

THE NATIONAL ARCHIVES  
LITTERA  
SCRIPTA  
MANET  
OF THE UNITED STATES  
1934

# FEDERAL REGISTER

VOLUME 15 NUMBER 226

Washington, Tuesday, November 21, 1950

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter III—Foreign and Territorial Compensation

#### Subchapter B—The Secretary of State

[Departmental Reg. 108.116]

#### PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

##### MISCELLANEOUS AMENDMENTS

1. Section 325.5, *Payment of foreign post differential*, is amended by the addition of the following effective as of the beginning of the first pay period following October 28, 1950:

(e) In cases of emergency evacuation where personnel are removed from a post without being separated, transferred or detailed, the differential shall not continue beyond:

(1) Date of separation, transfer, or detail.

(2) Date of arrival at place of residence in the United States or in Washington, D. C.

(3) Sixty days from departure from the post, unless an extension is approved by the Department of State.

2. Section 325.10, *Future revisions*, is revised to read as follows:

§ 325.10 *Future revisions*. The Department of State will review conditions at foreign posts at least annually. Each department or agency shall be responsible for currently reporting to the Department of State, Division of Foreign Service Personnel, the opening or closing of foreign posts and any changes in conditions at its foreign posts which might warrant an increase or reduction of the post differential. Each newly established foreign post shall submit two completed copies of Form DSP-36, Foreign Post Differential Questionnaire. Any foreign post may, and each foreign differential post shall, submit for transmission to the Department of State by the end of each calendar year one of the following:

(a) Where conditions affecting the differential have changed, two copies of Form DSP-36, filled out only in those

sections necessary to identify the post and indicate the changes.

(b) A memorandum stating that there have been no substantial changes in conditions as reported in the previous Form DSP-36 submitted by the post.

3. Section 325.11, *Designation of differential posts*, is amended as follows, effective on the dates indicated:

a. Effective as of the beginning of the first pay period following October 28, 1950, paragraph (a) is amended by the addition of the following posts:

Brazil, all posts in states and territories of Acre, Amapa, Amazonas, Goias, Guapore, Maranhao, Mato Grosso, Para, Piaul, and Rio Branco.

Kenya, all posts except Kisumu, Mombasa, Nairobi, Naivasha, and Nakuru.

North Borneo, all posts.  
Sarawak, all posts.

b. Effective as of the beginning of the first pay period following October 28, 1950, paragraph (b) is amended by the addition of the following posts:

Brazil, all posts in states and territories other than those named under Brazil in paragraph (a) of this section, except Belo Horizonte, Belterra, Campinas, Curitiba, Fazenda Ipanema, Natal, Porto Alegre, Recife (Pernambuco), Rio de Janeiro, Salvador (Bahia), Santos, Sao Paulo and Vitoria.

Turkey, all posts except Ankara, Elaziz, Istanbul, Izmir, and Konya.

c. Effective as of the beginning of the first pay period following October 28, 1950, paragraph (c) is amended by the addition of the following posts:

Chiang Mai, Thailand, Fazenda Ipanema, Brazil.

d. Effective as of the beginning of the first pay period following October 28, 1950, paragraph (a) is amended by the deletion of the following posts:

Brazil, north of latitude 20° south, except Fortaleza, Natal, Recife, Salvador, Bello, Horizonte; and back country south of latitude 20° south.

Kenya, back country only.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

CARLISLE H. HUMELSINE,  
Deputy Under Secretary.

[F. R. Doc. 50-10508; Filed, Nov. 20, 1950; 8:55 a. m.]

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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**TITLE 7—AGRICULTURE**

**Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture**

**PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, NORTH DAKOTA, AND IN CERTAIN COUNTIES OF IOWA AND OF INDIANA**

**LIMITATION OF SHIPMENTS**

§ 960.309 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Order No. 60, as amended (7 CFR Part 960), regulating the handling of Irish potatoes grown in Michigan, Wisconsin, Minnesota, North Dakota, and in certain counties of Iowa and of Indiana, effective

under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31 as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation of the North Central Potato Committee, established under said order, and other available information, it is hereby found that such limitation of shipments of potatoes as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impractical and contrary to the public interest to give preliminary notice, engage in public rule-making procedure and postpone the effective date of this section until thirty days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of the 1950 crop Irish potatoes grown in the production area have begun, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of potatoes in the manner set forth below on and after the effective date hereinafter set forth, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date hereof, (iv) a reasonable time is permitted, under the circumstances, for such preparation, (v) the time intervening between the date when adequate information became available to the North Central Potato Committee to make its recommendation and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and (vi) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period from November 27, 1950, to June 30, 1951, both dates inclusive, each shipment of potatoes shall be limited, except as hereinafter otherwise provided, to potatoes which are not less than 2 inches minimum diameter if of round varieties and to not less than 1¾ inches minimum diameter if of long varieties; and (i) In North Dakota Districts 1 and 2, in Minnesota Districts 1 and 3, in Wisconsin Districts 1 and 2, and in Michigan Districts 1 and 2, to such potatoes which are free from damage caused by dirt and which meet the requirements of the U. S. Commercial or better grade, of which at least 85 percent are not less than U. S. No. 1 quality;

(ii) In Minnesota District 2, in Wisconsin District 3, in Michigan District 3, in Iowa District 1, and in Indiana District 1, to such potatoes which are free from damage caused by dirt and which meet the requirements of the U. S. No. 2 or better grade, of which at least 65 percent are not less than U. S. No. 1 quality: *Provided*, That individual containers in a lot of such potatoes may have not more than 15 percent less than the required percentage of U. S. No. 1 quality and the entire lot averages within the required percentage.

(2) During the aforesaid period, each shipment of washed potatoes shall be limited to washed potatoes which are not less than 2 inches minimum diameter if

of round varieties, not less than 1¾ inches minimum diameter if of long varieties, and which meet the requirements of the U. S. No. 2 or better grade, of which at least 30 percent are not less than U. S. No. 1 quality: *Provided*, That individual containers in a lot of such washed potatoes may have not more than 15 percent less than the required percentage of U. S. No. 1 quality and the entire lot averages within the required percentage.

(3) During the aforesaid period, potatoes, including washed potatoes, may be shipped if they fail to meet the requirements of subparagraphs (1) and (2) of this paragraph only because of hollow heart.

(4) During each day of the aforesaid period, each handler may make one shipment of not to exceed 50 hundredweight of potatoes, including washed potatoes, without prior inspection and certification thereof and without paying assessments in connection therewith.

(5) During the aforesaid period, shipments of potatoes for storing, grading, or both, within the production area and within 35 miles of the field where the potatoes were grown may be made without limitation.

(6) During the aforesaid period, shipments of potatoes, including washed potatoes, for the following purposes may be made without limitation if such shipments are accomplished in accordance with applicable safeguards contained in this part:

(i) For grading, storing, or both, within the production area and at a place which is more than 35 miles from the field where the potatoes were grown:

- (ii) For seed;
- (iii) For export;
- (iv) For distribution by the Federal government;

(v) For manufacture into starch or alcohol;

(vi) For livestock feed;

(vii) For experiments conducted by Federal or State agencies.

(7) Terms used in this section, except as hereinafter otherwise provided, have the meanings ascribed thereto in Order No. 60, as amended. "Washed potatoes" means potatoes which have been cleaned by water and certified by the Federal-State Inspection Service as "generally fairly clean." "Fairly clean" has the meaning ascribed thereto in the U. S. Standards for Potatoes (7 CFR 51.366), and "generally," when used in conjunction with "fairly clean" in this section, means that at least 90 percent of the washed potatoes in each shipment certified as aforesaid meet the requirements of "fairly clean." The grades and sizes specified in this section have the meanings ascribed thereto in the U. S. Standards for Potatoes, as modified by the provisions of this section.

(8) The limitations set forth in this section supersede all grade and size limitations, applicable to the handling of potatoes grown in the production area, heretofore issued under §§ 960.4 and 960.5 of Order No. 60 and currently in effect pursuant to § 960.86 (b) of Order No. 60, as amended, and such prior limitations are hereby terminated and

revoked as of the effective date of the limitations set forth in this section.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 16th day of November 1950, to be effective on November 27, 1950.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 50-10510; Filed, Nov. 20, 1950;  
8:55 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Regs., Serial No. SR-356]

#### PART 40—AIR CARRIER OPERATING CERTIFICATION

#### PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OP- ERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

#### PART 45—COMMERCIAL OPERATOR CERTIFI- CATION AND OPERATION RULES

#### PART 61—SCHEDULED AIR CARRIER RULES NONTRANSPORT CATEGORY AIRPLANES IN SCHEDULED PASSENGER OPERATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of November 1950.

Certain airplanes certificated as a basic type prior to June 30, 1942, and currently used in scheduled air carrier passenger operations have at various times since original certification been allowed increases in their certificated maximum take-off and landing weights. The increases have been allowed under the provisions of later adopted airworthiness requirements based upon different and more realistic safety criteria where the airplanes have been shown to comply with such requirements for particular operations.

However, these developments have not followed a consistent pattern, and at the present time airplanes of the same basic type are operated at differing maximum landing weights. For example, the usual maximum landing weight for a Douglas DC-3 (not certificated in the transport category) operated in scheduled passenger service is 24,400 pounds when operated in accordance with limitations established in the air carrier's operating specifications, whereas a comparable airplane used by an irregular air carrier or commercial operator operates at a maximum landing weight of 25,200 pounds subject to operating limitations recently provided for in Part 42 of the Civil Air Regulations.<sup>1</sup>

<sup>1</sup> The DC-3 is also eligible and is being operated at a maximum certificated take-off weight of 26,200 lbs and a maximum certificated landing weight of 26,000 lbs in accordance with transport category performance rules. The DC-3 when used for the carriage of cargo only is eligible and is being operated at maximum certificated take-off and landing weights as high as 26,900 lbs. Furthermore, corresponding military versions of the DC-3 have been operated at maximum weights in excess of 30,000 lbs.

The Board has been asked by certain scheduled air carriers to permit operation of the DC-3 and the Lockheed Model 18 as nontransport category airplanes at the landing weights authorized for these same airplanes in nonscheduled passenger service. It is our opinion that such higher weights are justified for nontransport category airplanes, only if they are operated in accordance with the operating limitations established for such airplanes in Part 42. Therefore, the Board is authorizing the operation in passenger service by scheduled air carriers or commercial operators of nontransport category airplanes type certificated prior to June 30, 1942, at maximum landing weights not exceeding their presently certificated maximum take-off weights for passenger use, when such airplanes are operated under operating limitations established pursuant to current provisions of Part 42.

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

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective December 20, 1950:

Contrary provisions of the Civil Air Regulations notwithstanding, an airplane type certificated prior to June 30, 1942, may be used for the carriage of persons in scheduled service at a maximum landing weight not exceeding its maximum certificated take-off weight for passenger service: *Provided*, That such landing weight does not exceed the weight for which the structure has been substantiated in accordance with the structural requirements upon which the original certification was based: *Provided further*, That the airplane is operated in accordance with operating limitations established pursuant to §§ 42.80 through 42.83 of the Civil Air Regulations as heretofore or hereafter amended: *And provided further*, That if an air carrier elects to operate aircraft under the provisions of this Special Civil Air Regulation it shall be required that all of its aircraft of the same or related types be operated thereunder.

Unless sooner superseded or rescinded, the authorization established by the provisions of this regulation shall terminate on December 31, 1953.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 604, 52 Stat. 1007, as amended, 1010; 49 U. S. C., and Sup. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 50-10507; Filed, Nov. 20, 1950;  
8:55 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[File No. 21-422]

#### PART 196—PARKING METER INDUSTRY

#### PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference pro-

cedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

*It is now ordered*, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of November 21, 1950.

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

Members of the industry are the persons, partnerships, corporations, or organizations engaged in the business of manufacturing, selling, distributing, or promoting the sale or distribution of, parking meters or parts or accessories therefor. Such industry members also include those engaged in promoting or furthering the manufacture, sale, or distribution of such products through the granting of licenses under patents or who operate as sales agents, sales representatives, or other distributors.

The rules are directed to the elimination and prevention of various unfair trade practices and are issued in the interest of protecting the purchasing public and maintaining fair competitive conditions in the industry. To this end the rules provide a helpful guide to all members of the industry.

Proceedings leading to the establishment of rules were instituted upon application made on behalf of industry members. A general industry conference was held under Commission auspices in Washington, D. C., at which proposals for rules were submitted by industry members for the consideration of the Commission. Thereafter, a draft of proposed rules was released by the Commission and public hearing thereon held in Washington, D. C., at which all interested or affected parties were afforded opportunity to present their views, suggestions, or objections regarding the rules.

