 is hereby prescribed, as follows:

§ 202.30 Annapolis Harbor, Md.—(a) *The anchorage grounds*—(1) *Naval anchorage for deep draft vessels*. In Chesapeake Bay, bounded on the north by latitude 38°58'; on the east by a line bearing 203°05' from latitude 38°58', longitude 76°24'; on the south by latitude 38°56'30"; and on the west by a line bearing 139° from Greenbury Point Shoal Light. This anchorage is reserved for deep-draft naval vessels. Berths in the area will be assigned on application

to the Commandant, Severn River Naval Command.

NOTE: All bearings in this section referred to true meridian.

(2) *Middle Ground anchorage*. In Severn River, beginning at a point bearing 126°, 800 yards, from the mast at the intersection of the northeast and southeast seawalls of the Naval Academy grounds; thence 79°20', 485 yards, to Annapolis Harbor Buoy 13; thence 144°, 220 yards; thence 153°10', 715 yards; thence 270°, 175 yards; and thence 313°30', 1,060 yards, to the point of beginning.

(3) *South anchorage*. In Severn River, beginning at a point on the shoreline of Horn Point, Eastport, bearing 270° from Annapolis Harbor Buoy 5; thence 90° to Annapolis Harbor Buoy 5; thence 313°30', 1,040 yards; thence 259°20', 710 yards, to a point bearing 189°30', 615 yards, from the mast at the intersection of the northeast and southeast seawalls of the Naval Academy grounds; and thence 180° to the shoreline at Eastport. No vessels shall anchor within 100 feet of any wharf, marine railway, or other structure without permission of the owner thereof.

(4) *Naval anchorage for small craft*. In Severn River, beginning at a point on the prolongation of the line of the northeast seawall of the Naval Academy grounds, 80 feet from the face of the southeast seawall of the Naval Academy grounds; thence 81°, 470 yards, to Annapolis Harbor Buoy 15; thence 125°45', 580 yards; thence 259°20', 1,035 yards; thence 310°, 230 yards; and thence 40°, parallel to the southeast seawall of the Naval Academy grounds, 400 yards, to the point of beginning. Except in case of emergency, no vessel shall be anchored in this area without permission of the Commandant, Severn River Naval Command. Anchorages will be assigned upon request to the station ship at the Naval Academy.

(5) *Anchorage A*. In Spa Creek, beginning at a point bearing 214°, 420 yards, from the mast at the intersection of the northeast and southeast seawalls of the Naval Academy grounds; thence 130°, 200 yards; thence 246°20', 230 yards; thence 234°, 130 yards; thence 257°, 115 yards; thence 50°30', 100 yards; thence 42°30', 125 yards; and thence 34°, 200 yards, to the point of beginning.

(6) *Anchorage B*. In Spa Creek, beginning at a point bearing 204°, 660 yards, from the mast at the intersection of the northeast and southeast seawalls of the Naval Academy grounds; thence 144°, 22 yards; thence 204°45', 140 yards; thence 214°, 195 yards; thence 331°, 160 yards; and thence 54°, 285 yards, to the point of beginning.

(b) *The regulations*. (1) Except in case of emergency, no vessel shall be anchored in the area to the north and east of the Annapolis Channel bounded on the east by Greenbury Point; on the south by a line bearing 270° from the southern tip of Greenbury Point; on the west by the Annapolis channel; and on the north by the southern boundary of the cable area and the shoreline of the Government reservation and Carr Creek.

(2) Except in case of emergency, no vessel shall be anchored in Annapolis Harbor to the westward of the dredged channel and northward of Annapolis Harbor Buoy 5 (off Horn Point, Eastport) outside of the established anchorage areas, except in Spa Creek and the area to the southward of the Naval anchorage for small craft. No vessel shall be so anchored that any part of the vessel extends at any time within this area. Any vessel anchoring, under great emergency, within this area shall be placed as close to an anchorage area as practicable, and shall move away immediately after the emergency ceases.

(3) No vessel shall be anchored in the cable and pipe-line area, lying between the Naval Academy and the Naval Engineering Experiment Station and having the following limits: Eastern limit, from mast at the landward end of Reina Mercedes Pier approximately 67° to white "Cable Crossing" sign at the Experiment Station; western limit, from "Cable Crossing" sign on the point at Fort Severn Beach 233° to America Dock, Naval Academy.

(4) Except in case of emergency, no vessel shall be anchored, without permission of the Commandant, Severn River Naval Command, in the Naval Academy Drill area described as follows: That portion of the Severn River lying to the northeastward of the Naval Academy, bounded on the north by the State Highway Bridge and on the south by the northern limit of the cable and pipe-line area, excluding that area off the eastern shoreline inclosed by a line extending approximately 131° between the eastern abutment of the State Highway Bridge and the outboard end of the pier on Ferry Point. This drill area also includes the lower part of Dorseys Creek below the Naval Academy Drawbridge. Requests to anchor in this drill area shall be made to the station ship at the Naval Academy.

(5) The restrictions in this section do not apply to the anchoring or marking by buoys of apparatus used for the purpose of taking sea food, except within the cable and pipe-line area described in subparagraph (3) of this paragraph.

(6) The regulations in this section shall be enforced by the Commandant, Severn River Naval Command, and the Superintendent, United States Naval Academy, and such agencies as they may designate.

§ 202.38 York River, Va.; naval anchorages—(a) *The anchorage grounds*—

(1) *Anchorage 1*. Between Tue Marshes Lighthouse and Yorktown, beginning at latitude 37°14'57", longitude 76°23'03.5"; thence to latitude 37°14'27", longitude 76°23'03"; thence to latitude 37°13'54", longitude 76°25'39"; thence to latitude 37°13'42.5", longitude 76°27'40.5"; thence to latitude 37°14'11", longitude 76°29'11.5"; thence to latitude 37°14'23", longitude 76°29'11.5"; thence to latitude 37°14'22.5", longitude 76°25'43.5"; and thence to the point of beginning.

(2) *Anchorage 2*. Between Yorktown and the Naval Mine Depot, beginning at latitude 37°15'34", longitude 76°31'25"; thence to latitude 37°15'25", longitude

76°31'39.5"; thence to latitude 37°16'21.5", longitude 76°32'46"; thence to latitude 37°17'07.5", longitude 76°34'17"; thence to latitude 37°17'55", longitude 76°35'14.5"; thence to latitude 37°18'05", longitude 76°35'01"; thence to latitude 37°17'20", longitude 76°34'07"; thence to latitude 37°16'33.5", longitude 76°32'34"; and thence to the point of beginning.

(b) *The regulations.* These anchorages are reserved for the exclusive use of naval vessels and, except in cases of emergency, no other vessel shall anchor therein without permission from local naval authorities, obtained through the Captain of the Port, Norfolk, Virginia. Movement of vessels through the anchorages will not be restricted.

§ 202.40 *Hampton Roads, Va., and adjacent waters—(a) Hampton Roads—*

(1) *Anchorage A, Hampton Bar (temporary).* South of a line running from latitude 37°00'45", longitude 76°20'36", across the mouth of Hampton Creek to latitude 37°00'47", longitude 76°19'56"; southwest of the westernmost bridge across Mill Creek; and shoreward of a line described as follows: Beginning at latitude 37°00'04", longitude 76°18'50.5"; thence to latitude 36°59'19", longitude 76°18'59.5"; thence to latitude 36°59'11", longitude 76°19'11"; and thence to latitude 37°00'00", longitude 76°22'08".

(i) No vessel shall be anchored in such manner as to swing within 200 feet of either of the dredged channels leading to Hampton and Phoebus.

(ii) This anchorage is reserved for the use of vessels while undergoing examination by quarantine, customs, or immigration authorities. Upon completion of these examinations vessels shall move promptly to a regular anchorage.

(iii) The master of every mechanically-propelled vessel using this anchorage shall keep the vessel in condition to move promptly under its own power upon notification by the Captain of the Port, and when any such vessel is in charge of a pilot the pilot shall remain on board until the vessel is safely anchored in a regular anchorage. No sailing vessel using this anchorage shall be left unattended by a tugboat while undergoing examination by quarantine, customs, or immigration authorities, except when its stay is likely to be of several hours' duration when it shall be anchored in the western part of the anchorage out of the way of other vessels before the tug and pilot leave.

(iv) No master of a vessel awaiting or undergoing quarantine inspection shall release any part of the crew until the vessel has been passed by the proper quarantine officials and safely anchored or moored in a regular anchorage.

(2) *Anchorage B, Hampton Flats (naval).* Shoreward of a line described as follows: Beginning at latitude 37°00'00", longitude 76°22'08"; thence to latitude 36°59'11", longitude 76°19'11"; thence to latitude 36°57'59.5", longitude 76°20'54"; and thence to latitude 36°58'56", longitude 76°23'47".

(i) Vessels shall not be anchored within 425 yards of Anchorage F-1 when that anchorage is occupied by a vessel carrying explosives.

(ii) This anchorage is reserved for the use of naval vessels, but in the absence of the fleet the Captain of the Port may, in his discretion, permit it to be used by merchant vessels. Upon receiving word that any part of the fleet is expected, the Captain of the Port may cause a sufficient area in this anchorage to be vacated to accommodate the number of vessels scheduled to arrive.

(3) *Anchorage C, Newport News Bar.* Shoreward of a line described as follows: Beginning at latitude 36°58'56", longitude 76°23'47"; thence to latitude 36°57'59.5", longitude 76°20'54"; thence to latitude 36°57'35", longitude 76°21'31"; thence along the north side of Newport News Channel to latitude 36°57'20", longitude 76°24'38"; and thence to the radio tower at approximately latitude 36°57'47.5", longitude 76°24'40.5".

(i) Vessels shall be anchored so as to leave a clear fairway 200 yards wide across the southwest corner of the anchorage for the operation of the Norfolk-Newport News ferry, except that in an emergency this fairway may be used for the anchoring of naval vessels.

(ii) When Anchorage F-1, which lies within Anchorage C, is not occupied by vessels carrying explosives, it may be used as a general anchorage in the same manner as other portions of Anchorage C. It shall be vacated promptly upon notice from the Captain of the Port when a vessel carrying explosives, of a draft too great to permit it to use Anchorage F, desires to anchor therein. Vessels shall not be anchored within 425 yards of Anchorage F-1 when that anchorage is occupied by a vessel carrying explosives.

(iii) This anchorage is a general anchorage for all vessels, but when fleet operations are scheduled the Captain of the Port may, in his discretion, permit it to be used by naval vessels. Upon receiving word that any part of the fleet is expected, the Captain of the Port may cause a sufficient area in this anchorage to be vacated to accommodate the number of vessels scheduled to arrive.

(4) *Anchorage D.* Beginning at a point on the west side of Norfolk Harbor Channel at latitude 36°57'34", longitude 76°20'19.5"; thence to latitude 36°56'08", longitude 76°22'23"; thence to latitude 36°56'00", longitude 76°22'50"; thence to latitude 36°56'00", longitude 76°23'34"; thence to latitude 36°56'09.5", longitude 76°23'33.5"; thence to a point on the south side of Newport News Channel at latitude 36°57'27.5", longitude 76°21'41"; and thence along the south side of Newport News Channel and a line in prolongation thereof to the point of beginning.

(i) Vessels shall be anchored so as to leave a clear fairway 200 yards wide through this anchorage for the operation of the Norfolk-Newport News ferry.

(ii) This anchorage shall be used by deep-draft vessels, wind-bound vessels from Lambert Point and Sewall Point, and vessels awaiting turn for docking. Other vessels may use this anchorage when permitted by the Captain of the Port.

(5) *Anchorage E, Newport News Middle Ground.* Beginning at a point on the south side of Newport News Channel at latitude 36°57'27.5", longitude 76°21'

41"; thence to latitude 36°56'09.5", longitude 76°23'33.5"; thence to latitude 36°57'11", longitude 76°25'02.5"; and thence to and along the south side of Newport News Channel to the point of beginning.

(i) Vessels shall be anchored so as to leave a clear fairway 200 yards wide through this anchorage for the operation of the Norfolk-Newport News ferry.

(6) *Anchorage H.* Beginning at a point on the west side of Norfolk Harbor Channel at latitude 36°57'34", longitude 76°20'19.5"; thence along the west side of Norfolk Harbor Channel to latitude 36°56'00", longitude 76°20'27"; thence to latitude 36°56'00", longitude 76°22'50"; thence to latitude 36°56'08", longitude 76°22'23"; thence to the point of beginning.

(i) Vessels shall be anchored so as to leave a clear fairway 200 yards wide through this anchorage for the operation of the Norfolk-Newport News ferry.

(7) *Anchorage for vessels carrying explosives—(i) Anchorage F (for shallow-draft vessels).* Beginning at latitude 36°56'03", longitude 76°23'50"; thence to latitude 36°54'30", longitude 76°23'55.5"; thence to latitude 36°54'30", longitude 76°24'59"; thence to latitude 36°56'44", longitude 76°24'50"; thence to the point of beginning.

(ii) *Anchorage F-1 (for deep-draft vessels).* Within Anchorage C and having a northeast boundary coincident with a portion of the northeast boundary of Anchorage C, beginning at latitude 36°58'06", longitude 76°21'13"; thence to latitude 36°57'49.5", longitude 76°21'36"; thence to latitude 36°57'47.5", longitude 76°22'04"; thence to latitude 36°57'56", longitude 76°22'30"; thence to latitude 36°58'19.5", longitude 76°21'56"; thence to the point of beginning.

(iii) Vessels are forbidden to anchor within 425 yards of Anchorage F or between the northeast boundary of Anchorage F and the southwest boundary of Anchorage E.

(iv) When Anchorage F-1 is not occupied by vessels carrying explosives it may be used as a general anchorage in the same manner as other portions of Anchorage C, except that it shall be vacated promptly upon notice from the Captain of the Port when a vessel carrying explosives of a draft too great to permit it to use Anchorage F desires to anchor. When Anchorage F-1 is occupied by a vessel carrying explosives, vessels shall not anchor in Anchorages B and C within 425 yards of Anchorage F-1. No vessel carrying explosives shall be anchored in Anchorage F-1 so as to swing within 500 yards of the Newport News Channel.

(v) Vessels carrying explosives or other dangerous cargo, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, shall be within Anchorage F or F-1 when anchored, except as provided in subparagraph (7) (x) of this paragraph. Anchorage F is reserved for this special purpose and shall not be used by vessels carrying other classes of cargo except in cases of great emergency or by special permit from the Captain of the Port.

(vi) A written permit shall be obtained from the Captain of the Port before a

vessel carrying explosives, or on which explosives are to be loaded, may proceed to an explosives anchorage; and no vessel shall occupy a berth in such an anchorage except by authority of such a permit which may be revoked at any time.

(vii) Vessels used in connection with loading or unloading explosives in anchorage areas, including tugs and stevedore boats, shall carry a written permit from the Captain of the Port. Such permits shall be shown whenever required by him or by his properly authorized agents.

(viii) Whenever any vessel not mechanically self-propelled anchors in an explosives anchorage while carrying explosives, the Captain of the Port may require the attendance of a tug upon such vessel when in his judgment such action is necessary.

(ix) Vessels carrying explosives shall comply with the general regulations in paragraph (h) of this section when applicable.

(x) The District Engineer, Corps of Engineers, may authorize a vessel carrying explosives for use on river and harbor works or on other work under permit issued by the District Engineer to anchor in or near the vicinity of such work without a permit from the Captain of the Port. The District Engineer will prescribe the quantities of such explosives allowed on such vessel and the conditions under which they are to be stored and handled, and will furnish the Captain of the Port with a copy of such instructions.

(b) *James River*—(1) *Anchorage G*. At the mouth of the river opposite Newport News; east of a line running from Barrel Point, latitude 36°54'53", longitude 76°28'51", across the mouth of Batten Bay to Candy Island, latitude 36°56'18", longitude 76°29'05"; and shoreward of a line described as follows: Beginning at Fishing Point, latitude 36°57'50", longitude 76°29'38"; thence to latitude 36°59'08", longitude 76°27'56"; thence to latitude 36°58'37", longitude 76°26'41"; thence to latitude 36°57'50", longitude 76°26'04"; thence to latitude 36°57'08.5", longitude 76°25'27"; thence to latitude 36°57'11", longitude 76°25'04"; thence to latitude 36°55'52.5", longitude 76°25'09.5"; and thence to latitude 36°54'00", longitude 76°28'59".

(2) *Anchorage G-1*. On the northeast side of the river downstream from the James River Bridge, and shoreward of a line described as follows: Beginning at latitude 36°59'41", longitude 76°26'40"; thence to latitude 37°00'15", longitude 76°27'52"; and thence to latitude 37°00'45", longitude 76°27'17".

(3) *Anchorage G-2*. On the northeast side of the river upstream from the James River Bridge, and shoreward of a line described as follows: Beginning at latitude 37°00'58", longitude 76°27'23"; thence to latitude 37°00'24", longitude 76°28'06"; thence to latitude 37°01'55", longitude 76°31'19"; and thence to latitude 37°03'06", longitude 76°30'29".

(c) *East of Norfolk Harbor Channel*—

(1) *Anchorage K-1*. Shoreward of a line described as follows: Beginning at the shoreward end of the jetty north of Army Base Pier No. 2, latitude 36°55'13", longitude 76°19'42"; thence along the

jetty to latitude 36°55'14", longitude 76°19'46.5"; thence along the jetty to latitude 36°55'10", longitude 76°19'49.5"; thence to a point on the east side of Norfolk Harbor Channel at latitude 36°55'06", longitude 76°20'22"; thence northerly along the east side of Norfolk Harbor Channel to latitude 36°55'36.5", longitude 76°20'20"; and thence to latitude 36°55'38", longitude 76°19'47".

(2) *Anchorage K-2*. South of a line running from Tanner Point, latitude 36°54'13", longitude 76°19'25", across the mouth of Lafayette River to latitude 36°54'14", longitude 76°18'43"; and shoreward of a line described as follows: Beginning at latitude 36°52'56", longitude 76°19'08"; thence to a point on the east side of the dredged area alongside Norfolk Harbor Channel at latitude 36°53'04.5", longitude 76°19'58.5"; thence northerly along the side of the dredged area to latitude 36°53'27", longitude 76°20'02"; thence northwesterly along the side of the dredged area to latitude 36°53'31", longitude 76°20'06"; thence northerly along the east side of Norfolk Harbor Channel to latitude 36°54'45.5", longitude 76°20'19"; and thence to latitude 36°54'49", longitude 76°19'40.5".

(i) Anchorage is prohibited in the dredged channel to Lafayette River.

(3) *Anchorage K-3 (for yachts and pleasure craft)*. That part of Lafayette River upstream from Anchorage K-2 and downstream from a line crossing the river below the Hampton Boulevard bridge from latitude 36°54'27.5", longitude 76°18'22.5", to latitude 36°54'11", longitude 76°18'18".

(i) Anchorage is prohibited in the dredged channel in Lafayette River.

(d) *Elizabeth River*—(1) *Anchorage H-1, West Norfolk (temporary)*. On the west side of the river, south of Craney Island, and shoreward of a line described as follows: Beginning at latitude 36°52'59", longitude 76°21'05.5"; thence along the southeast boundary of the pipeline area across the mouth of Craney Island Creek to latitude 36°53'05", longitude 76°20'49"; thence to latitude 36°52'53", longitude 76°20'30.5"; thence to latitude 36°52'53", longitude 76°20'23.5"; thence to latitude 36°52'57.5", longitude 76°20'24"; thence to a point on the west side of Norfolk Harbor Channel at latitude 36°52'59.5", longitude 76°20'10"; thence southerly along the west side of the channel to latitude 36°52'15", longitude 76°20'03"; thence southeasterly along the southwest side of the channel to latitude 36°52'03", longitude 76°19'45.5"; thence to latitude 36°51'32.5", longitude 76°20'15.5"; and thence to latitude 36°51'43", longitude 76°20'32".

(i) No vessel shall remain anchored in this anchorage awaiting loading for a period longer than 48 hours, except when non-availability of loading facilities, inclement weather, ice conditions, or other conditions reasonably require a longer period in awaiting turn for docking.

(ii) No vessel after receiving its load shall remain more than 12 daylight hours in this anchorage, i. e., vessels loaded

during the afternoon or night shall clear the anchorage prior to the hour of darkness of the following day.

(2) *Anchorage L*. On the northeast side of Elizabeth River, south of Lambert Point, and shoreward of a line described as follows: Beginning at latitude 36°52'06.5", longitude 76°19'04.5"; thence to latitude 36°51'56.5", longitude 76°19'20"; thence to latitude 36°52'13", longitude 76°19'44.5"; and thence to latitude 36°52'21", longitude 76°19'34".

(3) *Anchorage M*. On the northeast side of Elizabeth River, opposite Pinner Point, and shoreward of a line described as follows: Beginning at latitude 36°51'29.5", longitude 76°18'37"; thence to latitude 36°51'32", longitude 76°18'45.5"; thence to latitude 36°51'42", longitude 76°19'00"; and thence to latitude 36°51'52", longitude 76°18'47.5".

(4) *Anchorage N-1, Smith Creek (for yachts and pleasure craft)*—(i) *Mowbray Arch*. Between Mowbray Arch and a line described as follows: Beginning at Ghent Bridge 150 feet from Mowbray Arch and continuing westerly the same distance therefrom to the intersection of the prolongation of the east side of Colonial Avenue; thence in a straight line to a point on the south side of Mill Street prolonged and 70 feet from Mowbray Arch; thence parallel to and 70 feet from Mowbray Arch to the south side of Pembroke Avenue prolonged; thence along the prolongation of the south side of Pembroke Avenue to a point 50 feet from Mowbray Arch; and thence in a straight line to a point on the south side of Fairfax Avenue prolonged and 40 feet from Mowbray Arch.

(ii) *The Hague*. Between the wall on the west side of the Hague and a straight line joining a point 40 feet easterly thereof in the south side of Fairfax Avenue prolonged with a point 70 feet easterly from the wall in a line perpendicular to the wall at the south end thereof.

(iii) No floats, rafts, lighters, houseboats, or other craft laid up for any reason shall be permitted within these anchorages, except by permission of the Captain of the Port.

(iv) No vessel shall anchor or moor alongside any wharf or pier in Smith Creek so as to extend more than 40 feet beyond the pierhead line except in the authorized anchorages.

(5) *Anchorage O, Hospital Point*. On the southwest side of Elizabeth River, adjacent to the Portsmouth Naval Hospital, and shoreward of a line described as follows: Beginning at latitude 36°50'57", longitude 76°18'43"; thence to a point on the southwest side of Norfolk Harbor Channel at latitude 36°51'05", longitude 76°18'23"; thence southeasterly along the side of the channel to latitude 36°50'49.5", longitude 76°18'00"; thence southeasterly along the side of the channel to latitude 36°50'33.5", longitude 76°17'50.5"; and thence to latitude 36°50'27", longitude 76°17'55".

(6) *Anchorage P, Port Norfolk*. On the southwest side of Elizabeth River, between Pinner Point and Western Branch Channel, and shoreward of a line described as follows: Beginning at latitude 36°51'25", longitude 76°19'59"; thence to latitude 36°51'44.5", longitude

76°19'47"; thence to a point on the southwest side of Norfolk Harbor Channel at latitude 36°52'01", longitude 76°19'42.5"; thence southeasterly along the side of the channel to latitude 36°51'32", longitude 76°19'01"; and thence to latitude 36°51'18", longitude 76°19'16".

(e) *Eastern Branch of Elizabeth River*—(1) *Anchorage Q, Berkley*. South of the channel, shoreward of a line described as follows: Beginning at latitude 36°50'20", longitude 76°17'12.5"; thence to latitude 36°50'24", longitude 76°17'14.5"; thence to latitude 36°50'22.5", longitude 76°16'58.5"; and thence to latitude 36°50'13", longitude 76°16'59".

(2) *Anchorage R*—(i) *Section 1*. South of the channel, shoreward of a line described as follows: Beginning at latitude 36°50'11", longitude 76°16'17"; thence to latitude 36°50'18", longitude 76°16'19"; thence to latitude 36°50'20", longitude 76°16'05"; and thence to latitude 36°50'14.5", longitude 76°16'03".

(ii) *Section 2*. South of the channel, shoreward of a line described as follows: Beginning at latitude 36°50'15", longitude 76°15'48.5"; thence to latitude 36°50'21", longitude 76°15'50.5"; thence to latitude 36°50'17", longitude 76°15'18"; and thence to latitude 36°50'11", longitude 76°15'20".

(iii) *Section 3*. South of the channel, shoreward of a line described as follows: Beginning at latitude 36°50'10", longitude 76°15'15"; thence to latitude 36°50'15.5", longitude 76°15'12.5"; thence to latitude 36°50'10.5", longitude 76°14'50"; and thence to latitude 36°50'08", longitude 76°14'51".

(iv) No vessel shall anchor within 200 feet of permanent improvements.

(3) *Anchorage S*—(i) *Section 1*. On the north side of the river, upstream from the Virginian Railway bridge, and shoreward of a line described as follows: Beginning at latitude 36°50'23", longitude 76°14'18"; thence to latitude 36°50'18.5", longitude 76°14'18"; thence to latitude 36°50'14", longitude 76°14'35"; and thence to latitude 36°50'19.5", longitude 76°14'33".

(ii) *Section 2*. On the north side of the Eastern Branch, below the mouth of Broad Creek, and shoreward of a line described as follows: Beginning at latitude 36°50'22.5", longitude 76°13'50"; thence to latitude 36°50'19.5", longitude 76°14'12.5"; and thence to latitude 36°50'24", longitude 76°14'13".

(iii) Anchorage is prohibited within 200 feet of permanent improvements.

(f) *Willoughby Bay*—(1) *Anchorage J-1 (for yachts and pleasure craft)*. East of the west end of Willoughby Spit, shoreward of a line running from latitude 36°57'54", longitude 76°17'46", to latitude 36°57'50.5", longitude 76°17'49".

(2) *Anchorage J-2 (for yachts and pleasure craft)*. South of Willoughby Spit, shoreward of a line described as follows: Beginning at latitude 36°57'42", longitude 76°16'21.5"; thence to latitude 36°57'44.5", longitude 76°17'27"; thence to latitude 36°57'48", longitude 76°17'43"; and thence to latitude 36°57'55.5", longitude 76°17'44".

(g) *Lower Chesapeake Bay south of Thimble Shoal Channel*—(1) *Anchorage L-A (naval)*. Between Cape Henry and Little Creek, beginning at latitude 36°57'11.0", longitude 76°03'03.0"; thence to latitude 36°55'41.0", longitude 76°03'14.5"; thence to latitude 36°56'22.0", longitude 76°05'53.5"; thence to latitude 36°57'01.5", longitude 76°05'59.0"; thence to latitude 36°57'57.0", longitude 76°09'35.0"; thence to latitude 36°58'47.0", longitude 76°09'08.5"; thence to the point of beginning.

(i) This anchorage is reserved primarily for the use of naval vessels, but in the absence of the fleet the Captain of the Port may, in his discretion, permit it to be used by merchant vessels. Movement of vessels through the area will not be restricted.

(2) *Anchorage L-C*. Northwest of Anchorage L-A, beginning at latitude 36°59'14", longitude 76°10'56.5"; thence to latitude 36°58'18.3", longitude 76°10'54"; thence to latitude 36°58'59", longitude 76°13'32.5"; thence to latitude 36°59'56", longitude 76°13'36.3"; thence to the point of beginning.

