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Washington, Tuesday, December 6, 1949

## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 10087

AMENDMENT OF EXECUTIVE ORDER NO. 10057 OF MAY 14, 1949, TRANSFERRING TO THE AMERICAN BATTLE MONUMENTS COMMISSION FUNCTIONS PERTAINING TO CERTAIN UNITED STATES MILITARY CEMETERIES

By virtue of the authority vested in me by section 12 of the act of March 4, 1923, 42 Stat. 1509, as amended by the act of June 26, 1946, 60 Stat. 318, and as President of the United States, it is ordered that paragraphs 1 and 3 of Executive Order No. 10057 of May 14, 1949, entitled "Transferring to the American Battle Monuments Commission Functions Pertaining to Certain United States Military Cemeteries," be, and they are hereby amended to read as follows:

"1. All functions of administration pertaining to World War II United States Military Cemeteries located in or near Cambridge, England; Margraten, the Netherlands; Hamm, Luxembourg; Henri-Chapelle, Belgium; Neuville-en-Condroz, Belgium; St. Laurent, France; St. James, France; Epinal, France; St. Avold, France; Draguignan, France; Nettuno (Anzio), Italy; Florence, Italy; Tunis (Carthage), Tunisia; and Ft. McKinley, Philippine Islands, now vested in or exercised by the Secretary of the Army pursuant to the act of May 16, 1946, c. 261, 60 Stat. 182, as amended by the act of August 5, 1947, c. 497, 61 Stat. 779, together with (a) such supplies, equipment, temporary structures, utilities and facilities pertaining thereto as are located therein or are in depots or other places overseas under the jurisdiction of the American Graves Registration Service and are determined by the American Battle Monuments Commission to be required for the discharge of its responsibilities under this order, and (b) the cemetery records currently maintained for the operation of such cemeteries, including records pertinent to the acquisition of real estate upon which the cemeteries and their appurtenances are situated, are hereby transferred to the American Battle Monuments Commission; such transfer to become effective as to any particular cemetery or group of cemeteries upon the completion of the operational mission of the Department of the Army with respect to such cemetery or group of cemeteries, but in no instance later than December 31, 1951, or at such

earlier date as may be determined by the President or the Congress pursuant to the said act of May 16, 1946, as amended by the act of August 5, 1947."

"3. There shall be transferred to the American Battle Monuments Commission so much of the unexpended balances of appropriations now, or which may become, available to the Department of the Army for the performance of the functions transferred by the provisions of this order as the Director of the Bureau of the Budget may deem necessary for use prior to July 1, 1950, in connection with such functions."

HARRY S. TRUMAN

THE WHITE HOUSE,  
December 3, 1949.

[F. R. Doc. 49-9808; Filed, Dec. 5, 1949;  
11:25 a. m.]

### EXECUTIVE ORDER 10088

MAKING CERTAIN CHANGES IN THE CUSTOMS FIELD ORGANIZATION

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 623 (19 U. S. C. 2), and in the interest of the internal management of the Government, it is ordered that the following changes be, and they are hereby, made in the customs field organization:

1. Neah Bay, Washington, is designated as a customs port of entry in Customs Collection District Number 30 (Washington).

2. The designation of Guayanilla, Puerto Rico, as a customs port of entry in Customs Collection District Number 49 (Puerto Rico) is revoked.

3. The name of the customs port of entry of Sonoyta, Arizona, in Customs Collection District Number 26 (Arizona), is changed to "Lukeville, Arizona."

4. The limits of the customs port of entry of Lawrence, Massachusetts, in Customs Collection District Number 4 (Massachusetts), are extended to include the Township of North Andover, County of Essex, State of Massachusetts.

This order shall become effective on the thirtieth day following the date hereof.

HARRY S. TRUMAN

THE WHITE HOUSE,  
December 3, 1949.

[F. R. Doc. 49-9809; Filed, Dec. 5, 1949;  
11:26 a. m.]

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### 1949 Edition

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 30—ANNUAL AND SICK LEAVE REGULATIONS

##### NONPAY STATUS

The proviso clause in § 30.403 is revoked. As amended, § 30.403 reads as follows:

§ 30.403 *Nonpay status.* Whenever a permanent employee's absence in a nonpay status totals the equivalent of the base-pay hours in 1 bi-weekly pay period, the credits for annual leave shall be reduced 1 day and for sick leave  $\frac{3}{4}$  day for each such period. The total deductions in sick leave credits on account of nonpay status in any one calendar year shall not exceed 15 days.

(Sec. 7, 49 Stat. 1162; 5 U. S. C. 30e. E. O. 9414, Jan. 13, 1944, 9 F. R. 623; 3 CFR, 1944 Supp.)

#### UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] HARRY B. MITCHELL,  
Chairman.

[F. R. Doc. 49-9729; Filed, Dec. 5, 1949; 8:46 a. m.]

## TITLE 7—AGRICULTURE

### Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 584]

#### PART 319—FOREIGN QUARANTINE NOTICES

##### EXEMPTION OF STERILE CULTURES OF ORCHID SEEDLINGS FROM PERMIT REQUIREMENTS

On October 26, 1949, there was published in the FEDERAL REGISTER (14 F. R. 6522) notice of the proposed issuance of administrative instructions exempting sterile cultures of orchid seedlings in glass containers from the individual permit requirements of the regulations supplemental to the nursery stock, plant, and seed quarantine (7 CFR 319.37-1 et seq.). After due consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, and pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the first proviso of the said quarantine (7 CFR 319.37 (a)), administrative instructions are hereby issued as follows:

§ 319.37a *Administrative instructions exempting sterile cultures of orchid seedlings in glass containers from some of the requirements of nursery stock, plant, and seed quarantine regulations.* Sterile cultures of orchid seedlings in glass containers may be imported into the United States without further permit other than the authorization contained in this para-



graph, but subject to the conditions and requirements of § 319.37-2.

These instructions exempt sterile cultures of orchid seedlings in glass containers from the individual permit requirements of the regulations supplemental to nursery stock, plant, and seed quarantine No. 37 (7 CFR 319.37-1 et seq.). Such seedlings are considered innocuous as carriers of dangerous insects and plant diseases. They are still subject to inspection upon arrival, and subsequent treatment if deemed necessary.

This section shall be effective on and after December 5, 1949.

(Sec. 3, 33 Stat. 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 143, 162)

Since these administrative instructions relieve restrictions, they are within the exemption in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 21st day of November 1949.

[SEAL] AVERY S. HOYT,  
Acting Chief, Bureau of  
Entomology and Plant Quarantine.

[F. R. Doc. 49-9753; Filed, Dec. 5, 1949;  
8:57 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter II—United States Tariff Commission

#### REVISION OF RULES OF PRACTICE AND PROCEDURE

Following are the rules of practice and procedure of the United States Tariff Commission as revised November 16, 1949, effective on the date of publication in the FEDERAL REGISTER. Previous rules are superseded as of the effective date of this revision.

This revision rescinds Part 206 containing the rules governing investigations under section 3 of the Trade Agreements Extension Act of 1948 (Pub. Law 792, 80th Cong.), which has been repealed by the Trade Agreements Extension Act of 1949 (Pub. Law 307, 81st Cong.); and amends certain rules to conform with Executive Order 10082, Oct. 5, 1949 (14 F. R. 6105).

The codification of Part 200, describing the organization of the Commission, has been discontinued. A revision of the statement of organization appears in this issue of the FEDERAL REGISTER in the Notices section, where future amendments will also be published.

#### Part

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- 202 Investigations as to costs of production.
- 203 Investigations as to unfair practices in import trade.
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#### PART 201—RULES OF GENERAL APPLICATION

- 201.1 Applicability of general rules.
- 201.2 Exercise of powers.
- 201.3 Quorum.
- 201.4 Suspension of rules.
- 201.5 Matters of official record available to the public.
- 201.6 Confidential information.
- 201.7 Methods employed in obtaining information.
- 201.8 Applications for investigation under section 336 of the Tariff Act of 1930, under section 504 of the Philippine Trade Act of 1946, and under Part III of Executive Order 10082, and complaints under section 337 of the Tariff Act of 1930.
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- 201.16 Witness fees and mileage.
- 201.17 Depositions.
- 201.18 Oral argument.
- 201.19 Service of process.
- 201.20 Authority to make decisions not delegated.

AUTHORITY: §§ 201.1 to 201.20 issued under secs. 332, 336, 337, 46 Stat. 698, 701, 703, sec. 504, 60 Stat. 156, sec. 3, 62 Stat. 1248; 7 U. S. C., Supp., 624, 19 U. S. C. 1332, 1336, 1337, 22 U. S. C. 1354; E. O. 10082, Oct. 5, 1949, 14 F. R. 6105.

§ 201.1 *Applicability of general rules.* The Tariff Commission rules of general application apply to investigations under the provisions of section 332 of the Tariff Act of 1930, and so far as pertinent to investigations under the provisions of sections 336 and 337 of the Tariff Act of 1930 (46 Stat. 698, 701, 703; 19 U. S. C. 1332, 1336, 1337), to investigations under section 22 of the Agricultural Adjustment Act (of 1933), as amended (sec. 3, 62 Stat. 1248), to investigations under section 504 of the Philippine Trade Act of 1946 (60 Stat. 156; 22 U. S. C. 1354), and to investigations under Part III of Executive Order 10082, Oct. 5, 1949 (14 F. R. 6107). Rules having specific application to investigations under sections 336 and 337 of the Tariff Act of 1930, under section 22 of the Agricultural Adjustment Act, as amended, under section 504 of the Philippine Trade Act, and under Part III of Executive Order 10082, respectively, appear separately in Parts 202 to 205 and Part 207 of this chapter. In case of inconsistency between a rule of general application appearing in this part and a rule of special application in the other parts mentioned, the rule in Parts 202 to 207 is controlling. No rules governing investigations under section 338 of the Tariff Act of 1930 (46 Stat. 704; 19 U. S. C. 1338) are issued because such investigations, which concern questions of possible discrimination by foreign countries against the commerce of the United States, are of a nature requiring their conduct under cover of secrecy.

§ 201.2 *Exercise of powers.* The Commission may meet and exercise all its powers at any place and may designate any of its members or any duly authorized agent or agents to prosecute any inquiry necessary to its duties.

§ 201.3 *Quorum.* A majority of the Commissioners in office shall constitute a quorum.

§ 201.4 *Suspension of rules.* In an emergency or when in the judgment of the Commission the public interest requires it, the Commission may modify or suspend any of its rules of practice and procedure except such details of procedure as are expressly required by law. Whenever feasible, public notice of such suspension will be given.