Following such hearing, and upon consideration of the entire matter, final action was taken by the Commission whereby it approved and received, respectively, the trade practice rules hereinafter appearing in Group I and Group II.

Such rules become operative thirty (30) days from the date of promulgation.

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

#### GROUP I

Sec.	Definition.
196.0	Definition.
196.1	Misrepresentation.
196.2	Defamation of competitors or interfering with or disparaging their products.

- Sec.
- 196.3 Misrepresentation as to character of business.
- 196.4 Deceptive use of trade or corporate names or trade-marks, etc.
- 196.5 Imitation of trade-marks, trade names, etc.
- 196.6 Deception as to rebuilt or second-hand products.
- 196.7 Commercial bribery.
- 196.8 Inducing breach of contract.
- 196.9 False invoicing.
- 196.10 Fictitious prices.
- 196.11 Guarantees, warranties, etc.
- 196.12 Prohibited discrimination.
- 196.13 Selling below cost.
- 196.14 Unfair threats of infringement suits.
- 196.15 Procurement of competitor's confidential information by unfair means and wrongful use thereof.
- 196.16 Enticing away employees of competitors.
- 196.17 Unlawful coercion or combinations in restraint of trade.
- 196.18 Aiding or abetting unfair trade practices.

GROUP II

- 196.101 Maintenance of accurate records.
- 196.102 Settlement of disputes.

AUTHORITY: §§ 196.0 to 196.102 issued under 38 Stat. 721; 15 U. S. C. 46.

§ 196.0 *Definition.* As used in this part, the term "products of the industry" or "industry products" shall be understood as meaning parking meters and parts and accessories therefor.

GROUP I

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

§ 196.1 *Misrepresentation.* It is an unfair trade practice to make any statement or representation, by way of advertisement, product demonstration, or otherwise, which is false, misleading, or deceptive, or which, directly or by reason of concealment of material fact, has the capacity and tendency or effect of misleading or deceiving purchasers or users of industry products (a) with respect to the quality, size, capacity, durability, serviceability, life, performance, mode of operation, currency of meter, design, construction, or constituent materials of any product of the industry; or (b) with respect to any service offered, promised, or to be supplied to purchasers of such products; or (c) with respect to the manufacture, distribution, servicing, or terms or conditions of sale, of any industry product; or in any other material respect. [Rule 1]

§ 196.2 *Defamation of competitors or interfering with or disparaging their products.* (a) The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors'

products in any respect, or the false disparagement of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice.

(b) Likewise, the demonstration of obsolete models of a competitor's product as and for current models, and the deliberate tampering with, damaging, or destroying of competitors' products so as to disparage the products in the eyes of customers or prospective customers, is an unfair trade practice.

(c) Nothing in paragraphs (a) and (b) of this section shall be construed as preventing the full, fair, and nondeceptive comparison, by demonstration or otherwise, of competitors' meters with the meter of another industry member before public officials or other purchasers or prospective purchasers. [Rule 2]

§ 196.3 *Misrepresentation as to character of business.* It is an unfair trade practice for any industry member, in the course of or in connection with the distribution of industry products, to represent, directly or indirectly, that he is a manufacturer of industry products, or that he owns or controls a factory making such products, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of his business. [Rule 3]

§ 196.4 *Deceptive use of trade or corporate names or trade-marks, etc.* The use of any trade name, corporate name, trade-mark, or other trade designation which has the capacity and tendency or effect of misleading or deceiving purchasers or users as to the character, name, nature, efficacy, or origin of any product of the industry, or any material used therein, or which is false or misleading in any other respect, is an unfair trade practice. [Rule 4]

§ 196.5 *Imitation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers or users of industry products, is an unfair trade practice. [Rule 5]

§ 196.6 *Deception as to rebuilt or second-hand products.* (a) It is an unfair trade practice for any member of the industry to sell, offer for sale, advertise, or otherwise represent, any product of the industry as being new when such is not the fact.

(b) In the marketing of rebuilt or second-hand products of the industry, or parts thereof, or in the marketing of products containing rebuilt or second-hand parts, it is an unfair trade practice to conceal, or fail or refuse to fully and nondeceptively disclose by effective means of identification (such as by tag, label, stamp, or mark firmly affixed to the products, or the immediate containers thereof in which sold and delivered to the consumer, or by invoice, bill or delivery slip accompanying the article and delivered to the purchaser therewith), the fact that such products, or all or certain parts contained therein, are not new, or are used, second-hand, rebuilt, repaired, or refinished after use, when such products have the appear-

ance of being new and such concealment and nondisclosure have the capacity and tendency or effect of misleading the purchaser or the consuming public. [Rule 6]

§ 196.7 *Commercial bribery.* (a) It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or knowingly permit or cause to be given, money or anything else of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase industry products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the industry products of competitors or from dealing or contracting to deal with competitors.

(b) For the purpose of §§ 196.1 to 196.18, inclusive, paragraph (a) of this section will be construed to embrace bribery and attempted bribery of elected or appointed public officials and employees or agents of municipal, county, parish, or State governments, or of the Federal Government, or of any branch or division thereof. [Rule 7]

§ 196.8 *Inducing breach of contract.* (a) It is an unfair trade practice to induce or attempt to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or to interfere with or obstruct the performance of any such contractual duties or services by any such means, with the purpose and effect of hampering, injuring, or prejudicing competitors in their business.

(b) It is an unfair trade practice to instigate, back, or finance harassing taxpayer's suits as a means of engaging in the practices condemned in §§ 196.1 to 196.8, inclusive.

(c) For the purposes of this section, an ordinance legally adopted by the council or other legislative body of a municipality or other governmental unit, ordering or authorizing the execution of a contract between such municipality or other governmental unit and a member of the industry, shall be considered in all respects the same as a contract and be entitled to the same protection.

(d) Nothing in this section shall be construed to prevent an industry member, acting in good faith, from filing suit in the capacity of taxpayer, or otherwise, under his own name. [Rule 8]

§ 196.9 *False invoicing.* It is an unfair trade practice to withhold from or insert in invoices any statement or information, including but not limited to the total number of parking meters, parts, and extras actually supplied, by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the capacity and tendency or effect of thereby mis-

leading or deceiving purchasers of industry products, or others. [Rule 9]

§ 196.10 *Fictitious prices.* The offering of industry products for sale at prices purported to be reduced from what are in fact fictitious prices, or the offering of such products for sale at a purported reduction in price when such purported reduction is in fact fictitious, with the capacity and tendency or effect of misleading or deceiving purchasers, is an unfair trade practice. [Rule 10]

§ 196.11 *Guarantees, warranties, etc.* (a) Guarantees which afford purchasers or users substantial and adequate protection, and are fully and fairly stated or disclosed and scrupulously adhered to by the guarantor, are desirable and recommended. It is an unfair trade practice to use or cause to be used any guarantee which is false, misleading, deceptive, or unfair to the purchasing or consuming public.

(b) Under this section guarantees of the following type or character shall not be used. (1) Guarantees containing statements, representations, or assertions which have the capacity and tendency or effect of misleading and deceiving in any respect; or

(2) Guarantees which are so used or are of such form, text, or character as to import, imply, or represent that the guarantee is broader than is in fact true, or that the guarantee covers an entire parking meter or particular parts thereof which are not in fact covered, or will afford more protection to purchasers or users than is in fact true; or

(3) Guarantees in which any condition, qualification, or contingency applied by the guarantor thereto is not fully and nondeceptively stated therein, or is stated in such manner or form as to be deceptively minimized, obscured, or concealed, wholly or in part; or

(4) Guarantees which are stated, phrased, or set forth in such manner that although the statements contained therein are literally and technically true, the whole is misleading in that purchasers or users are not made sufficiently aware of certain contingencies or conditions applicable to such guarantee which materially lessen the value or protection thereof as a guarantee to purchasers or users; or

(5) Guarantees which purportedly extend for such an indefinite or unlimited period of time or for such a long period of years as to have the capacity and tendency or effect of thereby misleading or deceiving purchasers or users into the belief that the product has, or is definitely known to have, greater degree of serviceability or durability in actual use than is in fact true; or

(6) Guarantees which have the capacity and tendency or effect of otherwise misrepresenting the performance, serviceability, durability, or lasting qualities of the product, such as, for example, a guarantee extending for a certain number of years or other long period of time when the ability of the product to last, endure, or remain serviceable for such period of time has not been established by actual experience or by competent and adequate tests definitely showing in either case that the product has such

lasting qualities under the conditions encountered or to be encountered in the respective locality where the product is sold and used under the guarantee; or

(7) Purported guarantees in the form of documents, promises, representations or other form which are represented or held out to be guarantees when such is not the fact, or when they are service contracts of the type which are not guarantees, or when they involve any deceptive or misleading use of the word "guarantee" or term of similar import; or

(8) Guarantees issued, or directly or indirectly caused to be used, by any member of the industry when or under which the guarantor fails or refuses to scrupulously observe his obligations thereunder or fails or refuses to make good on claims coming reasonably within the terms of the guarantee; or

(9) Guarantees which in themselves or in the manner of their use are otherwise false, misleading, or deceptive.

(c) This section shall be applicable not only to guarantees, but also to warranties, to purported warranties and guarantees, and to any promise or representation in the nature of or purporting to be a guarantee or warranty. [Rule 11]

§ 196.12 *Prohibited discrimination.* [The provisions of this section in relation to the Robinson-Patman Act apply thereunder only insofar as that act is applicable to the operations of this industry.]

(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* In the marketing in commerce<sup>1</sup> of products of the industry of like grade and quality for use, consumption, or resale within the jurisdiction of the United States, and subject to subparagraphs (1) (i), (ii), and (iii) of this paragraph, it is an unfair trade practice for any member of the industry engaged therein to discriminate in price between different purchasers where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with such industry member or with any person who knowingly receives the benefit of such discrimination or with their customers.

(1) The inhibitions against such discrimination in price shall be applicable irrespective of whether the discrimination in the price itself is effected in the form, or through the means, of rebates, refunds, discounts, credits, allowances, or other form of price differential.

(i) Nothing, however, contained in

<sup>1</sup>As used throughout § 196.12, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which the products are sold or delivered to said purchasers.

(ii) Nor shall anything contained in this paragraph prevent persons engaged in selling products in commerce<sup>1</sup> from selecting their own customers in bona fide transactions and not in restraint of trade.

(iii) Nor shall anything contained in this paragraph prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage or commissions.* In the selling of industry products in commerce,<sup>1</sup> it is an unfair trade practice for any member of the industry engaged therein to pay or grant, or to receive or accept, any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of such products, either to the other party to such transaction or to an agent, representative, or other intermediary therein, where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* In the selling of industry products in commerce<sup>1</sup> by any member of the industry, and in the course thereof, it is an unfair trade practice for such member to pay or contract for the payment of anything of value to or for the benefit of his customer as compensation or in consideration for certain services or facilities furnished by or through such customer, unless such payment or consideration is available on proportionally equal terms to all other customers of such member competing in the distribution of such products.

(1) As used in this paragraph, the certain services or facilities referred to are such as are furnished by or through the customer in connection with the processing, handling, sale, or offering for sale, of such industry member's products.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce<sup>1</sup> to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair

trade practice for any member of the industry, in the course of commerce in which he is engaged, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. [Rule 12]

§ 196.13 *Selling below cost.* The practice of selling products of the industry at a price less than the cost thereof to the seller, with the purpose or intent, and where the effect may be, to injure, suppress, or stifle competition or tend to create a monopoly in the production or sale of such product, is an unfair trade practice. As used in this section, the term "cost" means the total cost to the seller, including the costs of acquisition, processing, preparation for marketing, sale, and delivery. [Rule 13]

§ 196.14 *Unfair threats of infringement suits.* The circulation of threats of suit for infringement of patents or trade-marks among customers or prospective customers of competitors, not made in good faith but for the purpose or with the effect of thereby harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 14]

§ 196.15 *Procurement of competitor's confidential information and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or to unreasonably restrain trade. [Rule 15]

§ 196.16 *Enticing away employees of competitors.* It is an unfair trade practice for any member of the industry willfully to entice away employees or sales representatives of competitors with the intent and effect of thereby unduly hampering or injuring competitors in their business and destroying or substantially lessening competition: *Provided,* That nothing in this section shall be construed as prohibiting employees from seeking more favorable employment, or as prohibiting employers from hiring or offering employment to employees of competitors in good faith and not for the purpose condemned in this section. [Rule 16]

§ 196.17 *Unlawful coercion or combinations in restraint of trade.* It is an unfair trade practice for a member of the industry: (a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 17]

§ 196.18 *Aiding or abetting unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in §§ 196.1 to 196.18, inclusive. [Rule 18]

GROUP II

*General statement.* Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not per se constitute violation of law. Where, however, the practice of not complying with any Group II rules is followed in such manner as to result in unfair methods of competition or unfair or deceptive acts or practices in commerce, corrective proceedings in respect thereto may be instituted by the Commission as in the case of violation of Group I rules.