(i) This anchorage is primarily for the use of merchant vessels but the Captain of the Port may, in his discretion, permit it to be used by naval vessels, the commercial conditions at the time being given due consideration. No vessels shall occupy any berth in this anchorage without first obtaining permission from the Captain of the Port.

(3) *Anchorage L-E (for naval amphibious craft)*. Southwest of Anchorage L-A, east of the Little Creek thoro-fare, and shoreward of a line described as follows: Beginning at Little Creek Harbor Jetty 1 light (approximately latitude 36°55'57.0", longitude 76°10'36.0"); thence to latitude 36°58'04.0", longitude 76°10'02.0"; thence to latitude 36°57'31.5", longitude 76°07'55.0"; thence to latitude 36°55'25.0", longitude 76°08'28.5".

(i) This anchorage is reserved for the exclusive use of naval vessels and, except in case of emergency, no other vessel shall anchor therein without permission from local naval authorities, obtained through the Captain of the Port, Norfolk, Virginia. Movement of vessels through the anchorage will not be restricted.

(h) *General regulations*. (1) Except in cases of great emergency, no vessel shall be anchored in Hampton Roads or adjacent waters outside of the anchorage areas established in this section or within a cable or pipe line area shown on a Government chart, nor be moored, anchored, or tied up to any pier, wharf, or other vessel in such manner as to obstruct or endanger the passage of any vessel.

(2) No vessel shall occupy for a longer period than 30 days, unless a permit is obtained from the Captain of the Port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in this section. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to navigation or anchorage of other vessels shall occupy an anchorage except in an emergency, and then only for such period as may be permitted by the Captain of the Port.

(3) Whenever, in the opinion of the Captain of the Port, such action may be necessary, that officer may require any or all vessels in any designated anchorage area to moor with two or more anchors.

(4) Every vessel whose crew may be reduced to such number that it will not have sufficient men on board to weigh anchor at any time shall, before release or reduction of the crew, be anchored with two anchors with mooring swivel unless the Captain of the Port shall waive the requirement of a mooring swivel.

(5) Anchors shall be placed well within the anchorage areas, so that no portion of the hull or rigging will at any time extend outside the boundaries of the anchorage area.

(6) Any vessel anchoring under circumstances of great emergency outside an anchorage area shall be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel nor obstruct the approach to any pier nor impede the movement of any other vessel, and shall move away immediately after the emergency ceases, or upon notification by the Captain of the Port.

(7) Upon application, a berth in an anchorage, if available, will be assigned to any vessel by the Captain of the Port. He may grant revocable permits for the habitual use of the same berth, and no vessel shall occupy a berth habitually except under authority of such a permit.

(8) Upon approval of the District Engineer, Corps of Engineers, the Captain of the Port may permit wrecking plant or other vessels legally engaged in recovering sunken property or in laying or repairing legally established pipe lines or cables, or plant engaged in dredging operations, to anchor in channels. Such permission is not necessary for plant engaged upon works of river and harbor improvement under the supervision of the District Engineer, but the District Engineer will notify the Captain of the Port in advance of all such proposed work.

(9) Whenever the maritime or commercial interests of the United States so require, the Captain of the Port is hereby empowered to shift the position of any vessel anchored or moored within or outside an anchorage area, including any vessel which is so moored or anchored as to obstruct navigation or interfere with range lights.

(10) A vessel upon being notified to shift its position shall get under way at once or signal for a tug and shall change position as directed with reasonable promptness.

(11) Nothing in this section shall be construed as relieving any vessel or the owner or person in charge of any vessel from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the laws relating to lights and fog signals or other navigation laws.

3. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), and chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.30 (a) is hereby redesignated § 204.30, subparagraphs (1)

to (13), being renumbered paragraphs (a) to (m), §§ 204.30 (b) to (g), and §§ 204.36 and 204.50 are hereby revoked, and §§ 204.32, 204.34, 204.36, 204.38, 204.40, 204.42, 204.44, 204.46, 204.50, and 204.52 are hereby substituted therefor, as follows:

§ 204.30 *Chesapeake Bay; United States Army Proving Ground Reservation, Aberdeen, Md.*—(a) *Restricted area defined.* \* \* \*

(b) *Authority delegated Commanding Officer.* \* \* \*

(c) *Penalty.* \* \* \*

(d) *Entrance into restricted waters by the public over week ends and on National holidays.* \* \* \*

(e) *Entrance at night into restricted waters by the public between February 1 and June 15.* \* \* \*

(f) *Entrance at night into restricted waters by the public between January 1 and January 31 and between June 16 and December 31 provided night firing over water is not to be conducted.* \* \* \*

(g) *No limitations on dates night firing may be conducted over land.* \* \* \*

(h) *Permits required from the Commanding Officer to set fixed nets in restricted waters.* \* \* \*

(i) *Identification signs required at each location of fixed nets.* \* \* \*

(j) *Removal of pound net poles or stakes.* \* \* \*

(k) *Restrictions on fishermen.* \* \* \*

(l) *Fishing with any type of net prohibited in all creeks.* \* \* \*

(m) *Compliance with Federal, State, and county laws required.* \* \* \*

§ 204.32 *Chesapeake Bay, in vicinity of Chesapeake Beach, Md.; firing range, Naval Research Laboratory*—(a) *The danger zone*—(1) *Area A.* Beginning at the intersection of the south property line at the Naval Research Laboratory (about latitude 38°39'12") and the shore running thence 90°, 1,000 yards; thence due north to a point bearing 90° from the intersection of the north property line (about latitude 38°39'40") and the shore; and thence 270° to the shore.

(2) *Area B.* The sector of a circle bounded by radii of 9,600 yards bearing 31° (to Bloody Point Bar Light) and 137°30' (to Buoy N 16 F), respectively, from the center at the southeast corner of building No. 3; excluding Area A.

(3) *Area C.* The segment of a circle inclosed by the arcs of two circles having radii of 9,600 yards and 13,200 yards, respectively, and bounded by the extended radii marking the north and south limits of Area B.

NOTE: All bearings referred to true meridian.

(b) *The regulations.* (1) No vessel shall enter or remain in Area A at any time.

(2) No vessel shall enter or remain in Area B or Area C between the hours of 1:00 p. m. and 5:00 p. m. daily except Sundays, except that through navigation of commercial craft will be permitted in Area C at all times, but such vessels shall proceed on their normal course and shall not delay their progress.

(3) Advance notice will be given of the date on which the first firing practice is conducted, and such notice will be pub-

lished in "Notice to Mariners." The area will be in use through the year and no further notice is contemplated that firing is continuing.

(4) Prior to the conduct of each firing practice a patrol vessel will patrol the range to warn navigation. "Baker" will be flown from a conspicuous point on the patrol vessel and from a prominent position on shore.

(5) The regulations in this section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 204.34 *Chesapeake Bay, south of Sharps Island, Md.; restricted area, U. S. Navy*—(a) *The danger zone.* The waters within a circle having a radius of 200 yards with its center approximately 300 yards south of Sharps Island at latitude 38°36'53", longitude 76°21'56".

(b) *The regulations.* (1) No vessel shall enter or remain in the restricted area at any time except as authorized by the enforcing agency.

(2) This section shall be enforced by the Commanding Officer, U. S. Naval Air Station, Patuxent River, Maryland, and such agencies as he may designate.

§ 204.36 *Chesapeake Bay, in vicinity of Bloodsworth Island, Md.; shore bombardment, air bombing, air strafing, and rocket firing area, U. S. Navy*—(a) *The danger zone.* All waters of Chesapeake Bay and Tangier Sound within an area bounded as follows: Beginning at latitude 38°08'15", longitude 76°10'00"; thence to latitude 38°12'00", longitude 76°10'00"; thence to latitude 38°12'00", longitude 76°07'00"; thence to latitude 38°13'00", longitude 76°08'00"; thence to latitude 38°13'00", longitude 76°04'00"; thence to latitude 38°12'00", longitude 76°02'00"; thence to latitude 38°12'00", longitude 76°00'00"; thence to latitude 38°08'15", longitude 76°00'00"; thence to the point of beginning.

(b) *The regulations.* (1) No vessel or other craft shall enter or remain in the restricted area when notified by an enforcing authority to keep clear or when firing is or will soon be in progress, except as provided in subparagraph (5) of this paragraph.

(2) Advance notice will be given of the dates and times of all firings and such notice will be published in the local "Notice to Mariners". The area will be in use intermittently throughout the year. On days when firing is conducted, firing will take place normally between sunrise and sunset, except that occasional night firing may be conducted between sunset and 12:00 midnight.

(3) Prior to the commencement of firing each day, surface or air search of the entire area will be made for the purpose of locating and warning all craft and persons not connected with the firing, and a patrol will be maintained throughout the duration of firing.

(4) Warning that firing is or soon will be in progress will be indicated during daylight by a red flag prominently displayed from a tower on Adam Island, and at night by a searchlight beam pointed into the sky. All persons, vessels, and other craft shall clear the area when these signals are displayed or when warned by patrol vessels or by aircraft

employing the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle.

(5) During hours when firing is in progress and warning signals are displayed, no fishing or oystering vessels or other craft not directly connected with the firing shall navigate within the restricted area, except that deep-draft vessels proceeding in established navigation lanes and propelled by mechanical power at a speed greater than five knots normally will be permitted to traverse the area. Permission for such deep-draft vessels to enter and traverse the area will be indicated during daylight by dipping the red warning flag to half-mast, and at night by flashing the warning searchlight.

(6) When firing is not in progress and warning signals are not displayed, oystering and fishing boats and other craft may operate within the restricted area.

(7) All projectiles, bombs, and rockets will be fired to land on Bloodsworth Island or Pone Island, but Naval authorities will not be responsible for damage by such projectiles, bombs, or rockets, or by Navy or Coast Guard vessels, to nets, traps, buoys, pots, fish pounds, stakes, or other equipment which may be located within the restricted area.

(8) The regulations in this section shall be enforced by the Commandant, Fifth Coast Guard District, and such agencies as he may designate.

§ 204.38 *Atlantic Ocean and Sinepuxent and Chincoteague Bays, Md.; target areas, U. S. Navy*—(a) *The danger zones.*

(1) Waters of the Atlantic Ocean and Sinepuxent Bay within a circle having a radius of 1,000 yards with its center on Assateague Island at latitude 38°12'42", longitude 75°09'00" (bearing approximately 19°30' true, 1,700 yards, from North Beach Coast Guard Station).

(2) Waters of the Atlantic Ocean and Chincoteague Bay within a circle having a radius of 1,000 yards with its center on Assateague Island at latitude 38°06'42", longitude 75°11'15" (bearing approximately 196°30' true, 10,900 yards, from North Beach Coast Guard Station and approximately 355° true, 8,200 yards, from the Six-Fathom Light Fl. W. Buoy "4A" situated off Green Run Bay).

(b) *The regulations.* (1) No vessel shall enter the restricted areas for other than operations under Naval control or for target maintenance purposes.

(2) This section shall be enforced by the Commandant, Naval Air Bases, Fifth Naval District, and such agencies as he may designate.

§ 204.40 *Potomac River*—(a) *United States Naval Torpedo Testing Range, Piney Point, Md.*—(1) *The danger zone*—

(1) *The prohibited area.* That portion of the Lower Potomac River bounded as follows: Beginning at latitude 38°00'51", longitude 76°20'40", which point is marked by Torpedo Testing Range Lighted Bell Buoy A; thence northeasterly to Point Lookout Shoal Bell Buoy 2; thence northerly to Point Lookout Light; thence northerly and westerly along the shores of Cornfield Harbor past Cornfield Point to the mouth of Potter Creek; thence northwesterly to Grays Point



Buoy "2GP"; thence northwesterly to a point at the mouth of a creek on St. Georges Island, the position of said point being latitude 38°06'20", longitude 76°28'08"; thence southerly, westerly, and northerly along the shores of St. Georges Island to latitude 38°06'37", longitude 76°28'45"; thence northwesterly to Piney Point Light; thence southwesterly to latitude 38°07'08", longitude 76°32'44", which point bears 303°16'41" true, 1,000 yards, from Torpedo Testing Range Lighted Bell Buoy D; thence 123°16'41" true to the point of beginning.

The prohibited area is crossed by three passages as follows:

Passage No. 1: A passage 600 yards wide between a line running from latitude 38°02'36", longitude 76°24'04", to latitude 38°05'27", longitude 76°24'21", and a line running from latitude 38°02'50", longitude 76°24'30", to latitude 38°05'32", longitude 76°24'43".

Passage No. 2: A passage 800 yards wide between a line running from latitude 38°03'08", longitude 76°25'04", to latitude 38°05'48", longitude 76°25'56", and a line running from latitude 38°03'28", longitude 76°25'42", to latitude 38°05'56", longitude 76°26'30".

Passage No. 3: Beginning at Piney Point (latitude 38°08'01", longitude 76°31'45"); thence 221°, 700 yards; thence 90°, 1,250 yards; thence 301° to the point of beginning.

(ii) *The restricted area.* An area adjacent to the prohibited area, bounded as follows: Beginning at Piney Point Light, Piney Point, Maryland; thence northwesterly to spar buoy "19DW"; thence southerly to Spar Buoy "19W"; thence southeasterly to Potomac River Lighted Buoy "5A"; thence southeasterly along a line through spar buoy "18AW" to spar buoy "18W"; thence southeasterly along a line through Spar buoys "17W", "16AW" to spar buoy "16W"; thence northerly to Point Lookout Shoal Bell Buoy 2; thence southwesterly to Torpedo Testing Range Lighted Bell Buoy A; thence northwesterly along a line through Torpedo Testing Range Lighted Bell Buoys B, C, and D to latitude 38°07'08", longitude 76°32'44", which point bears 303°16'41" true, 1,000 yards, from Torpedo Testing Range Lighted Bell Buoy D; and thence northeasterly to Piney Point Light, the point of beginning.

(2) *The regulations.* (i) The presence of any vessel in the prohibited area is prohibited unless prior permission has been granted by the enforcing officer, except that Passages No. 1, No. 2, and No. 3 may be used to traverse the area when firing is not in progress. Vessels shall keep under way at all times while operating in Passages No. 1, No. 2, and No. 3.

(ii) Between the hours of 7:00 a. m. and 4:00 p. m. daily except Sundays and legal holidays, and at other times and on other days when the Torpedo Testing Range is being operated, no vessel shall enter or remain in the restricted area if specifically forbidden to do so by the officer in charge of the Range or his duly accredited representative. Passage of traffic in this area will not be unreasonably interfered with or restricted.

(iii) Between the hours of 7:00 a. m. and 4:00 p. m. daily except Sundays and legal holidays, and at other times and on other days when the range is being operated, all vessels are forbidden to anchor within the restricted area except in cases

of great emergency. Any vessel anchoring under circumstances of great emergency shall move away as soon as the emergency permits.

(iv) Any vessel upon being notified by proper authority to shift its position or course shall change position or course as directed with reasonable promptness.

(v) During periods when the range is in operation any vessels in danger or any vessels interfering with operations will be met by representatives of the officer in charge, suitably warned, and given necessary instructions and orders relating to navigating the restricted area. The torpedo testing barge will fly "International B" at a yard arm when testing operations are in progress. Government vessels, seaplanes, or other craft patrolling the zone will fly or expose a red flag.

(vi) Vessels in passage up or down the Potomac River in the restricted area shall keep to the south part of the channel insofar as practicable.

(vii) The speed of vessels passing within 1,000 yards of the torpedo testing barge during testing operations shall not exceed 10 knots.

(viii) Nothing in this section shall prevent the setting of fish traps within the restricted area, under permits granted by the Department of the Army, nor shall the passage of fishing vessels to and from authorized traps be unreasonably interfered with or restricted.

(ix) The regulations in this section shall be enforced by the Commanding Officer, Piney Point Torpedo Testing Range, Piney Point, Maryland.

(b) *United States Naval Proving Ground, Dahlgren, Va.*—(1) *The danger zones*—(i) *Lower zone.* The entire portion of the lower Potomac River between a line from Point Lookout, Maryland, to Smith Point, Virginia, and a line from Blakiston Island Shoal Buoy 4A (off Blakiston Island) to Hollis Marsh. This zone, in which long-range and aerial machine gun firing is normally conducted at infrequent intervals, embraces the Naval Torpedo Testing Range at Piney Point, Maryland, which is subject to special additional restrictions (see paragraph (a) of this section).

(ii) *Middle zone.* Beginning at the intersection of the Potomac River Bridge with the Virginia shore; thence to Lower Cedar Point Light; thence to latitude 38°19'06", longitude 76°57'07", which point is about 3,300 yards east-southeast of Lower Cedar Point Dredge Channel Range Front Light; thence to Line of Fire Buoy O, 1,500 yards southwest by west of Swan Point; thence to Line of Fire Buoy M, 1,700 yards south of Potomac View; thence to Line of Fire Buoy K, about 1,300 yards south by west of the lower end of Cobb Island; thence to Blakiston Island Shoal Buoy 4A, abreast of Blakiston Island abandoned light house; thence southwesterly to Hollis Marsh; thence northwesterly to Line of Fire Buoy J, about 3,000 yards off Popes Creek, Virginia; thence to Line of Fire Buoy L, 3,500 yards off Church Point; thence to Line of Fire Buoy N, 800 yards off Colonial Beach; thence to Line of Fire Buoy P, 1,000 yards off Bluff Point; thence to the Main Dock at the

Naval Proving Ground. Firing is normally conducted in this zone daily except Saturdays, Sundays, and national holidays.

(iii) *Upper zone.* Beginning at Mathias Point, Virginia; thence north to Mathias Point Shoal Light; thence north by east to Mathias Point Beacon; thence east-southeast to Popes Creek Flats Lighted Buoy 26; thence east-southeast to Buoy 24 abreast of Popes Creek, Maryland; thence to the Maryland shore on an extension of the line connecting Buoys 26 and 24; thence southerly with the Maryland shore to a line passing through Persimmon Point Shoal Beacon to the Virginia shore, parallel to the Potomac River Bridge; thence northerly with the Virginia shore to the point of beginning. Aerial bombing and strafing is normally conducted in this zone at infrequent intervals.

(2) *The regulations.* (i) Firing normally takes place between the hours of 8:00 a. m. and 4:00 p. m. daily except Saturdays, Sundays, and national holidays, with infrequent night firing between 4:00 p. m. and 10:30 p. m. During a national emergency, firing will take place between the hours of 6:00 a. m. and 10:30 p. m. daily except Sundays.

(ii) When firing is in progress, no fishing or oystering vessels shall operate within the danger zone affected unless so authorized by the Naval Proving Ground's patrol boats. Oystering and fishing boats or other craft may cross the river in the danger zone only after they have reported to the patrol boats and received instructions as to when and where to cross. Deep-draft vessels using dredged channels and propelled by mechanical power at a speed greater than five miles per hour, may proceed directly through the danger zones without restriction except when especially notified to the contrary.

(iii) The regulations in this section shall be enforced by the Captain of the Port and the Commanding Officer of the United States Naval Proving Ground and such agencies as they may designate. Patrol boats and planes will fly or expose a square red flag in clearing a danger zone.

(c) *Accotink Bay, Accotink Creek, and Pohick Bay; United States Military Reservation, Fort Belvoir, Va.*—(1) *The danger zone.* The waters of Accotink Bay, Accotink Creek, and Pohick Bay, Virginia, within and adjacent to the target ranges of the United States Military Reservation, Fort Belvoir, as follows: All of Accotink Bay; all of Accotink Creek below the bridge which crosses Accotink Creek approximately 400 yards south of U. S. Highway No. 1; and that portion of Pohick Bay bordering its north shore. The mouth of Accotink Bay and that portion of Pohick Bay within the danger zone will be marked by the Post Commander with suitable warning buoys.

(2) *The regulations.* (i) When firing affecting the area is in progress, the Post Commander will post guards at such locations that the waters in the danger zone may be observed and arrange signals whereby these guards may stop the firing should any person be seen in the danger zone. When firing is in progress,

the Post Commander will cause to be displayed both on the east shore of Accotink Bay at its mouth and near the danger zone boundary on Accotink Creek a red streamer which shall be visible to a person in a boat near those points.

(ii) Persons desiring to cross the waters in the danger zone shall first determine whether a red streamer is displayed on the east shore of Accotink Bay at its mouth or near the danger zone boundary on Accotink Creek. If the red streamer is displayed, it will indicate that firing is in progress and that the waters in the danger zone are covered by rifle fire, and the area shall not be entered until the streamer is lowered.

(iii) The Post Commander is hereby authorized by using such agencies and equipment necessary to stop all boats at the boundary of the danger zone and prohibit their crossing the area until convenient to the firing schedule to do so.

§ 204.42 *Chesapeake Bay, Smith Point to Cedar Point; aerial gunnery range, and ground firing range and seaplane landing area, U. S. Naval Air Station, Patuxent River, Md.*—(a) *The danger zones*—(1) *Aerial gunnery range.* The waters of Chesapeake Bay south of a line between Cedar Point, Maryland, and the southern tip of Barren Island; west of a line between the southern tip of Barren Island and Shanks Island, Virginia; north of a line between Shanks Island and Smith Point Light, Virginia; and east of lines from Smith Point Light to a point one and one-half miles due east of Point Lookout Light (horn), thence due north to Point No Point Light, and thence northwesterly to Cedar Point, Maryland.

(2) *Ground firing range and seaplane landing area.* The waters off the western shore of Chesapeake Bay within an area bounded as follows: Beginning at Cedar Point, Maryland; thence southeasterly to latitude 38°16', longitude 76°20'15"; thence southwesterly to latitude 38°13'42", longitude 76°21'42"; thence northwesterly to latitude 38°15'06", longitude 76°23'36"; and thence due west to the shoreline.

(b) *The regulations.* (1) No vessel or other craft, with the exception of specifically authorized military and naval vessels, shall enter or remain in the ground firing range and seaplane landing area. No vessel or other craft, except military and naval vessels engaged in scheduled gunnery and training exercises, shall enter or remain in the aerial gunnery range during its use for firing practice except as provided in subparagraphs (5) and (7) of this paragraph.

(2) Advance notice will be given of the date on which the first firing practice is conducted, and such notice will be published in the "Notice to Mariners." The range will be in use throughout the year, and no further notice is contemplated that firing is continuing.

(3) Prior to the conduct of firing practice the area will be patrolled by Navy aircraft to insure that no watercraft are within the danger area, and any watercraft in the vicinity will be warned by means of signals that firing practice is to take place. The patrol aircraft will

employ the method of warning known as "buzzing," which consists of low flight by the airplane and repeated opening and closing of the throttle.

(4) Any such watercraft shall, upon being so warned, immediately vacate the area designated and shall remain outside the area until the conclusion of firing practice.

(5) Through navigation of commercial craft proceeding on established steamer lanes shall be permitted traverse of the aerial gunnery range at all times. Such vessels shall proceed on their normal course and shall not delay their progress.

(6) The area known as the ground firing range and seaplane landing area will be opened to oystermen for oyster dredging operations during each day of the month of January of each year from 12:00 noon to nightfall. No firing will be conducted in this area during this time.

(7) Military and naval vessels will conduct gunnery and training exercises in the aerial gunnery range. Where there is apparent conflict between surface craft with attendant planes and planes operating under the control of the Naval Air Test Center, Patuxent River, planes are expected to keep clear.

(8) The regulations in this section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 204.44 *Chesapeake Bay, in vicinity of Tangier Island; Naval guided missiles test operations area*—(a) *The danger zone*—(1) *Prohibited area.* A circle 1,000 yards in radius with its center at latitude 37°47'54", longitude 76°03'48".

(2) *Restricted area.* A circle three nautical miles in radius with its center at latitude 37°47'54", longitude 76°03'48", excluding the prohibited area.

(b) *The regulations.* (1) Vessels or other craft shall not enter or remain in the prohibited area at any time unless authorized to do so by the enforcing agency.

(2) Except as otherwise provided in subparagraph (6) of this paragraph, vessels or other craft shall not enter or remain in the restricted area when firing is or will soon be in progress unless authorized to do so by the enforcing agency.

(3) Advance notice will be given of the date on which the first firing is to be conducted and such notice will be published in "Notice to Mariners." Thereafter, the danger zone will be in use intermittently throughout the year and no further notice is contemplated that firing is continuing.

(4) Warning that firing is or will soon be in progress will be indicated by a red flag displayed from one of six dolphin platforms on the perimeter of the prohibited area, and by patrol vessels within the danger zone or by aircraft employing the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle. Surface or air search of the entire area will be made prior to the commencement of firing on each scheduled day. During periods of firing a patrol vessel will remain in the approaches to the restricted area and maintain continuous contact with the

firing planes to warn when the area is not clear.

(5) Upon observing the warning flag or upon receiving a warning by any of the patrol vessels or aircraft, vessels or other craft shall immediately vacate the restricted area and remain outside the area until the conclusion of firing for the day.

(6) The regulations in this section shall not deny traverse of portions of the restricted area by commercial craft proceeding in established steamer lanes, but when firing is or will soon be in progress all such craft shall proceed on their normal course through the area with all practicable speed.

(7) All projectiles, bombs, and rockets will be fired to land within the prohibited area, but the Department of the Navy will not be responsible for damage by such projectiles, bombs, or rockets to nets, traps, buoys, pots, fishpounds, stakes, or other equipment which may be located within the restricted area.

(8) The regulations in this section shall be enforced by the Commanding Officer, Naval Aviation Ordnance Test Station, Chincoteague, Virginia, and such agencies as he may designate.

§ 204.46 *Chesapeake Bay, south of Tangier Island; Naval firing range*—(a) *The danger zone.* Beginning at latitude 37°47'00", longitude 75°58'00"; thence to latitude 37°43'42", longitude 75°55'30"; thence to latitude 37°27'00", longitude 76°02'48"; thence to latitude 37°27'00", longitude 76°10'00"; thence to latitude 37°47'00", longitude 76°10'00"; thence to latitude 37°44'30", longitude 76°00'30"; and thence to the point of beginning.

(b) *The regulations.* (1) Any vessel propelled by mechanical means or by sail at a speed greater than five knots may proceed through the danger zone to and from points without, but not from one point to another point within, the area, except when especially notified to the contrary.

(2) All vessels, other than naval craft, are forbidden to anchor within the danger zone except in cases of great emergency. All vessels anchoring under circumstances of great emergency within the area shall leave the area immediately after the emergency ceases or upon notification by the enforcing agency.

(3) Fishing, oystering, clamming, crabbing, and other aquatic activities are forbidden within the limits of the danger zone, except that existing fishing structures licensed by the State of Virginia may be maintained and operated provided the owners thereof obtain written permits from the enforcing agency designated in subparagraph (5) of this paragraph.

(4) Day and night firing over the range will be conducted intermittently by one or more vessels, depending on weather and operating schedules. When firing is in progress, adequate patrol by naval craft will be conducted to prevent vessels from entering or remaining within the danger zone.

(5) This section shall be enforced by the Commandant, Fifth Naval District, Norfolk Naval Station, Norfolk, Virginia, and such agencies as he may designate.