§ 201.5 *Matters of official record available to the public.* The following information and reports (except confidential material) may be inspected by persons concerned, on request to the Secretary, either in the Tariff Commission Building, Washington 25, D. C., or if requested, in the New York office of the Tariff Commission, Customhouse, New York 4, N. Y.

(a) Applications for investigations; complaints of unfair practices in import trade; answers and other documents filed in opposition to such applications or complaints.

(b) Notices concerning investigations, including notices of institution of investigations, of hearings, and of disposition of investigations.

(c) Transcripts of testimony taken and exhibits submitted at hearings.

(d) Reports to the President on which the President has taken action.

(e) Reports made to either or both Houses of Congress or to Committees of Congress, after release by the body concerned.

(f) Reports and other documents issued for general distribution.

§ 201.6 *Confidential information.* (a) The following information and reports are held to be confidential for good cause found and are not available to public inspection:

(1) Reports to the President which have not been acted upon by the President.

(2) Reports made to either or both Houses of Congress or to Committees of Congress which have not been made public by the body concerned.

(3) Reports containing confidential information, and reports prepared for the confidential use of other Government agencies.

(b) *Confidential business data.* Title 18, U. S. C., section 1905 (62 Stat. 791) imposes criminal penalties upon an officer or employee of the United States or of any department or agency thereof who discloses "in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association \* \* \*."

(c) Information submitted to the Commission in confidence should be submitted on separate pages clearly marked



"Confidential." The Commission may refuse to accept in confidence any particular information which it determines is not entitled to confidential treatment.

§ 201.7 *Methods employed in obtaining information.*—(a) *Questionnaires, correspondence, and field work.* In obtaining information necessary to carry out its functions and duties, the Commission may employ any means authorized by law. It is the practice of the Commission to obtain much of its information through the use of questionnaires and correspondence, and through field work by duly authorized members of the Commission's staff who interview such manufacturers, farmers, distributors, importers, representatives of labor, consumers, and others, as may be necessary to obtain the required information. Official requests for information required by the Commission are made either in writing or orally, and responses are received either in writing or orally, depending upon the nature of the information requested and the use to be made of it.

(b) *Informal conferences.* The Commission encourages informal conferences either with members of the Commission or its staff, in all matters concerning its activities. Such conferences can be arranged by addressing a request to the Secretary of the Commission at its office in the Tariff Commission Building, Washington 25, D. C., stating the subject matter of the proposed conference and the reasons for the request.

(c) *Formal hearings.* In formal proceedings, the Commission obtains information from the evidence presented at hearings as well as through independent investigation by the Commission and its staff of experts.

§ 201.8 *Applications for investigation under section 336 of the Tariff Act of 1930, under section 504 of the Philippine Trade Act of 1946, and under Part III of Executive Order 10082, and complaints under section 337 of the Tariff Act of 1930.*

(a) All applications for investigations under section 336 of the Tariff Act of 1930, under section 504 of the Philippine Trade Act of 1946, or under Part III of Executive Order 10082, and complaints under section 337 of the Tariff Act of 1930, must be filed with the Secretary, United States Tariff Commission, Washington 25, D. C.<sup>1</sup> All copies of applications, complaints, and other papers filed with the Commission in any such investigation must be identified on the first page thereof with the name of the person or firm on whose behalf they are filed. Requests for information concerning such matters may be filed with the New York office as well as with the Washington office.

(b) Receipt by the Commission of an application for investigation or of a complaint properly filed will be acknowledged by the Secretary of the Commission, and public notice of such receipt will be posted at the principal office of the Com-

mission in Washington, D. C., and at its New York office, and published in the *FEDERAL REGISTER* and the weekly *Treasury Decisions* of the Treasury Department. This public notice will set forth the name or description of the commodity concerned, the date of receipt, the purpose of the application or complaint, and the name of the applicant or complainant. Similar public notice will be given regarding the withdrawal or dismissal of applications or complaints. Copies of the notices referred to in this paragraph will be mailed to all persons named in the application or complaint concerned.

(c) From the time of posting notice of the receipt of an application or of a complaint, such application or complaint, except for confidential material, will be made available for public inspection at the office of the Commission in Washington, D. C., where it may be read and copied by persons interested.

(d) Applications and complaints may be withdrawn as a matter of course at any time before an investigation pursuant thereto has been ordered by the Commission, but, even if an application or complaint shall have been withdrawn, the Commission may order an investigation if in its judgment the public interest so requires. The Commission may also in special cases and for adequate cause allow the withdrawal of an application or complaint after an investigation has been ordered, but the investigation may be continued if deemed by the Commission to be in the public interest. Investigations may be terminated short of formal completion when, in the judgment of the Commission, the public interest so requires.

(e) The Commission will notify the applicant or complainant of its decision to order or not to order the investigation requested. In reaching its decision, the Commission will take into consideration the information furnished by the applicant or complainant, the information assembled by its staff, and the information furnished by other persons either in favor of or opposed to the institution of an investigation.

§ 201.9 *Scope of investigation.* In ordering an investigation, the Commission will not be confined to the commodity or commodities covered by an application or a complaint but may broaden, limit, or modify the scope of the investigation.

§ 201.10 *Public notice of investigations.* Public notice will be given of every formal investigation under sections 336 and 337 of the Tariff Act of 1930, under section 22 of the Agricultural Adjustment Act (of 1933), as amended, under section 504 of the Philippine Trade Act of 1946, and under Part III of Executive Order 10082, by posting a copy of the notice at the principal office of the Commission at Washington, D. C., and at its office in New York City, and by publishing a copy of the notice in *Treasury Decisions* and in the *FEDERAL REGISTER*. Subsequent notices concerning the investigations will be given in the same manner. Copies of notices will also be sent to press associations, trade and simi-

lar organizations of producers, and to importers' organizations.

§ 201.11 *Public hearings.* (a) Hearings are required by law in the case of investigations under sections 336 and 337 of the Tariff Act of 1930, under section 22 of the Agricultural Adjustment Act, under section 504 of the Philippine Trade Act of 1946, and under Part III of Executive Order 10082. No public hearing is required in general investigations under section 332 of the Tariff Act of 1930; however, when determined by the Commission to be appropriate and feasible, hearings will be held in such investigations.

(b) Public notice will be given of the time and place set for all hearings, in the same manner that notice is given of an investigation. Announcement of hearing will ordinarily be made 30 days in advance of the date set.

(c) Hearings will be conducted in accordance with the rules set forth in § 201.14.

§ 201.12 *Appearances.* (a) Any person showing to the satisfaction of the Commission an interest in the subject matter of an investigation may enter an appearance in such investigation, either in person or by representative, at any time before the close of the public hearing relating to the matter involved. Persons participating as witnesses only are not expected to enter appearances.

(b) Requests to enter an appearance shall be filed in writing with the Secretary of the Commission at its office in Washington, D. C., or at any other place where a hearing is held. Attorneys or agents desiring to appear for any interested person or persons shall file written notice to that effect.

(c) No register of attorneys or agents who may practice before the Commission is maintained. No application for admission to practice is required. Any person desiring to appear as attorney or agent before the Commission may be required to show to the satisfaction of the Commission his acceptability in that capacity. Any attorney or agent practicing before the Commission, or desiring so to practice, may for good cause shown be suspended or disbarred from practicing before the Commission, but only after he has been accorded an opportunity to be heard in the matter.

(d) No former officer or employee of the Commission who has, as such officer or employee, given personal consideration to an investigation (including preliminary inquiries prior to the institution of an investigation) shall be eligible to appear as attorney or agent before the Commission in such investigation. No former officer or employee of the Commission shall be eligible to appear as attorney or agent before the Commission within 2 years after the termination of such employment unless he has first obtained written consent from the Commission.

§ 201.13 *Rehearings, additional hearings, postponements, continuances, and extensions of time.* The Commission may in its discretion for good cause shown grant rehearings, additional hearings, postponements, or continuances of

<sup>1</sup> Under Executive Order 7233 of November 23, 1935, applications for investigations under sec. 22 of the Agricultural Adjustment Act (of 1933) as amended, must be filed with the Secretary of Agriculture. See Part 204 of this chapter.



hearings, or extend the time for doing any act required by or pursuant to these rules. Motions or requests for postponements or extensions of time must be filed at least 10 days in advance of the time previously prescribed. Motions for additional hearing or rehearing must be filed within a reasonable time after the Commission's decision in the particular matter. The Commission may on its own motion order such rehearings, additional hearings, postponements, or continuances of hearings as it may deem necessary for a full presentation of the facts in any investigation.

**§ 201.14 Conduct of public hearings.**

(a) Hearings are conducted by one or more Commissioners, and the record shall be presented for the consideration of the Commission.

(b) Parties interested may appear at public hearings, either in person or by representative, and produce, under oath, oral or written evidence relevant and material to the subject matter of the investigation. When written statements are submitted at hearings, at least six copies, each identified with the name of the person or firm submitting them, must be presented. Publications of the United States Government, particularly reports of the Tariff Commission, need not be offered in evidence because the Commission will take notice of them as public documents. Reference may be made to a public document by its title and particular page.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b).

(c) After offering evidence, witnesses may be questioned under the direction of the Commission by any member of the Commission, or by any agent designated by the Commission, or by any person who has entered an appearance, for the purpose of assisting the Commission in obtaining the material facts with respect to the subject matter of the investigation.

(d) Evidence, oral or written, submitted at hearings, will upon the order of the Commission be subject to verification from the books, papers, and records of the parties submitting the same and from any other available sources.

(e) All hearings are stenographically reported. The Commission does not distribute transcripts of the records of such hearings. Parties interested may inspect them at the Commission's office in Washington, D. C., or purchase them from the official reporter.

**§ 201.15 Witnesses and subpoenas.**

(a) Unless otherwise ordered by the Commission, witnesses shall be examined orally.

(b) The attendance of witnesses and the production of documentary evidence may be required from any place in the United States at any designated place of hearing.

(c) Any member of the Commission may sign subpoenas, and members and agents of the Commission, when authorized by the Commission, may administer oaths and affirmations, examine witnesses, take testimony, and receive evidence.

(d) Subpoenas for the attendance of witnesses or for the production of documentary evidence will be issued at the request of any person who has entered an appearance in an investigation in accordance with § 201.12, upon application in writing and determination by the Commission of the general relevance and reasonable scope of the evidence sought. Such application shall be addressed to the Commission, and shall include a statement as to the nature, relevance, and scope of the testimony sought, and, in the case of documentary evidence, an adequate specification of the documents desired.