§ 196.101 *Maintenance of accurate records.* It is the recommendation of the industry that each member independently keep proper and accurate records for determining his costs. [Rule A]

§ 196.102 *Settlement of disputes.* The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants to compose their differences. [Rule B]

Issued: November 16, 1950.

Promulgated by the Federal Trade Commission November 21, 1950.

[SEAL]

D. C. DANIEL,  
Secretary.

[F. R. Doc. 50-10454; Filed, Nov. 20, 1950; 8:47 a. m.]

**TITLE 24—HOUSING AND HOUSING CREDIT**

**Chapter VIII—Office of Housing Expediter**

[Controlled Housing Rent Reg., Amdt. 306]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 302]

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

CALIFORNIA, ILLINOIS, OHIO, OREGON AND WASHINGTON

Amendment 306 to the Controlled Housing Rent Regulation (§§ 825.1 to

825.12) and Amendment 302 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said Rent Regulations are amended in the following respects:

1. Schedule A, Item 35a, is amended to describe the counties in the Defense-Rental Area as follows:

Sacramento County (except the Cities of Folsom and North Sacramento; San Joaquin County; and Yolo County except all unincorporated localities.

This decontrols all unincorporated localities in Yolo County, California, a portion of the Sacramento, California, Defense-Rental Area.

2. Schedule A, Item 92, is amended to describe the counties in the Defense-Rental Area as follows:

Boone County, except the Village of Capron and all unincorporated localities; and Winnebago County, except the Cities of Loves Park, Rockford and South Beloit, the Villages of Pecatonica and Rockton, and all unincorporated localities.

DeKalb County, except all unincorporated localities.

This decontrols the Village of Rockton in Winnebago County, Illinois, a portion of the Rockford, Illinois, Defense-Rental Area.

3. Schedule A, Item 228, is amended to describe the counties in the Defense-Rental Area as follows:

Cuyahoga County, except the Cities of Bedford, Berea, Shaker Heights, and University Heights, and the Villages of Bay, Beachwood, Bentleyville, Brecksville, Chagrin Falls, Gates Mills, Highland Heights, Hunting Valley, Independence, Lyndhurst, Mayfield Heights, Moreland Hills, North Olmsted, North Royalton, Orange, Pepper Pike, Seven Hills, Strongsville, Valley View, Westlake and West View; and in Lake County those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby, and Willoughby Township, except the Village of Wickliffe.

Lake County other than Willoughby Township and those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby, except the Village of Mentor.

This decontrols the Village of Beachwood in Cuyahoga County, Ohio, a portion of the Cleveland, Ohio, Defense-Rental Area.

4. Schedule A, Item 253, is amended to read as follows:

(253) [Revoked and decontrolled.]

This decontrols the entire Corvallis, Oregon, Defense-Rental Area which immediately prior to the effective date of this amendment consisted only of the City of Corvallis in Denton County, Oregon.

5. Schedule A, Item 349b, is amended to read as follows:

(349b) [Revoked and decontrolled.]

This decontrols (1) the City of Kelso in Cowlitz County, Washington, a portion of the Longview-Kelso, Washington, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own in-

initiative in accordance with section 204 (c) of said act.

All decontrols effected by this amendment, except Item 5 thereof, are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

Issued this 16th day of November 1950.

Effective November 17, 1950.

ED DUPREE,  
Acting Housing Expediter.

[F. R. Doc. 50-10455; Filed, Nov. 20, 1950;  
8:47 a. m.]

## TITLE 28—JUDICIAL ADMINISTRATION

### Chapter II—Subversive Activities Control Board

#### PART 201—RULES OF PROCEDURE

Sec.	
201.1	Definitions.
201.2	Form of papers.
201.3	Computation of time.
201.4	Service of papers.
201.5	Appearance.
201.6	Petitions.
201.7	Answers.
201.8	Amendment of pleadings.
201.9	Notice of hearing.
201.10	Motions.
201.11	Continuances and extensions of time.
201.12	Date for hearing.
201.13	Record.
201.14	Hearing examiners.
201.15	Contumacious conduct.
201.16	Subpenas.
201.17	Witnesses.
201.18	Evidence.
201.19	Depositions.
201.20	Admissions of fact and genuineness of documents.
201.21	Briefs.
201.22	Recommended decision.
201.23	Order.
201.24	Final order.

AUTHORITY: §§ 201.1 to 201.24 issued under sec. 12, Pub. Law 831, 81st Cong. Interpret or apply secs. 13, 14, Pub. Law 831, 81st Cong.

§ 201.1 *Definitions.* The terms used under this part shall have the same meaning as is employed in the Subversive Activities Control Act of 1950.

§ 201.2 *Form of papers.* All petitions, answers, briefs, and other papers filed with the Board shall be either printed, or on legal cap and an original and six copies in legible, typewritten form, on one side of the page only, shall be filed with the Executive Secretary of the Board.

§ 201.3 *Computation of time.* In computing any period of time under this part, the day on which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the time of the next day which is neither a Saturday, Sunday, or legal holiday. A one-half holiday shall be considered as other days and not as a holiday. When the period of time is less than seven days, intermediate Saturdays, Sundays, and

legal holidays shall be excluded in the computation. Whenever a party has the right or is requested to do some act or take some proceeding within a prescribed period after a service of a notice or a paper upon him and if the service and notice is served by mail, three days shall be added to the prescribed period.

§ 201.4 *Service of papers.* All papers, petitions, answers, and other papers other than subpenas may be served personally or by registered mail or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual serving the same, setting forth the manner of such service, and the return post-office receipt, when registered and mailed, shall be proof of service. Proof of service shall be made at the time of filing of papers with the Board, and in any event within twenty-four (24) hours after the return of the post-office receipt or other evidence for such proof of service comes into the possession of the party making the service.

§ 201.5 *Appearance.* Any party to any proceedings before the Board may appear for himself or by an attorney at law possessing the requisite qualifications, as hereinafter set forth, to practice before the Board.

Attorneys at law in good standing who are admitted to practice before the Federal courts or before the courts of any State or Territory of the United States may practice before the Board.

A written application for admission to practice before the Board is required. A written notice of appearance on behalf of a specific party or parties in the particular proceedings shall be submitted by attorneys desiring to appear for such specific party or parties. Upon receipt of such notice, application forms for admission to practice before the Board will be furnished. Any attorney, practicing before the Board who, in the judgment of the Board does not possess the requisite qualifications to represent others, or who is lacking in character, integrity, or proper professional conduct, may be suspended from practicing before the Board.

No former Board member, officer, examiner, attorney, clerk, or other former employee of this Board shall appear as attorney or counsel for or represent any party in any hearing, the files of which came to the personal attention of such former Board member, officer, examiner, attorney, clerk, or other former employee during the term of his service or employment with the Board.

§ 201.6 *Petitions.* Proceedings before this Board may be initiated by the filing of a petition in the manner and form as provided in the Subversive Activities Control Act of 1950, which shall state in plain and concise language the facts upon which the petitioner relies in support of his prayer.

Any motions addressed to the petition shall be made within ten (10) days after the service of the petition.

§ 201.7 *Answers.* The organization or individual served with a petition or a process requiring an answer shall, within

twenty days after the service, file an answer thereto under oath. The answer shall contain a short and simple statement of the facts which constitute the grounds of defense. The answer shall specifically admit, deny or explain each of the facts alleged in the petition or process requiring an answer, unless the organization or individual is without knowledge of such facts, in which case this shall be stated, and such statement shall operate as a denial. All allegations in the petition or process requiring an answer, if no answer is filed or any allegation thereof is not specifically denied or explained by the answer, shall be deemed admitted to be true and may be so found by the Board.

Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board, pursuant to this section, the Board may, without further proceedings and without the introduction of any evidence, enter an order requiring such organization or individual to register or denying the application of such organization or individual as the case may be.

§ 201.8 *Amendment of pleadings.* At any time during the course of the proceedings, either party may, with the consent of the Board, a member thereof, or a hearing examiner, amend or conform the pleadings to the proof. If evidence is objected to at the hearing on the ground that it is not within the issues of the pleadings, the Board, a member thereof, or a hearing examiner may allow the pleadings to be amended and shall do so freely when the presentation of the merits of the action will be subserved thereby and the objecting party fails to satisfy the Board, a member thereof, or a hearing examiner that the admission of such evidence would prejudice him in maintaining his action or defense upon the merits. The Board may grant a continuance if necessary to enable the objecting party to meet such evidence.

§ 201.9 *Notice of hearing.* After issue has been joined by petition and answer, the Board shall set an early date for hearing.

§ 201.10 *Motions.* Motions before the Board, a member thereof, or the hearing examiner shall state briefly the purpose thereof, and all supporting affidavits, records, and other papers, except such as have been previously filed, shall be filed with the motions and clearly referred to therein.

Motions in any proceeding before the Board, a member thereof, or a hearing examiner, which relate to the introduction or striking of evidence shall be made to the hearing examiner and shall be ruled on by the hearing examiner. No exception is necessary to the ruling of the hearing examiner to preserve the objection before the Board or appellate courts.

§ 201.11 *Continuances and extensions of time.* Except as otherwise expressly provided by law, the Board, a member thereof, or its examiners, for cause shown, may extend any time limits prescribed for filing any papers, except time



for filing appeal, and may continue or adjourn any hearing. A hearing before the Board, or a member thereof, or a hearing examiner shall begin at the time and place ordered by the Board, but thereafter may be adjourned from time to time.

Applications for continuances and extensions of time shall be addressed to the discretion of the hearing examiner, and shall be made in writing and must be accompanied by an affidavit showing exceptional circumstances.

§ 201.12 *Date for hearing.* All hearings shall be public, and each party to the proceeding shall have the right to present its case with the proper assistance of counsel, to offer oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts, all within the provisions of the Administrative Procedures Act, and irrelevant, immaterial, and unduly repetitious evidence, as a matter of policy, shall be excluded.

§ 201.13 *Record.* The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute the record before the Board. The record shall be filed in the office of the Executive Secretary of the Board, and a copy of the same shall be available to the parties upon payment of the necessary costs.

§ 201.14 *Hearing examiners.* The hearing examiner is charged with the duty of conducting a fair and impartial hearing and of maintaining order in form and manner consistent with the dignity of the Board. He will note on the record any disregard by counsel of his rulings on matters of order and procedure, and where he deems it necessary shall make special written report thereof to the Board. In the event that any counsel shall be guilty of disrespectful, disorderly, or contumacious language or conduct in connection with any proceeding, the hearing examiner may, in his discretion, suspend the proceeding and submit to the Board his report thereon, together with his recommendation as to whether any rule should be issued to show cause why any such counsel should not be suspended, pursuant to § 201.5, or other appropriate action taken as provided by law.

§ 201.15 *Contumacious conduct.* If, in the course of a hearing before the Board or any member thereof, or any examiner, a party or counsel is guilty of misbehavior which obstructs the hearing, such party or counsel may be excluded from further participation in the hearing.

§ 201.16 *Subpenas.* The Board, any member thereof, or any hearing examiner designated by the Board may require by subpoena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other relevant records. Subpenas shall be issued on behalf of any party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of

the evidence sought. Such attendance of witnesses and the production of such documentary evidence deemed reasonable by the Board may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid by the party requesting the subpoena the same fees and mileage as are paid to witnesses in the District Courts of the United States.

For good cause shown, the subpoena may be quashed by the Board or a member thereof or examiner who issued the subpoena.

§ 201.17 *Witnesses.* Witnesses shall be examined orally, except that for good and exceptional cause for departing from the general rule the Board may permit their testimony to be taken by a deposition.

Witnesses summoned by the Board shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witnesses whose depositions are taken, and the persons taking such depositions, shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

§ 201.18 *Evidence—(a) Documentary.* Where relevant and material matters offered in evidence are embraced in a document containing other matters not material or relevant and not intended to be put in evidence, such immaterial or irrelevant parts shall be excluded and shall be segregated insofar as practicable.

(b) *Objections.* Objections to the evidence shall be in short form, stating the grounds of objection relied upon, and the transcript shall not include argument or debate thereon, except as ordered by the Board or hearing examiner. Rulings on such objections shall be a part of the transcript. No exception to the ruling is necessary to preserve the rights of the parties in an appeal to the Board or in the appellate court.