§ 204.50 *Chesapeake Bay off Fort Monroe, Va.; restricted area, U. S. Army Submarine Mine Depot and Naval Ordnance Laboratory*—(a) *The danger zone.* Beginning at latitude 37°00'30", longitude 76°18'05"; thence to latitude 37°00'38", longitude 76°17'42"; thence to latitude 37°01'00", longitude 76°17'15"; thence to latitude 37°01'00", longitude 76°16'11"; thence to latitude 36°59'18", longitude 76°17'52"; thence along a curve approximately 300 yards off the north shore of Fort Wool to latitude 37°59'09", longitude 76°18'21"; thence to latitude 36°59'02", longitude 76°18'39.5"; thence to latitude 37°00'00", longitude 76°18'54"; thence to latitude 36°59'57", longitude 76°18'42.5"; thence to latitude 36°59'58.5", longitude 76°18'27"; thence to latitude 37°00'03", longitude 76°18'26"; thence to the Fort Monroe seawall and northward along the seawall to the point of beginning.

(b) *The regulations.* (1) Anchoring, trawling, fishing, and dragging are prohibited in the danger zone, and no object, either attached to a vessel or otherwise, shall be placed on or near the bottom.

(2) This section shall be enforced by the Commanding Officer, U. S. Army Submarine Mine Depot, Fort Monroe, Virginia, and such agencies as he may designate.

§ 204.52 *Atlantic Ocean south of entrance to Chesapeake Bay; firing range*—(a) *The danger zone.* A sector extending seaward for a distance of 12,000 yards between two radial lines bearing 30° true and 75° true, respectively, from a point on the shore at latitude 36°46'48", longitude 75°57'24"; and an adjacent sector extending seaward for a distance of 15 miles between two radial lines bearing 75° true and 150° true, respectively, from the same shore position.

(b) *The regulations.* (1) Fishing vessels may enter the danger zone only between the hours of midnight and 8:00 a. m. and shall be clear of the area by 8:00 a. m. Other vessels shall proceed through the area with caution and shall remain therein no longer than absolutely necessary for purposes of transit.

(2) On days when firing is in progress, red flags will be displayed at conspicuous locations on the beach. During night firing a red flag, illuminated by a vertical white light, will be shown from the tower controlling the fire.

(3) This section shall be enforced by the Commanding Officer, Antiaircraft Training and Test Center, Dam Neck, Virginia, and such agencies as he may designate.

4. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), §§ 207.110, 207.120, 207.130, 207.140, and 207.150 are amended, and §§ 207.125, 207.152, 207.154, 207.155, 207.156, 207.157, 207.158 and 207.162 are prescribed, governing the use, administration, and navigation of waters in the Chesapeake Bay area, as follows:

§ 207.110 *Magothy River, Md.; speed.* No boat shall at any time proceed at a

greater speed than eight statute miles per hour in that portion of the Magothy River between Gibson Island Beach and a line extending due north from the most northerly part of Holland Point and crossing the Magothy Narrows.

§ 207.120 *South River, Md., and its tributaries; speed.* No boat shall at any time between May 1 and September 15, inclusive, proceed at a greater speed than eight statute miles per hour in that portion of the South River above the Maryland State Roads Commission bridge at Edgewater, Maryland, or in the tributaries emptying therein, including Warehouse, Gingerville, Beards, and Broad Creeks.

§ 207.125 *Patuxent River, Md.; restricted areas, Naval Air Test Center, Patuxent River, Md.* (a) Except in the gut off the tip of Point Patience, no craft shall approach closer than 75 yards to the beaches, shoreline, or piers of the area formerly occupied by the United States Naval Mine Warfare Test Station, or of Naval Air Station property. Civilian craft shall not approach rafts, barges, and platforms closer than 100 yards.

(b) Diving tenders will exhibit two red conical shapes, arranged vertically, base to base, when underwater diving takes place from naval small craft. At such times civilian craft shall stay at least 200 yards clear of these vessels and proceed at a speed not greater than five knots when within 1,000 yards thereof.

(c) On occasions, seaplane landings and take-offs will be practiced in the seadrome area north of the Naval Air Station, Patuxent River. This area includes those waters of the Patuxent River between Town Point and Hog Point shoreward of a line described as follows: Beginning at a point on the shore just west of Lewis Creek, bearing 161°30' true, 2,000 yards, from Point Patience Light; thence to a point bearing 130° true, 1,850 yards, from Point Patience Light; thence to a point bearing 247°30' true, 3,650 yards from Drum Point Light; thence to a point bearing 235° true, 2,060 yards, from Drum Point Light; thence to a point bearing 129° true, 700 yards, from Drum Point Light; thence to a point bearing 137° true, 1,060 yards, from Drum Point Light; and thence to a point on the shore west of Harper Creek entrance, bearing 158°30' true, 1,900 yards, from Drum Point Light. Operations will be indicated by day by a square white flag with square blue center, and by night by one green light for operations in an easterly direction, or by two vertical green lights for operations in a westerly direction, all signals to be exhibited from Patuxent River Boathouse seawall at the Naval Air Test Center. In addition, crash boats will patrol the landing lanes during the operations, and by night float lights will mark the landing lanes. At such times as the above signals are exhibited the following restriction will apply to boating in the waters adjacent to the Naval Air Station in the area westward of Fishing Point: Boating will be confined to areas not less than 75 yards nor more than 500 yards from the beaches of the Air Center; will proceed across the seaplane operating area only

in accordance with instructions from crash boats; will not enter the seaplane basins; and will not use the areas adjacent to seaplane basins (boats may cross entrances when no signal is exhibited).

(d) The regulations in this section shall be enforced by the Commanding Officer, Naval Air Station, Patuxent River, Maryland, and such agencies as he may designate.

§ 207.130 *York Spit Channel, Chesapeake Bay; navigation.* The use of this channel shall be restricted to vessels and other watercraft passing up or down the bay, and no vessel or other watercraft shall cross the channel or enter it at any point other than at its ends and in the direction of its axis. Any vessel having entered the channel shall follow the course thereof for its entire length.

§ 207.140 *Thimble Shoal Channel, Chesapeake Bay; navigation.* (a) The use of this channel shall be restricted to vessels, tows, and other watercraft drawing 20 feet or more at the time of navigating the channel: *Provided*, That this restriction shall not apply to passenger-carrying vessels.

(b) Watercraft permitted to use the channel under paragraph (a) of this section shall proceed through at a reasonable speed so as not to endanger other vessels or interfere with any work in connection with maintaining, surveying, or buoying the channel. Vessels shall not anchor in the channel except in cases of emergency, such as fog or accident, which would render progress unsafe or impossible.

(c) This section shall not be construed as prohibiting necessary use of the channel by Government boats while on Government duty, or its use in emergencies by pilot boats, whether steam or sail, or by police boats.

§ 207.150 *Hampton Roads and the harbors of Norfolk and Newport News, Va.; navigation and explosives regulations for vessels other than common carriers carrying explosives.* \* \* \*

§ 207.152 *James River off the entrance to Skiffes Creek, Va.; Army small-craft testing area*—(a) *The restricted area.* Beginning at latitude 37°10'00", longitude 76°37'28"; thence to latitude 37°09'13", longitude 76°37'48"; thence to latitude 37°09'13", longitude 76°38'08"; thence to latitude 37°10'00", longitude 76°37'55"; and thence to the point of beginning.

(b) *The regulations.* (1) No vessels other than Department of the Army vessels shall enter the restricted area except as provided in subparagraph (2) of this paragraph.

(2) Nothing in this section shall prevent the setting of fish traps within the restricted area under regulations of the Department of the Army, nor will the passage of fishing vessels to and from authorized traps be unreasonably interfered with or restricted.

(3) Vessels anchored in the area shall be so anchored as not to obstruct the arc of visibility of Deep Water Shoals Light.

(4) This section shall be enforced by the Commanding General, Fort Eustis, Virginia, and such agencies as he may designate.

§ 207.154 *Southern Branch of Elizabeth River; speed.* In that part of the Southern Branch of Elizabeth River between the junction of the Southern and Eastern Branches of the Elizabeth River and the Norfolk and Portsmouth Belt Line Railroad Bridge, no vessel shall move at a speed exceeding six knots.

§ 207.155 *Hampton Roads, off Norfolk Naval Station; Navy restricted area—(a) The restricted area.* Beginning at latitude 36°56'41.5", longitude 76°19'44"; thence to latitude 36°56'45.5", longitude 76°20'14"; thence to latitude 36°57'21", longitude 76°20'11"; thence to latitude 36°57'17", longitude 76°19'35"; and thence to the point of beginning.

(b) *The regulations.* (1) No commercial vessels other than those moving to and from piers at the Norfolk Naval Station shall enter the restricted area.

(2) This section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 207.156 *Hampton Roads and Willoughby Bay, Norfolk, Va.; seaplane restricted area—(a) The area.* Beginning at latitude 36°57'22", longitude 76°18'02.5"; thence to latitude 36°57'29", longitude 76°19'01"; thence to latitude 36°58'41.5", longitude 76°18'42"; thence to latitude 36°58'37.5", longitude 76°18'16"; thence to latitude 36°58'01", longitude 76°18'23"; thence to latitude 36°57'48", longitude 76°18'07.5"; thence to latitude 36°57'45.5", longitude 76°17'58.5"; thence to latitude 36°57'42", longitude 76°16'21.5"; and thence southerly, easterly, and northerly along the shore of Willoughby Bay to the point of beginning.

(b) *The regulations.* (1) Vessels shall not moor or anchor within the area. Fishing, oystering, clamming, crabbing, and other aquatic activities are prohibited within the area.

(2) All vessels moving through that portion of the area in Willoughby Bay shall navigate as near the shore of Willoughby Spit as practicable, and shall pass through as quickly as practicable.

(3) All vessels moving in the area shall immediately proceed to leave the area when warned by aircraft employing the "buzzing" method, which consists of low flight by an airplane and repeated opening and closing of its throttle.

(4) This section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 207.157 *Chesapeake Bay, Lynnhaven Roads; Navy amphibious training area—(a) The restricted area.* Beginning at latitude 36°55'47", longitude 76°11'04.5"; thence to latitude 36°59'15", longitude 76°10'08"; thence to latitude 36°58'39.5", longitude 76°07'51"; thence to latitude 36°55'27.5", longitude 76°08'42"; thence westerly along the shore and across the mouth of Little Creek to the point of beginning.

(b) *The regulations.* (1) No fish-pound stakes or structures shall be allowed in the restricted area.

(2) No vessel shall approach within 300 yards of any naval vessel or within 600 yards of any vessel displaying the red "baker" burgee.

(3) This section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 207.158 *Chesapeake Bay entrance, south side; restricted area for Naval Bureau of Ordnance field tests—(a) The restricted area.* The water area within the following boundaries: West boundary, longitude 76°00'00"; north boundary, latitude 36°59'00"; east boundary, longitude 75°55'00"; south boundary, latitude 36°53'00".

(b) *The regulations.* (1) Anchoring, trawling, fishing, and crabbing are prohibited in the restricted area.

(2) This section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

§ 207.162 *Pasquotank River, N. C.; seaplane restricted area—(a) The restricted area.* That part of Pasquotank River bounded as follows: Beginning at latitude 36°17'39.5", longitude 76°11'21"; thence southeasterly along the line of seven-foot depth to latitude 36°16'18", longitude 76°07'16"; thence to latitude 36°15'14.5", longitude 76°07'44.5"; thence northwesterly along the line of seven-foot depth contour to latitude 36°17'19", longitude 76°11'20.5"; and thence to the point of beginning.

(b) *The regulations.* (1) Vessels shall not anchor or moor within the restricted area.

(2) All vessels moving through the restricted area shall navigate as near the northeast shore of the river as practicable, and shall pass through the area as quickly as practicable.

(3) Fishing, crabbing, oystering, clamming, and other aquatic activities are prohibited within the restricted area.

(4) This section shall be enforced by the Commanding Officer, Coast Guard Air Station, Elizabeth City, North Carolina, and such agencies as he may designate.

[Regs. Oct. 26, 1948, 800.212—ENGWR] (38 Stat. 1053, 40 Stat. 266, 892; 33 U. S. C. 1, 3, 471)

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

[F. R. Doc. 48-10231; Filed, Nov. 23, 1948; 8:52 a. m.]

#### PART 203—BRIDGE REGULATIONS

##### NOVATO CREEK AND SNODGRASS SLOUGH, CALIF.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.712 (f) is hereby amended so as to exclude the Northwestern Pacific Railroad Company bridges across Novato Creek near Ignacio and near Novato, California, and § 203.714 (i) governing the operation of bridges across Snodgrass Slough, California, is hereby amended, as follows:

§ 203.712 *Tributaries of San Francisco Bay and San Pablo Bay, Calif. \* \* \**

(f) *Novato Creek; State of California highway bridge near Ignacio.* At least 24 hours' advance notice required.

§ 203.714 *San Joaquin River and its tributaries, Calif. \* \* \**

(i) *Snodgrass Slough; Southern Pacific Company railroad bridge and Sacramento County Highway bridge.* From 8:00 a. m. to 5:00 p. m., daily, at least 24 hours' advance notice required. From 5:00 p. m. to 8:00 a. m., the draws need not be opened for the passage of vessels except in cases of extreme emergency.

[Regs. Nov. 3, 1948, 823.01—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

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

[F. R. Doc. 48-10230; Filed, Nov. 23, 1948; 8:52 a. m.]

#### PART 207—NAVIGATION REGULATIONS

##### OHIO AND UPPER MISSISSIPPI RIVERS AND TRIBUTARIES; LOCK SIGNAL LIGHTS

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.300 (e) (2), prescribing a visual lock signal system to supplement sound signals at locks where density of traffic or other local conditions make it advisable, is hereby amended to read as follows:

§ 207.300 *Ohio River, Mississippi River above Cairo, Ill., and their tributaries; use, administration, and navigation. \* \* \**

(e) *Signals. \* \* \**

(2) *Lock signal lights.* At locks where density of traffic or other local conditions make it advisable, the sound signals from the lock will be supplemented by signal lights. Flashing lights (showing a one-second flash followed by a two-second eclipse) will be located on or near each end of the land wall to control use of a single lock or of the landward lock of double locks. In addition, at double locks, interrupted flashing lights (showing a one-second flash, a one-second eclipse, and a one-second flash, followed by a three-second eclipse) will be located on or near each end of the intermediate wall to control use of the riverward lock. Navigation will be governed as follows:

*Red Light.* Lock cannot be made ready immediately. Vessel shall stand clear.

*Amber Light.* Lock is being made ready. Vessel may approach but under full control.

*Green Light.* Lock is ready for entrance.

NOTE: During the conversion period required to install flashing red, amber, and green lights, the following signal lights may continue to be used at some locks: A flashing green light located on or near each end of the land wall to indicate that a single lock or the landward lock of double locks is ready for entrance. In addition, at double locks, a flashing amber light located on or near each end of the intermediate wall to indicate that the riverward lock is ready for entrance.

[Regs. Nov. 8, 1948, 800.211—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

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

[F. R. Doc. 48-10223; Filed, Nov. 23, 1948; 8:52 a. m.]

**TITLE 36—PARKS AND FORESTS**

**Chapter II—Forest Service, Department of Agriculture**

**PART 261—TRESPASS**

**DISCONTINUANCE OF CODIFICATION**

EDITORIAL NOTE: The codification of § 261.50 is discontinued. Orders formerly affecting the tabulation contained in § 261.50 will continue to be published in the Notices section. See F. R. Doc. 48-10222, under Department of Agriculture, Forest Service, *infra*.

**TITLE 46—SHIPPING**

**Chapter I—Coast Guard: Inspection and Navigation**

[CGFR 48-62]

**DISTRESS SIGNALS**

**POSTPONEMENT OF EFFECTIVE DATE**

The revised regulations for distress signals and specifications for distress signals were published in the FEDERAL REGISTER dated October 31, 1947, 12 F. R. 7072 et seq., and these regulations provided that distress signals not bearing the date of manufacture shall not be carried after January 1, 1949, and that distress signals meeting the revised Coast Guard specifications be manufactured. In the FEDERAL REGISTER dated October 30, 1948, 13 F. R. 6411 et seq., it was proposed to further amend these regulations to allow an additional alternate to existing requirements and to publish the minimum standard specification for hand orange smoke distress signals. These amendments were published without prior general notice of their proposed issuance in order to have available to vessel operators an additional source of supply. Comments were submitted and an appeal has been made setting forth reasons why a public hearing should be held before the amendments to the regulations regarding distress signals be made effective. *It is, therefore, ordered*, That a public hearing shall be held by the Merchant Marine Council on November 30, 1948, at 9:30 a. m., in Room 4120, Coast Guard Headquarters, 1300 E Street NW., Washington, D. C., to consider all comments, data, and views, on the regulations published in the FEDERAL REGISTER October 30, 1948, 13 F. R. 6411-6415, and all appeals presented to the Commandant, United States Coast Guard, as provided in Coast Guard Federal Register Document CGFR 48-53, Federal Register Document 48-9576.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4417a, as amended, 46 U. S. C. 375, 391a, and section 101 of Reorganization Plan No. 3 of 1946, the amendments to the regulations regarding distress signals as published in the FEDERAL REGISTER, October 30, 1948, 13 F. R. 6412-6415, are postponed until all comments and appeals may be considered and action taken thereon, and a notice will be published in the FEDERAL REGISTER setting forth either the effective date of the amendments or the revised text of the regulations.

**Subchapter D—Tank Vessels**  
**PART 33—LIFESAVING APPLIANCES**  
**EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS**

The effective date of the amendment to § 33.3-1 (e) published in the FEDERAL REGISTER October 30, 1948, 13 F. R. 6412, is postponed until further notice.

**Subchapter G—Ocean and Coastwise, General Rules and Regulations**

**PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)**

The effective date for the amendments to §§ 59.11 (e) and 59.52 (a) published in the FEDERAL REGISTER October 30, 1948, 13 F. R. 6412, is postponed until further notice.

**PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)**

The effective date of the amendments to §§ 60.9 (e) and 60.45 (a) published in the FEDERAL REGISTER October 30, 1948, 13 F. R. 6412, is postponed until further notice.

**Subchapter Q—Specifications**

**PART 160—LIFESAVING EQUIPMENT**

The effective date for the specification in § 160.037 is postponed until further notice.

*Regulations in effect.* As the amendments published in the FEDERAL REGISTER October 30, 1948, merely allowed an additional alternate to previous requirements for distress signals the postponement of the effective date of these amendments does not alter previous requirements which require 12 approved hand red flare distress signals in a watertight container and 4 approved floating orange smoke distress signals, or 12 approved hand combination flare and smoke distress signals in a watertight container in lifeboats and life rafts. The service use for distress signals shall be limited to a period of three years from date of manufacture. Distress signals not bearing date of manufacture shall not be carried after January 1, 1949.

Dated: November 19, 1948.

MERLIN O'NEILL,  
Rear Admiral, U. S. Coast Guard,  
Acting Commandant.

[F. R. Doc. 48-10220; Filed, Nov. 23, 1948; 8:50 a. m.]

**TITLE 47—TELECOMMUNICATIONS**

**Chapter I—Federal Communications Commission**

**PART 1—ORGANIZATION, PRACTICE AND PROCEDURE**

**DISCONTINUANCE OF CODIFICATION OF SUBPARTS A, B AND C**

CROSS REFERENCE: For discontinuance of the codification of Subparts A, B, and C of Part 1 and for statements of the organization of the Commission, delegations of authority, and places for submitting applications and other requests and securing public information, see

F. R. Doc. 48-10211, under Federal Communications Commission in the Notices section, *infra*.

**PART 8—SHIP RADIO SERVICE**

**PART 13—COMMERCIAL RADIO OPERATORS**  
**NOTICE OF ERRATUM**

In the matter of amendment of Parts 8 and 13 of the Commission's rules and regulations governing the ship service and commercial radio operators respectively.

The Commission's order of November 10, 1948, in the above entitled matter, which appeared in the November 16, 1948, issue of the FEDERAL REGISTER at page 6705, should be corrected to read at paragraph (1) (b) of the second ordering clause:

(b) By deleting in the last sentence thereof the phrase "November 15, 1948" and substituting therefor the phrase "April 15, 1949".

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10279; Filed, Nov. 23, 1948; 9:02 a. m.]

**PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND THEIR AFFILIATES**

**ANNUAL REPORT FORM O APPLICABLE TO CLASS A AND CLASS B WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS**

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of November 1948;

The Commission, having under consideration proposals to delete Schedule 331, "Analysis of maintenance expenses", and Schedule 332, "Analysis of conducting-operations expenses", of Annual Report Form O applicable to Class A and Class B wire-telegraph and ocean-cable carriers, (§ 43.21);

It appearing, that the proposed deletions are designed to simplify present reporting requirements and will represent a relaxation of such reporting requirements; and

It further appearing, that the nature of the proposed changes are such as to render unnecessary the notice and procedure provided for in section 4 of the Administrative Procedure Act;

It further appearing, that authority to make the above changes is contained in section 219 of the Communications Act of 1934, as amended;

*It is ordered*, That, effective immediately, Annual Report Form O is amended by deleting the requirements for the information set forth in Schedule 331, "Analysis of maintenance expenses", and Schedule 332, "Analysis of conducting-operations expenses".

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10281; Filed, Nov. 23, 1948; 9:02 a. m.]

**PART 43—REPORTS OF COMMUNICATION  
COMMON CARRIERS AND THEIR AFFILIATES**

**ANNUAL REPORT FORM R APPLICABLE TO CLASS  
A AND CLASS B RADIOTELEGRAPH CARRIERS**

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of November, 1948;

The Commission, having under consideration proposals to delete Schedule 331, "Analysis of maintenance expenses," of Annual Report Form R applicable to

Class A and Class B Radiotelegraph carriers (§ 43.21);

It appearing, that the proposed deletion is designed to simplify present reporting requirements and will represent a relaxation of such reporting requirements; and

It further appearing, that the nature of the proposed change is such as to render unnecessary the notice and procedure provided for in section 4 of the Administrative Procedure Act;

It further appearing, that authority to make the above change is contained in

section 219 of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, Annual Report Form R is amended by deleting the requirement for the information set forth in Schedule 331, "Analysis of maintenance expenses."

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10282; Filed, Nov. 23, 1948;  
9:02 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Bureau of Animal Industry

##### [ 9 CFR, Part 27 ]

#### IMPORTED MEAT AND MEAT FOOD PRODUCTS

##### NOTICE OF PROPOSED AMENDMENT OF REGULATIONS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture is considering amending § 27.2 of the Federal Meat Inspection Regulations (9 CFR Supp. 27.2; 13 F. R. 215) issued under section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) by adding Poland to the list of countries specified therein from which certain product (meat, meat food product, and meat byproduct) may be imported into the United States as provided in said regulations.

Any person who wishes to submit written data or arguments concerning the proposed amendment may do so by filing them with the Chief of the Meat Inspection Division, Bureau of Animal Industry, Agricultural Research Administration, U. S. Department of Agriculture, Washington 25, D. C., within fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 19th day of November 1948.

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

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

[F. R. Doc. 48-10225; Filed, Nov. 23, 1948;  
8:51 a. m.]

### Production and Marketing Administration

##### [ 7 CFR, Part 955 ]

[Docket No. A0143-A1]

**HANDLING OF GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF SAN GORGONIO PASS**

**NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707), and in accordance with the amended rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR and Supps. 900.1 et seq.), notice is hereby given of a public hearing to be held with respect to proposed amendments to Marketing Agreement No. 96 and Order No. 55 (7 CFR, Cum. Supp., 955.1 et seq.), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass. Such hearing will be held in Room 212, United States Court House, First Avenue and Van Buren Street, Phoenix, Arizona, beginning at 10:00 a. m., m. s. t., December 13, 1948, and in Coachella Valley Water District Auditorium C, Coachella, California, beginning at 10:00 a. m., p. s. t., December 15, 1948. These proposals have not received the approval of the Secretary of Agriculture.

This public hearing will be held for the purpose of receiving evidence with respect to the economic and marketing conditions relating to all aspects of the proposed amendments, which are herein-after set forth, and appropriate modifications thereof.

At a duly authorized meeting of the Administrative Committee established pursuant to the marketing agreement and order, a resolution was adopted authorizing the submission of a petition for a public hearing to be held to consider amendments to the marketing agreement and order which would permit (1) the establishment of separate grade and size regulations for white grapefruit and pink grapefruit and (2) the regulation of grapefruit shipments by minimum standards of maturity and quality whenever the seasonal average price of grapefruit exceeds the parity level. The amendments hereinafter set forth have been proposed by the Administrative Committee as the means of effectuating the foregoing:

1. Delete paragraph (b) of section 1 of the marketing agreement and of § 955.1 of the order and substitute therefor the following:

(b) "Act" means the Agricultural Marketing Agreement Act of 1937, as amended and further amended by Public Law 305, 80th Cong., approved August 1, 1947. (7 U. S. C. 601 et seq.; 61 Stat. 202, 707)

2. Add to section 1 of the marketing agreement and to § 955.1 of the order the following new paragraph:

(k) "Variety" or "varieties" means any one or more of the following classifications or groupings of grapefruit; (1) white seeded grapefruit; (2) white seedless grapefruit; (3) pink seedless grapefruit; and (4) pink seeded grapefruit.

3. Delete section 4 of the marketing agreement and § 955.4 of the order and substitute therefor the following:

*Grade and size regulations*—(a) *Marketing policy*. Before submitting any recommendation to the Secretary for the regulation of the shipment of any variety of fruit during any fiscal period, the Administrative Committee shall prepare a report setting forth a marketing policy with respect to the shipment of any variety of fruit which the committee deems advisable for the current shipping season. Additional reports shall be submitted, from time to time, in the event that it is deemed advisable to adopt new marketing policies in view of changed demand and supply conditions with respect to any variety of fruit. The Administrative Committee shall publicly announce the issuance of any such report and copies thereof shall be made available for inspection by any producer or handler at the Office of the Administrative Committee.

(b) *Recommendation for regulation*.

(1) It shall be the duty of the Administrative Committee to investigate the supply and demand conditions for grades and sizes of each variety of fruit. Whenever the committee finds that such conditions make it advisable to regulate the shipment of particular grades or sizes of any variety of fruit during any period, it shall recommend the particular grades or sizes thereof deemed advisable by it to be shipped during such period; and any such recommendation may include a proposal that shipments of any variety of fruit to Canada shall be limited to sizes different from the proposed size limitation applicable to shipments in interstate commerce. Thereafter, the committee shall promptly report such findings and recommendations, together with supporting information, to the Secretary.

(2) In determining the grades and sizes of any variety of fruit deemed advisable to be regulated in view of the prospective demand therefor, the committee shall give due consideration to the following factors: (i) Market prices, including

market prices by grades and sizes of each variety of fruit; (ii) the fruit of each variety on hand in market areas, as evidenced by supplies en route and on track at the principal markets; (iii) available supply, maturity, and conditions of each variety of fruit in the producing area, including the grade and size composition of each variety of fruit remaining in the producing area; (iv) supplies from competitive areas producing citrus fruits and other competitive fruit; and (v) trend in consumer income.

(3) In order to effectuate the declared policy of the act, the Administrative Committee may recommend that the Secretary prescribe minimum standards of quality and maturity regulating the shipment of each variety of fruit, and thereafter, except as otherwise provided herein, no handler shall ship any variety of fruit which does not meet the minimum standards of quality and maturity as prescribed by the Secretary. The provisions hereof relating to the minimum standards of quality and maturity within the meaning of section 2 (3) of the act and any other provisions pertaining to the administration and enforcement thereof, shall continue in effect irrespective of whether the seasonal average price for grapefruit is in excess of the parity level specified in section 2 (1) of the act.