CROSS REFERENCES: For rule regarding expenses, see § 201.16. For rule regarding service of process, see § 201.19.

**§ 201.16 Witness fees and mileage.**

(a) Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking them, except employees of the Commission, shall severally be entitled to the same fees and mileage as are paid for like service in the courts of the United States.

(b) When witnesses are summoned or depositions are taken at the request of a party interested, such party shall bear all expenses involved.

**§ 201.17 Depositions.** (a) The Commission may order testimony to be taken by deposition at any stage of an investigation. Depositions may be taken before any person having power to administer oaths and designated by the Commission. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent and certified in the usual manner by the person taking the deposition. After the deposition has been so certified it shall, together with a copy thereof made by such person or under his direction, be forwarded under seal to the Secretary of the Commission, Washington 25, D. C., and shall constitute a part of the record in such investigation. A sufficient number of additional copies of depositions must be furnished so that testimony so produced will be available to parties interested.

(b) Briefs of the evidence given by deposition and arguments thereon may be filed in the same manner as briefs of testimony given at a public hearing.

(c) Any person may be compelled to appear and depose and to produce documentary evidence under this section in the same manner that witnesses may be compelled to appear and testify and produce documentary evidence before the Commission.

CROSS REFERENCE: For provision regarding expenses, see § 201.16 (b).

**§ 201.18 Oral argument.** Oral argument may, in the discretion of the Commission, be heard upon the conclusion of the testimony in a hearing. The Commission will determine in each instance the time to be allowed for argument and the allocation thereof to the parties interested.

**§ 201.19 Service of process.** (a) Except when service by other methods shall be specifically ordered by the Commission, processes of the Commission, service of which is required by law or by the Commission's rules, shall be served by the Secretary of the Commission by mailing a copy thereof, registered, to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served. Complaints and findings under section 337 of the Tariff Act of 1930 shall be similarly served.

(b) When service cannot be accomplished by registered mail or whenever the Commission shall so direct, processes of the Commission may be served by anyone duly authorized by a Commissioner (1) by delivering a copy of the document to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or (2) by leaving a copy thereof at the principal office of such person, partnership, or corporation.

(c) The return post office receipt for such processes, registered and mailed as aforesaid, or the verified return by the person serving such processes, setting forth the manner of said service, shall be proof of the service of the document.

**§ 201.20 Authority to make decisions not delegated.** (a) Authority to interpret the laws applying to the Tariff Commission and the rules adopted thereunder is retained in the Commission itself.

(b) Authority to make findings, recommendations, and reports authorized by law is retained in the Commission itself.

**PART 202—INVESTIGATIONS AS TO COSTS OF PRODUCTION**

Sec.	
202.1	Applicability of rules under section 336.
202.2	Applications.
202.3	Type of information to be developed at hearing.
202.4	Briefs.
202.5	Reports.

AUTHORITY: §§ 202.1 to 202.5 issued under sec. 336, 46 Stat. 701; 19 U. S. C. 1336.

**§ 202.1 Applicability of rules under section 336.** The rules under this part are specifically applicable to investigations for the purposes of section 336 of the Tariff Act of 1930 (46 Stat. 701; 19 U. S. C. 1336), and apply in addition to the pertinent rules of general application set forth in Part 201 of this chapter.

NOTE: The provisions of section 336 of the Tariff Act of 1930 may not be applied to any article with respect to the importation of which into the United States a foreign trade agreement has been concluded under the Trade Agreements Act of 1934, as amended (sec. 2 (a), 48 Stat. 944; 19 U. S. C. 1352 (a)).

**§ 202.2 Applications.** (a) Applications for an investigation for the purposes of section 336 may be made by any person, partnership, association, or corporation.

(b) Applications for investigation should be typewritten or printed and five clear copies must be submitted, but applications need not be drawn in any



particular form and need not be under oath. Applications must be signed by or on behalf of the applicant and should state the name, address, and nature of business of the applicant.

(c) Applications must clearly state that they are requests for investigations and must name or describe the commodity concerning which an investigation is sought. They should also refer to the tariff provision or provisions applicable to such commodity and should state whether an increase or a decrease in the rate of duty is sought.

(d) The applicant must file with his application such supporting information as may be in his possession. The filing of such information is required to aid the Commission in determining whether to order the investigation, and does not render unnecessary the investigation itself. As far as practicable, information of the character indicated below should be furnished:

(1) Comparability of the domestic and foreign articles and the degree of competition between them.

(2) Trend of domestic production and sales and trend of imports.

(3) Trend of cost of production and prices in recent years.

(4) Evidence of difference between domestic and foreign costs of production of the articles involved. (When considered with reference to section 336, the term "cost of production" includes transportation costs and other costs incident to the delivery of the articles to the principal market or markets of the United States.)

(5) Areas of greatest competition between the imported and domestic products and the principal market or markets in the United States.

(6) Other relevant factors that constitute, in the opinion of the applicant, an advantage or disadvantage in competition, and any other information which the applicant believes the Commission should consider.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b) of this chapter.

§ 202.3 *Type of information to be developed at hearing.* (a) Without excluding other factors, but with a view to assisting parties interested to present information necessary for the formulation of findings required by the statute, the Commission will expect attention in the hearing to be concentrated upon facts relating to:

(1) The competitive strength of the foreign and domestic articles in the markets of the United States.

(2) The degree of likeness or similarity between grades, classes, and price groups of the American product and the imported article.

(3) Costs of production and importation. Statements of average cost of production, domestic and, so far as known, foreign, may be submitted subject to verification and review in the Commission's investigation. Such statements should include not only the direct costs for materials and labor, commonly termed prime cost, but also indirect costs such as indirect labor, overhead factory

expenses, fixed charges, the portion of general and administrative expense chargeable to manufacture, interest on investment equity, and transportation to markets. For the foreign product the expenses (other than duties) incident to importation are also important. Any information which may be available bearing on the general levels of domestic and foreign costs of production, the differentials between domestic and foreign producers as to particular elements of cost, and the extent to which invoice or wholesale prices are reliable evidence of foreign costs, will be pertinent.

(4) Other significant advantages or disadvantages in competition.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b) of this chapter.

(b) The Commission also seeks information to determine: (1) Principal competing country. (2) Principal American market or markets. (3) Representative period of time for cost inquiry.

(c) Finally, parties interested appearing at public hearings are expected to present definite information rather than generalities and conjectures.

CROSS REFERENCE: For rules regarding public notice of investigation and hearings, see §§ 201.10, 201.11 of this chapter.

§ 202.4 *Briefs.* Briefs of the evidence produced at the hearing and arguments thereon may be presented to the Commission by parties interested who have entered an appearance. Unless otherwise ordered, 10 clear copies typed or printed shall be filed with the Secretary of the Commission within 10 days after the close of the hearing.

CROSS REFERENCE: For rules regarding briefs of evidence given by deposition, see § 201.17 (b) of this chapter.

§ 202.5 *Reports.* After the completion of its investigation, the Commission will incorporate its findings in a report and the report will be transmitted to the President.

## PART 203—INVESTIGATIONS AS TO UNFAIR PRACTICES IN IMPORT TRADE

### Sec.

203.1 Applicability of rules under section 337.

203.2 Complaints.

203.3 Preliminary inquiry.

203.4 Answers to complaints.

203.5 Briefs.

203.6 Record.

203.7 Findings.

203.8 Transmittal to President.

AUTHORITY: §§ 203.1 to 203.8 issued under sec. 337, 46 Stat. 703; 19 U. S. C. 1337.

§ 203.1 *Applicability of rules under section 337.* The rules under this part are specifically applicable to investigations for the purposes of section 337 of the Tariff Act of 1930 (46 Stat. 703, 54 Stat. 724; 19 U. S. C. 1337, 1337a), and apply in addition to the pertinent rules of general application set forth in Part 201 of this chapter.

§ 203.2 *Complaints.* (a) Complaint alleging violation of section 337 of the Tariff Act of 1930 may be made by any person, partnership, association, or corporation.

(b) Complaints must be made under oath but need not be drawn in any particular form. They must be signed by or on behalf of the complainant and must contain the name, address, and nature of business of the complainant and of the person or persons alleged to violate the law. The location of manufacturing plant or plants should also be stated. Complaints must contain a short and simple statement of the facts constituting the alleged unfair methods of competition or unfair acts. Specific instances of alleged unlawful importations or sales should be given.

(c) To the extent possible, complaints must also contain economic data concerning domestic production and distribution, imports and their distribution, and other pertinent facts such as will indicate: (1) That the domestic industry concerned is efficiently and economically operated and that it is being or is likely to be destroyed or substantially injured by the importations or sales in question; (2) that the alleged unlawful acts are preventing the establishment of an efficiently and economically operated domestic industry; or (3) that the alleged unlawful acts are having the effect or tendency to restrain or monopolize trade and commerce in the United States.

CROSS REFERENCE: For rule dealing with confidential information, see § 201.6 of this chapter.

(d) The complaint may be amended or further evidence submitted, in the discretion of the Commission, for good cause shown.

(e) Complainants must submit a clear copy of any complaint or amendment thereto for each person alleged to have violated the provisions of section 337 of the Tariff Act of 1930, and the Commission may require the supplying of additional copies to be served on persons whose alleged violation of section 337 is called to its attention subsequent to the filing of the complaint. In addition, five copies must be submitted for the official use of the Commission.

§ 203.3 *Preliminary inquiry.* The Commission will make such preliminary inquiry as it shall deem necessary to determine (a) whether the institution of an investigation is warranted and (b) whether the issuance of a temporary order of exclusion from entry (if requested) under section 337 (f) of the Tariff Act of 1930 is warranted.

§ 203.4 *Answers to complaints.* After an investigation shall have been ordered, and not before, a copy of the complaint will be served by the Commission upon any owner, importer, or consignee, or the agent of any of them, alleged to violate the provisions of section 337 of the Tariff Act of 1930 and such owner, importer, consignee, or agent, shall have 30 days, unless otherwise ordered, in which to make written answer under oath and to show cause, if any there be, why the provisions of section 337 of the Tariff Act of 1930 should not be applied in respect of the alleged unfair methods of competition and unfair acts set forth in the complaint.



Copies of all answers will be served by the Commission upon complainants or upon their attorneys.

The Commission reserves the right to determine whether to send copies of complaints to respondents in foreign countries.

CROSS REFERENCE: For rule regarding public notice of investigation and hearings, see §§ 201.10, 201.11 of this chapter.