§ 201.19 *Depositions.* The Board, any member thereof, or any hearing examiner designated by the Board may, in its discretion, order evidence to be taken by deposition in any hearing pending before the Board at any stage of such hearing. Such deposition may be taken before any person designated by the Board and having the power to administer oaths or affirmations.

Unless notice be waived, no deposition shall be taken except after reasonable notice to the parties.

A motion to take a deposition shall be made not less than twenty (20) days prior to the date fixed for the hearing, but for good cause shown the time for making such a motion may be extended by the Board, a member thereof, or the hearing examiner.

Any party desiring to take the deposition of a witness shall make application in writing, setting out the reasons why such depositions should be taken and stating the time when, the place where, and the name and post-office address of the person before whom it is desired the deposition be taken; the name and post-office address of the witness, and the subject matter or matters concern-

ing which the witness is expected to testify.

If good cause be shown, the Board will make and serve upon the parties or their attorneys an order wherein the Board shall name the witness whose deposition is to be taken and specify the time when, the place where, and the person before whom the deposition is to be taken so specified in the Board's order may or may not be the same as those named in said application to the Board.

The testimony of the witness shall be reduced to writing by the officer before whom the deposition is taken or under his direction, after which the deposition shall be subscribed by the witness and certified in the usual form by the officer. After the deposition has been so certified, it shall, together with five additional copies thereof made by such officer or under his direction, be forwarded by such officer under seal, in an envelope addressed to the Board at its office, Washington, D. C. Such deposition, unless otherwise ordered by the Board for good cause shown, shall be filed in the record in said proceeding and a copy thereof supplied to the party upon whose application said deposition was taken, or his attorney.

§ 201.20 *Admissions of fact and genuineness of documents.* At any time after answer has been filed, either party may serve upon the other a written request for admission of the genuineness of any relevant documents described in, and exhibited with, the request, or of the truth of any relevant matters of fact set forth in such documents. Copies of documents shall be delivered with the request unless copies have already been furnished or are in the possession of control of the party. Each of the matters on which an admission is so requested shall be deemed admitted unless within a period designated within the request, not less than ten (10) days after service thereof, or within such further time as the Board or the hearing examiner may allow on motion and notice, the party so served shall serve upon the party making the request a sworn statement either denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he can neither truthfully admit nor deny those matters.

Service required hereunder may be made upon a party either by registering and mailing or by delivering a copy of the documents to be served to such party or his attorney or by leaving a copy at the principal office or place of business of either.

§ 201.21 *Briefs.* At the conclusion of a hearing, the officer conducting the hearing may, in his discretion, permit oral arguments or briefs or both, and prescribe the time and other directions for said arguments and briefs on behalf of parties to the hearing. The time within which oral arguments or briefs are to be filed, shall be fixed: *Provided*, That any interested party may apply in writing to the Board for modification of any of the examiner's rulings concerning reports and briefs.

## RULES AND REGULATIONS

§ 201.22 *Recommended decision.* Where a hearing is conducted by a member of the Board or an examiner, the member of the Board or the examiner shall make a recommended decision to the Board, a copy of which shall be submitted to the parties to the proceeding. The parties, after the receipt of the recommended decision, shall have time, which shall be fixed, within which to file with the Board exceptions to the recommended decision and supporting reasons for such exceptions.

Such a report is not a report of findings by the Board, but is advisory only, and is not binding upon the Board.

§ 201.23 *Order.* The Board's determination shall take the form of a decision in writing in which it shall state its findings as to the facts and shall issue an appropriate order either requiring the organization or individual to register or denying the petition for such registration.

§ 201.24 *Final order.* An order of the Board shall become final (a) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or (b) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals, and no petition for certiorari has been duly filed; or (c) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals; or (d) upon the expiration of ten (10) days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Board be affirmed or the petition for review dismissed. Such final orders shall be published in the FEDERAL REGISTER, and publication thereof shall constitute notice to all members of the organization involved that such order has become final.

SUBVERSIVE ACTIVITIES  
CONTROL BOARD,  
SETH W. RICHARDSON  
Chairman.

[F. R. Doc. 50-10602; Filed, Nov. 20, 1950;  
12:15 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### Subchapter E—Organized Reserves

#### PART 561—OFFICERS' RESERVE CORPS

##### REVISION OF PART

Part 561 is hereby amended to read as follows:

##### GENERAL

Sec.	
561.1	Composition.
APPOINTMENTS	
561.2	General.
561.3	Availability.
561.4	Members of other components of Armed Forces.
561.5	Authority to appoint.
561.6	Ineligibles.
561.7	Foreign residence.
561.8	Eligibility requirements.
561.9	Appearance before examining boards.

Sec.	
561.10	Active Reserve procurement.
561.11	Physical examinations.
561.12	Boards of officers.
561.13	Applications.
561.14	Appointment of officers and former officers.
561.15	Appointment in Officers' Reserve Corps of warrant officers and enlisted personnel of Army of the United States.
561.16	Appointment in the Chaplains section.
561.17	Appointment in the Judge Advocate General's Corps section.
561.18	Appointment in Army Medical Service section.
561.19	Appointment in the Women's Army Corps section.
561.20	Appointment of professional and technical personnel.

**AUTHORITY:** §§ 561.1 to 561.20 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 37, 39 Stat. 189, as amended; 10 U. S. C. 351-353.

**SOURCE:** § 561.1 contained in AR 140-305, Jan. 27, 1950; § 561.2 to 561.10 contained in AR 140-105, Oct. 12, 1950; § 561.11 contained in AR 140-120, Feb. 20, 1950; § 561.12 contained in SR 140-15-1, Oct. 12, 1950; § 561.13 contained in SR 140-105-1, Oct. 12, 1950; § 561.14 contained in SR 140-105-2, Oct. 12, 1950; § 561.15 contained in SR 140-105-3, Oct. 12, 1950; § 561.16 contained in SR 140-105-4, Oct. 12, 1950; § 561.17 contained in SR 140-105-5, Oct. 12, 1950; § 561.18 contained in SR 140-105-6, Oct. 12, 1950; § 561.19 contained in SR 140-105-7, Oct. 12, 1950; § 561.20 contained in SR 140-105-8, Oct. 12, 1950.

##### GENERAL

§ 561.1 *Composition—(a) Subdivisions of the Reserve.* The Organized Reserve Corps consists of the Active Reserve, Inactive Reserve, and the Honorary Reserve.

(1) *Active Reserve.* The Active Reserve consists of all qualified personnel of the ORC who complete and continue to participate satisfactorily in a prescribed minimum of training. Personnel of the Active Reserve are divided into two parts: Those assigned to the Organized Reserve and those assigned to the Volunteer Reserve.

(i) *Organized Reserve.* Consists of those personnel who are assigned to ORC Troop Program units or have been given mobilization designations.

(ii) *Volunteer Reserve.* Consists of those active reservists who have not been

assigned to ORC Troop Program units nor have been given mobilization designations.

(2) *Inactive Reserve.* The Inactive Reserve consists of members of the ORC who are:

(i) Physically and professionally qualified but who are:

(a) Unable to participate in the required activities of the Active Reserve or request assignment to the Inactive Reserve pending utilization upon mobilization or declaration of an emergency;

(b) Transferred from the Active Reserve by administrative action because of unwillingness to participate in the required activities or failure to meet minimum training requirements;

(c) Transferred from the Active Reserve due to being over age-in-grade.

(ii) Physically disqualified temporarily but whose physical defects are deemed remediable within 1 year.

(iii) Enlisted personnel placed therein pending attainment of 30 years' total service after having been retired from the Regular Army after 20, but less than 30, years' service (retired under Pub. Law 190, 79th Cong.). These enlisted reservists will be retained in the Inactive Reserve for the entire period of service.

(3) *Honorary Reserve.* The Honorary Reserve consists of members of the ORC, other than those referred to in subparagraph (2) (iii) of this paragraph, whose service has been honorable and who:

(i) Have completed a total of 20 years' honorable service in any component of the Armed Forces of the United States, provided they apply for transfer to the Honorary Reserve; or

(ii) Have reached the age of 60, provided they have completed a total of 20 years' honorable service in any component of the Armed Forces of the United States; or

(iii) Have become physically disqualified, other than through their own misconduct, to perform duties incident to the grades held by them.

(b) *Sections.* The Honorary Reserve has no sections. Sections of the Active and Inactive Reserve to which officers and enlisted personnel shall be appointed or enlisted are as follows:

Section	Abbreviation	Female personnel only	Officers	Enlisted personnel
(1) Adjutant General's Corps	AGC, USAR		X	X
(2) Armor	Armor, USAR		X	X
(3) Army Medical Service	AMEDS, USAR		X	X
(4) Army Nurse Corps	ANC, USAR	X	X	
(6) Dental Corps	DC, USAR		X	
(8) Medical Corps	MC, USAR		X	
(iv) Medical Service Corps	MSC, USAR		X	
(v) Women's Medical Specialist Corps	WMSC, USAR	X	X	
(vi) Veterinary Corps	VC, USAR		X	
(4) Army Security	AS, USAR		X	X
(5) Artillery	ARTY, USAR		X	X
(6) Chaplains	CH, USAR		X	
(7) Chemical Corps	CMLC, USAR		X	
(8) Corps of Engineers	CE, USAR		X	X
(9) Finance Corps	FC, USAR		X	X
(10) Infantry	INF, USAR		X	X
(11) Judge Advocate General's Corps	JAGC, USAR		X	
(12) Military Intelligence	MI, USAR		X	X
(13) Military Police Corps	MPC, USAR		X	X
(14) Ordnance Corps	ORD CORPS, USAR		X	X
(15) Quartermaster Corps	QMC, USAR		X	X
(16) Signal Corps	SIGC, USAR		X	X
(17) Staff Specialist	SS, USAR		X	X
(18) Transportation Corps	TC, USAR		X	X
(19) Women's Army Corps	WAC, USAR	X	X	X

(c) *Authorized grades.* The authorized commissioned grades in all sections are second lieutenant to colonel, inclusive, except that the following limitations apply:

- (1) *Chaplains.* First lieutenant to colonel, inclusive.
- (2) *Medical and Dental Corps.* First lieutenant to colonel, inclusive.
- (3) *Army Nurse Corps.* Second lieutenant to lieutenant colonel, inclusive.
- (4) *Women's Medical Specialist Corps.* Second lieutenant to major, inclusive.
- (5) *Judge Advocate General's Corps.* First lieutenant to colonel, inclusive.
- (6) *Women's Army Corps.* Second lieutenant to lieutenant colonel, inclusive.

§ 561.2 *General.* (a) Sections 561.2 to 561.10, inclusive, provide a basis for the systematic procurement of officers for the Organized Reserve Corps and establish the requirements common to the various officer procurement programs.

(b) Appointments in the Officers' Reserve Corps will be made in conformity with the regulations contained in this part.

§ 561.3 *Availability.* Appointments in the Officers' Reserve Corps are tendered with the expectation that the person appointed will be available for service in the event of emergency or mobilization. Applications for appointment should be submitted in full knowledge of this requirement.

§ 561.4 *Members of other components of Armed Forces.* Appointment in the Officers' Reserve Corps will not be offered to any person already a member of any component of the Armed Forces of the United States, other than the Army, if appointment will result in dual military status. However, appointments may be tendered to personnel of other Reserve components or services if prior agreement has been reached that separation of the personnel concerned will be effected upon acceptance of appointment in the Organized Reserve Corps.

§ 561.5 *Authority to appoint.* (a) Area commanders are authorized to tender, pursuant to the direction of the Secretary of the Army, appointments in the Officers' Reserve Corps by direction of the President, to individuals within their respective area commands who qualify under the provisions of officer procurement regulations.

(b) Final action will be taken based on review of the entire application and supporting records, including the report of the examining board when examination by a board of officers is required.

(c) Appointments in the Military Intelligence and Army Security sections will not be made until Department of the Army approval has been obtained from The Adjutant General. Appointments in the Chaplains section will not be made until verification of the applicant's educational and ecclesiastical qualifications has been received from The Adjutant General.

(d) An individual whose discharge, upon appeal under section 301, act June 22, 1944 (58 Stat. 286; 38 U. S. C. 693h) was changed to separation "under honorable conditions" is not eligible for ap-

pointment in the Officers' Reserve Corps solely because of such change, since the action characterizing the service as honorable is determinative only of the type or nature of the discharge. Appointment will be tendered or refused, based on the facts and merits of the individual case, after examination and evaluation of the entire record of prior service. Appointment will not be made until verification of the applicant's eligibility for such appointment has been received from The Adjutant General.