(c) *Regulation by the Secretary.* Whenever the Secretary shall find, from the recommendations and information submitted by the Administrative Committee, or from other available information, that to limit the shipment of any variety of fruit to particular grades and sizes thereof would tend to effectuate the declared policy of the act, he shall so limit the shipments of such variety of fruit during a specified period, and any such regulation may provide that shipment of any variety of fruit to Canada shall be limited to sizes different from the size limitation applicable to the shipments in interstate commerce. The Administrative Committee shall be informed immediately of any such regulation issued by the Secretary, and the said committee shall promptly give adequate notice thereof to handlers.

(d) *Notice of meeting.* The Administrative Committee shall give public notice of at least forty-eight hours of any meeting to be held for the purpose of making any recommendation pursuant to this section.

(e) *Inspection and certification.* During any period in which the Secretary has regulated the shipment of any variety of fruit pursuant to this section, each handler shall, prior to making each shipment of any variety of fruit, cause such shipment to be inspected by an authorized representative of the Federal-State Inspection Service. Promptly thereafter, such handler shall submit to the Administrative Committee a copy of the inspection certificate issued thereon: *Provided*, That this provision shall not be applicable to a handler who ships any variety of fruit which has been so inspected and a copy of such inspection certificate has been submitted to the Administrative Committee.

4. Delete section 5 of the marketing agreement and § 955.5 of the order and substitute therefor the following:

*Reports—(a) Shipping manifest report.* The Administrative Committee may require information from each handler regarding the grade, size, and variety of each standard box contained in each individual shipment made by such handler, and may require such information to be delivered to the said committee within twenty-four hours after such shipment is made, in such manner as the said committee may prescribe and upon forms prepared by it.

(b) *Disposition report.* The Administrative Committee may, from time to time, require each handler to furnish the following information with respect to fruit: (1) Quantity of each variety shipped in interstate commerce and to Canada; (2) quantity of each variety shipped by express and parcel post; (3) quantity of each variety shipped for distribution to persons on relief, including donations for charitable purposes; (4) quantity of each variety sold for consumption in fresh form within the State of origin; (5) quantity of each variety exported to countries other than Canada; (6) quantity of each variety sold or otherwise disposed of for canning or for manufacturing into by-products; and (7) quantity of each variety disposed of otherwise.

(c) *Other reports.* Upon request of the Administrative Committee, made with the approval of the Secretary, every handler shall furnish to such committee, in such manner and at such times as it prescribes, such other information as will enable it to perform its duties and to exercise its powers hereunder.

5. Delete section 7 of the marketing agreement and § 955.7 of the order and substitute therefor the following:

*Compliance.* Except as provided herein, no handler shall ship any variety of fruit, the shipment of which has been prohibited by the Secretary in accordance with the provisions hereof, and no handler shall ship any variety of fruit except in conformity with the provisions hereof.

The Fruit and Vegetable Branch, Production and Marketing Administration, has proposed that consideration be given to such other changes in the provisions of the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with the proposed amendments contained in this notice of hearing.

Copies of this notice of hearing may be obtained from the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., or from the Fruit and Vegetable Branch, Production and Marketing Administration, 1206 Santee Street, 12th Floor, Los Angeles 15, California.

Done at Washington, D. C., this 18th day of November 1948.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator.  
[F. R. Doc. 48-10217; Filed, Nov. 23, 1948; 8:50 a. m.]

DEPARTMENT OF THE TREASURY  
United States Coast Guard  
[ 46 CFR, Parts 33, 59, 60, 160 ]

[CGFR 48-63]

DISTRESS SIGNALS

MERCHANT MARINE COUNCIL PUBLIC HEARING; NOTICE OF PROPOSED CHANGES

1. The Merchant Marine Council will hold a public hearing in Room 4120, Coast Guard Headquarters, 13th and E Streets, N. W., Washington, D. C., on November 30, 1948, at 9:30 a. m., to consider comments and appeals on proposed alternates for distress signals in lifeboats and life rafts.

2. The proposed changes in the regulations together with authorities for making such changes were published in the FEDERAL REGISTER October 30, 1948, 13 F. R. 6411-6415, as set forth in Coast Guard Federal Register Document CGFR 48-53, Federal Register Document 48-9576. Comments have been received and appeals have been made to the proposed requirements published as amendments to 46 CFR 33.3-1 (e), 59.11 (e), 59.52 (a), 60.9 (e), 60.45 (a), and 160.037-1 to 160.037-7, inclusive.

3. Copies of the proposed changes in the regulations may be obtained upon request to the Commandant (CMC), United States Coast Guard, Washington 25, D. C. Comments on the regulations are requested and may be submitted in writing or presented orally or in writing at the hearing. The written comments should be submitted as soon as possible so that they will be received prior to November 30, 1948, in order to insure consideration at the hearing and before final recommendations are made concerning the proposed changes.

Dated: November 19, 1948.

[SEAL] MERLIN O'NEILL,  
Rear Admiral, U. S. Coast Guard,  
Acting Commandant.

[F. R. Doc. 48-10221; Filed, Nov. 23, 1948; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR, Part 3 ]

[Docket Nos. 8736, 8975, 9175]

NOTICE OF ISSUANCE OF ILLUSTRATIVE TV AND FM CHANNEL STUDIES AND DATES AND PLACE OF ENGINEERING CONFERENCES

PROPOSED RULE MAKING

In the matter of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8975 and 8736; and amendment of the Commission's rules, regulations and standards concerning the television and frequency modulation broadcasting services, Docket No. 9175.

I. In accordance with the provisions of section IV of the Commission's notice of further proposed rule making in the above-entitled matters, issued on October 15, 1948, notice is hereby given of dates and place of the proposed engi-

## PROPOSED RULE MAKING

neering conferences and of the issuance of TV and FM Channel Studies.

II. Said conferences will be held in the U. S. Department of Commerce Auditorium, 14th Street between E Street and Constitution Avenue, N. W., Washington, D. C., on November 30, December 1, and December 2, 1948, commencing at 10:00 a. m. As indicated in section IV (D) of the notice of October 15, 1948, on November 30, 1948 the conference will consider tropospheric effects, terrain effects and antennas. As indicated in section IV (E) of said notice, on December 1, 1948 the conference will consider the items stated therein with respect to VHF television broadcasting. Finally, as indicated in section IV (F) of said notice, on December 2, 1948 the conference will consider the items listed therein with respect to FM broadcasting. Any unfinished business remaining at the end of a particular conference day will be considered as the first order of business on the following day.

III. The following studies which have been prepared for illustrative purposes only and not as proposals are now available for distribution, and may be obtained by written or oral request at the Commission's Office of Information:

(A) Two studies entitled "Effects of Tropospheric Interference on TV Broadcast Coverage."

(B) Study entitled "Effects of Tropospheric Interference on FM Broadcast Coverage."

IV. The following summaries of the above studies have been prepared in order to apprise persons not requesting copies thereof of the significance of these studies in the present proceedings.

(A) The studies of tropospheric interference consists of two sets of maps. Group I is a channel study of 12 Northeastern states showing the effect of ground wave and tropospheric interference on the areas of stations allocated in accordance with the Commission's Notice of Proposed Rule Making of May 5, 1948, as amended in the Commission's Supplemental Notice of July 15, 1948. Group II is a channel study of the same area showing the effect of tropospheric and ground wave interference on presently operating stations and C. P.'s, but with other allocations spaced so as to protect the 500 uv/m contour 90% of the time. Metropolitan allocations are based on 50 kw/500 ft. and Community allocations on 1 kw/500 ft. in the center of the principal city. While in some cases presently authorized channels have been changed, none has been deleted. Further, there has been no change in the channels of presently operating stations.

(B) Service contours as affected by ground wave interference and by tropospheric interference for 1% and 10% of the time are mapped for station assignments on two representative class B channels and one class A channel. (Class A assignments are mapped only for the northeastern quarter of the United States.) These maps provide an indication of the degree of interference occurring with various station separations, powers and antenna heights. Curves are presented to show co-channel interference-limited service ranges and percentages of gross area served, as functions of station separation. Two families of curves are included to show the 99% service contours of 20 kw, 500 ft. stations with various co-channel and adjacent channel separations.

V. All interested parties are invited to submit written data, views, or arguments with respect to the subject matter treated in the above studies on or before November 30, 1948. An original and 14 copies of all written material filed shall be furnished the Commission.

Adopted: November 18, 1948.

Released: November 18, 1948.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10213; Filed, Nov. 23, 1948;  
8:48 a. m.]

## [ 47 CFR, Part 3 ]

[Docket No. 8967]

MULTIPLE OWNERSHIP OF AM, FM, AND  
TELEVISION BROADCAST STATIONS

ORDER SCHEDULING ORAL ARGUMENT

In the matter of the amendment of §§ 3.35, 3.240, and 3.640 of the rules and regulations relating to multiple ownership of AM, FM and television broadcast stations.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of November 1948;

The Commission having under consideration written comments filed with respect to the notice of proposed rule-making of August 19, 1948 (13 F. R. 5060), relating to the multiple ownership of AM, FM and television broadcast stations; and

It appearing, that comments have been received requesting oral argument with respect to the proposals contained in said notice of proposed rule making;

It is ordered, That the Commission will hear said argument on January 17, 1949, at 10:00 a. m. in Room 6121, New Post Office Building, 12th and Pennsylvania Avenue NW., Washington, D. C.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10280; Filed, Nov. 23, 1948;  
9:02 a. m.]

## FEDERAL TRADE COMMISSION

[ 16 CFR, Ch. 1 ]

[File No. 21-412]

TRADE PAMPHLET BINDING INDUSTRY, NEW  
YORK CITY TRADE AREA

NOTICE OF HEARING AND OF OPPORTUNITY  
TO PRESENT VIEWS, SUGGESTIONS, OR  
OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 19th day of November 1948.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Trade Pamphlet Binding Industry of the New York City trade area, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than December 14, 1948. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., December 14, 1948, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street N. W., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 48-10249; Filed, Nov. 23, 1948;  
8:57 a. m.]

## NOTICES

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52089]

PRODUCTS OF SAAR

MARKING OF COUNTRY OF ORIGIN

NOVEMBER 18, 1948.

The Department of State has informed the Treasury Department that the

United States Government has recognized the de facto separation of the Saar from Germany and the incorporation of its economy with that of France subject to confirmation by the final Peace Treaty. This de facto recognition of the economic union does not imply any recognition of the political incorporation of the Saar Territory with that of France, which action has not been attempted.

Articles manufactured or produced in the Saar shall be regarded as manufactures or products of "France-Saar Economic Union" for the purposes of the marking provisions of the Tariff Act of 1930, as amended.

Products of the Saar shall hereafter be marked to indicate that "France-Saar Economic Union" is the country of origin, except that marking to indicate Germany



as the country of origin of products of the Saar may be accepted on articles arriving in the United States before the expiration of 90 days after the publication of this decision in the weekly Treasury decisions.

T. D. 47639 (1) is superseded, and the entry for the Saar in item 3 of Bulletin of Marking Rulings-3 shall be changed to conform with this decision.

[SEAL] FRANK DOW,  
Acting Commissioner of Customs.

[F. R. Doc. 48-10254; Filed, Nov. 23, 1948; 8:58 a. m.]

**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**DESOTO NATIONAL FOREST**

**ORDER FOR REMOVAL OF TRESPASSING SHEEP**

Whereas, a number of sheep are trespassing and grazing on lands fenced for reforestation purposes on the DeSoto National Forest in Mississippi; and

Whereas, these sheep are injuring and causing mortality to pine trees on these fenced National Forest Lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628; 16 U. S. C. 472), the following order for the occupancy, use, protection, and administration of the fenced areas in the DeSoto National Forest in Mississippi is issued:

*Temporary Closure From Livestock Grazing*

(a) The fenced areas on the DeSoto National Forest are hereby closed to the grazing of sheep for the period beginning November 15, 1948, and ending November 14, 1958.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all sheep found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such sheep shall be given by posting notices in public places or advertising in a newspaper of general circulation in the localities in which the DeSoto National Forest is located.

Done at Washington, D. C., this 19th day of November 1948.

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

[F. R. Doc. 48-10222; Filed, Nov. 23, 1948; 8:51 a. m.]

**Production and Marketing Administration**

**HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON**

**APPROVAL OF BUDGET OF EXPENSES OF WALNUT CONTROL BOARD FOR MARKETING YEAR BEGINNING AUGUST 1, 1948**

Notice was published in the FEDERAL REGISTER (13 F. R. 6085) issue of October 16, 1948, that consideration was being given to the approval of a proposed

budget of expenses for the Walnut Control Board (the administrative agency for operations under this regulatory program) in the sum of \$59,800 for the marketing year beginning August 1, 1948, as had been recommended by said Board pursuant to a resolution adopted by it at a duly called meeting held by it at Los Angeles, California, on August 26, 1948. Such approval action is taken pursuant to the authority contained in § 987.7 (a) of the marketing agreement and order (13 F. R. 4344) regulating the handling of walnuts grown in California, Oregon, and Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707).

An opportunity was afforded interested persons to file written data, views, or arguments with respect to the proposed budget, and the time for doing so has now expired. After considering all relevant matters in that connection, it is hereby found and determined that the expenses reasonably and likely to be incurred by the said Walnut Control Board for its maintenance and functioning during the marketing year beginning August 1, 1948, should not exceed \$59,800, and the incurring of such expenses not in excess of that amount for the said marketing year is approved.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 208, 707; § 987.7 (a), 13 F. R. 4344)

Done at Washington, D. C., this 19th day of November 1948.

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

[F. R. Doc. 48-10207; Filed, Nov. 23, 1948; 8:46 a. m.]

**Rural Electrification Administration**

[Administrative Order 1640]

**LOAN ANNOUNCEMENT**

NOVEMBER 7, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Tennessee 37F Hawkins.....	\$550,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10239; Filed, Nov. 23, 1948; 8:54 a. m.]

[Administrative Order 1641]

**LOAN ANNOUNCEMENT**

NOVEMBER 8, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Pennsylvania 24H Bedford.....	\$400,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10240; Filed, Nov. 23, 1948; 8:54 a. m.]

[Administrative Order 1642]

**LOAN ANNOUNCEMENT**

NOVEMBER 8, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 85L, M Wise.....	\$550,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10241; Filed, Nov. 23, 1948; 8:54 a. m.]

[Administrative Order 1643]

**LOAN ANNOUNCEMENT**

NOVEMBER 9, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Kansas 37E McPherson.....	\$53,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10242; Filed, Nov. 23, 1948; 8:54 a. m.]

[Administrative Order 1644]

**LOAN ANNOUNCEMENT**

NOVEMBER 9, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Illinois 33N Hancock.....	\$253,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10243; Filed, Nov. 23, 1948; 8:54 a. m.]

[Administrative Order 1645]

**LOAN ANNOUNCEMENT**

NOVEMBER 9, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the

Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Iowa 62K Ida..... \$267,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10244; Filed, Nov. 23, 1948;  
8:54 a. m.]

[Administrative Order 1646]

#### LOAN ANNOUNCEMENT

NOVEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Maryland 4AC St. Mary's..... \$621,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10245; Filed, Nov. 23, 1948;  
8:54 a. m.]

[Administrative Order 1647]

#### LOAN ANNOUNCEMENT

NOVEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Minnesota 59N Olmsted..... \$1,175,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10246; Filed, Nov. 23, 1948;  
8:55 a. m.]

[Administrative Order 1648]

#### LOAN ANNOUNCEMENT

NOVEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
North Dakota 20L Grand Forks.. \$6,197,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10247; Filed, Nov. 23, 1948;  
8:55 a. m.]

[Administrative Order 1649]

#### LOAN ANNOUNCEMENT

NOVEMBER 10, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a

loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Alabama 37E Morgan..... \$1,985,000

[SEAL] CLAUDE R. WICKARD,  
Administrator.

[F. R. Doc. 48-10248; Filed, Nov. 23, 1948;  
8:55 a. m.]

### CIVIL AERONAUTICS BOARD

[Docket Nos. 576, 994, 3109]

CONTINENTAL AIR LINES, INC., AND BRANIFF AIRWAYS, INC.; CONTINENTAL ROUTE CONSOLIDATION CASE

#### NOTICE OF ORAL ARGUMENT

In the matter of the applications of Continental Air Lines, Inc., pursuant to section 401 (h) of the Civil Aeronautics Act of 1938, as amended, for an amendment of its existing certificates of public convenience and necessity for routes Nos. 29, 43, and 60, so as to consolidate them into one route, Dockets Nos. 576 and 994, and of the application of Braniff Airways, Inc., for amendment of its certificate of public convenience and necessity covering route No. 9 so as to remove the restriction covering flights between Tulsa, Okla., and Denver, Colo., Docket No. 3109.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be heard January 10, 1949, at 10 a. m., eastern standard time, in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., November 19, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-10251; Filed, Nov. 23, 1948;  
8:58 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION

STATEMENTS OF ORGANIZATION, DELEGATIONS OF AUTHORITY, AND PLACES FOR SUBMITTING APPLICATIONS AND OTHER REQUESTS AND SECURING PUBLIC INFORMATION

In the matter of amendment of Subparts A, B, and C of Part 1 of the Commission's rules and regulations.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of November 1948:

The Commission having under consideration Subparts A, B, and C of Part 1 of the Commission's rules and regulations dealing with Organization of the Commission, Delegations of Authority, and Places for Submitting Applications and Other Requests and Securing Public Information; and having under considera-

tion the necessity for amending these Rules to reflect (1) changes of nomenclature with respect to organizational units within the Commission to make the names of these units consistent with suggestions of the Senate Committee on Expenditures in the Executive Departments, and (2) changes in organization and procedures of the Commission; and

It appearing, that in accordance with the regulations of the Administrative Committee of the Federal Register, effective October 12, 1948 (13 F. R. 5929), codification of the above described subparts of Part 1 of the Commission's rules and regulations is required to be discontinued; and

It further appearing, that in view of the nature of these amendments, the procedure set out in section 4 (a) of the Administrative Procedure Act is not applicable; and

It further appearing, that these regulations are issued pursuant to the authority of sections 4 (i), 5, and 303 (r) of the Communications Act of 1934, as amended, and are designed to improve the internal administration of the Commission and will serve the public interest, convenience, and necessity;

It is ordered, That, effective immediately, codification of Subparts A, B, and C of Part 1 of the Commission's rules and regulations is discontinued, and the Statements of Organization of the Commission, Delegations of Authority, and Places for Submitting Applications and Other Requests and Securing Public Information, are adopted as set forth below. (Future amendments to this material will be published in the Notices section of the FEDERAL REGISTER.)

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

#### STATEMENT OF ORGANIZATION OF THE COMMISSION<sup>1</sup>

##### GENERAL

SECTION 0.1 *Statutory authority.* The Federal Communications Commission is created by the Communications Act of 1934, as amended. This act is printed in Title 47 of the United States Code beginning with section 151. Pamphlet copies of the act may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D. C. for 15 cents.

SEC. 0.2 *Commissioners.* (a) The Federal Communications Commission is composed of seven members appointed by the President, subject to Senate confirmation, one of whom the President designates as Chairman.

(b) From time to time the Commission designates a Vice Chairman who acts as Chairman in the Chairman's absence. In the absence of both the Chairman and Vice Chairman, the Commissioner most senior in terms of service, who is present, acts as Chairman, unless otherwise provided by the Commission.

(c) There are two standing committees of Commissioners, the Telegraph

<sup>1</sup> This statement is issued pursuant to sec. 8 (a) (1) of the Administrative Procedure Act.

Committee and the Telephone Committee, each composed of three Commissioners. Certain telegraph and telephone matters are from time to time referred to these Committees by the Commission for report and study.

**SEC. 0.3 Offices.** All offices of the Commission unless otherwise hereinafter described are located in the New Post Office Building, Thirteenth Street and Pennsylvania Avenue NW., Washington 25, D. C. All meetings of the Commission unless otherwise directed by the Commission, are held at the above address.

**SEC. 0.4 General description of Commission organization.** The Commission is divided into the following principal units:

- (a) Bureau of the Secretary.
- (b) Bureau of Engineering.
- (c) Bureau of Accounting.
- (d) Bureau of Law.
- (e) Bureau of Administration.
- (f) Hearing Division.
- (g) Office of Information.

**BUREAU OF THE SECRETARY**

**SEC. 0.11 Secretary.** The Secretary of the Commission is custodian of its official records. He is responsible for the preparation of Commission minutes which are the official record of action taken by the Commission, the processing of the correspondence and official papers, the administrative examination of applications, and certain functions relating to the internal management of the Commission. All orders, permits, licenses, or other instruments of authorization made, issued, or granted by the Commission are signed by the Secretary in the name of the Commission and authenticated by the seal of the Commission, unless otherwise specifically directed by the Commission. In the Bureau of the Secretary are the following units:

- (a) License Division.
- (b) Service Division.
- (c) Records Division.
- (d) Minute Branch.
- (e) Library Branch.

**SEC. 0.12 License Division.** The License Division is divided into the following branches:

- (a) Broadcast License Branch, which examines all applications and supporting data relating to all classes of radio stations in the broadcast services; issues orders and authorizations approved by the Commission affecting broadcast stations in nondocket cases; and maintains records of stock ownership of broadcast applicants and licensees.
- (b) Commercial License Branch, which examines all applications and supporting data relating to all classes of nonbroadcast radio stations, assigns call letters to all classes of radio stations (including broadcast), issues amateur operator and station licenses, maintains records concerning all classes of nonbroadcast radio stations, amateur and commercial operators; examines all applications and supporting data relating to telephone and telegraph extensions or abandonment of facilities, and interlocking directorates; and issues orders, authorizations, and certificates approved

by the Commission in the above class of cases in non-docket cases.

(c) Tabulating Branch, which maintains statistical data and listings for various bureaus of the Commission.

**SEC. 0.13 Service Division.** The Service Division consists of the following branches: Procurement Branch, Duplicating Branch, Stenographic Branch, Telephone Branch. These branches perform functions relating only to internal management.

**SEC. 0.14 Records Division.** The Records Division is divided into the following branches:

- (a) Mail and Files Branch, which receives, opens, dates, and times stamps all incoming mail; summarizes, classifies, and indexes such correspondence and routes it to the appropriate bureau; maintains the Commission's correspondence file; and dispatches outgoing mail.
- (b) Docket Branch, which maintains dockets of all Commission hearings; notifies all parties in interest of action taken by the Commission in docket cases; serves parties in docket cases when service by the Commission is required; and issues orders, notices, and decisions approved by the Commission in docket cases.

(c) Messenger Branch: The functions of this branch relate to internal management.

**SEC. 0.15 Minute Branch.** The Minute Branch prepares agenda for Commission meetings; takes notes at meetings of actions on all matters and notifies appropriate organizational units of action taken; prepares minutes of Commission action and maintains custody of all approved Commission minutes.

**SEC. 0.16 Library Branch.** The Library Branch maintains the main library of the Federal Communications Commission.

**BUREAU OF ENGINEERING**

**SEC. 0.21 Chief Engineer.** The Chief Engineer as head of the Bureau of Engineering supervises all Commission activities concerning engineering matters including activities in connection with the North American Regional Broadcasting Engineering Committee. The Bureau of Engineering is divided into the following divisions:

- a. Standard Broadcast Division.
- b. FM Broadcast Division.
- c. Television Broadcast Division.
- d. Marine Radio and Safety Division.
- e. Public Safety and Special Services Division.
- f. Aviation Division.
- g. Common Carrier Division.
- h. Field Engineering and Monitoring Division.
- i. Laboratory Division.
- j. Technical Information Division.
- k. Frequency Allocation and Treaty Division.
- l. Radio Operator and Amateur Division.

**SEC. 0.22 Standard Broadcast Division.** The Standard Broadcast Division is responsible for all engineering matters pertaining to broadcast stations operating in the band 550 to 1600 kilocycles. It is divided into the following branches:

(a) Allocations Branch, which is concerned with the over-all allocation of

standard broadcast frequencies; maintains complete records of United States and foreign assignments of standard broadcast stations; and prepares maps, charts, tables, and conducts studies regarding frequency allocations for standard broadcast stations.

(b) Applications I Branch, which reviews and reports on applications to construct or modify standard broadcast facilities; prepares engineering specifications for appropriate authorizations; and formulates recommendations for additions and improvements to the engineering standards concerning standard broadcast stations.

(c) Applications II Branch, which reviews and reports on applications for renewal of license or for change of ownership of standard broadcast stations, and applications for experimental and developmental stations in the standard broadcast service; studies and coordinates the experimental programs of experimental and developmental stations of the standard broadcast service; and, based upon appropriate data, gives type approval for transmitting and monitoring equipment submitted by manufacturers.

(d) Hearings Branch, which prepares and presents engineering testimony and exhibits in hearings involving standard broadcast applications and reviews and reports on records in such cases.

**SEC. 0.23 FM (Frequency Modulation) Broadcast Division.** The FM (Frequency Modulation) Broadcast Division is responsible for all engineering matters pertaining to stations in the FM and associated services (non-commercial educational, facsimile, remote pickup, studio-transmitter, and developmental). It is divided into the following branches:

(a) Allocations Branch, which is concerned with the over-all allocation of frequencies assigned to FM and associated services and maintains complete records of such assignments; prepares maps, charts, tables, and conducts studies regarding frequency allocations to these services.

(b) Applications I Branch, which reviews and reports on applications to construct or modify FM stations and stations in the associated services, and prepares engineering specifications for appropriate authorizations.

(c) Applications II Branch, which reviews and reports on applications for renewal of license or for change of ownership of FM broadcast stations and associated services and applications for experimental and developmental stations in the FM broadcast services, studies and coordinates the experimental programs of experimental and developmental stations of such services; based upon appropriate data, gives type approval for transmitting and monitoring equipment submitted by manufacturers; and formulates recommendation for additions and improvements to the engineering standards concerning these stations.

(d) Hearings Branch, which prepares and presents engineering testimony and exhibits in hearings involving FM applications and associated services and reviews and reports on records in such cases.

**SEC. 0.24 Television Broadcast Division.** The Television Broadcast Division is responsible for all engineering matters pertaining to the television broadcast service, adjunct services, and international broadcast stations. It is divided into the following branches:

(a) Allocations Branch, which is concerned with the over-all allocations of frequencies assigned to the television (commercial and experimental) service, adjunct services, and international broadcast services; maintains complete records of United States and foreign assignments for such services; and prepares maps, charts, tables, and conducts studies regarding frequency allocations for such services.

(b) Applications I Branch, which reviews and reports on applications to construct and modify television (commercial and experimental) stations, adjunct services, and international broadcast stations, and prepares engineering specifications for appropriate authorizations.

(c) Applications II Branch, which reviews and reports on applications for renewal of license or for change of ownership of television (commercial and experimental) stations, adjunct services, and international broadcast stations and associated services and applications for experimental and developmental stations in the television broadcast service; studies and coordinates the experimental programs of experimental and developmental stations of such services; based upon appropriate data, gives type approval for transmitting and monitoring equipment submitted by manufacturers; and formulates recommendations for additions and improvements to the engineering standards concerning these stations.

(d) Hearings Branch, which prepares and presents engineering testimony and exhibits in hearings involving television broadcast, adjunct services, and international broadcast applications and reviews and reports on records in such cases.

**SEC. 0.25 Marine and Safety Division.** The Marine Radio and Safety Division is divided into the following branches:

(a) Systems-Facilities Branch, which studies ship disasters and makes engineering reports and recommendations on all phases of marine radio communication. Examines and prepares reports on applications for permits to construct, license, or modify licenses and construction permits for stations in the Ship, Coastal and Marine Relay Services, Special Press Service, and Fixed Public Service in Alaska; applications for exemptions of ships from radio installation and operator provisions of law and treaty and requests for special temporary authorizations. Recommends appropriate action on violation reports.