§ 203.5 *Briefs.* (a) The Commission will fix a date on or before which briefs may be submitted, which date will be announced at the close of the hearing. Unless otherwise ordered, 20 clear copies typed or printed shall be filed with the Secretary of the Commission.

(b) Application for extension of time for submitting briefs shall be filed in writing with the Secretary of the Commission at least 10 days before the date set for submitting briefs and shall set forth fully the reasons for such application.

(c) Copies of all briefs shall be served by the Commission upon all interested parties who have entered appearances or upon their representatives of record.

§ 203.6 *Record.* (a) A transcript of the testimony in an investigation, together with the findings and recommendations of the Commission, shall be the official record of the proceedings and findings in the investigation.

(b) Confidential material accepted by the Commission as confidential and so marked, will not be considered a part of the record sent to the court in the case of an appeal.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b) of this chapter.

§ 203.7 *Findings.* (a) Upon the conclusion of an investigation, the Commission will formulate findings based thereon. When the findings show a violation of the statute, a copy of the findings certified by the Secretary under the seal of the Commission will be delivered or sent by registered mail promptly to the owner, importer, or consignee or to the agent of any of them, found to be guilty of such violation.

(b) Attention is directed to the provision of section 337 (c) authorizing rehearings by the Commission on questions of either fact or law and appeals by the importer or consignee within 60 days to the United States Court of Customs and Patent Appeals upon a question or questions of law only. If no appeal is filed within the time prescribed and no rehearing granted, or if appeal is filed or rehearing granted and the Commission's findings are ultimately affirmed, the findings are then considered final.

§ 203.8 *Transmittal to President.* The final findings of the Commission will be transmitted with the record to the President for consideration and for action under the statute.

#### PART 204—INVESTIGATIONS OF EFFECTS OF IMPORTS ON AGRICULTURAL PROGRAMS

- Sec.  
204.1 Applicability of rules under Agricultural Adjustment Act.  
204.2 Tariff Commission directed to make investigations.

- Sec.  
204.3 Public notice of hearing.  
204.4 Conduct of hearings.  
204.5 Confidential information.  
204.6 Investigation in addition to hearing.  
204.7 Reports.

AUTHORITY: §§ 204.1 to 204.7 issued under sec. 22, added by sec. 31, 49 Stat. 773, as amended; 7 U. S. C. and Sup. 624.

§ 204.1 *Applicability of rules under Agricultural Adjustment Act.* The rules under this part are specifically applicable to investigations under section 22 of the Agricultural Adjustment Act (of 1933), as amended (sec. 3, 62 Stat. 1248; 7 U. S. C., Sup. II, 624), and apply in addition to the pertinent rules of general application set forth in Part 201 of this chapter.

§ 204.2 *Tariff Commission directed to make investigations.* When directed by the President, the United States Tariff Commission shall make an immediate investigation and shall give precedence thereto.<sup>1</sup>

§ 204.3 *Public notice of hearing.* A public hearing is required by law in every such investigation. Notice of the hearing shall be given by posting a copy of the notice or announcement thereof at the principal office of the Commission in Washington, D. C., and at its office in New York City. A copy of the notice will also be sent to press associations, to trade and similar organizations of producers, and to importers known to the Commission to have an interest in the subject matter of the investigation.

§ 204.4 *Conduct of hearings.* (a) Hearings shall be conducted by one or more Commissioners. The Production and Marketing Administration<sup>2</sup> may have a representative or representatives at each hearing, who shall have the privilege of examining witnesses.

(b) Any interested person may appear at the hearing, either in person or by representative, and produce oral or written evidence relevant and material to the matter or matters involved in the investigation.

(c) Witnesses shall be sworn. No documentary evidence, except as is legally subject to judicial notice, shall be accepted unless verified under oath by the person offering it as a true statement of the facts contained therein.

(d) Evidence, oral or written, submitted in hearings, shall, upon the order of the Commission, be subject to verification from the books, papers, and records of the parties interested and from any other available sources.

(e) All hearings shall be stenographically reported. Copies of the transcript of the minutes of such hearings may be purchased from the official reporter.

<sup>1</sup> Applications for investigations for the purpose of sec. 22 of the Agricultural Adjustment Act, as amended, must be filed with the Secretary of Agriculture (Executive Order 7233).

<sup>2</sup> Originally referred to in Executive Order 7233 as the Agricultural Adjustment Administrator. (See E. O. 9069, Feb. 23, 1942; E. O. 9280, Dec. 5, 1942; E. O. 9322, Mar. 26, 1943 (3 CFR, Cum. Supp.); and Memorandum No. 1118 of the Secretary of Agriculture, Aug. 18, 1945.)

(f) The Commission may continue any hearings or order such additional hearing or rehearing as it may deem necessary for a full presentation of the facts involved in any investigation.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b) of this chapter.

§ 204.5 *Confidential information.* If witnesses desire to submit confidential information which the Commission considers to be of that character, the Commission shall accept such submission and respect its confidential character.

CROSS REFERENCE: For rule regarding submission of confidential information, see § 201.6 (b) of this chapter.

§ 204.6 *Investigation in addition to hearing.* The Commission shall make such investigation in addition to the hearing as it deems to be necessary for a full disclosure and presentation of the facts. In such investigation the Commission may invoke all the powers granted to it under Part II, Title III, of the Tariff Act of 1930 (46 Stat. 696 et seq.; 19 U. S. C. 1330-1341).

§ 204.7 *Reports.* After the completion of its investigation the Tariff Commission shall make findings of fact, which shall include a statement of the steps taken in the investigation, and it shall transmit to the President a report of such findings, and its recommendations based thereon, together with a transcript of the evidence submitted at the hearing, and it shall also transmit a copy of such report to the Secretary of Agriculture.

#### PART 205—INVESTIGATIONS AS TO QUOTAS ON PHILIPPINE ARTICLES

- Sec.  
205.1 Applicability of rules under section 504, Philippine Trade Act of 1946.  
205.2 Applications.  
205.3 Type of information to be developed at hearing.  
205.4 Reports.

AUTHORITY: §§ 205.1 to 205.4 issued under sec. 504, 60 Stat. 156; 22 U. S. C. 1354.

§ 205.1 *Applicability of rules under section 504, Philippine Trade Act of 1946.* The rules under this part are specifically applicable to investigations for the purposes of section 504 of the Philippine Trade Act of 1946 (60 Stat. 156) and apply in addition to the pertinent rules of general application set forth in Part 201 of this chapter. Section 504 of the Philippine Trade Act does not apply to sugar, cordage, rice, cigars, scrap tobacco, stemmed and unstemmed filler tobacco, coconut oil, and pearl or shell buttons, on which quotas are imposed by Part 2 of Title II of the act.

§ 205.2 *Applications.* (a) Applications for an investigation for the purpose of section 504 of the Philippine Trade Act may be made by any person, partnership, association, or corporation.

(b) Applications for investigation should be typewritten or printed and five clear copies must be submitted, but applications need not be drawn in any particular form and need not be under oath. Applications must be signed by or on behalf of the applicant and should



state the name, address, and nature of business of the applicant.

(c) Applications must clearly state that they are requests for investigation and must name or describe the commodity concerning which the investigation is sought.

(d) The applicant must file with his application supporting information in his possession. The filing of such information is requested to aid the Commission in determining whether to order an investigation, and does not render unnecessary the investigation itself. As far as practicable, information of the character indicated below should be furnished.

(1) Comparability of the Philippine articles in question with products of the United States with which they are considered competitive, and the degree of competition between them.

(2) Trend of domestic production and sales and trend of imports of the particular Philippine articles.

(3) Areas of greatest competition between domestic products and the particular Philippine articles and the principal market or markets in the United States.

(4) Other relevant factors that constitute, in the opinion of the applicant, an advantage or disadvantage in competition, and any other information which the applicant believes the Commission should consider.

CROSS REFERENCES: For rule regarding the submission of confidential information, see § 201.6 (b) of this chapter.

For rules regarding public notice of investigation and of hearings, see §§ 201.10, 201.11 of this chapter.

§ 205.3 *Type of information to be developed at hearing.* (a) Without excluding other factors, but with a view to assisting parties interested to present information necessary for the formulation of findings required by the statute, the Commission will expect attention in the hearing to be concentrated upon facts relating to:

(1) The competitive strength in the markets of the United States of the Philippine articles as compared with the like domestic products.

(2) The degree of likeness or similarity between grades, classes, and price groups of the Philippine articles and the like domestic products.

(3) The point (in terms of quantity) at which imports of the Philippine articles come or are likely to come into substantial competition with like products of the United States.

(4) The amount of the Philippine articles which (during the 12 months ending on the last day of the month preceding the month in which occurs the date of the beginning of the investigation) was entered, or withdrawn from warehouse, in the United States for consumption.

(5) Other significant factors concerning conditions of competition between the Philippine article and the like domestic article.

(b) Finally, parties appearing at public hearings are expected to present definite information rather than generalities and conjectures.

§ 205.4 *Reports.* After the completion of its investigation, the Commission will incorporate its findings in a report and include in its report a statement of the steps taken in the investigation. The report will be transmitted to the President and copies will be sent to each House of the Congress.

[PART 206—INVESTIGATIONS REGARDING PRODUCTS ON WHICH POSSIBLE TARIFF CONCESSIONS WILL BE CONSIDERED IN TRADE-AGREEMENT NEGOTIATIONS. Rescinded because of repeal of Trade Agreements Extension Act of 1948.]

PART 207—INVESTIGATIONS OF INJURY TO DOMESTIC PRODUCERS RESULTING FROM TRADE-AGREEMENT CONCESSIONS

Sec.

- 207.1 Applicability of rules under Executive Order 10082.
- 207.2 Purpose of investigation.
- 207.3 Applications.
- 207.4 Confidential information.
- 207.5 Public notice of investigation.
- 207.6 Public hearings.
- 207.7 Briefs.
- 207.8 Reports.

AUTHORITY: §§ 207.1 to 207.7 issued under Part III, E. O. 10082, Oct. 5, 1949, 14 F. R. 6107.

§ 207.1 *Applicability of rules under Executive Order 10082.* The rules under this part are specifically applicable to investigations for the purposes of Part III of Executive Order 10082 dated October 5, 1949 (14 F. R. 6107) and apply in addition to the pertinent rules of general application set forth in Part 201 of this chapter.

§ 207.2 *Purpose of investigation.* The purpose of an investigation under Part III of Executive Order 10082 is to determine whether, as a result of unforeseen developments and of a concession granted on any article by the United States in a trade agreement containing a clause such as that prescribed in paragraph 10 of Part II of Executive Order 10082,<sup>1</sup> such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles.