§ 561.6 *Ineligibles.* The following persons are not eligible for appointment:

(a) Those who are conscientious objectors. If an individual has been a conscientious objector he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his willingness to bear arms and to give full and unqualified military service to the United States, and where appropriate, he must have demonstrated that he has changed his views by subsequent military service, however, so much of this paragraph as pertains to bearing of arms is not applicable to chaplains or to Army Medical Service officers, other than veterinarians.

(b) Those who have a record of conviction by any type of military or civil court for other than a minor traffic violation. The area commander may grant waivers for other minor violations which are nonrecurrent and which are not deemed prejudicial to performance of duty as an officer. No requests for waivers of convictions involving moral turpitude or conviction of a felony will be considered.

(c) Those who have been or are being relieved from active duty or separated from the service for one of the following reasons:

- (1) Under other than honorable conditions, except as provided in § 561.5 (d).
- (2) For unsatisfactory service.
- (3) By reason of resignation in lieu of court martial, reclassification, or any form of corrective or disciplinary action.

(d) Those who are, or have been, members of any foreign or domestic organization, association, movement, group, or combination of persons advocating a subversive policy or seeking to alter the form of Government of the United States by unconstitutional means.

(e) Persons on the active or retired list of the Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey, of the civilian components thereof, except as noted in § 561.4.

(f) Cadets, United States Military Academy; midshipmen, United States Naval Academy; and cadets, United States Coast Guard Academy.

(g) Those who are in the military service of, or employed by, a foreign government.

(h) Active or retired officers of the Regular Army.

(i) Retired warrant officers and retired enlisted personnel of the Regular Army who have not previously held commissions in any component.

(j) Female personnel with a dependent or dependents under 18 years of age

or a child or children under 18 years of age, or who have any legal or other custody, control, care, maintenance, or support of any child or children under 18 years of age. Women who have surrendered all rights to custody and control of such children through formal adoption or final divorce proceedings will not be considered ineligible.

§ 561.7 *Foreign residence.* (a) Civilians without prior commissioned service who reside in a foreign country are not eligible for appointment in the Officers' Reserve Corps.

(b) Civilians with prior commissioned service who reside in a foreign country are not eligible for appointment in the Officers' Reserve Corps unless they meet one of the following requirements:

(1) Reside in a country in which the United States has troops stationed with the consent of the country concerned.

(2) Reside in a country in which the United States is furnishing, at the time, a military mission, advisory group, or a similar group of military personnel.

(3) Employed by the United States Government and are on duty with an embassy, legation, or consular office of the United States Government.

(4) Furnish evidence of having obtained the official consent of the country in which they reside to accept appointment in the Officers' Reserve Corps. Application for such consent will be made through diplomatic channels.

(5) Reside in an occupied area.

§ 561.8 *Eligibility requirements.* The following requirements are common to all Organized Reserve Corps officer procurement programs unless otherwise indicated in the regulations governing the particular program.

(a) *Age.* (1) Applicant must be at least 21 years of age for initial appointment. This requirement is subject to modification during any war or emergency period.

(2) Maximum ages for appointment are shown in the directives governing specific procurement programs.

(b) *Sex.* (1) Female applicants are eligible for appointment in the following sections only: Army Nurse Corps, Dental Corps, Medical Corps, Veterinary Corps, Medical Service Corps, Women's Medical Specialist Corps, and Women's Army Corps.

(2) Male applicants are not appointed in the following sections: Army Nurse Corps, Women's Medical Specialist Corps, and Women's Army Corps.

(c) *Citizenship.* Each applicant must be a citizen of the United States. Applicants who are not citizens of the United States by birth must provide evidence of citizenship. This will be in the form of a sworn or attested certificate by an Army officer, or a notary public, fully identifying the naturalization certificate by court, number, and date. Facsimiles or copies, photographic or otherwise, of naturalization certificates will not be made.

(d) *Mental requirement.* Each applicant must have obtained a score of 110 or higher in the Army General Classification Test (AGCT), the General Classification Test (GGT), Aptitude Area I, or have evidence of satisfactory completion

of 120 credit-hours at an accredited college or university.

(e) *Educational requirement.* Each applicant must be a graduate of a high school or school of similar level, or must pass the General Educational Development Test (high school level or higher) of the United States Armed Forces Institute.

(f) *Moral requirement.* Each applicant must have high moral character and personal qualifications. Leadership ability and ability to work with groups will be considered in this connection.

(g) *Physical requirement.* Each applicant must be physically qualified for appointment, under § 561.11.

(h) *Security check and cryptographic clearance.* (1) Security check is required for each applicant for appointment in the Military Intelligence Section or Army Security Section.

(2) A cryptographic clearance initiated upon request of the Chief, Army Security Agency, is required for each appointment in the Army Security Section.

(3) Security check of any other applicant for appointment may be ordered by area commanders at their discretion.

(4) Applicants for appointment in the Military Intelligence section, or in the Army Security section, will be informed that processing of their applications may require up to 12 months.

§ 561.9 *Appearance before examining boards.* All applicants for appointment in the Active Reserve of the Officers' Reserve Corps, except graduates of ROTC, and graduates of officer candidate schools, must appear before an examining board. See § 561.12.

§ 561.10 *Active Reserve procurement.* Procurement of officers for the Active Reserve of the Officers' Reserve Corps includes the following procurement programs:

(a) Graduates of senior ROTC units will be appointed in the grade of second lieutenant, except that appointment in Medical Corps section and Dental Corps section will be in the grade of first lieutenant.

(b) Graduates of officer candidate schools will be appointed in the grade of second lieutenant.

(c) Qualified warrant officers and noncommissioned officers of the Army who are in active service will be appointed in the grade of second lieutenant.

(d) Professional and technical experts or specialists may be appointed as prescribed by appropriate special regulations, subject to the needs of the Army.

(e) Former officer of any component of the Armed Forces of the United States may be appointed in the grade of second lieutenant or higher, subject to the needs of the Army.

(f) Qualified personnel of the Enlisted Reserve Corps and warrant officers of the Organized Reserve Corps, may be appointed in the grade of second lieutenant, subject to the needs of the Army.

§ 561.11 *Physical examinations—(a) General.* Physical examinations for the Organized Reserve Corps will be made by authorized examiners in conformity with the requirements and standards

herein prescribed. The physical standards required for participation in regular and frequent aerial flights are prescribed in SR 40-110-1 (Special regulations pertaining to standards of medical examination for flying). All Army personnel and installations involved in conducting physical examinations will give any individual who requests a physical examination for the purpose of applying for appointment or enlistment such an examination, provided such applicant presents a letter of authorization from a Reserve unit commander or instructor or high authority. The medical examiner will forward the completed Standard Form 83 (Report of Medical Examination) direct to the individual concerned with the least practicable delay, unless other disposition has been indicated.

(b) *Maintenance of physical fitness.* The maintenance of physical fitness is largely an individual responsibility, particularly with reference to remedial defects. Each officer has a definite obligation to maintain himself in good physical condition in order that he may perform his duties efficiently. Each individual, therefore, should seek timely medical advice if he has reason to believe that he has a physical defect which affects or is apt to affect his physical well-being.

(c) *Who may accomplish physical examinations.* The report of medical examination may be accomplished and signed by a medical officer on active duty, a medical officer of the Reserve components not on active duty, or by a reputable doctor of medicine. In the event the physical examination is accomplished by a medical officer who is not on an active duty status or by a civilian physician, such examination will be accomplished at no expense to the Government.

(d) *Physical examinations for appointment, reappointment, and promotions of officer personnel—(1) Scope.* The physical examination required for appointment, reappointment, or promotion in the Officers' Reserve Corps is the final type as prescribed in AR 40-105 (Army regulations pertaining to standards of physical examination for commission or warrant in Regular Army, National Guard of United States, Army of United States, and Organized Reserves) for male personnel and as outlined in AR 40-105 and in paragraph 12, AR 40-100 (Army regulations pertaining to miscellaneous physical examinations), for female personnel. Accomplishment of chest X-ray, electrocardiogram, audiometer reading, blood serology, lens correction, and microscopic urinalysis are not required unless otherwise indicated. Pelvic examination for female personnel is not required unless otherwise indicated.

(2) *Review and waiving authority.* Due consideration will be given to the granting of waivers for physical defects which, in the opinion of the reviewing authority are static in nature, are not subject to complication or aggravation by reason of military duty, and will not necessitate hospitalization or time loss from duty. Reservists who are granted waivers for such physical defects will be considered as falling within the physical clas-

sification of "general service with waiver." Unless otherwise indicated, commanders having authority to effect appointment, reappointments, and promotions are designated as the reviewing and waiving authorities for reports of medical examination submitted in connection with such personnel actions, except that those commanders who are subordinate to an area commander will forward all reports of medical examination requiring a waiver action to the area commander for final action.

(e) *Periodic physical examination.* At such time as the availability of personnel, funds, and equipment will permit, a periodic physical examination will be made on all officers in the Active Reserve in accordance with Special Regulations of the Department of the Army.

§ 561.12 *Boards of officers—(a) Appointment.* Boards of officers will be appointed by direction of the area commander and will convene as near as practicable to the place of residence of the person to be examined. Authority to appoint boards may be delegated down to but not lower than military district chiefs.

(b) *Function.* (1) Boards will be appointed to:

(i) Examine applicants for appointment.

(ii) Examine officers recommended for promotion.

(iii) Submit recommendations in appropriate cases on the transfer of an officer of the Active Reserve to the Inactive Reserve, or on fitness for transfer to the Active Reserve from the Inactive Reserve.

(iv) Submit recommendations on the fitness of an officer for retention in the Organized Reserve Corps.

(v) Review and make recommendations in other personnel actions relating to reservists, as determined by the area commander.

(2) Boards appointed to determine physical fitness for retention or reassignment in the Organized Reserve Corps will be furnished a report of physical examination of the individual.

(c) *Notification to applicants.* (1) Upon receipt by the examining board of applications and allied papers required by the special regulations under which individuals are applying for appointment, the president of the board will notify the applicants of the time and place of appearance before the board. Applicants will be advised that travel, quarters, and meals will be provided at their own expense.

(2) Applicants will be so scheduled that, as far as practicable, no one will have to spend more than 1 day at the examining place.

(3) Whenever possible, applicants for the same section (branch) will be scheduled in sequence so that the board member of that section may sit without interruption.

(4) When necessary the applicant will be advised in advance of any additional information desired by the board or required by regulations to correct or complete an application.

(d) *Disclosure of board action.* An examining board will not under any cir-

circumstances advise an applicant or any other unauthorized person of its recommendations, whether favorable or unfavorable, nor will an applicant be given access to any of the PRT's used. The applicant will be informed that regardless of the board's recommendations, appointment is subject to satisfactory test scores and decision of the appointing authority; and that appointments will be based on over-all qualifications and the requirements of the military service.

§ 561.13 *Applications*—(a) *Submission*. Applications for appointment will be submitted to the area commander of permanent address or in the case of personnel on active duty with the Army to the area commander in whose jurisdiction they are serving, through channels.

(b) *Applications and allied papers*. Blank forms may be obtained from any Organized Reserve Corps instructor's office, from any military installation or from the office of the chief of the military district. The documents listed below constitute the application and allied papers, except that additional documents required for a particular section will be prescribed in the special regulations governing the appointment.

(1) *For applicants in general*. Applicants will submit the following forms and documents except that applicants of the categories indicated in subparagraphs (2) through (6) of this paragraph will submit the forms indicated under those paragraphs.

(i) WD AGO Form 170 (Application for Appointment and Statement of Preferences for Reserve Officers), in duplicate.

(a) The sections for which application is being made will be indicated in order of priority, in the block labeled "section" on the application form.

(b) Plain sheets of paper, attached to the application, may be used for inclusion of additional information for which there is insufficient room on the application form.

(c) The remarks section will contain the following statements by the applicant, when the items are not printed on the application form.

(1) I am not a conscientious objector.  
(2) Application is submitted under SR (indicate appropriate Special regulation of the Department of the Army).

(3) I have read paragraph 2, SR 600-220-1, and understand its provisions.

(ii) Standard Form 88, in duplicate and Standard Form 89, in duplicate, or certificate in lieu, when authorized.

(iii) Documentary evidence of educational level, as required by the special regulation governing the particular appointment. Consolidated transcripts of all college or university work should be properly certified by the college or university at which such work was accomplished (photostatic or true copies are acceptable).

(iv) Photostatic or true copies of all discharge or separation certificates if individual had prior military service.