(b) Technical Branch, which formulates engineering plans for the allocation and assignment of frequencies to the various classes of stations in the Ship, Coastal and Marine Relay Services, Fixed Public Service in Alaska, and Mobile Press Stations in the Special Press Service; prepares equipment and performance standards and makes recommendations with respect to type approval of equipment.

**SEC. 0.26 Public Safety and Special Services Division.** The Public Safety and Special Services Division is divided into the following branches:

(a) Public Safety Services Branch, which is responsible for development, regulation and enforcement of the Public Safety Radio Services including police, fire, forestry-conservation, highway maintenance and special emergency radio stations. Reviews applications for licenses and prepares engineering reports; investigates interference problems.

(b) Land Transportation Services Branch, is responsible for development, regulation and enforcement of the Land Transportation Services, which includes Railroad Radio, Transit Utilities, Inter-City Bus, Inter-City Truck and Taxicab Services. Reviews applications for licenses and prepares engineering reports; investigates interference problems.

(c) Industrial Radio Services Branch, which is responsible for development, regulation and enforcement of Industrial Radio Services, which includes Power, Petroleum, Forest Products, and Special Industrial Radio Services. Reviews applications for licenses and prepares engineering reports; investigates interference problems.

(d) Experimental and Miscellaneous Services Branch, which is responsible for the development and coordination of experimental programs; the review of applications and the preparation of data and presentation of expert advice and testimony on applications or results obtained by experimentation relative to the establishment of new services. This branch is also responsible for administration of all matters pertaining to the industrial heaters, medical diathermy and similar apparatus, and for administration of the rules and regulations governing the operation of restricted radiation devices.

**SEC. 0.27 Aviation Division.** The Aviation Division is divided into the following branches:

(a) Domestic and Territorial Branch, which reviews and reports on applications for permits to construct or modify stations in the domestic and territorial aviation service and prepares and presents engineering testimony and exhibits at hearings.

(b) International Branch, which reviews and reports on applications for permits to construct or modify stations in the international aviation service; prepares and presents engineering testimony and exhibits at hearings; and conducts special studies relating to international aviation.

(c) Technical Branch, which formulates engineering plans for the allocation and assignment of frequencies to the various classes of domestic and international aviation stations; studies equipment specifications; prepares performance standards; and issues type approval for such equipment.

**SEC. 0.28 Common Carrier Division.** The Common Carrier Division is divided into the following branches:

(a) Wiretelegraph branch processes applications for the extension and supplementation of facilities used in inter-

state service; is responsible for the engineering aspects presented by applications for authority to discontinue, reduce or impair telegraph service and to acquire or consolidate telegraph properties; performs work required in the investigation of complaints regarding telegraph service and equipment, and handles field investigations relative thereto. Initiates and makes studies and investigations regarding all aspects of quality of telegraph service. Keeps abreast of technical developments in the industry. Prepares memoranda to the Commission concerning the industry and initiates rules and regulations as required. Furnishes expert testimony at hearings.

(b) Wiretelephone Branch processes applications for the extension, supplementation, and discontinuance of facilities used in interstate service and is responsible for the engineering aspects presented by applications for the acquisition or consolidation of telephone properties; keeps informed and reports on all technical developments relative to the telephone industry; investigates and prepares reports relating to the operation of telephone lines, systems and associated equipment, including the transmission of FM and TV over wire and cables; investigates and prepares reports relating to telephone traffic, including speed of service, routing, capacities and operating methods; and investigates complaints relating to the furnishing of telephone communication service. Furnishes expert testimony at hearings.

(c) Radio Branch, which is divided into the following sections:

(1) International Services Section, which is responsible for the engineering aspects in the processing of applications for new stations, equipment, frequencies, and points of communication in the international Fixed Public and Fixed Public Press Radiocommunications Services. With regard to these services makes studies of frequency utilization; coordinates with the Frequency Allocation and Treaty Division of the Commission on the use of frequencies by government and non-government agencies with the view of minimizing interference; makes studies of quality of service rendered to the public; prepares exhibits and participates in hearings; participates in international telecommunication conferences; and maintains adequate current records of all outstanding authorizations and availability of international communication service for the public.

(2) Domestic Services Section, which is responsible for the engineering aspects in the processing of applications for new stations, equipment, frequencies, and services in the domestic use of radio facilities. Prepares studies of frequency utilization, quality of service to the public, and technical advancements to extend and improve domestic utilization of radio facilities; prepares exhibits and furnishes expert testimony at hearings; investigates complaints relating to the adequacy of public radio services; and maintains adequate current records of all outstanding authorizations and availability of domestic radio service for the public.

(d) Rate Branch, which is responsible for conducting engineering investiga-

tions and studies and furnishing engineering advice, assistance, and recommendations in connection with rates, charges, and related regulations and practices of common carriers furnishing domestic and foreign telephone and telegraph services by wire, ocean cable, and radio (fixed and mobile), including rate structure considerations; contracts and agreements; depreciation practices, rates and reserve requirements; inventories, continuing property records and original cost determinations; cost analyses and allocations; separation methods and procedures; operating results and traffic analyses; and preparation and presentation of technical testimony and exhibits at formal hearings.

(e) Field Offices, which conduct field engineering investigations and studies, and collect, analyze, and summarize information relating to common carriers furnishing domestic and foreign communication services by wire, ocean cable, and radio. Common carrier field offices are located at:

Room 604, 90 Church Street, New York 7, N. Y.

Room 515, First National Bank Building, Atlanta 3, Ga.

Room 316, U. S. Customhouse, 555 Battery Street, San Francisco 26, Calif.

SEC. 0.29 *Field Engineering and Monitoring Division.* The Field Engineering and Monitoring Division directs the activities and formulates policies and procedures for all the Commission's engineering offices, primary monitoring stations and secondary monitoring stations. The addresses of these offices are to be found in section 0.40. The Division is divided into the following branches:

(a) Administrative Branch, which is responsible for administrative statistical and clerical duties such as workload statistical reports, personnel records and reports, service functions, distribution and mailing, maintenance and records.

(b) Inspection and Operator Examination Branch, which directs all engineering activities in connection with the inspection of radio equipment on board United States and foreign passenger and cargo vessels, land radio stations, including aircraft; supervises the conduct of examinations, grading and issuance of commercial radio operators' licenses; conducts and grades examinations and issues licenses for commercial radio operators for the Washington district at Room 2113, Temporary L Bldg., supervises the grading of amateur radio operator examinations submitted by all field offices; reviews inspection reports and citations; designs, constructs and distributes code tapes to all field offices and maintains records of inspections, citations, and operator examinations.

(c) Monitoring Branch, which provides surveillance of the radio spectrum to insure compliance with treaties, the Communications Act, and Commission standards in operations of radiotelegraph and radiotelephone circuits of all types; maintains complete case records of illegal stations including locations, calls, frequencies, technical characteristics and other significant information,

and prepares and presents evidence on illegal operation or other violations in criminal prosecutions.

(d) Technical Operations Branch, which is responsible for all technical equipment and plant activities of primary and secondary monitoring stations, investigative units, district field offices, field suboffices, ship offices and mobile laboratories; conducts special technical investigations, field intensity surveys, field intensity recordings; gathers technical data to substantiate proposed rules and decisions of the Commission; studies the needs for new apparatus which may be required for field use for direction finding, monitoring, frequency measurement, radio station inspection and designs and/or writes specifications for manufacturing of such equipment by commercial concerns.

SEC. 0.30 *Laboratory Division.* The Laboratory Division is responsible for the development, investigation and completion of a variety of field studies, surveys and tests, resulting in the accumulation of engineering data or statistics in any of the broad fields of the communications art; designs and assembles apparatus for special tests and studies; determines capabilities of newly developed equipment and develops, designs, and constructs equipment for use in connection with field and monitoring activities of the Commission; and makes recommendations concerning type approval of diathermy equipment and other types of equipment. It is located near Laurel, Maryland, but all inquiries regarding the division should be addressed to the Secretary of the Commission.

SEC. 0.31 *Technical Information Division.* The Technical Information Division is composed of a Propagation Expert and Consultant, Information Utilization Branch, Information Projects Branch, and Information Analysis Branch. This Division is responsible for the analysis, coordination and dissemination of information relating to the scientific and advanced engineering phases of communications. It acts as an operational research group and technical consultant to the Commission and to the other divisions of the Bureau of Engineering.

SEC. 0.32 *Frequency Allocation and Treaty Division.* The Frequency Allocation and Treaty Division is divided as follows:

(a) Frequency Utilization and Requirements Branch, which studies the utilization of frequencies by the several radio services to establish their allocation requirements; keeps informed of the state of the radio art as it pertains to the use of frequencies in all parts of the radio spectrum, proposing adjustments in the domestic table of frequency allocations when necessary; studies other allocation problems involving two or more services, makes appropriate recommendations relative thereto.

(b) Interdepartment Radio Advisory Committee Branch, which makes certain engineering studies and effects coordination of frequency assignments by the

IRAC<sup>1</sup> and the Commission. It includes the IRAC Secretariat which maintains the file of applications by government agencies and performs all secretarial functions for the IRAC, and maintains the official IRAC Station List, which shows all assignments made to government stations. It also includes the Washington Provisional Frequency Board Liaison Committee Secretariat, which maintains the secretariat of the WPFBLC<sup>2</sup>; furnishes information as to United States circuit requirements to the United States representative to the Provisional Frequency Board<sup>4</sup> and furnishes various reports and technical studies for use by the WPFBLC and the United States representative to the PFB.

(c) Treaty Branch, which conducts such studies and coordination as are required to insure consistency of Commission rules, regulations and other actions with international regulations to which the United States is signatory; prepares and forwards correspondence involving Inter-American Radio Office notifications, North American Regional Broadcasting Agreement material, and material relating to other conferences involving specific radio services; is responsible for engineering recommendations relevant to the preparation and determination of international policy relating to definitions, designations of emissions, harmonic and parasitic emissions, frequency tolerances and general symbols and abbreviations, procedure for interference cases and infraction reports, call sign formation and allocation, provisions relating to the organization and functioning of the CCIR and general provisions and restrictions relating to various radio services.

(d) Frequency Registration and Notification Branch, which maintains the Commission's Master Frequency Record of assignments made; notifies United States frequency assignments to the Bureau of the International Telecommunication Union<sup>5</sup>; plans and arranges for the execution of the transition required

<sup>1</sup>The Interdepartment Radio Advisory Committee is composed of representatives of various government agencies which use radio in their operation. It makes recommendations to the President with respect to the assignment of frequencies to all Federal Government radio stations. (See sec. 305 of the Communications Act.)

<sup>2</sup>The Washington Provisional Frequency Board Liaison Committee functions as a liaison organization between the Provisional Frequency Board at Geneva and parties in the United States with an interest in the activities of the PFB.

<sup>4</sup>The Provisional Frequency Board is established under a resolution adopted by the International Radio Conference (Atlantic City, 1947) to prepare an engineered draft International Frequency List, necessary in order to implement the Atlantic City table of frequency allocations.

<sup>5</sup>The Bureau acts as the Secretariat for the International Telecommunications Union, an organization of countries which are parties to the International Telecommunications Convention (Madrid, 1932). The Bureau maintains the master list of frequency registrations, publishes documents relating to telecommunications, and receives and disseminates information and notifications relating to telecommunications.

## NOTICES

to maintain the Commission authorizations and its Master Frequency Record (with respect to frequency, call letters, power, emission, frequency tolerance, etc.) in a form not in conflict with international regulations; plans and develops such files as are necessary for the rapid and efficient licensing of radio stations. After the International Frequency Registration Board\* starts to function this Branch will conduct studies of the radio spectrum occupancy for the purpose of obtaining for United States non-government and government users, wherever possible, registration dates (as distinguished from notification dates), thereby assuring protection from harmful interference under the Atlantic City Radio Regulations, rather than a "priority" as provided under the Cairo General Radio Regulations.

(e) Conference Information Service Branch, which maintains and distributes up-to-date general information regarding all international radio conferences, in which the Commission has a direct interest, to the Commission and its staff; attends preparatory meetings and international conferences, preparing summaries and reports for use of the Commission; maintains a catalogued, authentic library of radio treaty material and documents; makes technical translations of foreign and international correspondence and publications; and organizes training of foreign telecommunication representatives sent to Washington in accordance with Part 65 of the Commission's rules (47 CFR Part 65).

**SEC. 0.33 Radio Operator and Amateur Division.** The Radio Operator and

Amateur Division is divided into the following branches:

(a) Radio Operator Branch, which is concerned with the initiation and coordination of engineering recommendations regarding changes in rules, regulations and policies governing the qualifications, duties or requirements of all radio operators other than amateur; assists in preparing releases and instructions in accordance with rules, regulations and policies so established; prepares written examinations for such radio operator licenses and prepares Study Guides to aid persons in preparing for those examinations; considers applications for radio operator licenses referred by other divisions; reviews citations for violation of rules and regulations by radio operators; distributes and accounts for aircraft radiotelephone operator authorizations which are separately issued by Commission representatives or agents; interviews and confers with individuals, representatives of industry and labor groups, to consider and advise in matters affecting the broad phase of radio operator licensing.

(b) Amateur Radio Service Branch, which initiates and coordinates proposed rules, regulations and policies governing both amateur operators and amateur stations, and initiates and coordinates recommendations for revisions to international treaties and agreements; prepares written examinations and study guides for amateur operators; studies technical developments in the Amateur Service and promotes utilization of new techniques, equipment and methods of operation of amateur stations; studies and makes recommenda-

tions regarding applications for amateur operator and station licenses referred to it by the Bureau of the Secretary; makes recommendations with regard to method of handling violations of the amateur rules; prepares and coordinates recommendations covering special requests by amateur licensees; conducts special engineering studies and interviews and confers with individual inquirers and representatives of amateur organizations advising them on various phases of the Amateur Radio Service.

(c) Citizens Radio Service Branch, which reviews and reports on all applications to construct or modify citizens radio stations and prepares and presents engineering testimony and exhibits at hearings; initiates recommendations regarding rules and regulations; studies and coordinates the activities of citizens radio stations and formulates recommendations for technical engineering standards; fosters the development of new techniques and issues type approval for radio transmitters; initiates recommendations involving general policies regarding citizens radio services, assignment of frequencies to the various classes of citizens radio stations and institution of rule making procedures; reviews citations for violations of rules and regulations; prepares releases and instructions relating to Citizens Radio Service; conducts special studies, interviews and confers with individuals, representatives of industry and citizens groups to consider and advise on various phases of the Citizens Radio Service.

**SEC. 0.40 Location of Engineering Field Offices and Monitoring Stations.**

Radio district	Address of the engineer in charge	Territory within district	
		States, etc.	Counties
1	1600 Customhouse, Boston 9, Mass.....	Connecticut..... Maine..... Massachusetts..... New Hampshire..... Rhode Island..... Vermont.....	All counties. Do. * Do. Do. Do. Do.
2	748 Federal Bldg., 641 Washington St., New York 14, N. Y.	New Jersey..... New York.....	Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren. Albany, Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Suffolk, Sullivan, Ulster, and Westchester.
3	1005 U. S. Customhouse, Philadelphia 6, Pa.....	Delaware..... New Jersey..... Pennsylvania.....	New Castle. Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem. Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, and York. Kent and Sussex.
4	508 Old Town Bank Bldg., Gay St. and Fallsway, Baltimore 2, Md.	Delaware..... District of Columbia..... Maryland..... Virginia..... West Virginia.....	All counties. Arlington, Clarke, Fairfax, Fauquier, Frederick, Loudoun, Page, Prince William, Rappahannock, Shenandoah, and Warren. Barbour, Berkeley, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Upshur.
5	Room 402, New Post Office Bldg., Norfolk 10, Va. Ship Office: Room 106, U. S. Post Office Bldg., Newport News, Va.	North Carolina..... Virginia.....	All except District 6. All except District 4.
6	411 Federal Annex, Atlanta 3, Ga.....	Alabama..... Georgia..... North Carolina.....  South Carolina..... Tennessee.....	All except District 8. All counties. Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Cleveland, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Watauga, and Yancey. All counties. Do.
	Suboffice: P. O. Box 77, 214-218 Post Office Bldg. Savannah, Ga.		

\* The International Frequency Registration Board is established under Article 6 of the International Telecommunication Convention (Atlantic City, 1947): "(a) To effect an orderly recording of frequency

assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition

thereof; (b) To furnish advice to Members and Associate Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur."

Radio district	Address of the engineer in charge	Territory within district	
		States, etc.	Counties
7	P. O. Box 150, 312 Federal Bldg., Miami 1, Fla. Suboffice: 409-410 P. O. Bldg., Tampa, Fla.	Florida.....	All except District 8.
8	400 Audubon Bldg., New Orleans 16, La.	Alabama..... Arkansas..... Florida..... Louisiana..... Mississippi..... Texas.....	Baldwin and Mobile. All counties. Escambia. All counties. Do. City of Texarkana only.
9	Ship Office: 324 U. S. Courthouse Bldg., and Customhouse, Mobile 10, Ala. 324 U. S. Appraisers Bldg., 7300 Wingate St., Houston 11, Tex.	Texas.....	Angelina, Aransas, Atascosa Austin, Bandera,, Bastrop, Bee, Bexar, Blanco, Brazoria, Brazos, Brooks, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, De Witt, Duval, Dimmit, Edwards, Fayette, Fort Bend, Frio, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Hays, Harris, Hidalgo, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kendall, Kerr, Kinney, Kleberg, La Salle, Lavaca, Lee, Liberty, Live Oak, Matagorda, Madison, Maverick, McMullen, Medina, Montgomery, Nacogdoches, Newton, Neuces, Orange, Polk, Real, Refugio, San Augustine, San Jacinto, San Patricio, Sabine, Starr, Travis, Trinity, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, Zavala, and Tyler.
10	Suboffice: P. O. Box 1527 (329 Post Office Bldg.) Beaumont, Tex. Ship Office: 406 Post Office Bldg., Galveston, Tex. P. O. Box 5238, 500 U. S. Terminal Annex, Dallas 2, Tex.	New Mexico..... Oklahoma..... Texas.....	All counties. Do. All except District 9 and the city of Texarkana.
11	539 U. S. Post Office and Courthouse Bldg., Temple and Springs Sts., Los Angeles 12, Calif.	Arizona..... California.....	All counties. Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.
12	Suboffice: 230 U. S. Customhouse and Courthouse, Union and F Sts., San Diego 1, Calif. Ship Office: Room 326 U. S. Post Office and Courthouse Bldg., San Pedro, Calif. 323-A Customhouse, San Francisco 26, Calif.	Nevada.....	Clark.
13	406 Central Building, Portland 5, Oreg.	California..... Nevada..... Idaho..... Oregon..... Washington.....	All except District 11. All except Clark. All except District 14. All counties. Wahkiakum, Cowlitz, Clark, Skamania, and Klickitat.
14	801 Federal Office Bldg., Seattle 4, Wash.	Idaho.....	Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone.
15	521 Customhouse, Denver 2, Colo.	Montana..... Washington..... Colorado..... Utah..... Wyoming..... Nebraska.....	All counties. All except District 13. All counties. Do. Do.
16	208 Uptown Post Office and Federal Courts Bldg., 5th and Washington Sts., St. Paul 2, Minn.	South Dakota.....	Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.
17	838 U. S. Courthouse, Kansas City 6, Mo.	Butte, Custer, Fall River, Lawrence, Meade, Pennington, Shannon, and Washington.	All counties.
18	246 U. S. Courthouse Bldg., Chicago 4, Ill.	Minnesota..... Michigan..... South Dakota..... North Dakota..... Wisconsin..... Iowa..... Kansas..... Missouri..... Nebraska..... Illinois..... Indiana..... Iowa.....	All counties. Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ononotagon, and Schoolcraft. All counties except District 15. All counties except District 18. All except District 18. All counties. Do. All counties except District 15. All counties. Do.
19	1029 New Federal Bldg., Detroit 26, Mich.	Wisconsin..... Kentucky..... Kentucky.....	Allamakee, Buchanan, Cedar, Clayton, Clinton, Delaware, Des Moines, Dubuque, Fayette, Henry, Jackson, Johnson, Jones, Lee, Linn, Louisa, Muscatine, Scott, Washington, and Winnebago. Brown, Columbia, Calumet, Crawford, Dane, Dodge, Deer, Fond du Lac, Grant, Green, Iowa, Jefferson, Kewaunee, Kenosha, Lafayette, Manitowoc, Marinette, Milwaukee, Ozaukee, Oconto, Outagamie, Racine, Richland, Rock, Sauk, Sheboygan, Walworth, Washington, Waukesha, and Winnebago. All counties except District 19. Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Gallatin, Garrard, Grant, Greenup, Kenton, Harlan, Harrison, Jackson, Jessamine, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Martin, Mason, McCreary, Menifee, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Scott, Wayne, Whitley, Wolfe, and Woodford.
20	Suboffice: 541 Federal Bldg., Cleveland 14, Ohio. 328 Post Office Bldg., Buffalo 3, N. Y.	Ohio..... Michigan..... West Virginia.....	All counties. All counties except District 16. All counties except District 4.
21	609 Stangenwald Bldg., Honolulu 1, T. H.	New York..... Pennsylvania.....	All except District 2. All except District 3.
22	P. O. Box 2987, 322-323 Federal Bldg., San Juan 13, P. R.	Territory of Hawaii and outlying Pacific possessions, except Alaska and adjacent islands.	
23	P. O. Box 1421, 7-S Shattuck Bldg., Juneau, Alaska. Suboffice: P. O. Box 644, Room 53 U. S. P. O. and Courthouse Bldg., Anchorage, Alaska.	Puerto Rico..... Virgin Islands..... Alaska.....	

The offices of the Regional Managers of the Field Engineering and Monitoring Division, Bureau of Engineering, are located at the following addresses:  
 North Atlantic Region: 506 Federal Building, 641 Washington Street, New York 14, N. Y.  
 Great Lakes Region: 1029 New Federal Building, Detroit 26, Mich.  
 South Atlantic Region: 411 Federal Annex, Atlanta 3, Ga.

Gulf States Region: 332 U. S. Appraisers Building, 7300 Wingate Street, Houston 11, Tex.  
 North Pacific Region: 801 Federal Office Building, Seattle 4, Wash.  
 Alaska Region: P. O. Box 644, Room 52 U. S. Post Office and Courthouse, Anchorage, Alaska.  
 South Pacific Region: 323-A Customhouse, San Francisco 26, Calif.

Hawaiian Region: P. O. Box 1142, Lanikai, Oahu, T. H.  
 Central States Region: 876 U. S. Courthouse, Chicago 4, Ill.  
 The Primary Monitoring Stations of the Bureau of Engineering are located at the following addresses:  
 Federal Communications Commission, Allegan Monitoring Station, P. O. Box 89, Allegan, Mich.

Federal Communications Commission,  
Central Frequency Monitoring Station, P. O.  
Box 788, Grand Island, Nebr.

Federal Communications Commission,  
Kingsville Monitoring Station, P. O. Box 632,  
Kingsville, Tex.

Federal Communications Commission,  
Dover Road, P. O. Box 308, Millis, Mass.

Federal Communications Commission,  
2700 West Edinger, P. O. Box 744, Santa Ana,  
Calif.

Federal Communications Commission,  
P. O. Box 31, Laurel, Md.

Federal Communications Commission,  
P. O. Box 989, Livermore, Calif.

Federal Communications Commission,  
2310 NE. 148 Avenue, P. O. Box 5165, Port-  
land 16, Oreg.

Federal Communications Commission,  
P. O. Box 4, Powder Springs, Ga.

Federal Communications Commission,  
P. O. Box 1142, Lanikai, Oahu, T. H. (Fort  
Hase military reservation).

Secondary monitoring stations of the Bu-  
reau of Engineering are located at the fol-  
lowing addresses:

Federal Communications Commission,  
Searsport, Maine. Mail address: P. O. Box  
44, Belfast, Maine.

Federal Communications Commission,  
P. O. Box 499, Twin Falls, Idaho.

Federal Communications Commission,  
P. O. Box 3, North Scituate, R. I.

Federal Communications Commission,  
2215 Wellesley Avenue, P. O. Box 37, Sta-  
tion A, Spokane, Wash.

Federal Communications Commission,  
P. O. Box 347, South Miami, Fla.

Federal Communications Commission,  
P. O. Box 99, Lexington, Ky.

Federal Communications Commission,  
P. O. Box 1448, Muskogee, Okla.

Federal Communications Commission,  
P. O. Box 300, Bay St. Louis, Miss.

Federal Communications Commission,  
P. O. Box 2961, Juneau, Alaska.

Federal Communications Commission,  
P. O. Box 719, Anchorage, Alaska.

Federal Communications Commission,  
P. O. Box 2987, San Juan, P. R.

#### BUREAU OF ACCOUNTING

**SEC. 0.51 Chief Accountant.** (a) The  
Chief Accountant as head of the Bureau  
of Accounting supervises all Commission  
activities concerning accounting matters.  
The following units are included in the  
Bureau of Accounting:

- (1) Accounting Regulations Division.
- (2) Broadcast Division.
- (3) Field Division.
- (4) Rates Division.
- (5) Economics and Statistics Division.

**SEC. 0.52 Accounting Regulations Divi-  
sion.** The Accounting Regulations Divi-  
sion is divided into the following  
branches:

(a) Development and Compliance  
Branch, which is responsible for the ac-  
counting activities under sections 215,  
219, 220, and 221 of the Communications  
Act of 1934, as amended, and other re-  
lated sections which pertain to the for-  
mulation, amendment and interpreta-  
tion of accounting rules and regulations,  
the revision of annual and other report  
forms, the classification of carriers, re-  
search with respect to accounting prin-  
ciples; and review of annual and other  
reports filed by carriers to ascertain  
whether carriers are complying with ac-  
counting instructions.

(b) Original Cost and Depreciation  
Branch, which is responsible for the ac-  
counting activities under sections 213,  
219, 220 (b), and 221 of the Communica-

tions Act of 1934, as amended, and other  
related sections which pertain to the  
original cost requirements to be applied  
to property of communications carriers;  
classification of investment accounts and  
the property of carriers; prescription of  
classes of property which are deprecia-  
ble, non-depreciable or amortizable; pre-  
scription of depreciation and amortiza-  
tion rates; the maintenance of contin-  
uing property records by carriers; all mat-  
ters involving plant accounting; and  
matters relating to the accounting under  
pension plans adopted by carriers.

**SEC. 0.53 Broadcast Division.** The  
Broadcast Division is divided into the  
following branches:

(a) Applications Branch, which re-  
views and makes recommendations with  
respect to applications in the broadcast  
services, except those for renewal of li-  
censes; analyzes and interprets financial  
statements and accounts to determine if  
applicants and licensees are financially  
qualified to carry out proposals for new  
facilities, modification of existing facili-  
ties, purchase of existing facilities, and  
changes in ownership or control; plans  
and conducts field investigations of the  
accounts and records of broadcast appli-  
cants and licensees.

(b) Renewal and Annual Reports  
Branch, which is responsible for the  
analysis of annual financial reports of  
all broadcast stations and networks to  
ascertain whether their operation com-  
plies with Commission financial stand-  
ards; investigates cases of suspected  
fraud or misrepresentation, and sus-  
pected unlawful monopolies; examines  
broadcast license renewal applications  
and prepares recommendations thereon;  
and designs and revises the financial  
data portions of annual report and ap-  
plication renewal forms and instructions  
pertaining thereto.