§ 207.3 *Applications.* (a) Applications for an investigation for the purposes of Part III of Executive Order 10082

<sup>1</sup> Paragraph numbered 10 of the Executive order (which was issued to implement the Trade Agreements Act of June 12, 1934, as amended by the Trade Agreements Extension Act of 1949) is as follows: "There shall be applicable to each tariff concession granted, or other obligations incurred, by the United States in any trade agreement hereafter entered into a clause providing in effect that if, as a result of unforeseen developments and of such concession or other obligation, any article is being imported in such relatively increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles, the United States shall be free to withdraw or modify the concession, or suspend the other obligation, in whole or in part, to the extent and for such time as may be necessary to prevent such injury."

may be made by any interested person, partnership, association, or corporation, and must be filed with the Secretary, United States Tariff Commission, Washington 25, D. C. Receipt by the Commission of an application for investigation, properly filed, will be acknowledged by the Secretary, and public notice of such receipt will be posted at the principal office of the Commission in Washington, D. C., and at its New York office, and published in the FEDERAL REGISTER, and in the weekly Treasury Decisions of the Treasury Department. Copies of notices will also be sent to press associations, trade and similar organizations of producers, and to importers known to the Commission to have an interest in the subject matter of the application. Such applications, except for confidential material, will be available for public inspection at the office of the Commission in Washington, D. C., or in the New York office of the Tariff Commission, Customhouse, New York 4, N. Y., where they may be read and copied by persons interested. If the Tariff Commission orders an investigation, notice of such order will be posted and published in accordance with § 207.5. Notice of decision not to order an investigation will be posted and published in the same manner as notice of receipt of an application under this section. The Commission will notify the applicant of its decision to order or not to order the investigation requested.

(b) Applications for investigations should be typewritten or printed, and five clear copies must be submitted, but applications need not be drawn in any particular form and need not be under oath. Applications must be signed by or on behalf of the applicant and should state the name, address, and nature of business of the applicant.

(c) Applications must clearly state that they are requests for investigations and must name or describe the commodity or commodities concerning which an investigation is sought. They must also refer to the trade-agreement provision or provisions applicable to such commodity.

(d) The applicant must file with his application such supporting information as may be in his possession or is readily available. The filing of such information is required to aid the Commission in determining whether the circumstances warrant an investigation under Executive Order 10082, and does not render unnecessary the investigation itself. In other words, the application is preliminary to and not a substitute for the investigation which the Tariff Commission is required to make in appropriate circumstances. In general, information and statistical data supporting an application should be on an annual basis; however, where seasonal and short-term factors and developments are important, quarterly and monthly data should also be furnished as pertinent supporting material. As far as practicable, information of the character indicated in this paragraph should be furnished:

(1) Information on imports, production, sales, and exports, of the product covered by the application, for the years 1937, 1939, and 1947, and subsequent periods.



- (i) Imports (quantity and value).
- (ii) Production (quantity).
- (a) By the applicant.
- (b) By the domestic industry.
- (iii) Sales (quantity and value).
- (a) By the applicant.
- (b) By the domestic industry.
- (iv) Exports (quantity and value).
- (a) By the applicant.
- (b) By the domestic industry.

(2) Direct labor engaged in the domestic production of the product covered by the application, including the number of persons employed during a normal period of operation in a representative prewar year, in 1947, and at the time application is filed:

- (i) By the applicant.
- (ii) By the industry as a whole.

(3) Relation of income from the sales of product covered by the application to total receipts from all products produced by the applicant for a representative prewar year and for 1947 and subsequent period.

(4) Comparability of the domestic and the foreign article and the degree of competition between them both prior and subsequent to the effective date of the trade-agreement concession.

(5) The nature and extent of injury to the domestic producer which is alleged to be caused or threatened by reason of unforeseen developments and the concession in the trade agreement.

(6) Geographic areas in which the competition between the domestic and the foreign article is most intensive.

(7) Additional information of factual character, such as: Profits and losses; changes in price structures; tax burden; wages and other costs; effects of subsidies, and price-support programs; and similar data that show the applicant's competitive position.

(e) Upon acceptance of an application by the Commission, the facts set forth therein will be carefully considered together with other pertinent information which the Commission may have available in its files, or which it may obtain from other sources, in order to determine whether an investigation is warranted.

(f) The Commission encourages informal conferences either with members of the Commission or its staff with regard to filing applications under Executive Order 10082 as well as any other matters. Such conferences can be arranged by addressing a request to the Secretary of the Commission at its office in the Tariff Commission Building, Washington 25, D. C., stating the subject matter of the proposed conference and the reasons for the request. Most of the statistical material relating to United States production and trade referred to in paragraph (d) of this section may be found in publications of the United States Departments of Agriculture, Commerce, Interior, and Labor, which are generally available both at the Washington headquarters and at the field offices of those Departments, as well as in the larger public libraries and university and state libraries.

§ 207.4 *Confidential information.* All information submitted in confidence should be submitted on separate pages

clearly marked "Confidential." The Commission may refuse to accept in confidence any particular information which it determines is not entitled to confidential treatment.

CROSS REFERENCE: For general rule regarding confidential information, see § 201.6 of this chapter.

§ 207.5 *Public notice of investigation.* Public notice of an investigation ordered by the Commission under Part III of Executive Order 10082 will be given by posting a copy of the notice at the principal office of the Commission at Washington, D. C., and at its office in New York City; by publishing a copy of the notice in the FEDERAL REGISTER; and by an announcement regarding the notice in Treasury Decisions. Copies of notices will also be sent to press associations, trade and similar organizations of producers, and to importers known to the Commission to have an interest in the subject matter of the investigation.

§ 207.6 *Public hearings—(a) Public notice.* In the course of an investigation ordered for the purpose of Part III of Executive Order 10082, the Commission will hold public hearings. Public notice will be given of the time and place set for all hearings, in the same manner as notice is given of an order instituting investigations. Announcement of hearing will ordinarily be made 30 days in advance of the date set.

CROSS REFERENCE: For rule regarding conduct of public hearings, see § 201.14 of this chapter.

(b) *Type of information to be developed at hearing.* Without excluding other factors, but with a view to assisting parties interested to present information necessary for the formulation of findings and recommendations required by Part III of Executive Order 10082, the Commission will expect attention in the hearing to be concentrated upon the facts relating to:

(1) The competitive strength of the foreign and domestic article in the markets of the United States during a representative period prior and subsequent to the granting of the trade-agreement concession.

(2) Costs of production of the foreign and domestic article during a representative period prior and subsequent to the granting of the trade-agreement concession, and costs of importation of the foreign article during similar periods.

(3) Developments since the granting of the trade-agreement concession which constitute advantages or disadvantages in competition between the domestic and the foreign article in the markets of the United States.

Finally, parties interested appearing at public hearings are expected to present definite information rather than generalities and conjectures.

§ 207.7 *Briefs.* Briefs of the evidence produced at the hearing and arguments thereon may be presented to the Commission by parties interested who have entered an appearance. Unless otherwise ordered, 10 clear copies, typed or printed, shall be filed with the Secretary of the Commission within 10 days after the close of the hearing.

CROSS REFERENCE: For rules regarding briefs of evidence given by deposition, see § 201.17 (b) of this chapter.

§ 207.8 *Reports.* If the Commission finds in its investigation that, as a result of unforeseen developments and of a concession granted in a trade agreement, imports are in such increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry, it will report its findings to the President with appropriate recommendations for the withdrawal or modification of the concession to the extent found necessary for the prevention of such injury. Such report is submitted for the President's consideration "in the light of the public interest." Presidential authority to increase duties and impose such additional import restrictions as are required or appropriate to carry out a foreign trade agreement is provided for in the Trade Agreements Act of 1934, as amended. (Section 350, Tariff Act of 1930, as amended, 19 U. S. C. 1351). In the absence of such a finding by the Commission, notice of dismissal of the investigation will be published in the same manner as the notice ordering the investigation under § 207.5. The Commission will also issue a statement of the reasons for the dismissal.

[SEAL]

OSCAR B. RYDER,  
Chairman,  
United States Tariff Commission.

[F. R. Doc. 49-9778; Filed, Dec. 5, 1949;  
11:00 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

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

#### Appendix—Public Land Orders

[Public Land Order 617]

#### WASHINGTON

#### RESERVING LANDS FOR THE USE OF THE DEPARTMENT OF THE INTERIOR FOR FISH- CULTURAL PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and in furtherance of the purposes of and in accordance with the act of March 10, 1934, 48 Stat. 401 (U. S. C. title 16, secs. 661-666), as amended by the act of August 14, 1946 (60 Stat. 1080), it is ordered as follows:

Subject to valid existing rights the following described acquired lands lying in lots 1 and 2, sec. 22, T. 3 N., R. 10 E., W. M., as shown on a map entitled "Big White Salmon Fish-Cultural Station, Skamania County, Washington" dated May 1947, Fish and Wildlife Service, filed in the Bureau of Land Management, Department of the Interior, Misc. No. 34891, are hereby reserved and set apart for the use of the Department of the Interior for fish-cultural purposes:

That certain parcel of land lying in lot 1, containing 21.05 acres, conveyed by Gladys Claudia Reynolds Shaw, Jr., and Harry Alexander Shaw, Jr., to the United States of America by deed dated April 16, 1936, as recorded August 28, 1936 in Book "Y" of



deeds, page 615, Records of Skamania County, Washington; also that certain parcel of land lying in lot 2, containing 3.15 acres conveyed by Minnie McCracken Goddard and Elizabeth Frances Goddard to the United States of America by deed dated November 18, 1936, as recorded January 13, 1937 in Book "Z" of deeds, page 152, Records of Skamania County, Washington.

The above-described lands have been acquired by the United States through the Corps of Engineers, Department of the Army, in connection with the Bonneville Project. Their reservation and use for fish cultural purposes shall be subject to the primary use thereof by the Department of the Army, and shall not

interfere with any existing or future use of the Bonneville Project.

J. A. KRUG,  
Secretary of the Interior.

NOVEMBER 25, 1949.

[F. R. Doc. 49-9730; Filed, Dec. 5, 1949;  
8:47 a. m.]

## NOTICES

### FEDERAL POWER COMMISSION

[Docket No. E-6220]

ROCKLAND LIGHT & POWER CO.

NOTICE OF FINDING OF COMMISSION

DECEMBER 1, 1949.