(v) DD Form 98 (Loyalty Certificate for Personnel of the Armed Forces of the United States) and DD Form 98a.

(vi) DA AGO Form 643A (Personal History Statement), in duplicate. Ap-

plicants for appointment in the Military Intelligence and Army Security sections, or for appointment in another section with detail to these sections when authorized, will submit this form in triplicate.

(vii) Statement in writing from applicants applying for appointment to fill an existing vacancy in a unit of the Organized Reserve Corps Troop Program that if appointed they will participate in all training of the unit to which assigned, unless excused by proper authority from specific assemblies, and that they understand failure to participate satisfactorily in such training may be grounds for termination of their commissions.

(2) *For applicants who are former officers of any component of the Army of the United States*. (i) Forms required by subparagraph (1) of this paragraph, except that documentary evidence of educational level will be submitted only when required by the special regulations governing the particular section.

(ii) In addition to photostatic copies of appropriate separation certificates, a personal certificate that relief from active duty or separation was not as a result of unsatisfactory service, reclassification proceedings, or other board or court action or as a result of resignation in lieu thereof.

(3) *For applicants serving in warrant officer or enlisted status in any component of the Army of the United States who have not had prior commissioned service*. (i) Forms required by subparagraph (1) of this paragraph.

(ii) Photostatic copy of WD AGO Form 152 (Certificate of Completion of Army Extension Course Series) when required.

(4) *For members of Reserve components of other Armed Forces of the United States, the Coast Guard and United States Public Health Service, and for former officers of the United States Air Force, Navy, Marine Corps, Coast Guard, Public Health Service, and former Reserve and temporary officers thereof*. (i) Forms required by subparagraph (1) of this paragraph.

(ii) Copies of service fitness reports showing duties performed and manner of performance.

(iii) A statement of service from parent service.

(iv) A certificate, signed by an official of the parent service (Navy, Air Force, Marine Corps, Coast Guard, U. S. Public Health Service) authorized to accept resignations, that the applicant will be released from his/her current status if tendered an appointment in the Organized Reserve Corps, for applicants who are members of Reserve components of other Armed Forces.

(5) *For personnel of the National Guard of the United States*. (i) Forms required by subparagraph (1) of this paragraph.

(ii) A statement from the State adjutant general that if found qualified for an appointment in the Officers' Reserve Corps separation from the National Guard will be accomplished.

(6) *For individuals who are applying for extended active duty*. (i) Forms required by subparagraphs (1) through (5) of this paragraph, except that

Standard Forms 88 and 89 will be submitted as directed.

(ii) DA AGO Form 160 (Application for Extended Active Duty) as required by special regulation.

§ 561.14 *Appointment of officers and former officers*—(a) *General*. Appointment in the Officers' Reserve Corps of individuals under this section will not be made in:

(1) General officer grades.  
(2) Chaplains section.  
(3) Judge Advocate General's Corps section.

(4) Army Medical Service sections.  
(b) *To whom applicable*. The following personnel who meet the requirements stated hereafter may submit application for appointment in appropriate sections (branches) of the Officers' Reserve Corps.

(1) Former commissioned officers of the Regular Army, the Officers' Reserve Corps, the National Guard of the United States, and the Army of the United States without component. This group includes officers of the Army of the United States without component who have been released from extended active duty but who retain AUS commissioned status.

(2) Former commissioned officer of the United States Navy, Air Force, Marine Corps, Coast Guard, and United States Public Health Service, and Reserve and temporary officers thereof.

(3) Officers of Reserve components of other Armed Forces of the United States, the Coast Guard, and United States Public Health Service, and officers of the National Guard of the United States.

(c) *Eligibility and age requirements*—

(1) *Eligibility*. Applicants must meet the eligibility requirements of §§ 561.2 to 561.10, inclusive, and not be in a category listed in those sections as ineligible.

(2) *Age*. (i) Applicants must have attained twenty-first birthday at date of initial appointment.

(ii) Applicants must be of such an age as will allow retention in grade under current age-in-grade criteria for at least the minimum period required for promotion to the next higher grade. Prior service may be included in this minimum time. However, no applicant will be appointed if his age at time of appointment will not allow at least 1 year of service in grade in the Active Reserve.

(d) *Vacancies*. Except for those individuals indicated in subparagraphs (1) through (3) of this paragraph, qualified applicants may be appointed only to fill existing vacancies in Organized Reserve Corps troops program units, and where there are no qualified officers of appropriate or lower grade available to fill such vacancies. See §§ 561.2 through 561.10, inclusive.

(1) Officers and former officers whose services are desired for extended active duty may be appointed in the Active Reserve without an Organized Reserve Corps troop program unit vacancy.

(2) Former officers of the Armed Forces of the United States who are in active service in the Army in a warrant officer or enlisted status may be appointed in the Active Reserve without an

## RULES AND REGULATIONS

Organized Reserve Corps troop program unit vacancy.

(3) Qualified applicants may be appointed in the Volunteer Reserve, without regard to vacancies, in grades for which eligible but not above the grade of captain.

(e) *Grade.* (1) Subject to the limitations contained in paragraph (d) (3) of this section and in subparagraphs (2) and (3) of this paragraph, appointments in the Officers' Reserve Corps will be in the grades indicated below.

(1) Former officers of the Army, in the highest grade satisfactorily held, or in the last grade held if reduced from a higher grade under the provisions of Army regulations, reclassification proceedings, or similar action.

(ii) Former officers of the United States Navy, Air Force, Marine Corps, Coast Guard, or United States Public Health Service, and Reserve components thereof, in the Army grade comparable to the last grade held by them.

(iii) Officers of Reserve components of other Armed Forces, the Coast Guard, United States Public Health Service, and the National Guard of the United States, in the Army grade comparable to the last grade held by them.

(2) The following are restricted to the grades indicated:

(i) *Male officers.* Up to and including colonel.

(ii) *Women's Army Corps Reserve.* Up to and including lieutenant colonel, except that a former director of the WAC may be appointed in the grade of colonel.

(3) The grades in which appointed to fill vacancies in Organized Reserve Corps troop program units will not exceed the grades authorized in subparagraphs (1) (i), (ii) and (iii) of this paragraph, and will not be higher than that authorized for the position to be filled.

(f) *Sections.* Except as provided in paragraph (a) of this section appointments under this section will be made in the sections of the Officers' Reserve Corps listed in § 561.1, subject to the following:

(1) Former commissioned officers of any of the Armed Forces of the United States on active duty in the Army in a warrant officer or enlisted status, if qualified, will be given the option of accepting appointment in the Active Reserve:

(i) In any branch in which they have been assigned or detailed, provided they are qualified therefor, or

(ii) In the section in which they have held an appointment in the Officers' Reserve Corps or the National Guard of the United States, or

(iii) In the Staff Specialist section if they meet the requirements set forth in special regulations.

(2) For qualified applicants for the Active Reserve who are not on extended active duty, the sections in which appointed in the Organized Reserve will be determined by their qualifications and the vacancies which they are to fill, and in the Volunteer Reserve by their qualifications or in accordance with subparagraph (1) of this paragraph.

§ 561.15 *Appointment in Officers' Reserve Corps or warrant officers and*

*enlisted personnel of Army of the United States—(a) General.* (1) Appointment of individuals under this section will not be made in:

(i) Army Medical Service sections, except in the Medical Service Corps section.

(ii) Chaplains section.

(iii) Judge Advocate General's Corps section.

(iv) Staff Specialist Reserve.

(b) *Age and eligibility requirements.*

(1) In addition to the eligibility requirements prescribed in §§ 561.2 through 561.10, inclusive, persons applying for appointment under this section must not have reached their twenty-eighth birthday at the time of appointment, except that, until January 1, 1951, individuals who have not attained their thirty-second birthday at time of appointment may be accepted when such individuals are to be assigned to vacancies in Organized Reserve Corps troop program units.

(2) Applicants must be professionally qualified to perform the duties of a second lieutenant in the section in which appointment is requested. Completion of the appropriate Army Extension Course 10-series (paragraph (c) of this section) does not automatically establish professional qualification.

(3) Warrant officer and former warrant officers are exempt from the provisions of § 561.8 (d), which requires each applicant to have obtained a score of 110 or higher in the Army General Classification Test (AGCT), the General Classification Test (GCT), or Aptitude Area I, or have evidence of satisfactory completion of 120 credit-hours at an accredited college or university.

(c) *Personnel eligible.* Personnel of the following categories of warrant officer and enlisted personnel of the Army of the United States and former warrant officers and former enlisted personnel of other components of the Armed Forces who meet the eligibility requirements set forth in paragraph (b) of this section, may apply for appointment in the grade of second lieutenant in the Active Reserve of the Officers' Reserve Corps:

(1) Warrant officers and enlisted persons currently serving in any component of the Army of the United States in the grades of sergeant (E-5) through master sergeant (E-7) who have completed at least 6 months' honorable and creditable active duty service in those grades in any component of the Armed Forces of the United States. Completion of the appropriate 10-series extension courses is not required, but is desirable for personnel of this category without wartime service. Former warrant officers and former enlisted personnel who have had 6 months' active duty service in the grade of warrant officer or in one of the upper three noncommissioned officer grades in any component of the Armed Forces of the United States may become eligible for consideration for appointment under this section by enlistment in the Enlisted Reserve Corps in one of the upper three noncommissioned officer grades.

(2) Warrant officers of the Organized Reserve Corps and members of the Enlisted Reserve Corps currently serving in the grades of sergeant (E-5) through master sergeant (E-7) in the Active Re-

serve who satisfactorily complete the Army Extension Course 10-series of the appropriate branch. Completion of the appropriate Army Extension Course 10-series is required of both warrant officers and enlisted reservists who are not eligible under subparagraph (1) of this paragraph.

(3) Qualified members of the Enlisted Reserve Corps currently serving in the Active Reserve in the grades of private (E-2) through corporal (E-4) who have completed 1 year of service, Active or Reserve, in any component of the Army of the United States, and who have satisfactorily completed the Army Extension Course 10-series of the appropriate branch, when these persons possess marked qualifications of such nature to justify appointment prior to service in the upper three enlisted grades.

(4) Former warrant officers and former enlisted personnel who have completed at least 1 year of honorable and creditable service on active duty in any of the Armed Forces of the United States between December 7, 1941 and June 30, 1947, and who have a degree from an accredited college or university.

(d) *Army Extension Courses for MI and WAC appointments.* (1) The 10-series for the Army, Artillery, or Infantry Branch will be used as the Army Extension Course 10-series for the Military Intelligence section.

(2) Only the WAC 10-series will be accepted in connection with applications for appointment in the Women's Army Corps section under paragraphs (c) (2) and (3) of this section.

(e) *Vacancies.* Appointment of personnel specified in paragraph (c) of this section, except those on active duty in the Army, will be made only to fill vacancies in Organized Reserve Corps troop program units of the proper branch.

§ 561.16 *Appointment in the Chaplains section—(a) General.* This section sets forth the procedures whereby duly ordained ministers, priests, and rabbis who meet the necessary requirements may be appointed in the Chaplains section of the Officers' Reserve Corps.

(b) *Grade.* (1) Appointments of individuals under this section will not be made in the grade of second lieutenant or in general officer grades.

(2) Subject to the restrictions set forth in subparagraph (1) of this paragraph and paragraphs (c) and (d) of this section, appointments in the Chaplains section may be made in the following grades in the Active Reserve.

(i) Applicants who have had no prior commissioned service may be initially appointed only in the grade of first lieutenant.

(ii) Former chaplains of any of the Armed Forces of the United States other than Army of the United States may be appointed in the last grade held or equivalent grade.

(iii) Former chaplains of any component of the Army of the United States may be appointed in the highest grade held.

(iv) Former officers of any of the Armed Forces of the United States other than the Army of the United States who

have had no service as chaplains may be appointed in an appropriate grade not above that of captain.

(v) Former officers of any component of the Army of the United States who have had no service as chaplains may be appointed in an appropriate grade not above that of captain.

(vi) Chaplains of Reserve components of other Armed Forces of the United States and the National Guard of the United States may be appointed in the last grade held or equivalent grade.

(c) *Limitations on appointments in Active Reserve.* (1) Appointments in the Organized Reserve Corps will be limited to those necessary to fill existing vacancies in Organized Reserve Corps troop program units, when there are no qualified officers of appropriate or lower grade available to fill such vacancies.

(2) Appointments in the Volunteer Reserve will be limited to:

(i) Those necessary to meet the need for officers for extended active duty where qualified officers of the Active or Inactive Reserve are not available.

(ii) Qualified former officers indicated in paragraphs (b) (2) (i) through (b) (2) (vi) of this section, in grades for which eligible but not above grade of captain.