(c) Hearing Branch which is respon-  
sible for the accounting phases of broad-  
cast applications and cases designated  
for hearing, including determination of  
issues, study of petitions, and prepara-  
tion of accounting testimony and ex-  
hibits.

**SEC. 0.54 Field Division.** The Field  
Division is responsible for the conduct  
of continuing investigations, audits and  
examinations of the accounts and rec-  
ords of communication carriers, holding  
companies and affiliated manufacturing,  
supply, servicing and management com-  
panies which are subject to the juris-  
diction of the Federal Communications  
Commission as provided for under  
the Communications Act of 1934, as  
amended.

**SEC. 0.55 Location of Accounting Field  
Offices.** The field offices of the Account-  
ing Bureau are located at:

90 Church Street, Room 624, Federal Of-  
fice Building, New York 7, N. Y.

815 Oliver Street, Room 407, Old Customs-  
house, St. Louis 1, Mo.

Room 515 First National Bank Building,  
Atlanta 3, Ga.

316 Customhouse, 555 Battery Street, San  
Francisco 26, California.

**SEC. 0.56 Rates Division.** The Rates  
Division is divided into the following  
branches:

(a) Tariffs and Telephone Rates  
Branch, which handles matters relating  
to the construction, filing and posting of  
schedules of charges for interstate and  
foreign communication services; handles  
telephone rate, service, and traffic mat-  
ters; reports rate changes to the Com-  
mission and recommends action with  
respect to charges and practices of tele-  
phone carriers; institutes telephone traf-  
fic surveys; participates in recommend-  
ing disposition of applications for cable  
landing licenses, and for radiotelephone  
licenses; is responsible for the rate and  
economic aspects and for Bureau coordi-  
nation of accounting aspects presented  
by applications for the extension, sup-  
plementation and discontinuance, reduc-  
tion or impairment of telephone service  
and for acquisitions or consolidations of  
telephone properties; participates in  
handling the technical phases of treat-  
ies and agreements with foreign admin-  
istrations and carriers relating to tele-  
phone matters; and maintains a public  
reference room in which schedules of  
charges for interstate and foreign com-  
munication service are available for pub-  
lic inspection. (The public reference  
room is located in Room 1747, Tempo-  
rary Building T, 14th Street and Con-  
stitution Avenue, N. W., Washington,  
D. C.)

(b) Telegraph Rates Branch, which  
handles telegraph rate, service, and traf-  
fic matters; reports rate changes to the  
Commission and recommends action  
with respect to charges and practices  
of telegraph carriers; institutes tele-  
graph traffic survey; processes applica-  
tions for authority to discontinue, re-  
duce, or impair telegraph service and is  
responsible for the rate and economic  
aspects and for Bureau coordination of  
accounting aspects presented by applica-  
tions for extension and supplementation  
of telegraph lines and for the acquisi-  
tion or consolidation of telegraph prop-  
erties; participates in recommending  
disposition of applications for cable  
landing licenses, and for radiotelegraph  
licenses; participates in handling the  
technical phases of treaties and agree-  
ments with foreign administrations and  
carriers relating to telegraph matters;  
and effects settlements of traffic bal-  
ances due foreign telecommunication ad-  
ministrations and companies for tele-  
graph messages transmitted between  
ships of American registry and foreign  
coastal stations and for such messages  
transmitted from offices in the United  
States to all ships through foreign  
coastal stations.

**SEC. 0.57 Economics and Statistics  
Division.** The Economics and Statistics  
Division is divided into the following  
branches:

(a) Common Carrier Branch, which  
receives, examines, and prepares pub-  
lished summaries of annual, monthly  
and special reports filed by communica-  
tion carriers and holding companies;  
analyzes and interprets economic data  
concerning the common carrier com-  
munication industry, analyzes trends in  
volume of communication traffic, fore-  
casts growth in the industry; studies  
public needs for communication services  
and their availability in particular geo-



graphic areas; and maintains a public reference room in which public reports filed with the Commission by companies subject to its jurisdiction are available for public inspection. (The public reference room is located in Room 1742, Temporary Building T, 14th Street and Constitution Avenue, N. W., Washington, D. C.)

(b) Broadcast Branch, which receives, examines, and prepares published summaries of annual and special reports filed by broadcast stations and networks; analyzes and interprets economic data concerning the broadcast industry; tabulates data for special analyses required by the Commission in connection with hearings and other proceedings; and studies economic trends in new uses of radio in broadcasting.

(c) Special Studies Branch, which compiles and analyzes economic and statistical data on safety and miscellaneous uses of radio; prepares special analyses required by the Commission in connection with hearings and other proceedings; studies economic trends in new uses of radio for safety and miscellaneous purposes; and makes special statistical and economic studies as assigned.

#### BUREAU OF LAW

**SEC. 0.71 General Counsel.** The General Counsel as head of the Bureau of Law is responsible for all Commission activities relating to legal matters. In the Bureau of Law are the following units:

- (a) Office of General Counsel.
- (b) Litigation and Administration Division.
- (c) Broadcast Division.
- (d) Common Carrier Division.
- (e) Safety and Special Services Division.

**SEC. 0.72 Office of General Counsel.** In the General Counsel's office are the following sections:

- (a) Technical Section, which serves as professional consultant to the Commission regarding patents, patent licenses, and related intangible holdings of telephone, telegraph, broadcasting, and cable communications companies.
- (b) Administrative Section, which is responsible for the administrative control and coordination of work assignments, production records, and files of the Bureau of Law.

**SEC. 0.73 Litigation and Administration Division.** The Litigation and Administration Division is divided into the following branches:

(a) Litigation and Legislation Branch, which conducts litigation in which the Commission is a party; reviews proposed Commission decisions on petitions for rehearing; prepares drafts of proposed legislation; studies and prepares opinions and comments upon proposed legislation referred to Commission for study; and performs research and study in connection with preparation of testimony for congressional committees.

(b) Administration Branch, which has special assignments of a legal character in interpreting the Communications Act and Commission regulations, preparing opinions and recommendations thereon; examines network contracts filed by stations with the Commission to determine if they comply with the chain network

regulations; and handles legal problems in connection with all matters relating to internal management.

(c) Field Branch, which supervises the activities of the field offices of the Bureau of Law. The field offices advise the field offices of the other bureaus concerning legal matters; conduct investigations; and represent the Bureau of Law in the field. These offices are located at:

90 Church Street, New York 7, N. Y.  
100 McAllister Street, San Francisco 2, Calif.

**SEC. 0.74 Broadcast Division.** The Broadcast Division is divided into the following branches:

(a) New and Changed Facilities Branch (Standard), which reviews and prepares reports, legal opinions, and recommendations with respect to applications for new standard broadcast stations and changes in the facilities of existing stations; and represents the Commission at hearings affecting such applications and prepares reports thereon.

(b) New and Changed Facilities Branch (FM), which reviews and prepares reports, legal opinions, and recommendations with respect to applications for FM facilities and changes in facilities of existing stations; and represents the Commission at hearings affecting such applications and prepares reports thereon.

(c) Television Broadcast Branch, which reviews and prepares reports, legal opinions, and recommendations with respect to applications for television facilities and changes in facilities of existing stations; and represents the Commission at hearings affecting such applications and prepares reports thereon.

(d) Renewals and Revocations Branch, which reviews and prepares legal opinions, reports, and recommendations with respect to renewal applications for radio station licenses in the broadcast services and proceedings looking toward the revocation of radio station licenses in the broadcast service; investigates complaints; and represents the Commission at hearings affecting such renewal and revocation matters and prepares reports thereon.

(e) Transfers Branch, which reviews and prepares legal opinions, reports, and recommendations with respect to applications for assignment of license or transfer of control of broadcast stations; and represents the Commission at hearings involving such matters and prepares reports thereon.

(f) Review Branch, which reviews the records of hearings, proposed findings and conclusions, decisions of presiding officers and such additional material as comprise the records of a proceeding; prepares review reports and, in accordance with Commission directives, its decisions; and is responsible for coordinating all hearings and prehearing conferences, and for scheduling the times and places for such hearings and conferences.

(g) Motions and Rehearings Branch, which reviews and prepares legal opinions, reports recommendations with respect to motions and petitions in cases designated for formal hearing in broadcast matters and reviews, prepares reports, legal opinions, and recommenda-

tions with respect to petitions for rehearing or reconsideration of actions taken by the Commission and prepares rules and regulations concerning the broadcast services.

**SEC. 0.75 Common Carrier Division.** The Common Carrier Division is divided into the following branches:

(a) Rate Branch, which is responsible for all legal matters relating to rate regulation of common carriers subject to the Communications Act; conducts investigations and hearings relating to rate matters; reviews and makes recommendations with respect to formal and informal complaints with regard to rates and charges; prepares Commission reports, orders, rules and regulations affecting rates; makes studies of rate phases of all common carrier applications; and handles the legal phases of tariff problems and accounting matters affecting rates.

(b) International Branch, which is responsible for all legal matters other than rates relating to wire, cable, and radio communication service between the United States and all foreign countries; reviews and makes recommendations with respect to applications relating to international radio and cable circuits; makes studies of the legal phases of problems relating to international merger, international telecommunications treaties; the distribution of international telegraph traffic, and other matters affecting Commission policy in the international field; makes preparations for international telecommunications conferences; analyzes foreign traffic contracts and concessions; drafts instruments of authorization and cable landing licenses; conducts investigations and hearings affecting international services; and prepares Commission reports, orders, rules and regulations relating to such services.

(c) Domestic Wire Branch, which is responsible for all legal matters, other than rates, relating to regulation of wire telephone and wire telegraph services within the United States; conducts investigations and hearings affecting such services and prepares Commission reports, orders, rules and regulations relating to such services, is responsible for the legal aspects presented by applications for extensions and discontinuance of telephone and telegraph service, applications for merger and consolidation of domestic telephone and telegraph companies, applications for interlocking directorates, and petitions for classification of carriers; handles formal and informal complaints relating to domestic telephone and telegraph service.

(d) Domestic Radio Branch, which is responsible for legal matters, other than rates, relating to all common carrier radiotelephone and radiotelegraph services in the United States (including Alaska) and experimental radio services looking toward common carrier operations, including analysis and review of applications for radio relay systems, common carrier mobile services, domestic fixed public, coastal and marine relay services, rural telephone and short distance toll radio services, and all common carrier aspects arising in the ship, emergency, and miscellaneous services; conducts investigations and hearings affect-

ing such services; and prepares Commission reports, orders, rules, and regulations relating to such services.

**Sec. 0.76 Safety and Special Services Division.** The Safety and Special Services Division is divided into the following branches:

(a) Aviation and General Mobile Branch, which reviews and prepares legal opinions, reports, and recommendations (other than those involving common carrier operations) with respect to applications for radio station authorizations in the aviation service, both in the established and experimental stages and in the experimental general mobile service; reviews and makes recommendations with respect to formal and informal petitions and complaints; conducts investigations and hearings with respect to these services; drafts proposed legislative amendments and prepares Commission reports, orders, rules, and regulations affecting these services.

(b) Marine, Operator, and Amateur Branch, which is responsible for all legal matters (other than those involving common carrier operations) relating to radio installations and operations aboard ships, whether voluntary or required by Title III, Part II, of the Communications Act of 1934, as amended, and the International Convention for the Safety of Life at Sea, and to land radio installations communicating with or sending signals to radio stations aboard ship, both in the experimental and established stages; to radio installations and operations in the Amateur Radio Service; and to all licensed radio operators, both amateur and nonamateur, whether performing service aboard ships, aircraft, or on land, participates in the enforcement of the requirements of the International Convention for the Safety of Life at Sea; reviews and makes recommendations to the Commission with respect to formal and informal petitions and complaints in marine, amateur, and operator matters; conducts investigations and hearings relating to marine, amateur, and operator matters; and as affecting such matters prepares Commission reports, orders, rules, and regulations.

(c) Emergency, Experimental, and Miscellaneous Branch, which reviews and prepares legal opinions, reports, and recommendations with respect to applications for radio station authorizations (other than those involving or looking toward common carrier operations) in the Emergency Services (police, fire, forestry, and special emergency stations), the Miscellaneous Services (geological, mobile, press, relay press, motion picture, and provisional radio stations), the Utilities Radio Service, the Railroad Service, the Experimental Service; conducts investigations and hearings affecting these services; reviews and makes recommendations with respect to formal and informal complaints; and prepares Commission reports, orders, rules, and regulations affecting these services.

#### BUREAU OF ADMINISTRATION

**Sec. 0.81 Bureau of Administration.** Under the supervision of the Executive Officer, reviews in cooperation with Bureau heads the programs and procedures

of the Commission, and plans, directs, coordinates and manages Commission activities relating to personnel, budget, and planning. In the Bureau of Administration there are the following divisions:

(a) Budget and Fiscal Division, under the supervision of the Budget Officer, is responsible for all budget and finance activities of the Commission, and has the following branches: Budget Branch and Fiscal Branch.

(b) Personnel Division, under the supervision of the Personnel Officer, is responsible for all personnel matters in the Commission, and has the following branches: Classification Branch and Employment, Placement and Training Branch.

(c) Planning Division, under the supervision of the Planning Officer, is responsible for the organizational and procedural aspects of the Commission's operation.

#### HEARING DIVISION

**Sec. 0.91 Hearing Division.** Under the supervision of the Commission, is composed of presiding officers who preside at hearings as directed by the Commission and in accordance with the provisions of the Administrative Procedure Act; who prepare recommended and initial decisions; and who perform such additional duties as are not inconsistent with their duties and responsibilities as presiding officers.

#### OFFICE OF INFORMATION

**Sec. 0.96 The Office of Information.** Headed by the Director, is responsible for press and public relations including the preparation and distribution of news releases, periodic reports and general information relating to Commission activities.

#### STATEMENT OF DELEGATIONS OF AUTHORITY<sup>1</sup>

##### GENERAL

**SECTION 0.101 Authority for delegation.** (a) Under the authority of section 5 of the Communications Act that portion of the work, business, or functions of the Federal Communications Commission hereinafter specified is assigned and referred to the respective Board of Commissioners, individual Commissioners, and employees of the Commission, hereinafter designated, for action thereon in accordance with the Communications Act of 1934, as amended, rules and regulations, orders and established policies of the Commission.

(b) Any board or individuals to whom authority is delegated shall have power and authority to consider and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to it, and in respect thereof shall have all the jurisdiction and power conferred by law upon the Commission, and be subject to the same duties and obligations. Any order, decision, or report made or other action taken in respect to any matters assigned or referred shall have the same force, and

<sup>1</sup> This statement is issued pursuant to sec. 3 (a) (1) of the Administrative Procedure Act.

effect, and may be made, evidenced and enforced in the same manner as if made or taken by the Commission.

**Sec. 0.102 Reconsideration\* with regard to action taken under delegation of authority.** (a) Any person affected by an order, decision, or report or other action taken or made under any delegation of authority made herein may file a petition for reconsideration within 20 days after public notice is given of the action complained of, and every such petition shall be passed upon by the Commission. Appeals from action of the Motions Commissioner must be taken within 2 days in accordance with § 1.745 of the rules and regulations (47 CFR 1.745).

(b) Within 20 days after public notice has been given of any action taken or made under any delegation of authority; either the Commission or the person making or taking such action may set it aside on their own motion.

**Sec. 0.105 Description of Board.** (a) Whenever the Chairman or Acting Chairman of the Commission determines that a quorum of the Commission is not present or able to act, he may convene a Board of Commissioners.

(b) The Board shall be composed of all Commissioners present and able to act.

**Sec. 0.106 Authority delegated.** (a) Such Board of Commissioners is authorized to act with respect to all work, business, or functions of the Federal Communications Commission arising under the Communications Act of 1934, as amended, except that portion of the work, business, or functions of the Federal Communications Commission specifically delegated to individual Commissioners or employees. This authority shall not extend to the institution of investigations upon the Commission's own motion, or to rendering a final decision in such matters, or without consent of the parties thereto, to final action in contested proceedings involving the taking of testimony at public hearings, or to investigations specifically required by the Communications Act of 1934, as amended.

(b) Any actions taken by the Board shall be recorded in the same manner as action taken by the entire Commission.

**Sec. 0.107 Delegation to Telegraph Committee.** (a) A Telegraph Committee composed of three Commissioners, designated as such by the Commission, will hear and determine, order, certify, report or otherwise act upon the matters set forth in paragraph (b);

(b) Except as otherwise ordered by the Commission, the Telegraph Committee, or a majority thereof, shall act upon the following matters:

(1) All applications or requests under section 214 of the Communications Act of 1934, as amended, for certificates or authorizations for the construction, acquisition, operation or extension of telegraph lines, for temporary or emergency telegraph service, for supplementing existing telegraph facilities, or for discontinuance, reduction or impairment of telegraph service, except those covered by sections 0.142 (d) and 0.147 (a) of this Statement.

(c) Any action taken by the Telegraph Committee shall be recorded each week in writing and filed in the official minutes of the Commission.

**SEC. 0.108 Delegation to Telephone Committee.** (a) A Telephone Committee, composed of three Commissioners, designated as such by the Commission, will hear and determine, order, certify, report or otherwise act upon the matters set forth in paragraph (b);

(b) Except as otherwise ordered by the Commission, the Telephone Committee, or a majority thereof, shall act upon the following matters:

(1) All applications or requests under section 214 of the Communications Act of 1934, as amended, for certificates or authorizations for the construction, acquisition, operation or extension of telephone lines, for temporary or emergency telephone service, for supplementing existing telephone facilities, or for discontinuance, reduction or impairment of telephone service, except those covered by section 0.142 (i).

#### DELEGATION TO MOTIONS COMMISSIONER

**SEC. 0.111 Designation of Motions Commissioner.** A Motions Commissioner will be named from time to time by the Commission to hear and determine, order, certify, report or otherwise act upon the matters set forth in section 0.112. In the absence of the Motions Commissioner or his inability to act, the Chairman or the Acting Chairman may designate for a specified period another Commissioner to act as Motions Commissioner. During such period as all Commissioners may be absent from Washington, or otherwise unable to act, the Commission may designate for a specified period a member of the staff to exercise the authority delegated by section 0.112.

**SEC. 0.112 Authority delegated.** Except as otherwise ordered by the Commission, the Motions Commissioner shall act upon the following matters:

(a) The designation of hearing officers to preside at hearings and the time and place of such hearings.

(b) All petitions or motions to reinstate applications theretofore dismissed without prejudice following the filing by applicant of a petition to amend without submitting simultaneously the said amendment, pursuant to § 1.365 (c) (47 CFR 1.365 (c)).

(c) All motions, petitions, or matters in cases previously designated for hearing by the Commission, including motions for further hearing and for consolidation and severance, excepting motions and petitions requesting final disposition of a case on its merits, those having the nature of an appeal to the Commission, and those requesting change or modification of a final order made by the Commission.<sup>2</sup> However, when one or more members of the Commission have been designated to preside at a hearing, all such motions, petitions or matters in such case or cases so designated for hearing, shall thereafter be handled by him or them, and such Com-

missioner or Commissioners shall be authorized and empowered to fix the time and place such hearings shall be held. In the absence of the individual Commissioner designated to preside at a hearing, or his inability to act or pass upon such preliminary matters, they shall be referred to the Motions Commissioner.

(d) All applications or requests for special temporary standard broadcast authorizations except those covered by sections 0.121 and 0.144, and these applications shall be first referred to the Bureau of Law and Engineering for recommendation thereon, and then referred to the Motions Commissioner.

(e) Petitions requesting the dismissal of other pending petitions filed by the same party.

(f) Petitions containing requests, all of which have become moot.

**SEC. 0.113 Record of action taken.** Any action taken by the Motions Commissioner shall be recorded each week in writing and filed in the official minutes of the Commission.

#### DELEGATION TO CHIEF ENGINEER

**SEC. 0.121 Authority delegated to Chief Engineer.** The Chief Engineer or, in his absence, the Acting Chief Engineer of the Commission, is designated to act upon applications, requests, and other matters as follows:

(a) For temporary operation without specified items of equipment, or with temporary, substitute, or auxiliary equipment as specified below:

(1) For operation without an approved frequency monitor;

(2) For operation without an approved modulation monitor;

(3) For operation without thermometer in automatic temperature control chamber;

(4) For operation without antenna ammeter, plate voltmeter, or plate ammeter;

(5) For operation with substitute antenna ammeter, plate voltmeter, or plate ammeter;

(6) For operation with temporary antenna system;

(7) For operation with auxiliary transmitter as main transmitter.

(b) For operation with new or modified equipment pending repair of existing equipment, or pending receipt and action upon a formal application.

(c) For new or modified equipment or antenna system where formal application is not required.

(d) For specifications for painting and lighting antenna towers.

(e) For relocation of transmitter at the address specified in the outstanding authorization.

(f) For operation with reduced power or time under §§ 3.57, 3.71, and 3.261 of the rules and regulations (47 CFR 3.57, 3.71, 3.261).

(g) For operation of all classes of broadcast stations except standard broadcast stations on a temporary basis for periods not to exceed the normal license period with reduced power, or to make other changes in operation or authorized equipment for technical reasons.

(h) For approval of types of equipment as to compliance with outstanding rules and standards.

(i) For equipment and program tests, or extensions thereof, except those falling under section 0.141.

(j) For extensions of time within which to comply with technical requirements specified in authorizations, orders, and rules or releases of the Commission.

(k) Representations of compliance with technical requirements specified in authorizations, orders, rules or releases of the Commission (except formal applications).

(l) For operation with licensed, new, or modified equipment at a temporary location with a temporary antenna system in case of an emergency when, due to causes beyond the control of the licensee, it becomes impossible to continue operating at the licensed location.

(m) For special operation necessary to facilitate equipment, program, and service tests or to comply with technical requirements specified in authorizations, orders, rules or releases of the Commission.

(n) For special temporary authority in emergency cases, at times outside of the regular office hours of the Commission and requiring immediate action during those hours.<sup>3</sup>

(o) For operation by broadcast station licensees during daytime for specified periods with their nighttime facilities in order to check measurements and operation which, as a practical matter, may not be accomplished during nighttime.

(p) For assignment from time to time of the frequency or frequencies, power, emission, and type of equipment to be employed by any Experimental or Developmental radio station, so as to provide the maximum results from the experimentation with the minimum of interference.

(q) For addition, modification, or coordination of programs of research or experimentation of any experimental or developmental radio station, so as to provide the maximum results from the experimentation which can be reasonably expected of the licensee or licensees.

(r) For special temporary authority to provide an interim FM broadcast service provided such requests are from FM conditional grantees or holders of FM construction permits.

**SEC. 0.122 Action with respect to International Broadcasting.** The Chief Engineer, or, in his absence, the Acting Chief Engineer, acting in coordination with the Commission's representative on the Interdepartment Committee for International Radio Broadcasting Facilities, is authorized to take the following action:

(a) To issue special service authorizations for the use of frequencies assigned to international broadcast service to international broadcast stations

<sup>3</sup> By action of the Commission November 21, 1946, the Engineer in Charge at Honolulu is authorized to issue Special Temporary Authorizations for a term of 30 days to cover the operation of government surplus aircraft from Hawaii to the United States.

<sup>2</sup> For the procedure followed in connection with Motions Docket Matters see §§ 1.741 to 1.745 (47 CFR 1.741-1.745).

and to those stations which are being used by the State Department for international broadcasting and for multiple-address press and facsimile services.

(b) To prescribe and to change from time to time the hours during which the frequencies assigned by these special service authorizations may be used.

(c) To prescribe and to change from time to time the hours during which each international broadcast station may use the frequencies licensed to it.

(d) To issue a temporary authorization permitting a licensee of an international broadcast station temporarily to substitute another frequency for a frequency specified in the applicant's regular license, where operation on such regularly licensed frequency is subject to serious interference. In authorizing any such substitution of frequencies the Chief Engineer, or, in his absence, the Acting Chief Engineer, shall, where feasible, authorize the use of a frequency in the same megacycle band as the frequency specified in the regular license.

**SEC. 0.123 Record of actions taken.** Action on formal applications taken by the Chief Engineer, or, in his absence, by the Acting Chief Engineer, in accordance with sections 0.121 and 0.122 shall be recorded each week in writing and filed in the official minutes of the Commission.

#### DELEGATION TO CHIEF ACCOUNTANT

**SEC. 0.131 Authority delegated to Chief Accountant.** The Chief Accountant, or, in his absence, the Acting Chief Accountant, of the Commission is designated to act upon:

(a) Administration, interpretation, and application of regulations promulgated by the Commission pursuant to section 220 of the Communications Act, relating to accounts, records, and memoranda to be kept by carriers subject to the jurisdiction of the Commission.

(b) Applications for extensions of time in which to file annual, monthly, and special reports required by the Commission pursuant to sections 211 and 219 of the Communications Act.

(c) Administration, interpretation, and application of orders or rules of practice and procedure promulgated by the Commission relating to financial and statistical data of stations in the broadcast service and broadcast networks or chains, including applications for extensions of time in which to file financial and statistical statements and reports.

(d) All matters arising in connection with the administration of tariff regulations promulgated by the Commission pursuant to section 203 of the Communications Act, and in connection with the administration of this section insofar as it relates to the modification of requirements thereof or made pursuant thereto, as authorized in particular instances by subsection (b) thereof, and to the rejection of tariffs as authorized by subsection (d) thereof.

**SEC. 0.132 Authority to issue orders; record of actions taken.** Where appropriate, in acting upon the matters referred to in § 1.131 (47 CFR 1.131), the Chief Accountant, or, in his absence, the Acting Chief Accountant, is authorized to make orders in letter form for the sig-

nature of the Secretary of the Commission. Action taken on formal applications in accordance with section 0.131 shall be recorded each week in writing and filed in the official minutes of the Commission.

#### DELEGATION TO SECRETARY

**SEC. 0.141 Authority delegated to Secretary.** The Secretary of the Commission, or, in his absence, the Acting Secretary of the Commission, is designated to act upon the following matters:

(a) Applications for amateur station licenses.

(b) Applications for new, or modified, ship station licenses, or for special temporary authority to operate ship stations\* except applications which request—

(1) Authority to operate on a frequency or frequencies which are not currently available in accordance with the frequency allocation plan of the Commission;

(2) Authority to communicate with aircraft stations;

(3) Authority to operate a life boat transmitter when no other transmitting equipment is to be authorized in the same license;

(4) Authority to use A-4 emission or special emission under the provisions of § 8.69 of the rules (47 CFR 8.69);

(5) Authority to operate transmitting equipment on a cable marker buoy pursuant to § 8.65 of the rules (47 CFR 8.65);

(6) Authority to communicate with amateur stations;

(7) Authority to operate for a period in excess of three months transmitting equipment which has not been approved by the Bureau of Engineering;

(8) A license or modification of license where the Bureau of Law or the Bureau of Engineering notifies the Secretary that the applicant is involved in any discrepancy, violation or hearing concerning any treaty, law, or regulation governing radio or wire communication;

(9) Authority to operate for a period in excess of three months a station where the applicant is a corporation controlled by another corporation;

(10) Authority to operate a ship telephone station open to public correspondence where a charge will be made by the ship station licensee for the service.