Notice is hereby given that, on November 30, 1949, the Federal Power Commission issued its finding entered November 29, 1949, in the above-designated matter, that the interests of interstate or foreign commerce will not be affected by construction of a proposed project on the Delaware River, New York.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9743; Filed, Dec. 5, 1949;  
8:54 a. m.]

[Docket No. E-6242]

GULF STATES UTILITIES CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING AND APPROVING ISSUANCE OF BONDS

NOVEMBER 30, 1949.

Notice is hereby given that, on November 29, 1949, the Federal Power Commission issued its order entered November 29, 1949, supplementing order of November 15, 1949, published in the FEDERAL REGISTER on November 23, 1949 (14 F. R. 7114), authorizing and approving issuance of bonds in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9733; Filed, Dec. 5, 1949;  
8:51 a. m.]

[Docket No. E-6243]

KANSAS GAS AND ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF BONDS

NOVEMBER 30, 1949.

Notice is hereby given that, on November 29, 1949, the Federal Power Commission issued its order entered November 29, 1949, authorizing issuance of bonds in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9735; Filed, Dec. 5, 1949;  
8:52 a. m.]

[Docket No. G-882]

TRUNKLINE GAS SUPPLY CO.

NOTICE OF ORDER AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 30, 1949.

Notice is hereby given that, on November 28, 1949, the Federal Power Commission issued its order entered November 28, 1949, amending order of April 29, 1949, published in the FEDERAL REGISTER on May 6, 1949 (14 F. R. 2361), issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9732; Filed, Dec. 5, 1949;  
8:51 a. m.]

[Docket No. G-1251]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF ORDER MODIFYING AND ADOPTING PRESIDING EXAMINER'S DECISION

NOVEMBER 30, 1949.

Notice is hereby given that, on November 29, 1949, upon review of the Presiding Examiner's Decision dated October 28, 1949, upon its own motion, under authority of § 1.30 of the rules of practice and procedure, the Federal Power Commission issued its order entered November 22, 1949, in the above-designated matter, modifying and adopting said Decision as the decision of the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9734; Filed, Dec. 5, 1949;  
8:51 a. m.]

[Docket No. G-1298]

UNITED FUEL GAS CO.

NOTICE OF APPLICATION

NOVEMBER 30, 1949.

Take notice that on November 18, 1949, United Fuel Gas Company (Applicant), a West Virginia corporation with its principal place of business in Charleston, West Virginia, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following natural gas facilities:

(1) Construct and operate approximately 3 miles of 10 $\frac{3}{4}$ -inch O. D. gas transmission pipe line extending from its existing pipe line known as X-IM-1, near Nitro, West Virginia, to Storage Pool X-2.

(2) Construct and operate approximately 9 miles of 20-inch O. D. gas transmission pipe line, extending from Applicant's Cobb Compressor Station near Clendenin, West Virginia, to Storage Pool X-52.

Applicant also proposes to change its present mode of operations in the following way:

(1) Remove one 1,000 hp. gas engine unit from its Lewis Compressor Station.

(2) Install and operate at Cobb Compressor Station one 1,000 hp. gas engine unit removed from the Lewis Compressor Station.

(3) Convert at Cobb Compressor Station four of the existing and installed 1,000 hp. low-stage compressor units to high pressure operation.

(4) Convert at Cobb Compressor Station one 875 hp. intermediate-stage compressor unit to low-stage operation.

Applicant proposes to transport natural gas obtained from Tennessee Gas Transmission Company by means of the facilities first described above as (1) and (2) for injecting gas into and delivering gas from the respective storage pools beginning in the year 1950. The compressor facilities are proposed to be used to inject gas into storage and to deliver gas from storage into its existing natural gas transmission system, including the transportation of natural gas to the Cobb-Rockville line of the Atlantic Seaboard Corporation and Virginia Gas Transmission Corporation. Also, part of the natural gas to be transported through the facilities above described will be to meet part of the requirements of Consolidated Gas Electric Light and Power Company of Baltimore, Maryland.

The estimated over-all capital cost of the proposed facilities is \$1,326,100.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9731; Filed, Dec. 5, 1949;  
8:48 a. m.]



[Docket No. G-1300]

TEXAS GAS TRANSMISSION CORP.

## NOTICE OF APPLICATION

NOVEMBER 30, 1949.

Take notice that Texas Gas Transmission Corporation (Applicant), a Delaware corporation having its principal place of business in Owensboro, Kentucky, filed on November 25, 1949, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the operation of certain natural-gas transmission pipeline facilities hereinafter described.

Applicant proposes to transport and sell natural gas to P. M. Perkins (Perkins), a public utility, for resale in a small community in Warren County, Kentucky, east of and adjacent to the City of Bowling Green, Kentucky and for such purpose to operate an existing metering station, and other appurtenant facilities, at a point of interconnection of Applicant's existing 8-inch gas transmission pipe line with Perkins' distribution system. Applicant has heretofore delivered natural gas to Perkins on an emergency basis for a period of 60 days under temporary authorization granted by the Commission on January 10, 1949, in the Matter of Texas Gas Transmission Corporation, Docket No. G-1163. Applicant proposes to furnish Perkins approximately 12,000 Mcf of gas per year, and Perkins has represented to Applicant that it will not use in excess of 500 Mcf per month in the summer nor 2,300 Mcf per month in the winter, and that its peak-day demand will not exceed 75 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 49-9742; Filed, Dec. 5, 1949;  
8:53 a. m.]

## WEST TEXAS GAS CO.

NOTICE OF ORDER APPROVING DISPOSITION OF  
AMOUNTS CLASSIFIED IN ACCOUNT 107, GAS  
PLANT ADJUSTMENTS

NOVEMBER 30, 1949.

Notice is hereby given that, on November 28, 1949, the Federal Power Commission issued its order entered November 22, 1949, approving disposition of amounts classified in Account 107, Gas Plant Adjustments, in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 49-9736; Filed, Dec. 5, 1949;  
8:52 a. m.]INTERSTATE COMMERCE  
COMMISSION

[4th Sec. Application 24697]

PIG IRON FROM COLORADO TO WESTERN  
TRUNK LINE TERRITORY

## APPLICATION FOR RELIEF

DECEMBER 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-3600.

Commodities involved: Pig iron, carloads.

From: Minnequa, Colorado Springs, Denver, and Pueblo, Colo.

To: Points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3600, Supplement No. 84.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 49-9737; Filed, Dec. 5, 1949;  
8:52 a. m.]

[4th Sec. Application 24698]

ARTIFICIAL RUBBER FROM PORT NECHES,  
TEX., TO MIAMI, OKLA.

## APPLICATION FOR RELIEF

DECEMBER 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of Kansas City Southern Railway Company and other carriers.

Commodities involved: Rubber, artificial, synthetic, or neoprene, crude, carloads.

From: Port Neches, Tex.

To: Miami, Okla.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3690, Supplement No. 129.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 49-9738; Filed, Dec. 5, 1949;  
8:52 a. m.]

[4th Sec. Application 24699]

BRICK BETWEEN POINTS IN SOUTH

## APPLICATION FOR RELIEF

DECEMBER 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1044.

Commodities involved: Brick, carloads. Between: Points in southern territory.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1044, Supplement No. 85.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 49-9739; Filed, Dec. 5, 1949;  
8:53 a. m.]



[4th Sec. Application 24700]

**PETROLEUM AND PETROLEUM PRODUCTS  
FROM RANKIN, TEX.**

**APPLICATION FOR RELIEF**

DECEMBER 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3585, 3825, and 3494.

Commodities involved: Petroleum, petroleum products and related articles, carloads.

From: Rankin, Tex.

To: Points in southwestern and western trunk-line territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates:

D. Q. Marsh's tariff I. C. C. No. 3585, Sup. No. 383.

D. Q. Marsh's tariff I. C. C. No. 3510, Sup. No. 38.

D. Q. Marsh's tariff I. C. C. No. 3494, Sup. No. 173.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-9740; Filed, Dec. 5, 1949;  
8:53 a. m.]

[4th Sec. Application 24701]

**METHANOL AND RELATED ARTICLES FROM  
BISHOP, TEX., TO SOUTH DAKOTA**

**APPLICATION FOR RELIEF**

DECEMBER 1, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Methanol and related articles, carloads.

From: Bishop, Tex.

To: Aberdeen and Watertown, S. Dak.  
Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supplement No. 125.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-9741; Filed, Dec. 5, 1949;  
8:53 a. m.]

**SECURITIES AND EXCHANGE  
COMMISSION**

[File No. 68-129]

**ELECTRIC BOND AND SHARE CO.**

**ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 29th day of November A. D. 1949.

In the matter of Perry J. Walsh, Max Kopelman, and Jacob R. Freund, acting as "Common Stockholders Committee" of Electric Bond and Share Company; File No. 68-129.

A declaration and amendment thereto having been filed by Perry J. Walsh, Max Kopelman, and Jacob R. Freund, as a Common Stockholders Committee for Electric Bond and Share Company, pursuant to Rule U-62 of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935, regarding the solicitation of holders of the common stock of Electric Bond and Share Company, a registered holding company; and

It appearing to the Commission that it is appropriate to permit said declaration to become effective:

It is ordered, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 49-9745; Filed, Dec. 5, 1949;  
8:54 a. m.]

[File No. 70-2249]

**SOUTHERN CO. ET AL.**

**SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING JOINT APPLICATIONS-DECLARATIONS TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of November A. D. 1949.

In the matter of the Southern Company, Alabama Power Company, Georgia Power Company, Mississippi Power Company; File No. 70-2249.