(d) *Eligibility requirements.* (1) Former chaplains of any component of the Armed Forces of the United States must meet the requirements outlined in §§ 561.2 thru 561.10, inclusive, and in subparagraphs (2) (ii), (iii) and (iv) of this paragraph.

(2) Applicants for initial appointment and former officers who have had no prior service as Chaplains must meet the following requirements in addition to those shown in §§ 561.2 thru 561.10, inclusive.

(i) *Education.* Must possess a consolidated transcript of 120 semester hours of undergraduate study gained through attendance at a recognized college or university and a consolidated transcript of 90 semester hours of graduate study from a recognized theological school. All undergraduate and graduate study must have been done in residence.

(a) An applicant from the Church of Jesus Christ of Latter Day Saints is not required to have completed graduate study as described above, but must have completed at least 3 years of active civilian experience as a fully qualified missionary or a duly ordained officer or religious teacher, or any combination thereof.

(b) An applicant from the First Church of Christ Scientist is not required to have completed graduate study as described above, but must have completed at least 3 years of active civilian experience as a fully qualified reader, or 3 years as a registered Christian Science practitioner leading to the ecclesiastical indorsement by the religious organization.

(ii) *Age.* (a) Applicant must have reached twenty-first birthday at date of initial appointment.

(b) Applicants must not have reached the birthday indicated below prior to appointment in the grade indicated.

Grade:	Age, Active Reserve
First lieutenant.....	33
Captain.....	38
Major.....	47
Lieutenant colonel.....	51
Colonel.....	55

(c) For appointment in the Active Reserve age limits shown in subdivision (b) of this subdivision may be increased for former chaplains of any component of the Army of the United States by an amount not to exceed previous length of service in the grade in which appointment is authorized. However, an applicant will not be appointed in the Active Reserve if his age at appointment will allow less than 1 year of service before he becomes over-age-in-grade for retention in the Active Reserve according to current age criteria.

(iii) *Ecclesiastical indorsement.* Applicants must present an ecclesiastical indorsement certifying that the applicant is accredited by and in good standing in a recognized religious denomination or organization.

(iv) *Vocation.* The applicant must be actively engaged in the ministry as his principal vocation in life.

(e) *Unit vacancies and active duty quotas.* Individuals interested in appointment in the Active Reserve may secure information as to position vacancies from unit commanders. Information regarding quotas for Reserve chaplains for extended active duty may be secured from the appropriate area commander.

(f) *Applications.* Applications for appointment under the provisions of this section will be submitted as required by § 561.13. Individuals applying for appointment will submit application forms and allied papers prescribed by § 561.13, together with the following additional documents.

(1) A consolidated transcript of undergraduate and graduate work completed at a theological school, except for individuals indicated in paragraph (d) (1) of this section.

(2) Ecclesiastical indorsement of the appropriate denominational indorsing agency.

§ 561.17 *Appointment in the Judge Advocate General's Corps section—(a) Grade and subdivision of appointment.*

(1) Appointment of individuals under this section will not be made in the grade of second lieutenant or in general officer grades.

(2) Subject to the restrictions set forth in subparagraph (1) of this paragraph and paragraphs (b) and (c) of this section, appointments may be made in the following grades in the Active Reserve:

(i) Applicants who have had no prior commissioned service may be initially appointed only in the grade of first lieutenant (paragraph (c) (2) of this section).

(ii) Former officers of any of the Armed Forces of the United States, who served in a section corresponding to the Judge Advocate General's Corps may be appointed in the last grade satisfactorily held or equivalent grade (paragraph (c) (2) of this section).

(iii) Former officers of any component of the Army of the United States who held appointment in the Judge Advocate General's Corps may be appointed in the highest grade held (paragraph (c) (1) of this section).

(iv) Former officers of any component of the Army of the United States who have not held appointment in the Judge Advocate General's Corps may be appointed in the highest grade held (paragraph (c) (2) of this section).

(v) Officers of Reserve components of other Armed Forces of the United States, the National Guard of the United States, the Coast Guard, and the United States Public Health Service, who are serving in a section corresponding to the Judge Advocate General's Corps may be appointed in the grade currently held or equivalent grade (paragraph (c) (2) of this section).

(b) *Limitation on appointment in Active Reserve.* (1) Appointments in the Organized Reserve Corps will be limited to those necessary to fill existing vacancies in Organized Reserve Corps troop program units, when there are no qualified officers of appropriate or lower grade available to fill such vacancies.

(2) Appointments in the Volunteer Reserve will be limited to:

(i) Those necessary to meet the need for officers for extended active duty when qualified officers of the Active or Inactive Reserve are not available.

(ii) Qualified former officers indicated in paragraphs (a) (2) (i) through (a) (2) (vi) of this section in grades for which eligible but not above grade of captain.

(c) *Eligibility requirements.* (1) Former Judge Advocate General's Corps officers of any component of the Army of the United States must meet the requirements outlined in §§ 561.2 through 561.10, inclusive, and in subparagraphs (2) (i) (b) and (ii) of this paragraph.

(2) Applicants for initial appointment and former officers who have not held prior appointment in the Judge Advocate General's Corps must meet the following requirements in addition to those shown in §§ 561.2 through 561.10, inclusive.

(i) *Professional qualifications.* Applicants must:

(a) Have been graduated from an approved law school, with a professional degree.

(b) Have been admitted to practice, and must have membership in good standing of the bar of the highest court of a State of the United States or a Federal Court.

(c) Be presently engaged in the private practice of law, teaching of law, or hold judicial office.

(d) Meet the following practice requirements:

First lieutenants.....	Actively engaged in practice.
Captains.....	4 years.
Majors.....	11 years.
Lieutenant colonels.....	18 years.
Colonels.....	25 years.

(ii) *Age.* (a) Applicants must have attained 21st birthday at date of initial appointment.

(b) Applicants must not have attained the birthday indicated below, prior to appointment in the grade indicated.

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Grade:	Age, Active Reserve
First Lieutenant.....	32
Captain.....	36
Major.....	45
Lieutenant colonel.....	51
Colonel.....	55

(c) For appointment in the Active Reserve, age limits shown in subdivision (b) of this subdivision may be increased for former officers of any component of the Army of the United States by an amount not to exceed previous length of service in the grade in which appointment is authorized. However, an applicant will not be appointed in the Active Reserve if his age at appointment will allow less than 1 year of service before he becomes overage in-grade according to current age criteria for retention in the Active Reserve.

(d) *Unit vacancies and active duty quotas.* Individuals interested in appointment in the Active Reserve may secure information as to vacancies from unit commanders. Information relative to quotas for extended active duty may be secured from the appropriate area commander.

(e) *Applications.* Applications for appointments under the provisions of this section will be submitted as required by § 561.13.

(1) Individuals applying for appointment under this section will submit application forms and allied papers prescribed by § 561.13, together with the following additional documents:

(i) A consolidated transcript of all college or university work completed, properly certified by the college or university at which work was accomplished. This transcript should show, if practicable, the general class standing of the applicant.

(ii) A certificate or photostatic copy thereof from the clerk of the highest court of a State or a Federal Court to the effect that the applicant has been admitted to practice law before the said court and is a member of the bar thereof in good standing.

(iii) An affidavit from the applicant containing a statement of his full-time or part-time legal experience. Legal experience may include governmental, judicial, teaching, military legal experience and private practice. If he has practiced law, he should include a list of the important cases handled by him, showing the nature of each, and a general statement of the character of his practice; if he has taught law, the subject which he teaches or has taught; if he has held judicial office, the extent of the jurisdiction of his court; if he has had governmental or military legal experience, a description of his position and rating.

(iv) Letters based on personal acquaintance from not less than three disinterested judges or lawyers relative to the applicant's reputation and professional standing, the types of cases handled by him, and his ability as an attorney, teacher, or judge. Recent law school graduates may obtain letters from former law professors.

(2) Former Judge Advocate General's Corps officers of any component of the Army of the United States are exempt

from the requirements indicated in subparagraph (1) (i) of this paragraph.

§ 561.18 *Appointment in Army Medical Service sections—(a) General—(1) Grade and section of appointment.* (1) Appointment of individuals under this section will not be made in general officer grades. Authorized commissioned grades for the Army Medical Service sections are specified in § 561.1.

(a) Female applicants are eligible for appointment in all sections of the Army Medical Service, Officers' Reserve Corps.

(b) Male applicants are not appointed in the Army Nurse Corps or Women's Medical Specialist Corps sections.

(ii) Subject to the restrictions set forth in subdivision (1) of this subparagraph and subparagraphs (2) and (3) of this paragraph, appointments may be made in the following grades in the Active Reserve:

(a) Former officers of any of the Armed Forces of the United States, other than the Army of the United States, applying for a corresponding Army Medical Service section may be appointed in the last grade satisfactorily held or equivalent grade, or in a grade for which they qualify under subdivision (d) of this subdivision.

(b) Former officers of the Army of the United States applying for a section in which they previously served may be appointed in the highest grade held or in any grade for which they qualify under subdivision (d) of this subdivision.

(c) Officers of corresponding sections of Reserve components of other Armed Forces of the United States, the National Guard of the United States, the Coast Guard, and the United States Public Health Service may be appointed in the last grade satisfactorily held or equivalent grade, or they may be appointed in any grade for which they qualify under subdivision (d) of this subdivision below.

(d) Professional or technical experts or specialists may be appointed in grades for which they qualify under paragraphs (b) through (g) of this section. Determination of the grade in which such an applicant is to be appointed is the function of the examining board interviewing the applicant, subject to final approval by the area commander. In no case will appointment be made in a higher grade than that authorized for the position vacancy to which the applicant will be assigned. Grade eligibility will be based upon the total number of years of qualifying college education and/or experience computed, as reflected in subdivision (1) of this subdivision, according to the following scale of minimum requirements for each grade:

Officer grade:	Qualifying college education and/or experience (years)
Second lieutenant.....	4
First lieutenant.....	7
Captain.....	11
Major.....	18
Lieutenant colonel.....	25
Colonel.....	32

The exceptions to this scale are specified under various specialties in paragraphs (b) through (g) of this section. Appointment in grades other than those specified for each specialty in paragraph

(b) through (g) of this section is not contemplated at the present time.

(1) *Qualifying education.* Qualifying education means at least a bachelor's degree awarded by an accredited college or university, and involving the specific degree or subject matter listed for each specialty. Qualifying educational training for these specialties will be uniformly credited as follows, with the exceptions as noted. A qualifying bachelor's degree, or certification as a registered nurse, or certification as a physical therapist (including training course leading to such certification) counts as 4 years of the education-and-experience requirement, regardless of the time in which it was acquired. Certification as either dietitian or occupational therapist (including internship and/or special training courses leading to such certification) counts as 5 years of the education-and-experience requirement, regardless of the length of time in which it was acquired. Qualifying master's degree, other than in the field of social work, with its prerequisite undergraduate studies or degree counts as 5 years of the education-and-experience requirement. A master's degree in social work counts as 6 years of the requirement. A qualifying doctor's degree with its prerequisites counts as 7 years of the requirements. The doctor of medicine degree, including internship, counts as 8 years; the doctor of dental medicine or dental surgery degree counts as 7 years; and the doctor of veterinary medicine degree counts as 6 years of the total requirement. At the discretion of the examining board and the area commander, each year of approximately 30 semester credit hours of qualifying graduate study satisfactorily performed (either leading to an advanced degree or study beyond the doctorate) may be counted as a year of the total requirement, even though a degree was not obtained.

(2) *Qualifying experience.* Qualifying experience includes both military and civilian work, with a workweek of at least 39 hours or its equivalent in part-time employment. This work must have been in any one or any allowable combination of the activities and the area of experience defined herein for each specialty.

(2) *Limitation on appointments in Active Reserve.* (1) Appointment in the Organized Reserve Corps will be limited to those necessary to fill existing vacancies in Organized Reserve Corps troop program units, when there are no qualified officers of appropriate or lower grade available to fill such vacancies.

(ii) Appointments in the Volunteer Reserve will be limited to:

(a) Those necessary to meet the need for officers for extended active duty when qualified officers of the Active or Inactive Reserve are not available.

(b) Qualified officers indicated in paragraphs (a) (1) (ii) (a), (b) and (c) of this section in grades for which eligible, but not above the grade of captain.

(3) *Eligibility requirements.* Applicants for appointment under this section must meet the requirements outlined in §§ 561.2 thru 561.10, inclusive, and the following:



(1) *Professional and educational qualifications.* Applicants must meet the professional and educational qualifications required for appointment in the particular section as shown under paragraphs (b) through (g) of this section.