(c) Applications for new licenses, modification of licenses, special temporary authorizations for a period not to exceed 3 months, and consent to assignment of licenses for aircraft radio stations on board nonscheduled aircraft\* where:

(1) The applicant requests only A-1, A-2, or A-3 emission or any combination thereof;

(2) The applicant requests frequencies currently available in accordance with the frequency allocation plan of the Commission;

(3) The equipment involved is listed among types of equipment stated by the

\* See sections 0.142, 0.144, and 0.145 for delegations of authority covering other applications in the Ship Service.

\* See sections 0.142, 0.144, and 0.145 for delegations of authority covering other applications in the aviation services.

Bureau of Engineering to be capable of meeting the pertinent requirements of the Commission's rules; or

(4) The applicant, if a corporation, is not controlled by another corporation.

(d) Applications by persons, who are already licensees, for new licenses, or modification of licenses and special temporary authorizations for a period not to exceed 3 months, for scheduled aircraft stations where:

(1) The applicant requests only frequencies in accordance with §§ 9.312, 9.321, 9.432 and 9.443 of the rules (47 CFR 9.312, 9.321, 9.432, 9.443);

(2) The applicant does not request authority to communicate with a station in any other service;

(3) The equipment involved is listed among types of equipment stated by the Bureau of Engineering to be capable of meeting the pertinent requirements of the Commission's rules; and

(e) Requests by licensees or permittees for cancellation of their station licenses, construction permits or other authorization except those stations which render a common carrier service or standard, FM, television, or international broadcast stations.

(f) Applications for renewal of amateur radio operator licenses or authorizations.

(g) Except for specific applications concerning which the Bureau of Engineering or the Bureau of Law shall notify the Secretary, applications for license or modification of license to cover construction permits, where the permittee has complied with all the terms of the construction permit and no additional authority not covered by the permit is requested, in the following categories of cases:

(1) All classes of stations in the Emergency Services;

(2) All classes of stations in the Aviation Services;

(3) All classes of stations in the Railroad Radio Service;

(4) All classes of stations in the Miscellaneous Services;

(5) All Class 1 Experimental Stations, and Class 2 Experimental Stations operating in established services;

(6) All classes of stations in the Public Coastal and Fixed Public Services in Alaska;

(7) All classes of stations in the Utility Radio Service.

(h) All applications for renewal of licenses, other than those for stations rendering a common carrier service (except those listed in subsection (7) below), where the renewal is in accordance with the terms of the previous license, or the sole difference is that the authority requested is less than that previously granted, in the following categories of cases:

(1) All classes of stations in the Emergency Services;

(2) All classes of stations in the Aviation Services;

(3) All classes of stations in the Railroad Radio Service;

(4) All classes of stations in the Miscellaneous Services, except provisional stations in the Intermittent Service;

(5) All classes of stations in the Utility Radio Service;

(6) All classes of stations in the Ship Service;

(7) Stations in the Alaskan coastal and Alaskan fixed public services.

(i) Applications for consent to assignment of licenses or for consent to transfer of control of remote pick-up or ST broadcast stations, when the Commission has on a prior date consented to a like assignment or transfer of control of the standard broadcast station with which the remote pick-up stations are affiliated.

(j) Except for specific applications concerning which the Bureau of Engineering or the Bureau of Law shall notify the Secretary, applications for extension of the expiration dates of construction permits and applications for extension of the period of equipment and service tests, in the following categories of cases:

(1) All classes of stations in the Emergency Services;

(2) All classes of stations in the Aviation Services;

(3) All classes of stations in the Railroad Radio Service;

(4) All classes of stations in the Miscellaneous Services;

(5) All class 1 Experimental Stations, and Class 2 Experimental Stations operating in established services;

(6) All classes of stations in the Public Coastal and Fixed Public Services in Alaska;

(7) All classes of stations in the Utility Radio Service.

(k) All applications for restricted radiotelephone permits for use by operators of itinerant aircraft radio stations.

(l) Applications for mobile stations (other than those rendering a common carrier service) in the Emergency Services, Miscellaneous Services, Railroad Service and Utility Radio Service where the applicant already holds licenses or construction permits for stations of the type applied for; provided, however, that such action shall be restricted to cases:

(1) Where there is no question as to the eligibility of the applicant;

(2) Where the applications request frequencies currently available to the particular applicant in accordance with the frequency allocation plan of the Commission.

(m) Requests for assignment of call letters to new radio stations and for changes in the call letters of existing stations.

(n) Applications for new or modified ship radar station licenses in the Ship Service or for special temporary authorization in the Ship Service to operate a ship radar station where: (1) equipment involved is listed among types of equipment stated by the Bureau of Engineering to be capable of meeting the pertinent requirements of the Commission's rules.

**Sec. 0.142 Authority delegated to Secretary upon securing approval of Bureau of Engineering.** The Secretary, or, in his absence, the Acting Secretary, is designated to act upon the following matters upon securing the approval of the Chief Engineer or his nominee, with the exception of applications for restricted radiotelephone permit for use by operators of itinerant aircraft radio stations.

(a) Formal applications for broadcast services as follows:

(1) For construction permit, modification of construction permit, and modification of license, involving only a change in equipment with an additional cost not in excess of \$1,000;

(2) To install frequency control equipment;

(3) Relating to auxiliary equipment;

(4) For authority to determine operating power of broadcast stations by direct measurement of antenna power;

(5) For construction permit or modification of license involving relocation locally of a control point of transmitter site not involving any substantial change in service area.

(b) The following applications for commercial radio operator licenses:

(1) All applications for new licenses except where it appears that the applicant has been convicted of a crime for which the sentence imposed was more than 1 year imprisonment or a \$500 fine;

(2) All applications for renewal and modified licenses except where it appears that the applicant has been convicted of a crime for which the sentence imposed is more than 1 year imprisonment or a \$500 fine. This exception does not apply to those cases where the same crime or crimes have been disclosed in previous applications for operator license granted by the Commission.

(c) All applications for new or modified amateur radio operator licenses or authorizations.

(d) Applications for new ship station licenses, for modification of ship station licenses, and for special temporary authority to operate a ship station where these applications request authority to operate transmitting equipment on a cable marker buoy pursuant to § 8.65 of the rules (47 CFR 8.65).

(e) Applications for construction permit, modification of construction permit and modification of license which involve only a change in equipment, except applications involving stations in the broadcast services and except applications falling under section 0.141.

(f) All applications for new licenses, modifications of license, special temporary authorizations for a period not to exceed three months and consent to assignment of licenses for aircraft stations on board nonscheduled aircraft, except where the applications fall within the provisions of section 0.141, and where the applicant is not a corporation controlled by another corporation.

(g) Applications in any acceptable form filed at Commission Field Offices located in the Territory of Alaska for special temporary operator license authorization, in lieu of regular commercial radio operator license, when it is shown that there is a need for such an authorization for use in connection with the protection of life or property during an emergency period.

(h) Applications for new or modified ship radar station licenses in the Ship Service or for special temporary authorization in the Ship Service to operate a ship radar station except those falling under section 0.141 (n) of this Statement.

(i) Applications or requests under section 214 of the Communications Act for a certificate authorizing the construction, acquisition, operation or extension of lines, or for an authorization of temporary or emergency service, or the supplementing of existing facilities, where the total expenditure involved is less than \$250,000; all applications or requests for modification of a certificate or authorization issued under section 214 of the Communications Act where such amendment or modification involves a total expenditure of less than \$250,000; and applications and requests for authority to discontinue, reduce or impair telephone service filed pursuant to the provisions of §§ 63.63, 63.65, and 63.66 of the rules and regulations (47 CFR 63.63, 63.65, 63.66).

**Sec. 0.143 Authority delegated to Secretary upon securing approval of Bureau of Law.** The Secretary, or, in his absence, the Acting Secretary, is designated to act upon the following matters upon securing the approval of the General Counsel or his nominee:

(a) Broadcast service applications for modification of licenses involving only change of the name of the licensee, where ownership or control is not affected.

(b) Requests for inspection of records under the provisions of section 0.206.

(c) All requests for withdrawal of papers in accordance with § 1.768 (47 CFR 1.768).

(d) Applications filed by attorneys for admission to practice before the Commission.

(e) The execution of contracts or leases in the name of the Commission.

(f) Applications under section 212 of the Communications Act for authority to hold the position of officer or director of more than one carrier subject to the act.

(g) The extension of the time previously ordered by the Commission within which transfers of control or assignments of licenses be effectuated.

(h) Extensions of time within which briefs and comments may be filed with respect to proposed rule making.

**Sec. 0.144 Authority delegated to Secretary upon securing approval of the Bureaus of Law and Engineering.** The Secretary, or, in his absence the Acting Secretary, is designated to act upon the following matters upon receiving the approval of the General Counsel and Chief Engineer or their respective nominees:

(a) Applications for the utility, railroad, aviation, emergency, ship and miscellaneous services, and for State guard stations in the war emergency radio services, except those rendering a common carrier service and those falling under sections 0.141 and 0.142.

(b) Applications for Class 1 and Class 3 experimental stations and all applications for Class 2 experimental stations in established services and in the proposed General Mobile, Rural Radiotelephone, Industrial, and Citizens Services and Highway Maintenance and radar navigational aid stations, except (1) those falling under sections 0.121 and 0.141, and (2) those rendering or proposing to render a common carrier service.

(c) All broadcast service applications as follows:

(1) For extensions of time within which to commence and complete construction;

(2) For authorization to rebroadcast when Commission authorization is required under Parts 3 and 4 of the Commission's rules and regulations (47 CFR Parts 3, 4);

(3) To withdraw authorizations for equipment and service or program tests where subsequent to the issuance of the original authorizations it appears that the terms of the construction permit have not been met.

(d) Applications or requests for emergency and renewal exemptions of ships, and initial exemptions of ships of less than 100 gross tons, pursuant to the provisions of section 352 (b) of the Communications Act and article 28 of the Safety Convention.

(e) Proposals by FM broadcast stations to deviate from time schedules.

(f) Applications and requests for waiver of rules, regulations, and orders of the Commission relating to the proper time for filing of renewals of Commercial and Amateur Radio Operator Licenses.

(g) Applications for new, renewal or modified commercial radio operator licenses except those falling under sections 0.141 and 0.142.

(h) Applications or requests for temporary operation by radio station licensees with a licensed operator of lesser grade than normally required or for waiver of other technical requirements for operators.

(i) Requests by licensees or permittees for cancellation of their station licenses, construction permits or other authorization covering standard, FM, or television broadcast stations.

(j) Applications and requests for waiver of §§ 3.30 (a) and 3.205 (a) of the Commission's rules and regulations (47 CFR 3.30 (a), 3.205 (a)) to permit identification of a broadcast station as a station located in a borough or city which the station is designed to serve where the location of the main studio has been approved at a transmitter site which is situated at a point outside the borders or corporate limits of such borough or city.

(k) Applications for remote pick-up, ST, and experimental TV relay broadcast stations.

(l) Applications from FM broadcast stations requesting authority to transmit multiplex facsimile in accordance with § 3.266 of the Commission's rules (47 CFR 3.266).

**SEC. 0.145 Authority delegated to Secretary upon securing the approval of the Bureaus of Law, Engineering, and Accounting Departments.** The Secretary, or, in his absence, the Acting Secretary, is designated to act upon the following matters upon securing the approval of the General Counsel, Chief Engineer and Chief Accountant, or their respective nominees:

(a) Applications for experimental class 2 stations both in established services and in the proposed General Mobile Service, the proposed Rural Radio Telephone Service, and the proposed Short

Distance Toll Service, which render or propose to render a common carrier service, except those falling under sections 0.121 and 0.141.

(b) Applications for the aviation, ship, miscellaneous, United States and Alaskan coastal and marine relay services, and Alaskan fixed public services, except those falling under sections 0.112, 0.121, 0.141, 0.142, and 0.144.

(c) Applications for special temporary authorizations other than those falling under sections 0.112, 0.121, 0.141, 0.142, and 0.144.

(d) Applications from existing licensees for instruments of authorization for the agriculture, fixed public or fixed public press radio services, except applications involving:

(1) New points of communication, not already authorized to a station of the licensee at some other location or not already authorized by an outstanding construction permit; unless the application is for (i) transmission of addressed program material, as set forth in § 6.51 (47 CFR 6.51), in connection with special news events, or (ii) control of the transmission and reception of addressed program and facsimile material in connection with special news events;

(2) Changes in transmitter location other than local in character;

(3) Assignment of additional frequencies not already assigned to a station of the licensee at some other location;

(4) The establishment of a new type of service.

(e) All broadcast service applications involving only a change in equipment with an additional cost in excess of \$1,000, for construction permit, modification of construction permit, and modification of license.

(f) Applications in the broadcast service for license following construction where the applicant has complied with all the terms of the construction permit.

**SEC. 0.146 Authority delegated to the Secretary upon securing the approval of the Bureaus of Law and Accounting.** The Secretary, or the Acting Secretary, is designated to act upon the following matters upon securing the approval of the General Counsel and Chief Accountant, or their respective nominees:

(a) Applications or requests for extensions of the time prescribed in § 43.51 of the rules and regulations (47 CFR 43.51) for the filing of documents specified therein.

(b) Broadcast service applications which fall within the provisions of § 1.323 of the Commission's rules and regulations (47 CFR 1.323).

(c) Broadcast service applications for consent to assignments of licenses from individuals to corporations owned and controlled by such individuals, or from corporations to the individual stockholders controlling such corporations, provided there are no substantial changes in the interests of the respective assignors.

**SEC. 0.147 Authority delegated to Secretary upon securing the approval of the Bureau of Accounting.** The Secretary, or in his absence, the Acting Secretary, is designated to act upon the following

matters upon securing the approval of the Chief Accountant, or his nominee:

(a) Applications under section 214 of the Communications Act for an authorization for temporary or emergency closures or reductions of hours of telegraph offices, and for any closure, or reduction of hours of a telegraph office at a military establishment, for closure of railroad-operated agency offices and for closure of company-operated main offices where substitute service is to be provided by a telephone or teleprinter operated agency office in the same community in those cases where applicable Commission policy has been established; and informal requests for authority to discontinue, reduce, or impair telegraph service filed pursuant to the provisions of §§ 63.63, 63.64, 63.66-63.68, inclusive, of the Commission's rules and regulations (47 CFR 63.63, 63.64, 63.66-63.68).

**SEC. 0.148 Record of actions taken.** All actions taken by the Secretary in accordance with sections 0.141-0.147 shall be recorded each week in writing and filed in the official minutes of the Commission.

**SEC. 0.151 Authority delegated to Engineer in Charge of port offices.** The Engineer in Charge of each port office (or in his absence, the Acting Engineer in Charge) is designated to act upon the following matter:

(a) Applications for waiver of the requirement of six months' previous service contained in section 353 (b) of the Communications Act of 1934, as amended, and in paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations (47 CFR 13.61).

**SEC. 0.152 Record of actions taken.** Action taken on applications in accordance with section 0.151 shall be recorded each week and a copy thereof forwarded to the Secretary of the Commission to be filed in the official minutes of the Commission.

#### STATEMENT OF PLACES FOR SUBMITTING APPLICATIONS AND OTHER REQUESTS AND SECURING PUBLIC INFORMATION<sup>1</sup>

**SECTION 0.201 Main offices.** The main offices of the Federal Communications Commission are located in the New Post Office Building at Thirteenth and Pennsylvania Avenue NW., Washington 25, D. C., and the public may secure information or make submittals or requests to the Commission by coming in person to these offices (or the offices listed below) or by addressing the Federal Communications Commission, Washington 25, D. C. The hours of the Commission are from 8:30 a. m. to 5 p. m., Monday through Friday, except on legal holidays.

**SEC. 0.202 Other offices in Washington, D. C.** Other offices of the Commission in Washington, D. C., are maintained at Temporary Building T, 14th and Constitution Avenue NW.; and Temporary Building L, South of the Reflection Pool at Lincoln Memorial.

**SEC. 0.203 Field offices.** The location of the Bureau of Engineering field offices

<sup>1</sup> This Statement is issued pursuant to sec. 3 (a) (1) of the Administrative Procedure Act.

are shown in sections 0.28 (e) and 0.40, those of the Bureau of Accounting in section 0.55, and those of the Bureau of Law in section 0.73.

**SEC. 0.204 Public reference rooms.** Five public reference rooms are maintained by the Commission where the public may inspect any material which is available for public inspection in accordance with section 0.206. These rooms are as follows:

(a) Broadcast and Docket Reference Room is located in Room 8454, New Post Office Building. Here the public may inspect all broadcast applications and files relating thereto as well as dockets relating to all Commission matters which have been designated for hearing.

(b) Commercial License Reference Room is located in Room 1628, Temporary Building T, 14th Street and Constitution Avenue NW. Here the public may inspect all applications and files relating thereto concerning nonbroadcast radio station applications (except amateur) and nonradio applications by common carriers.

(c) Amateur License Reference Room is located at Room 1723, Temporary Building T, 14th Street and Constitution Avenue NW., Washington, D. C. Here the public may inspect all applications and files relating thereto concerning amateur radio station applications. In addition a complete file is maintained relating to commercial and amateur radio operators. More complete information concerning applications filed by commercial and amateur radio operators outside of the Washington district may be obtained from the appropriate Bureau of Engineering district offices listed in section 0.40.

(d) Common Carrier Reference Room is located at Room 1742, Temporary Building T, 14th Street and Constitution Avenue NW., Washington, D. C. Here the public may inspect all annual and other reports filed by common carriers pursuant to section 219 (a) of the Communications Act and the schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the act.

(e) Contracts Reference Room is located in Room 7226, New Post Office Building. Here the public may inspect all contracts, agreements, or arrangements between carriers filed pursuant to section 211 (a) of the Communications Act, except those marked confidential.

**SEC. 0.205 Information office.** The information office is located in Room 7232, New Post Office Building. It maintains a file of current news releases, public notices, proposed decisions and final decisions issued by the Commission which are available for inspection. Extra copies when available are furnished to interested persons upon request.

**SEC. 0.206 Inspection of records.** Subject to the provisions of sections 4 (j), 213 (f), 412, and 606 of the act, the files of the Commission shall be open to public inspection as follows:

(a) Tariff schedules required to be filed under section 203 of the act; valuation reports, including exhibits filed in

connection therewith, unless otherwise ordered by the Commission, with reasons therefor, pursuant to section 213 of the act; and annual and monthly reports required to be filed under section 219 of the act.

(b) Contracts, agreements, or arrangements between carriers, filed pursuant to section 211 (a) of the act, except such contracts relating to foreign wire or radio communications which are marked confidential by the Commission: *Provided, however,* That the Commission will give appropriate consideration to a petition filed by any person showing that any such contract, agreement, or arrangement relates to foreign wire or radio communication; that its publication would place American communication companies at a disadvantage in meeting the competition of foreign communication companies; and that public interest would be served by keeping its terms confidential.

(c) All applications and amendments thereto filed under title II and title III of the act, including all documents and exhibits filed with and made a part thereof, and all communications protesting or endorsing any such applications, authorizations, and certifications issued upon such applications; all pleadings, depositions, exhibits, transcripts of testimony, reports of examiners or presiding officers, exceptions, briefs, proposed reports, or findings of fact and conclusions; all minutes and orders of the Commission. The information filed under § 1.341 (47 CFR 1.341) and network and transcription contracts filed pursuant to § 1.342 (47 CFR 1.342) shall

not be open to public inspection. The Commission may, however, either on its own motion, or on motion of an applicant, permittee, or licensee, for good cause shown, designate any of the material in this subsection as confidential.

(d) In the discretion of the Commission, other files, including those excepted in subsections (a), (b), and (c) hereof, upon written request describing in detail the documents to be inspected and the reasons therefor.

(e) For provisions relating to inspection of files relating to Presidential licenses for submarine cables, see Appendix No. 1 to Part 1 of the Commission's rules and regulations (47 CFR Part 1, App. 1).

**SEC. 0.207 Certified copies; requests for; costs.** Copies of any documents subject to inspection under the provisions of section 0.206 will be prepared and certified by the Secretary, under seal, on written request, specifying the exact documents, the number of copies desired, and the date on which the same will be required. Such request must be made so as to permit a reasonable time for the preparation of such copies and any cost incurred in the preparation of such copies must be prepaid by the person making application therefor.

**SEC. 0.208 Reports of violations.** Reports of violations of the Communications Act or of the Commission's rules and regulations may be submitted direct to the Commission in Washington or to any field office.

**SEC. 0.209 Place of filing of applications for radio authorizations.**

Class of station	Method of filing	Number of copies
(a) All classes of Alaskan stations, except broadcast and amateur.	Via inspector in charge, radio district No. 14, Seattle, Wash.	3
(b) Aircraft.....	Direct to Washington, D. C.....	1
(c) Geophysical.....	do.....	1
(d) Ship.....	do.....	1
(e) Standard broadcast, FM broadcast, international broadcast and television.	do.....	3
(f) All other classes of applications for radio stations including portable (except amateur).	do.....	2

**SEC. 0.210 Applications for ship radio inspection.** Applications for ship radio inspection shall be forwarded to the office of the district in which the ship is located. In order to expedite action for ships docked in Mobile, Ala., this form may be submitted direct to the Mobile, Ala., office located at 320 United States Courthouse and Customhouse, Mobile 10, Ala.

**SEC. 0.211 Application for exemptions and waivers under Part II of Title III.** (a) Applications filed under the provisions of section 352 (b) for exemption from the requirements of Part II, Title III of the Communications Act of 1934, as amended, shall be filed at the Commission's office in Washington, D. C.

(b) Applications filed under the provisions of section 353 (b) for waiver of the requirements of that section shall be filed at the office of the Commission's Engineer in Charge at or in the vicinity of the port from which the vessel for which the waiver is requested is scheduled to depart. Prior to filing an application for such waiver, the applicant must have exhausted all known sources

of ship radio operators within a reasonable distance. The determination of what sources will be considered to be within a reasonable distance will be made by a reference, among other factors, to the date when efforts were commenced by the applicant to secure a fully qualified radiotelegraph operator in relation to the date when the applicant first became aware of the scheduled (or approximate) sailing date of the vessel concerned.

**SEC. 0.212 Nonradio common carrier applications.** All such applications shall be filed at the Commission's office in Washington, D. C.

**SEC. 0.213 Applications for amateur station and operator license and/or commercial operator license.** (a) Application for amateur station and operator license shall be filed in the appropriate engineering field office listed in section 0.40 if the personal appearance of the applicant for operator examination is required. In all other cases, including examination for class C privileges, the application should be sent to Washing-

ton. Only one copy of the application is required.

(b) Application for commercial operator license shall be filed with any engineering field office listed in section 0.40 under whose supervision the applicant desires to be examined.

(c) Radio operator examinations are given frequently under announced schedules at the Commission's office at Room 2065, Temporary Building L (South of the Reflection Pool at Lincoln Memorial), Washington, D. C., and at each of the Commission's field offices listed in section 0.40. Examinations are also given frequently, by appointment, at the Commission's offices at the following points: Cleveland, Ohio; Savannah, Ga.; San Diego, Calif.; Tampa, Fla.; Juneau, Alaska; Anchorage, Alaska.

Examinations are also given at less frequent intervals at the places named below, which are visited for that purpose by Commission examiners from the district offices for such locations. For current schedules, exact time, place, and other details, inquiry should be addressed to the office conducting examinations at the chosen point.

#### QUARTERLY EXAMINATIONS

Birmingham, Ala.	Milwaukee, Wis.
Charleston, W. Va.	Nashville, Tenn.
Cincinnati, Ohio	Oklahoma City, Okla.
Columbus, Ohio	Omaha, Nebr.
Corpus Christi, Tex.	Pittsburgh, Pa.
Davenport, Iowa	St. Louis, Mo.
Des Moines, Iowa	Salt Lake City, Utah
Fort Wayne, Ind.	San Antonio, Tex.
Fresno, Calif.	Schenectady, N. Y.
Grand Rapids, Mich.	Sioux Falls, S. Dak.
Indianapolis, Ind.	Syracuse, N. Y.
Knoxville, Tenn.	Tulsa, Okla.
Little Rock, Ark.	Williamsport, Pa.
Memphis, Tenn.	Winston-Salem, N. C.

#### SEMIANNUAL EXAMINATIONS

Albuquerque, N. Mex.	Butte, Mont.
Amarillo, Tex.	Cumberland, Md.
Bakersfield, Calif.	El Paso, Tex.
Bangor, Maine	Hartford, Conn.
Billings, Mont.	Hilo, T. H.
Bismarck, N. Dak.	Jacksonville, Fla.
Boise, Idaho	Klamath Falls, Oreg.
Las Vegas, Nev.	Roanoke, Va.
Lihue, T. H.	Spokane, Wash.
Mobile, Ala.	Tucson, Ariz.
Phoenix, Ariz.	Wichita, Kans.
Portland, Maine	Wilmington, N. C.
Reno, Nev.	

#### ANNUAL EXAMINATIONS

Kaunakakai, T. H.	Wailuku, T. H.
Lanai, T. H.	

Arrangements have also been made, with the cooperation of other Federal agencies, for classes A and B examinations in outlying areas, as follows:

Alaska: United States Signal Corps station.  
Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the engineer in charge (Honolulu).

(d) Applications for aircraft radio-telephone operator license in connection with itinerant aircraft radio may also be obtained from approximately 2,000 Civil Aeronautics Administration flight examiners; the licenses themselves may under certain conditions be obtained from these flight examiners. For information as to the location of these examiners, inquiry should be made at airports and aviation training school. Issuing officers are authorized to charge a maximum of \$1 for

issuing each authorization. The authorization may also be issued free of charge in the regular procedure described above in this section.

Sec. 0.214 *Miscellaneous submittals or requests.* Persons desiring to make requests or submittals of a general nature should communicate with the Bureau of the Secretary of the Commission. Those who wish to apply for employment should communicate with the Personnel Officer. Both offices are in Washington, D. C.

Sec. 0.215 *Where to obtain forms.* All forms for use in submitting applications for radio authorizations, together with instructions and information as to filing such forms, may be obtained at the Washington offices of the Commission or at any of the engineering field offices listed in section 0.40.

[F. R. Doc. 48-10211; Filed, Nov. 23, 1948; 8:57 a. m.]

[Docket No. 9106]

CLASS B FM BROADCAST STATIONS; SALISBURY, MD., AND GEORGETOWN, DEL.

#### ORDER AMENDING REVISED TENTATIVE ALLOCATION PLAN

In the matter of Amendment of Revised Tentative Allocation Plan for Class B FM Broadcast Stations to delete Channel No. 268 from Salisbury, Maryland, and to add Channel 268 to Georgetown, Delaware.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of November 1948;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations by deleting Channel 268 from Salisbury, Maryland, and adding Channel 268 to Georgetown, Delaware; and

It appearing, that notice of proposed rule making setting forth the above amendment was issued by the Commission on September 13, 1948, and was duly published in the FEDERAL REGISTER which notice provided that interested parties might file statements or briefs with respect to said amendment on or before October 18, 1948; and

It further appearing, that no comments or briefs with respect to the said amendment have been received; and

It further appearing, that the adoption of the said amendment would make possible a more equitable and efficient utilization of FM frequencies in the vicinity of Georgetown, Delaware, and Salisbury, Maryland;

It is ordered, That, effective December 28, 1948, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended so that the allocation of Channel 268 to Salisbury, Maryland, is deleted therefrom and so that the allocation of Channel 268 to Georgetown, Delaware, is included therein.

Released: November 18, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10214; Filed, Nov. 23, 1948; 8:49 a. m.]

[Docket No. 9150]

CLASS B FM BROADCAST STATIONS; HARRISBURG, PA., AND BLOOMSBURG, PA.