The Southern Company ("Southern"), a registered holding company and three of its public utility subsidiaries, Alabama Power Company ("Alabama"), Georgia Power Company ("Georgia") and Mississippi Power Company ("Mississippi"), having filed joint applications-declarations and amendments thereto, pursuant to sections 6 (a), 7, 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 and Rule U-50 promulgated thereunder with respect to, among other things, the issuance and sale at competitive bidding by Southern of 1,500,000 additional shares of its \$5 par value common stock; and

The Commission by order dated November 10, 1949 having granted and permitted to become effective said joint applications-declarations as amended, subject to the terms and conditions prescribed in Rule U-24 and subject further to the condition that the proposed issuance and sale of the common stock of Southern shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered with respect thereto in the light of the record so completed and subject further to a reservation of jurisdiction with respect to the payment of all fees and expenses in connection with the proposed transactions; and

Southern having filed a further amendment to the joint applications-declarations herein setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, the following bids were received:

Bidding group headed by—	Price per share
Lehman Bros.....	\$11.5825
Union Securities Corp. and Equitable Securities Corp.....	11.559
Morgan Stanley & Co., Kidder, Peabody & Co., and Merrill Lynch, Pierce, Fenner & Beane.....	11.5551
Blyth & Co., Inc.....	11.54
Harriman Ripley & Co., Inc.....	11.38

The amendment further stating that Southern has accepted the bid of Lehman Brothers as set out above, and that said common stock will be offered to the public at \$11.95 per share resulting in an underwriting spread of \$0.3675 per share which is equal to 3.08% of the public offering price and 3.17% of the price to the company; and



The record having been completed with respect to the fees requested and expenses incurred in connection with the sale of the common stock, such fees being as follows:

Winthrop, Stimson, Putnam & Roberts, counsel for Southern	\$12,000
Reid & Priest, counsel for the purchasers	8,000
The First Boston Corp., financial advisers to Southern	25,000

and it appearing to the Commission that the fees and expenses are not unreasonable; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters;

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding in connection with the sale of the common stock of Southern under Rule U-50, be, and the same hereby is, released and that the said joint applications-declarations of Southern and its subsidiaries, Alabama, Georgia and Mississippi as further amended herein, be and the same hereby are granted and permitted to become effective forthwith, subject however to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved with respect to the payment of all fees and expenses in connection with the proposed transactions be and the same hereby is released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-9746; Filed, Dec. 5, 1949;  
8:54 a. m.]

[File No. 70-2262]

COLUMBIA GAS SYSTEM, INC., ET AL.

#### 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 29th day of November 1949.

In the matter of the Columbia Gas System, Inc., Cumberland and Allegheny Gas Company, the Manufacturers Light and Heat Company, the Ohio Fuel Gas Company, the Preston Oil Company, Union Gasoline & Oil Corporation, United Fuel Gas Company, Virginian Gasoline & Oil Company, File No. 70-2262.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiaries, Cumberland and Allegheny Gas Company ("Cumberland"), The Manufacturers Light and Heat Company ("Manufacturers"), the Ohio Fuel Gas Company ("Ohio Fuel"), the Preston Oil Company ("Preston"), Union Gasoline & Oil Corporation

("Union"), United Fuel Gas Company ("United Fuel"), and Virginian Gasoline & Oil Company ("Virginian"). Applicants-declarants have designated sections 6 (a), 7, 9 (a), 10 and 12 of the act and Rules U-43, U-45 and U-46 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 15, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, 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 15, 1949, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Columbia owns all of the securities of the companies which are parties to this joint application-declaration except for small minority interests in the common stocks of Manufacturers and United Fuel. Cumberland, Manufacturers, Ohio Fuel and United Fuel are engaged in the gas utility business (hereinafter referred to collectively as the "utility companies"). Preston, Union and Virginian are engaged in the gasoline and oil business (hereinafter referred to collectively as the "oil and gasoline companies").

In order to simplify the corporate structure of Columbia, it is proposed that the "utility companies" take over from the "oil and gasoline companies" the gasoline operations of the latter companies which, it is stated, are essential to the natural gas business of the former companies, and that the oil operations of the "oil and gasoline companies" be consolidated into one company.

The "utility companies" will acquire from the "oil and gasoline companies" the gasoline extraction plants and other gasoline properties, each such utility company acquiring such plants and properties as are now used in the processing of natural gas produced or purchased by it. The assets to be acquired will consist of plant in service, construction work in progress, materials and supplies and gasoline inventories. The "utility companies" will pay cash for such assets in an amount equal to the book value thereof, less accrued depreciation applicable thereto. The following schedule sets forth the companies involved and the net consideration to be paid, based on the accounts at July 31, 1949:

Seller	Purchaser	Consideration
Preston	Ohio Fuel	\$429,106
Virginian	United Fuel	2,660,912
Union	Manufacturers	65,931
Do.	Cumberland	12,640

In the case of Ohio Fuel, Manufacturers and Cumberland, cash to consummate the proposed transaction will be provided from the treasuries of the respective purchasing companies. In the case of United Fuel, it is proposed that the cash required will be provided by a capital contribution to be made to United Fuel by Columbia. Based on the accounts at July 31, 1949, the proposed contribution will amount to \$2,660,000. The amount of such contribution will not exceed the amount to be paid by United Fuel to Virginian and may be reduced to the extent that United Fuel has cash available in its treasury.

After the sale of their gasoline assets, Virginian and Union will sell their remaining assets other than cash to Preston. As consideration therefor, Preston will issue to Virginian and Union its 3 1/4% installment promissory notes in a principal amount equal to the book value of the assets acquired less related reserves and less liabilities assumed.

Preston will assume all liabilities of Virginian and Union except 6% demand loans presently owing by Virginian to Columbia. Virginian and Union propose to pay cash dividends to Columbia in amounts substantially equal to their earned surplus since September 30, 1946.

After the above transactions are consummated, Virginian and Union will be liquidated and their remaining assets, consisting of cash and 3 1/4% notes of Preston, will be distributed to Columbia in liquidation.

Following these transactions, Preston will use such surplus cash as it has available for the repayment of income demand loans presently owing to Columbia. It is stated that, on the basis of present estimates, cash will be available in an amount sufficient to liquidate all of such income demand loans amounting to \$400,000.

It is stated that the proposed transactions will aid in simplifying the corporate structure of Columbia by eliminating two subsidiaries and will also make possible certain savings in operating and accounting costs.

By the Commission

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-9747; Filed, Dec. 5, 1949;  
8:55 a. m.]

[File No. 70-2272]

UNITED GAS CORP. AND UNITED GAS PIPE  
LINE CO.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of November A. D. 1949.

Notice is hereby given that United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share



Company, a registered holding company, and United's wholly owned subsidiary United Gas Pipe Line Company ("Pipe Line"), have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 6 (a), 7, 9 (a), 10 and 12 thereof and Rule U-43 (a) of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

On August 9, 1949, the Commission authorized the borrowing of \$8,000,000 by Pipe Line from United to complete Pipe Line's construction program for the year 1949. Since that time Pipe Line has embarked on additional construction projects increasing Pipe Line's estimated construction program for the year 1949 from \$18,246,000 to \$20,500,000.

United proposes to lend Pipe Line an amount aggregating not in excess of \$3,000,000, in addition to the \$8,000,000 heretofore authorized, during the period of one year from the date of the Commission's order herein, in such installments and at such times as funds may be required by Pipe Line and requested from United, such funds to be used in connection with Pipe Line's construction and development program. Such loans will be evidenced by promissory notes issued by Pipe Line to United or order payable on or before six years from the date of issuance and bearing interest at the rate of 3% per annum, payable semi-annually. United proposes to deposit the notes of Pipe Line with the corporate trustee under its mortgage in accordance with the provisions of United's Mortgage and Deed of Trust dated as of October 1, 1944, as supplemented.

Applicants-declarants request that the order herein issue as promptly as may be practicable and that it be effective forthwith upon its issuance.

Notice is further given that any interested person may not later than December 15, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration 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 5:30 p. m., e. s. t., on December 15, 1949, said application-declaration as filed, or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-9744; Filed, Dec. 5, 1949;  
8:54 a. m.]

## UNITED STATES TARIFF COMMISSION

### ORGANIZATION AND FUNCTIONS

#### Sec.

1. Creation and authority.
2. Offices.
3. Organization.
4. Functions.
5. Availability of information.

**SECTION 1. Creation and authority.** The United States Tariff Commission was created by act of Congress approved September 8, 1916 (39 Stat. 795) for the purpose of supplying the Congress and the President with information regarding the position of United States industries in competition with imports, regarding the administration and operation of United States customs laws, and regarding commercial policies of foreign countries. The Tariff Act of 1922 (42 Stat. 858) increased its functions by providing for investigation and report by the Tariff Commission before action by the President under the authority given him by that act to change duties when found necessary to equalize differences in costs of production in the United States and foreign countries and also before action by him embargoing imports pursuant to the provision declaring unfair methods of competition in the import trade to be unlawful. Title III, Part II, of the Tariff Act of 1930 (46 Stat. 696; 19 U. S. C. 1330-41) provided for a reorganization of the Tariff Commission and reenacted substantially all the previous provisions regarding its powers and duties. The Trade Agreements Act of June 12, 1934, as amended (48 Stat. 943; Pub. Law 307, 81st Cong.; 19 U. S. C. 1351-54) names the Tariff Commission as one of the advisory agencies in the negotiation of reciprocal trade agreements (see Part I of Executive Order 10082, dated Oct. 5, 1949, 14 F. R. 6105). The Agricultural Adjustment Act (of 1933), as amended by section 3 of the Agricultural Act of 1948 (62 Stat. 1248), designates the Tariff Commission as the agency to conduct investigations to determine whether imports are interfering with agricultural programs undertaken by the Department of Agriculture. The Philippine Trade Act of 1946 (60 Stat. 156) imposes upon the Tariff Commission the function of conducting investigations and reporting to the President in connection with the administration of the provisions of that act respecting quotas on imports of Philippine articles. Part III of Executive Order 10082 (14 F. R. 6107) provides for investigation and report to the President by the Tariff Commission regarding injury to domestic producers resulting from trade-agreement concessions.

**Sec. 2. Offices.** The main offices of the United States Tariff Commission are located in the Tariff Commission Building, E Street between Seventh and Eighth Streets, NW., Washington 25, D. C. Telephone: National 3947, Branch 2. The only field office of the Commission is located at the Customhouse, New York 4, N. Y. Telephone: Whitehall 4-4300, Branch 205.

**Sec. 3. Organization—(a) The Commission.** The full Commission consists of six members, appointed by the President and confirmed by the Senate for

terms of 6 years each, one term expiring each year. The law provides that not more than three commissioners may be of the same political party. The Chairman and Vice Chairman are designated by the President annually from the membership of the Commission.

**(b) The Planning and Reviewing Committee.** The Planning and Reviewing Committee, composed of senior officers of the Commission's staff, under the active direction of the Commission, plans, supervises, and coordinates the work of the staff of the Commission. The permanent members of the Planning and Reviewing Committee are the Director of Investigation, who is Chairman of the Committee; the Chief of the Economics Division; the Chief Economist; the Chief of the Technical Service, who has general supervision over the work of the seven commodity divisions; the General Counsel; and the Special Industrial Adviser. In connection with special subjects in which they are particularly concerned, the Secretary or the Executive Officer and the chiefs of the commodity and other divisions participate in the meetings of the Planning and Reviewing Committee.