#### ORDER AMENDING REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of Revised Tentative Allocation Plan for Class B FM Broadcast Stations to delete Channel No. 293 from Harrisburg, Pennsylvania, and to add Channel No. 293 to Bloomsburg, Pennsylvania.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 18th day of November 1948;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations by deleting Channel No. 293 from Harrisburg, Pennsylvania and adding Channel No. 293 to Bloomsburg, Pennsylvania; and

It appearing, that notice of proposed rule making setting forth the above amendment was issued by the Commission on September 13, 1948 and was duly published in the FEDERAL REGISTER, which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before October 18, 1948; and

It further appearing, that no comments or briefs with respect to the said amendment have been received; and

It further appearing, that the adoption of the said amendment would make possible a more equitable and efficient utilization of FM frequencies in the vicinity of Bloomsburg and Harrisburg, Pennsylvania;

It is ordered, That, effective December 28, 1948, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended so that the allocation of Channel No. 293 to Harrisburg, Pennsylvania is deleted therefrom and so that the allocation of Channel No. 293 to Bloomsburg, Pennsylvania is included therein.

Released: November 18, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10215; Filed, Nov. 23, 1948; 8:49 a. m.]

[Docket No. 9193]

KMPC ET AL.

#### ORDER FOR PUBLIC HEARING

In the matter of KMPC, Station of the Stars, Inc. Licensee of Radio Station KMPC, Los Angeles, California; WJR, The Goodwill Station, Inc. Licensee of Radio Station WJR, Detroit, Michigan; and WGAR Broadcasting Company, Licensee of Radio Station WGAR, Cleveland, Ohio.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 12th day of November 1948;

It appearing: (1) That on February 28, 1948, the Radio News Club filed with the Commission a complaint alleging that G. A. Richards, officer, director and stockholder of KMPC, Station of the Stars,



Inc., WJR, The Goodwill Station, Inc., and WGAR Broadcasting Company, licensees of Stations KMPC, Los Angeles, California, WJR, Detroit, Michigan, and WGAR, Cleveland, Ohio respectively, on various occasions issued instructions to members of the news staff and other members of the staff of KMPC, to the effect that news concerning specified individuals, groups and events should be slanted, distorted, suppressed, altered or otherwise treated in a fashion specified by said G. A. Richards in order to promote his private views and interests with respect to public figures and issues of political, social and economic importance; that the complaint further alleged that said G. A. Richards, on at least one occasion, caused the dismissal of a member of the news staff of KMPC because of his failure and refusal to present specified items of news and news comment in a manner prescribed by said G. A. Richards, and designed to reflect the opinions and views of said G. A. Richards; that the complaint further alleged that said G. A. Richards issued instructions directing that specified editorials from newspapers, selected by himself, should be broadcast over the facilities of KMPC, and that such instructions were given because the editorials selected represented the views of said G. A. Richards; that the complaint was accompanied by letters and other documents which are purported to have been written or otherwise issued by said G. A. Richards, and which purported to substantiate the complaint; and

(2) That G. A. Richards, at all times when such instructions were alleged to have been given, was the president of each of said licensees and is now and has at all such times been controlling stockholder of KMPC, Station of the Stars, Inc. and WGAR Broadcasting Company, and, together with members of his family, controlling stockholders of WJR, The Goodwill Station, Inc.; and

(3) That on March 19, 1948, the Commission authorized and subsequently conducted an investigation of the matters alleged in said complaint with respect to the conduct of said G. A. Richards in relation to each of the said licensees; and

(4) That on August 12, 1948, the Commission furnished said G. A. Richards with a copy of said complaint and copies of documents referred to therein with the request that he submit his sworn statement covering the charges contained in said material; and

(5) That pursuant to said request, on September 13, 1948, G. A. Richards through counsel submitted to the Commission his sworn statement with respect to the matters alleged in the complaint; and

(6) That the foregoing information submitted by the Radio News Club, by the affidavit submitted by G. A. Richards and additional information obtained during the course of said investigation tending to substantiate the information submitted by Radio News Club raises substantial questions with respect to the qualifications of the above mentioned licensee and of G. A. Richards, controlling stockholder thereof; and

It further appearing necessary and desirable that a public hearing be held for the purpose of obtaining testimony of any persons who may have knowledge of the matters hereinbefore described and to afford to said licensees and to G. A. Richards full opportunity to testify with respect to such matters;

Now, therefore, it is ordered, Pursuant to section 403 of the Communications Act of 1934, as amended, that a public hearing be held before Commissioner E. M. Webster at a time and place to be hereafter designated by order of said Commissioner upon the following issues:

1. Whether G. A. Richards has at any time while he was an officer and principal stockholder of the licensees of Stations WGAR, Cleveland, Ohio; KMPC, Los Angeles, California; and WJR, Detroit, Michigan, issued instructions or directives to officers or employees of said licensees:

(a) To present news broadcasts in a manner designed to give a biased or a one-sided presentation of the news;

(b) To broadcast false news concerning particular issues or persons;

(c) To broadcast editorials of daily newspapers as news items without identification of such editorials as such;

(d) To discriminate in favor of the interests of any political party, parties, or candidates as against the interests of other political parties or candidates;

(e) To discriminate in any manner in the programming of Stations KMPC, WJR, and WGAR, in favor of the private, political, social and economic views and interests of G. A. Richards.

2. To what extent, if any, officers or employees refused to carry out instructions or directives, if any, of the nature specified in Issue No. 1, and what disciplinary action, if any, was taken or caused to be taken by G. A. Richards against any officers or employees who may have refused to carry out such instructions and directives.

3. To what extent, if any, the facilities of said stations, or any of them, have been used to carry out said instructions or directives.

4. To determine, in the light of any facts adduced under the foregoing issues, whether further proceedings under the Communications Act of 1934, as amended, particularly sections 307, 309 (a) or 312 (a) thereof are warranted with respect to the licenses of radio stations KMPC, WJR and WGAR or any of them.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-10212; Filed, Nov. 23, 1948; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-859, G-1089, G-1149]

TEXAS GAS TRANSMISSION CORP. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

NOVEMBER 17, 1948.

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

Texas Eastern Transmission Corporation, Docket No. G-1089; National Gas & Oil Corporation, Docket No. G-1149.

Upon consideration of the application filed November 1, 1948, by National Gas & Oil Corporation, an Ohio corporation with its principal office at Newark, Ohio, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation (Texas Eastern) to establish physical connection of its transportation facilities with the facilities of National, and directing Texas Eastern or Texas Gas Transmission Corporation (Texas Gas) or both of them to sell natural gas to National, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

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

(b) Good cause exists for consolidating the proceedings to be had in Docket No. G-1149 with consolidated proceedings now in progress in Docket Nos. G-859 and G-1089 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. s. t.) on November 22, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., respecting the matters involved and the issues presented by the application of National Gas & Oil Corporation;

(B) The public hearing provided for in paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket Nos. G-859 and G-1089;

(C) Interested State commissions may participate as provided by Rules 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: November 18, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-10206; Filed, Nov. 23, 1948; 8:46 a. m.]

[Docket Nos. G-1019, G-1067, G-1092]

EL PASO NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF JOINT HEARING

NOVEMBER 17, 1948.

In the matters of El Paso Natural Gas Company, Docket No. G-1019; San Juan Pipe Line Company, Docket No. G-1067; and Pacific Gas and Electric Company, Docket No. G-1092.

Upon consideration of the motion filed October 18, 1948, to consolidate and set for hearing the aforesaid dockets and applications of El Paso Natural Gas Company (El Paso), San Juan Pipe Line Company (San Juan), and Pacific Gas and Electric Company (Pacific) under said dockets for certificates of public convenience and necessity pursuant to

section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as described in such applications on file with the Commission and open to public inspection; and the request filed July 29, 1948, by the Arizona Corporation Commission to cooperate in the hearing on the application filed by San Juan Pipe Line Company; and

It appearing to the Commission that:

(a) El Paso in Docket No. G-1019 proposes by its application, among other things, the construction and operation of additional facilities to transport and sell approximately 400,000,000 cubic feet of natural gas to Pacific at a point on the border line of California and Arizona near Needles, California, of which volume 150,000,000 cubic feet is to be purchased from San Juan and 250,000,000 cubic feet in the Permian Basin in New Mexico and Texas. Due notice of the filing of this application has been given, including publication in the FEDERAL REGISTER on July 21, 1948 (13 F. R. 4158, 4159). On November 15, 1948, El Paso filed a further amendment to its application wherein the total over-all capital cost of the proposed facilities are estimated to be \$52,456,032.

(b) San Juan in Docket No. G-1067 proposes by its application, among other things, the construction and operation of facilities to transport and sell approximately 150,000,000 cubic feet of natural gas to El Paso at a point approximately 20 miles east of Needles, California, in Mohave County, Arizona. This volume of gas is to be purchased by San Juan in the San Juan County, New Mexico. Due notice of the filing of this application has been given, including publication in the FEDERAL REGISTER on July 21, 1948 (13 F. R. 4160).

(c) Pacific in Docket No. G-1092 proposes by its application, among other things, the construction and operation of facilities to transport and sell the natural gas purchased from El Paso to its customers in northern and central California. Due notice of the filing of this application has been given, including publication in the FEDERAL REGISTER on August 13, 1948 (13 F. R. 4702).

(d) For a more detailed statement of fact and law asserted, interested parties may refer to said applications and other pleadings filed in the above-entitled dockets which may be inspected at the office of the Federal Power Commission, Washington, D. C.

(e) The Arizona Corporation Commission has advised the Commission that San Juan has not made application to render natural gas service in the State of Arizona.

(f) The aforesaid applications are parts of an integrated plan and the request for consolidation should be granted.

The Commission orders that:

(A) The aforesaid proceedings in Docket Nos. G-1019, G-1067, and G-1092 be and the same are hereby consolidated.

(B) A public hearing be held with respect to the matters involved and the issues presented in the consolidated proceedings beginning on December 6, 1948, at 10:00 a. m. (e. s. t.) in the Commis-

sion's Hearing Room at 1800 Pennsylvania Avenue, N. W., Washington, D. C., at which time all applicants will present direct evidence in support of the respective applications, further direct evidence and cross-examination to be deferred to a time to be hereafter fixed by the Commission to be heard in San Francisco, California.

(C) The Arizona Corporation Commission and all other interested State commissions be and they hereby are permitted to participate in these consolidated proceedings in accordance with the provisions of § 1.37 (e) and §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: November 18, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-10218; Filed, Nov. 23, 1948;  
8:50 a. m.]

[Docket No. G-1146]

INTERSTATE NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

NOVEMBER 17, 1948.

Upon consideration of the application filed on October 25, 1948, by Interstate Natural Gas Company, Inc. (Applicant), a Delaware corporation having its principal place of business at Monroe, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as more fully described in such application on file with the Commission, and open to public inspection;

It appears to the Commission that: Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure for noncontested proceedings, and that this proceeding is a proper one for disposition under the provisions of the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on November 10, 1948 (13 F. R. 6634).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on December 7, 1948, at 9:30 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the

proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: November 18, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-10205; Filed, Nov. 23, 1948;  
8:46 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1241]

ENGINEERS PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION TO STRIKE  
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of November A. D. 1948.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the common stock, \$1.00 par value, of Engineers Public Service Company.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Engineers Public Service Company was dissolved on June 30, 1947; (2) all its assets have already been distributed to its preferred and common stock holders with the exception of a small amount of cash and common stock of Virginia Electric and Power Company; (3) after deduction of a bank loan of \$900,000, there remains a net value for these assets of approximately \$1,864,000; (4) there are now outstanding approximately 1,909,968 shares of common stock of Engineers Public Service Company; (5) the value of the assets of this corporation remaining undistributed is approximately \$1.00 per share; and (6) in addition, Engineers Public Service Company has a contingent claim to any portion remaining of an escrow fund set up to provide for the payment of a sum due the preferred shareholders if they should be successful in litigation now pending.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the Boston Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

It is ordered, That the application of the Boston Stock Exchange to strike the Common Stock, \$1.00 Par Value, of Engineers Public Service Company from registration and listing be, and the same is, hereby granted, effective at the close

of the trading session on December 15, 1948.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 48-10204; Filed, Nov. 23, 1948;  
8:46 a. m.]

[File No. 70-1970]

NEW BEDFORD GAS AND EDISON LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of November 1948.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Bedford Gas and Edison Light Company ("New Bedford"), a subsidiary of New England Gas and Electric Association, a registered holding company. Applicant has designated section 6 (b) of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than December 1, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 1, 1948, said application, as filed or as amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided by Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

New Bedford proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$5,000,000 principal amount of unsecured notes, due 1973, at an interest rate not to exceed 3 1/4%. The proceeds from the sale of such notes will be used to pay bank borrowings owing to the First National Bank of Boston in the amount of \$2,500,000, and the balance thereof will be used to restore to the Plant Replacement Fund Assets account amounts borrowed for the purpose of financing extensions, additions and improvements to New Bedford's plant and property.

The application states that the proposed issuance of notes by New Bedford is a part of the financing program of the New England Gas and Electric System, which program includes the sale, if feasible, of additional common shares of New England Gas and Electric Association to the extent of 124,600 shares in any year beginning with 1949 in which

the total requirements of the system for new capital exceed \$5,000,000. The application further states that New England Gas and Electric Association proposes in January, 1949, to issue to its shareholders rights to acquire 124,600 common shares on the basis of one new common share for each ten common shares now held, and that the prospectus in connection with this proposed financing is now in preparation.

New Bedford is subject to the jurisdiction of the Department of Public Utilities of Massachusetts, which Department approved the issue and sale of its said notes by order dated October 4, 1948.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 48-10203; Filed, Nov. 23, 1948;  
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 12206]

ANTON WOYTAS

In re: Estate of Anton Woytas, deceased. File No. D-28-12446; E. T. sec. 16662.

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 Gertrude Eitel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Anton Woytas, deceased, is properly payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Walter W. Roedel, as executor, acting under the judicial supervision of the Surrogate's Court of Suffolk County, New York;

and it is hereby determined:

4. That to the extent that the person identified 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 other-

wise 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 October 15, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10257; Filed, Nov. 23, 1948;  
8:59 a. m.]

[Vesting order 12277]

JOHN CORDES

In re: Trust under the will of John Cordes, deceased. File No. D-28-3832-G-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 (Katharine M. A.) Amalie Annen, nee (Dobbels) Dubbels, Pastor I. R. August Cordes, Mrs. Susanna Hartung, nee (Dobbels) Dubbels, Pastor Henning (Dobbels) Dubbels, Pastor Hans Furgen (Dobbels) Dubbels, Maria Barbara (Dobbels) Dubbels, Frau Anne Murken, Hans Cordes, and Elsa Fortriede, whose last known address was, on August 10, 1948, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. The sum of \$17,381.27,  
b. One (1) certificate of deposit issued by The First National Bank of Chicago, Chicago, Illinois, numbered 17305, registered in the name of Tyson and Company, for one (1) Chicago City Railway Company First Mortgage 5% Gold Bond, of \$1,000 face value, bearing the number 22294, together with all rights thereunder and thereto,

c. Five (5) shares, of no par value capital stock of Chicago Beach Hotel, Inc., a corporation organized under the laws of the State of Illinois, evidenced by certificate number 1432, registered in the name of Tyson and Company, together with all declared and unpaid dividends thereon, and

d. Three hundred (300) shares of \$100 par value capital stock of Yukon District Gold Mining Company, Limited, a corporation organized under the laws of the Dominion of Canada, evidenced by certificate number 31, registered in the name of John Cordes, together with all declared and unpaid dividends thereon,

was paid, transferred, assigned and delivered to the Attorney General of the United States by The Trust Company of Chicago, Successor Trustee, of the Trust under the Will of John Cordes, deceased;

3. That the property described in subparagraph 2 hereof was accepted by the Attorney General of the United States on August 10, 1948, pursuant to the Trading With the Enemy Act, as amended;

## NOTICES

4. That the property described in subparagraph 2 hereof is presently in the possession of the Attorney General of the United States and was 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 was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on August 10, 1948, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

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.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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 November 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10258; Filed, Nov. 23, 1948;  
8:59 a. m.]

[Vesting Order 12330]

HANS ALBERT

In re: Debt owing to Hans Albert.  
F-28-4316-C-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 Hans Albert, whose last known address is #13-A Burkardroth, Ueber, Bad-Kissingen, Bavaria, USA Zone, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hans Albert, by Otis Elevator Company, 260 Eleventh Avenue, New York, New York in the amount of \$6,638.75, as of December 31, 1945, 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, 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 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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10259; Filed, Nov. 23, 1948;  
8:59 a. m.]

[Vesting Order 12331]

JULIO C. BAHLCKE

In re: Debt owing to Julio C. Bahlcke also known as Julio Edgar Bahlcke. F-28-17510-C-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 Julio C. Bahlcke also known as Julio Edgar Bahlcke, 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: That certain debt or other obligation owing to Julio C. Bahlcke also known as Julio Edgar Bahlcke by The Studebaker Export Corporation, 635 South Main Street, South Bend, Indiana, in the amount of \$543.35, as of December 31, 1945, 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, 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 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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10260; Filed, Nov. 23, 1948;  
8:59 a. m.]

[Vesting Order 12335]

COMMERZ UND PRIVAT BANK AKT.

In re: Bank account owned by Commerz und Privat Bank Akt. F-28-170-E-9.

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 Commerz und Privat Bank Akt., the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Commerz und Privat Bank Akt., by The Royal Bank of Canada, New York Agency, 68 Williams St., New York 5, New York, arising out of an account, entitled Commerz und Privat Bank Akt., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10261; Filed, Nov. 23, 1948; 8:59 a. m.]

[Vesting Order 12336]

KARL FLECK

In re: Bank account owned by Karl Fleck. F-28-29208-E-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 Karl Fleck, 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: That certain debt or other obligation owing to Karl Fleck, by The Firestone Bank, 1115 South Main Street, Akron, Ohio, arising out of a savings account, account number 109354, entitled Karl Fleck, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10262; Filed, Nov. 23, 1948; 8:59 a. m.]

[Vesting Order 12337]

GERLING-KONZERN ALLGEMEINE VERSICHERUNGS-AKTIENGESELLSCHAFT

In re: Debt owing to Gerling-Konzern Allgemeine Versicherungs-Aktiengesellschaft, also known as Gerling-Konzern. F-28-11701-C-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 Gerling-Konzern Allgemeine Versicherungs-Aktiengesellschaft, also known as Gerling-Konzern, the last known address of which is Koln, Postfach 353, Germany, is a corporation, partnership, association or other business organizations, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, had had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Johnson & Higgins of California, 311 California Street, San Francisco, California, in the amount of \$1,588.11, as of December 31, 1945, representing a credit balance held by the aforesaid Johnson & Higgins of California for the account of Gerling-Konzern Allgemeine Versicherungs-Aktiengesellschaft, together with any and all accruals to the aforesaid debt or other obligation, 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, Gerling-Konzern Allgemeine Versicherungs-Aktiengesellschaft, also known as Gerling-Konzern, 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 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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10263; Filed, Nov. 23, 1948; 8:59 a. m.]

[Vesting Order 12338]

ARTHUR E. GRIX AND MARGARET E. GRIX

In re: bank account owned by Arthur E. Grix also known as Arthur Ernest Francis Grix and Margaret E. Grix also known as Margaret Grix. F-28-25535-C-1, F-28-25535-E-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 Arthur E. Grix also known as Arthur Ernest Francis Grix and Margaret E. Grix also known as Margaret Grix, whose last known address is Friedrichstrasse 49a, Berlin, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Arthur E. Grix also known as Arthur Ernest Francis Grix and Margaret E. Grix also known as Margaret Grix, by The National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of a Compound Interest account, account number 333661, entitled Arthur E. Grix and/or Margaret Grix, maintained at the branch office of the aforesaid bank located at 17 East 42nd Street, New York 17, New York, and any and all rights to demand, enforce and collect the same,

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

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 (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.

## NOTICES

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10264; Filed, Nov. 23, 1948;  
9:00 a. m.]

[Vesting Order 12340]

FR. HESSER MASCHINENFABRIK-  
AKTIENGESELLSCHAFT

In re: Debt owing to Fr. Hesser Maschinenfabrik-Aktiengesellschaft. F-28-8291-C-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 Fr. Hesser Maschinenfabrik-Aktiengesellschaft, the last known address of which is Stuttgart-Bad, Cannstatt, Germany, is a corporation organized under the laws of Germany and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Stuttgart-Bad, Cannstatt, Germany, and is a national of a designated enemy country (Germany).

2. That the property described as follows: That certain debt or other obligation owing to Fr. Hesser Maschinenfabrik-Aktiengesellschaft by the Package Machinery Company, East Longmeadow, Massachusetts, in the amount of \$11,029.35 as of December 31, 1945, together with any and all accruals thereto and any and all rights to demand, enforce, and collect the aforesaid debt or obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10265; Filed, Nov. 23, 1948;  
9:00 a. m.]

[Vesting Order 12343]

WILLIAM LEMBKE AND LINA LEMBKE

In re: Bank account owned by William Lembke and Lina Lembke. F-28-12956-E-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 William Lembke and Lina Lembke, whose last known address is Hoexter an der Weser, Wilhelm Haarman Str. 15, Westfalen, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Old Phoenix National Bank, Medina, Ohio, arising out of a savings account, account number 15501, entitled William Lembke or Lina Lembke, maintained at the aforesaid bank, 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, William Lembke and Lina Lembke, the aforesaid nationals of a designated enemy country (Germany);

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 (Germany).

All determinations and all actions 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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10266; Filed, Nov. 23, 1948;  
9:00 a. m.]

[Vesting Order 12344]

HEINZ MEYER

In re: Debt owing to Heinz Meyer. F-28-17283-C-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 Heinz Meyer, 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: That certain debt or other obligation owing to Heinz Meyer, by Mecke & Company, 82 Wall Street, New York 5, New York, in the amount of \$493.73, as of December 31, 1945, 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, 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 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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10267; Filed, Nov. 23, 1948;  
9:00 a. m.]

[Vesting Order 12345]

REICHS KREDIT GESELLSCHAFT AKT.

In re: Bank account owned by Reichs Kredit Gesellschaft Akt. F-28-226-E-6.

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 Reichs Kredit Gesellschaft Akt., the last known address of which is

Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Reichs Kredit Gesellschaft Akt., by Citizens National Trust and Savings Bank of Los Angeles, 457 South Spring Street, Los Angeles, California, arising out of a checking account, entitled Reichs Kredit Gesellschaft Akt., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10268; Filed, Nov. 23, 1948; 9:00 a. m.]

[Vesting Order 12346]

KATSU RITCHEY

In re: Debt owing to Katsu Ritchey. F-39-4762-C-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 Katsu Ritchey, whose last known address is Nagasaki, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obliga-

tion owing to Katsu Ritchey, by The Union Labor Life Insurance Company, 570 Lexington Avenue, New York, New York, in the amount of \$500.00, as of December 31, 1945, representing the proceeds under Claim No. 9209, said claim arising from a Group Life Insurance Policy No. G 128A-508 issued by the aforesaid The Union Labor Life Insurance Company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid claim,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10269; Filed, Nov. 23, 1948; 9:00 a. m.]

[Return Order 190, Amdt.]

FUJI NISHIDA AND CHIKAYE NISHIDA

Return Order No. 190, dated September 13, 1948, is hereby amended to correct the spelling of the Claimant's name in Claim No. 24703.

This claim should read as follows:

Claimant, Claim No. and Property

Fuji Nishida, guardian of Chikaye Nishida, P. O. Box 38, Hilo, Hawaii, T. H.; 24703; \$14.56.

All other provisions of said Return Order No. 190 and all actions taken by or on behalf of the Attorney General of the United States of America in reliance thereon, pursuant thereto, and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10270; Filed, Nov. 23, 1948; 9:01 a. m.]

[Return Order 207]

MART FRYBERG

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and Claim Number, Notice of Intention to Return Published, and Property

Mart Fryberg, 149 West 85th Street, Borough of Manhattan, New York, N. Y.; 26451; October 6, 1948 (13 F. R. 5847); \$675.10 in the Treasury of the United States. A 20% interest in all future royalties accruing from the exploitation of a composition entitled "Die Dorfmusik".

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10271; Filed, Nov. 23, 1948; 9:01 a. m.]

PETER KUNCIS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Peter Kuncis, Lafayette, Colo.; A-281; property described in Vesting Order No. 16 (7 F. R. 4400, June 11, 1942) relating to United States Letters Patent No. 2,257,803.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10272; Filed, Nov. 23, 1948; 9:01 a. m.]

## ANNA ROSENFELD KLEIN

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

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

Anna Rosenfeld Klein, or, Szaboles Megye, Hungary, 7548; \$614.67 in the Treasury of the United States.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10274; Filed, Nov. 23, 1948; 9:01 a. m.]

## THOMAS HORTY

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

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

Thomas Horthy, St. Paul, Minnesota, 32170; \$10,278 in the Treasury of the United States.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10276; Filed, Nov. 23, 1948; 9:01 a. m.]

## DOMENICA LETO

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

quate provision for taxes and conservatory expenses:

*Claimant, Claim No. and Property and Location*

Domenica Leto a/k/a Domenica Palermo Leto Alessandria, Sicily, Italy; 32969; \$36,246.43 in the Treasury of the United States, 100 shares Lafayette Building Association, Lafayette, La., Full Paid Share Certificates (par value, \$25.00 per share), presently in custody of the Safekeeping Department of the Federal Reserve Bank, New York, N. Y. All right, title, interest and claim of any kind or character whatsoever of Domenica Leto, also known as Domenica Palermo Leto, in and to the estate of Maria Leto Varisco, deceased.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10277; Filed, Nov. 23, 1948; 9:01 a. m.]

## WILHELM HANSEN MUSIK-FORLAG

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., and Property*

Wilhelm Hansen Musik-Forlag, Gothersgade 9-11, Copenhagen K, Denmark, 31039; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 3995 (9 F. R. 1370, November 4, 1944), relating to compositions exploited by Associated Music Publishers under contracts with the claimant dated November 25, 1933 and February 4, 1935, including royalties pertaining thereto in the amount of \$8185.80.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10275; Filed, Nov. 23, 1948; 9:01 a. m.]

## OLAF NORLI

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended,

notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., and Property*

Olaf Norli, d/b/a Olaf Norli Bokhandel Forlag, Universitetsgt. 24, Oslo, Norway, 36273; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4031 (9 F. R. 13780, November 17, 1944), relating to the literary work, "The People of Juvik" in six volumes: Volume 1, "The Trough of the Wave", Volume 2, "The Blind Man", Volume 3, "The Big Wedding", Volume 4, "Odin in Fairyland", Volume 5, "Odin Grows Up", Volume 6, "The Storm" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$43.92.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10278; Filed, Nov. 23, 1948; 9:01 a. m.]

## MRS. LUCIE KLEIN

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

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

Mrs. Lucie Klein, Stuttgart, Germany, 6470; all right, title, interest and claim of Lucie Klein in and to the trust estate being administered by the Chicago Title and Trust Company, Chicago, Illinois, identified on the books of said company as Trust No. 27871, arising by reason of a trust agreement executed June 29, 1931, by and between Lucie Klein and Bella Schmal, as settlors, and the Chicago Title and Trust Company, as trustee. \$24,840.99 in the Treasury of the United States.

Executed at Washington, D. C., on November 17, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10273; Filed, Nov. 23, 1948; 9:01 a. m.]