**(c) Senior staff officers and subsidiary organizational units.** The senior officers of the Commission's staff, together with the subsidiary organizational units under their general supervision, are as follows:

#### Secretary:

- Executive Officer.
- Docket and Public Information Service.
- Finance Section.
- Personnel Section.
- Stenographic Section.
- Mails and Files Section.
- Graphic Section.
- Messengers.

Director of Investigation (also Chairman, Planning and Reviewing Committee).

Chief Economist.

Chief, Economics Division:

- Economics Division.
- Statistical Division.
- Library.
- Editorial Section.

Chief, Technical Service:

- Agricultural Division.
- Ceramics Division.
- Chemical Division.
- Lumber-Paper Division.
- Metals Division.
- Sundries Division.
- Textile Division.
- Accounting Division.
- New York Office.

General Counsel:

- Legal Division.
- Special Industrial Adviser.

**Sec. 4. Functions—(a) Investigations and reports under general powers.** Under its general powers (sec. 332, Tariff Act of 1930; 46 Stat. 698; 19 U. S. C. 1332) the Commission, on its own initiative, investigates and makes reports on the following matters:

(1) The administration and operation of the customs laws of the United States and the fiscal and industrial effects of those laws.

(2) The forms of duty (ad valorem, specific, and compound) and the relations between the rates of duty on raw materials and on finished or partly finished products.

(3) Competition between United States and foreign industries in the United States markets, including such matters



as the ratio of imports to domestic production and consumption, the comparability of imported and domestic products, and the differences in prices and in costs of production here and abroad.

(4) The trade and trade policies of foreign countries, the organization of the economies of foreign countries, their commercial treaties and agreements, and foreign trade controls.

(b) *Investigations requested by the President and Congress.* The Commission makes special investigations when requested by the President, by either or both Houses of Congress, or by Congressional committees, particularly by the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives. These investigations are conducted under the Commission's general powers.

(c) *Investigations under the flexible tariff provision.* Under section 336 of the Tariff Act of 1930 (46 Stat. 701; 19 U. S. C. 1336) the Commission investigates the differences in costs of production of foreign articles and of like or similar articles produced in the United States; it reports its findings to the President, who is authorized by law to increase or decrease statutory rates of duty in accordance with the Commission's findings by not more than 50 per centum.

NOTE: The provisions of section 336 of the Tariff Act of 1930 may not be applied to any article with respect to the importation of which into the United States a foreign trade agreement has been concluded under the Trade Agreements Act of 1934, as amended (sec. 2 (a), 48 Stat. 944; 19 U. S. C. 1352 (a)).

(d) *Unfair practices in import trade.* Under section 337 of the Tariff Act of 1930 (46 Stat. 703, 54 Stat. 724; 19 U. S. C. 1337, 1337a) the Commission investigates allegations of unfair methods of competition and unfair acts in the importation into or in the sale of imported articles in the United States, and reports its findings to the President, who may order the exclusion of the articles from entry into the United States if the existence of unfair practices is established.

(e) *Discrimination by foreign countries against American commerce.* It is the duty of the Commission to ascertain, and at all times to be informed regarding discriminations by foreign countries against the commerce of the United States, and to bring such practices to the attention of the President, who may take specified actions in such cases (46 Stat. 704; 19 U. S. C. 1338).

(f) *Foreign trade agreements.*—(1) *Negotiation.* The Trade Agreements Act of June 12, 1934, as amended (sec. 4, 48 Stat. 945; sec. 5, Pub. Law 307, 81st Cong.; 19 U. S. C. 1354), designates the Tariff Commission as a source of information and advice to the President in the negotiation of foreign trade agreements under that act. A member of the Commission is a member of the Interdepartmental Committee on Trade Agreements and is chairman of the Committee for Reciprocity Information (Part I of Executive Order 10082, 14 F. R. 6105). With respect to each import article which is under consideration for possible modification of duties and other import restrictions, im-

position of additional import restrictions, or specific continuance of existing customs or excise treatment in a trade agreement, the Commission makes an analysis of the facts relative to production, trade, consumption, and other competitive factors affecting the article involved or bearing on the probable effect of granting a concession thereon. These analyses are submitted in digest form to the Trade Agreements Committee (paragraph 6 of Executive Order 10082). Members of the Commission and of the Commission's staff also serve on various subcommittees of the Interdepartmental Committee on Trade Agreements.

(2) *Investigations regarding injury.* Under Part III of Executive Order 10082 (14 F. R. 6107) the Commission investigates to determine whether the domestic industry producing any given article is being seriously injured or is threatened with serious injury as a result of the granting of a trade-agreement concession on the article. It reports its findings to the President for his consideration in connection with the right reserved in trade agreements to withdraw or modify any concession in cases where serious injury or threat of injury to a domestic industry is found to result from it.

(3) *Annual report on operation of trade agreements program.* Part III of Executive Order 10082 requires the Tariff Commission to keep informed concerning the operation and effect of trade-agreement provisions, and, at least once a year, to submit to the President and to the Congress a factual report on the operation of the trade agreements program.

(g) *Action to safeguard agricultural programs.* When directed by the President, the Commission investigates whether articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render ineffective or to interfere materially with Government agricultural programs. If, on the basis of the Commission's investigation and report, the President finds the existence of such facts, he may impose, within certain restrictions, fees or quantitative limitations on the importation of articles under consideration. (Sec. 22 of the Agricultural Adjustment Act (of 1933) as amended; 62 Stat. 1248; 7 U. S. C., Sup. II, 624)

(h) *Import quotas on Philippine articles.* Section 504 of the Philippine Trade Act of 1946 (60 Stat. 156; 22 U. S. C. 1354) designates the Tariff Commission as the agency to investigate the effect of competition between imports of Philippine articles (not subject to quota restriction under Part 2 of Title II of the act) and like domestic articles; the Commission reports to the President regarding the necessity under the act for the imposition by him of import quotas on such Philippine articles.

(i) *Cooperation with other Government agencies.* Under section 334 of the Tariff Act of 1930 (46 Stat. 700; 19 U. S. C. 1334) the Commission is required to cooperate with other Government agencies. Under this provision assistance is rendered insofar as practicable, to those Government agencies requesting it.

(j) *Analysis of import invoices.* To carry on properly its work of acquiring basic factual information on the import trade, the Commission makes extensive studies of invoices and other import records, and primarily in connection with this work maintains an office at the Customhouse in New York City.

SEC. 5. *Availability of information.*—(a) *In general.* Information concerning the activities, reports, and publications of the Tariff Commission is available to the public upon application, in writing or in person, to the Secretary of the Commission, Washington 25, D. C. Similar information of current nature is available to the public at the Commission's New York office on application to the Officer in Charge, Customhouse, New York City.

Printed reports, surveys, studies, and other publications of the Tariff Commission are available to the public on application to the Superintendent of Documents, Government Printing Office, Washington 25, D. C., or to the Secretary of the Commission.

Mimeographed, offset, and other publications produced within the office of the Tariff Commission are available to the public by application to the Secretary.

(b) *Mailing lists.* Mailing lists by various categories are maintained by the Commission for the purpose of sending notices to interested parties when new publications are ready for issue. Interested parties may apply to the Secretary for inclusion in such lists by a statement showing their interest and desire to receive such notices.

(c) *Public announcements.* Through the medium of statements to the public press the Commission announces new activities, formal investigations, the issuance of reports, and other matters of official character of interest to the public. These appear generally in the various trade journals. Mailing lists are also maintained for such notices and interested persons may apply for inclusion in these lists by showing their interest and desire to receive such notices.

(d) *Formal notices.* In connection with various activities of the Commission, it issues formal notices. Copies of these notices are sent to persons known to the Commission to have an interest in the subject matter, and to individuals and organizations who have requested notification in connection with the subject matter of such notices. Formal notices are also posted on the bulletin boards of the Tariff Commission at its main office in Washington, D. C., and on those of its field office at the Customhouse, New York City. All formal notices of the Commission are printed in the FEDERAL REGISTER and in Treasury Decisions. Formal notices are likewise made available to the public press and to trade publications.

[SEAL]

OSCAR B. RYDER,  
Chairman,  
United States Tariff Commission.

[F. R. Doc. 49-9779; Filed, Dec. 5, 1949; 11:00 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 14092]

## MARY MARTHA PAWELLEK HELMKE

In re: Real property and a claim owned by Mary Martha Pawellek Helmke, also known as Mary Helmke, nee Pawellek, and as Mary Helmke Pawellek.

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 Mary Martha Pawellek Helmke, also known as Mary Helmke, nee Pawellek, and as Mary Helmke Pawellek, whose last known address is Hemms Avenue 117, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property, situated in the City of Portsmouth, State of Virginia, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property, and

b. That certain debt or other obligation of M. A. Ogg, 818 Glasgow Street, Portsmouth, Virginia, arising out of rents collected on the real property described in subparagraph 2-a hereof, 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 in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, excepting, however, such rights as may appear by

virtue of a deed from Mary Helmke geb. Pawellek to Elizabeth Buck, dated June 17, 1948, recorded April 21, 1949, in the Clerk's Office of the Court of Hustings in the City of Portsmouth, Virginia, in Book 197, Page 468, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested 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 28, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

## EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon and appurtenances thereunto belonging, situate in the City of Portsmouth, Virginia, and bounded and described as follows:

Beginning at a point on the North side of High Street, 105 feet west from the Northwest intersection of High Street and 7th Avenue, thence running west on High Street 30 feet, thence north parallel with 7th Avenue 106 feet, thence east parallel with High Street 30 feet, thence south parallel with 7th Avenue 106 feet to the north side of High Street, at the point of beginning.

[F. R. Doc. 49-9749; Filed, Dec. 5, 1949; 8:55 a. m.]

[Vesting Order CE 478]

## COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN NEW JERSEY COURT

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 having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on November 28, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

## EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Princess Florence di Camporeale.....	Italy.....	Item 1 Trust u/w of Marie Louise Binney, deceased, Burlington County Court, Probate Division, Mount Holly, N. J.	\$75.00
Princess Anna di Castellecale (formerly Marianna Biecadilli di Bologna).....	do.....	Item 2 Same.....	132.33
Alexander Kingsland.....	do.....	Item 3 Trust u/w of William G. Binney, deceased, Burlington County Court, Probate Division, Mount Holly, N. J.	132.34
Princess Anna di Castellecale (formerly Marianna Biecadilli di Bologna).....	do.....	Item 4 Same.....	132.33
Princess Florence di Camporeale.....	do.....	Item 5 Same.....	75.00

[F. R. Doc. 49-9751; Filed, Dec. 5, 1949; 8:57 a. m.]