(ii) *Age.* (a) Applicants must be at least 21 years of age at date of initial appointment.

(b) Applicants must not have attained the birthday indicated below prior to appointment in the grade indicated, except that appointments in the grade of lieutenant colonel in the Army Nurse Corps will be limited to qualified applicants who have not attained the age of 45 years.

Officer grade:	Active Reserve (years)	
Second lieutenant.....	30	
First lieutenant.....	33	
Captain.....	37	
Major.....	45	
Lieutenant colonel.....	51	
Colonel.....	55	

(c) *Waivers of age-in-grade limitations* may be granted in cases of individuals whose services are desired for immediate active duty. In such cases, area commanders will consider the granting of a waiver for age for male applicants and female applicants for appointment in the Medical Corps, Dental Corps, Veterinary Corps, and Medical Service Corps, up to the following maximum age-in-grade limitations. Second lieutenant, 38 years; first lieutenant, 41 years; captain, 44 years; major, 49 years; lieutenant colonel, 53 years; and colonel, 58 years. Waivers for age in the case of applicants for appointment in either the Army Nurse Corps or Women's Medical Specialist Corps, in the grades from second lieutenant to captain will be considered under the same criteria as indicated above. Waivers for age in the case of applicants for appointment in the Army Nurse Corps in the grades of major and lieutenant colonel and in the Women's Medical Specialist Corps in the grade of major will not be made in excess of 45 years.

(d) For appointment in the Active Reserve, age limits shown in subdivision (b) of this subdivision above may be increased for former officers of any component of the Army of the United States by an amount not to exceed previous length of service in the grade in which appointment is authorized. However, an applicant will not be appointed in the Active Reserve if age at appointment will allow less than 1 year of service before such officer becomes over-age-in-grade according to current age criteria for retention in the Active Reserve.

(4) *Organized Reserve Corps unit vacancies and active duty quotas.* Individuals interested in appointment in the Active Reserve may secure information as to vacancies from unit commanders. Information relative to quotas for extended active duty may be secured from the appropriate area commander.

(5) *Application and allied papers.* (1) Individuals applying for appointment under this section will submit application forms and allied papers prescribed by § 561.13, together with the following additional documents and information:

(a) Documentary evidence of educational level and professional or technical background (photostatic or true copies are acceptable).

(b) Applicants for appointment in the Medical Service Corps section will furnish transcript of grades received in undergraduate and/or graduate schools or universities. Also, attach to DA AGO Form 643A (Personal History Statement), required by § 561.13, the following additional information pertaining to each position listed under question 34, employment:

- (1) Name of employer.
- (2) Dates of employment (month, year).
- (3) Kind of business.
- (4) Salary or earnings (starting, final, or present).
- (5) Description of work performed.
- (6) Number and kind of employees supervised.

(c) Applicants for appointment in the Women's Medical Specialist Corps section will furnish transcripts of grades received in undergraduate and/or graduate schools or universities, together with certification of completion of a dietetic internship, a physical therapy training course, or occupational therapy training course, whichever is applicable.

(d) DA AGO Form 8-130 (Supplemental Data for Medical Department Officers) in duplicate.

(ii) Former officers of any component of the Army of the United States who served in the section for which application is made are exempt from the requirements of subdivision (i) (a), (b), and (c) of this subparagraph.

(b) *Medical Corps.* (1) For appointment in the grade of first lieutenant in the Medical Corps section, applicants must meet the following requirements:

(i) Be currently licensed to practice medicine in a State, Territory, or the District of Columbia, or possess a diploma from the National Board of Medical Examiners.

(ii) Be currently engaged in the ethical practice of medicine, except that waiver of license and actual engagement in practice may be made for graduates of approved medical schools and those who have successfully completed the prescribed 4-year course of medical instruction at medical schools which are acceptable to the Department of the Army and which require a hospital internship for the degree of doctor of medicine, if application for appointment is made within 1 year after graduation while undergoing appropriate instruction or during an internship. Graduates of medical units of the Reserve Officers' Training Corps may be appointed upon graduation or receipt of certificate as stated in subdivision (iii) of this subparagraph.

(iii) Certified evidence of the successful completion of the prescribed 4-year course of medical instruction at a medical school acceptable to the Department of the Army and which requires a hospital internship for the degree of doctor of medicine may be accepted in lieu of that degree.

(iv) Duly licensed doctors of medicine must possess documentary evidence, including degree received or consolidated

transcript of credit hours from graduate or professional schools, which shows that the applicant meets the educational requirements.

(2) For appointment as captain or higher, Medical Corps section, applicants must be qualified for appointment as first lieutenant and have had the following additional professional experience, excluding internship, in any of the medical specialties listed in subparagraph (3) of this paragraph.

(i) For captain. A minimum of 3 years' professional experience, extended periods of which must have been spent in independent activities in environments normally associated with high professional standards.

(ii) For major. A minimum of 10 years' professional experience. During this period, applicants must have had a period of intensive post-graduate training in a specialty, sufficiently prolonged and of such caliber as to insure the optimum in professional knowledge and technique, as judged by the standards normally associated with recognized teaching centers. Applicants for appointment in the grade of major ordinarily must have been certified by one of the American specialty boards in specialties for which such boards are constituted.

(iii) For lieutenant colonel. A minimum of 17 years' professional experience, in addition to which applicants must show indication of having achieved such unequivocal prominence as to make them authorities in their particular field. Examples are outstanding contributors to scientific research and to the development of the specialty under consideration. Applicants for appointment in the grade of lieutenant colonel ordinarily must have been certified by one of the American specialty boards in specialties for which such boards are constituted.

(iv) For colonel. A minimum of 24 years' professional experience, in addition to which applicants must give evidence of outstanding background and ability in their specialty, as indicated above for lieutenant colonel. Applicants for appointment in the grade of colonel ordinarily must have been certified by one of the American specialty boards in specialties for which such boards are constituted.

(3) Residency, fellowship, or other graduate study at hospital, public health agency, school of public health, research institute or laboratory, medical college, recognized teaching center, or similar institution may be submitted for professional experience on a year-for-year basis.

MEDICAL SPECIALTIES

- Administration, hospital.
- Allergy.
- Anesthesiology.
- Arthritis.
- Bacteriology.
- Biochemistry.
- Biometry.
- Bronchoscopy.
- Cardiology.
- Dermatology.
- Educator, medical.
- Endocrinology.
- Epidemiology.
- Gastroenterology.

Gastroscopy.  
 General practice.  
 Gynecology.  
 Medical educator.  
 Medical entomology.  
 Medicine:  
   Forensic.  
   General.  
   Industrial.  
   Internal.  
   Physical.  
   Preventative.  
   Tropical.  
 Neurology.  
 Obstetrics.  
 Ophthalmology.  
 Otorhinolaryngology.  
 Parasitology.  
 Pathology:  
   Clinical.  
   Tissue.  
 Pediatrics.  
 Proctology:  
   Nonsurgical.  
   Surgical.  
 Psychiatry.  
 Public health.  
 Research.  
 Roentgenology:  
   Diagnostic.  
   Therapeutic.  
 Serology.  
 Surgery:  
   Eye.  
   General.  
   Genitourinary.  
   Industrial.  
   Maxillofacial.  
   Neurologic.  
   Orthopaedic.  
   Plastic.  
   Thoracic.  
   Vascular.  
 Syphilology.  
 Tuberculosis.  
 Urology:  
   Nonsurgical.

(c) **Dental Corps.** (1) For appointment as first lieutenant in the Dental Corps section, applicants must meet the following requirements:

(i) Be a graduate of a dental school acceptable to the Department of the Army.

(ii) Be currently licensed to practice dentistry in a State, Territory, or the District of Columbia.

(iii) Be currently engaged in the ethical practice of dentistry except that waiver of license and actual engagement in practice may be made for graduates of dental schools acceptable to the Department of the Army if application for appointment is made within 1 year after graduation or while undergoing appropriate postgraduate instruction.

(2) For appointment as captain or higher, Dental Corps section, applicants must be qualified for appointment as a first lieutenant and have had the following additional experience in any of the dental specialties listed in subparagraph (3) of this paragraph:

(i) *For captain.* A minimum of 4 years' dental professional experience following graduation from dental school, extended periods of which must have been spent in independent activities in environments normally associated with high professional standards.

(ii) *For major.* A minimum of 11 years' dental professional experience following graduation from a dental school. During this period applicants must have had a period of intensive postgraduate training in the dental spe-

cialty, sufficiently prolonged and of such caliber as to insure the optimum in professional knowledge and technique, as judged by the standards normally associated with recognized teaching centers. Applicants for direct appointment in the grade of major ordinarily must have been certified by a dental specialty board in the specialty for which such a board was constituted.

(iii) *For lieutenant colonel.* A minimum of 18 years' dental professional experience following graduation from a dental school. In addition to which, applicants must show indication of having achieved such unequivocal prominence as to make them authorities in their particular field. Examples are outstanding contributors to scientific research and to development of the dental specialty under consideration. Applicants for direct appointment in the grade of lieutenant colonel ordinarily must have been certified by a dental specialty board in the specialty for which such a board is constituted.

(iv) *For colonel.* A minimum of 25 years' dental professional experience following graduation from a dental school. In addition to which applicants must give evidence of outstanding background and ability in their specialty, as indicated above for lieutenant colonel. Applicants for direct appointment in the grade of colonel ordinarily must have been certified by a dental specialty board in the specialty for which such a board is constituted.

(3) Each year of graduate study in dentistry may be submitted for dental professional experience on a year-for-year basis.

#### DENTAL SPECIALTIES

Dentistry, general.	Orthodontia.
Dentistry, operative.	Periodontia.
Dental prosthesis.	Surgery, oral.
Dental roentgenology.	

(d) **Veterinary Corps.** (1) For appointment in the grade of second lieutenant for service in the Veterinary Corps section, applicant must be a graduate of a veterinary college acceptable to the Department of the Army and legally authorized to confer the degree of doctor of veterinary medicine or its equivalent and meet the following requirements:

(i) Be currently licensed to practice veterinary medicine in a State, Territory, or in the District of Columbia.

(ii) Be currently engaged in the ethical practice of veterinary medicine, except that waiver of license and actual engagement in practice may be made for graduates of schools of veterinary medicine acceptable to the Department of the Army, if: Commissioned at time of graduation, or engaged in fields of professional endeavor, other than actual practice, not requiring licensure.

(iii) Doctor of veterinary medicine or surgery must possess documentary evidence, including degree received or consolidated transcript of credited hours from graduate or professional schools, which shows that the applicant meets the educational requirements.

(2) For appointment in the grades of first lieutenant or higher for service in the Veterinary Corps section, applicants

must be qualified for appointment as second lieutenant and have had additional experience in any of the veterinary specialties listed below.

(i) *For first lieutenant.* A minimum of 1 year of professional experience.

(ii) *For captain.* A minimum of 5 years' professional experience, extended periods of which must have been spent in independent activities in environments normally associated with high professional standards.

(iii) *For major.* A minimum of 12 years' professional experience, in addition to which applicants must give evidence of sufficient independent experience to indicate mature judgment and ability to function in the specialty without professional supervision.

(iv) *For lieutenant colonel.* A minimum of 19 years' professional experience, in addition to which applicants must show indication of having achieved such unequivocal prominence as to make them authorities in their particular field. Examples are outstanding contributors of scientific research, outstanding administrators, and outstanding contributors to the development of the specialty under consideration.

(v) *For colonel.* A minimum of 26 years' professional experience, in addition to which applicants must give evidence of outstanding background and ability in their specialty, as indicated above for lieutenant colonel.

(3) Each year of graduate study in veterinary medicine or related science may be substituted for veterinary professional experience on a year-for-year basis.

#### VETERINARY SPECIALTIES

Animal practice, large.
Animal practice, small.
Laboratory, food inspection.
Laboratory, general.
Laboratory, production: Biologicals.
Laboratory research.
Public Health.
Surgery, large animal.
Surgery, small animal.
Veterinary inspection:
Dairy products.
Meat and meat products.
Poultry, eggs, and egg products.
Sea foods.

(e) **Medical Service Corps—(1) Administration and supply specialties.**

(i) For appointment in the grade of second lieutenant in the Medical Service Corps section, applicants must possess a bachelor's degree, with a major in one of the specialties outlined in subdivision (ii) of this subparagraph, from a school or university acceptable to the Department of the Army.

(ii) For appointment in the grade of first lieutenant for service in the Medical Service Corps section, applicants must meet the requirements for second lieutenant and must have had additional qualifying education and/or appropriate experience to meet the criteria for the grade of first lieutenant specified in paragraph (a) (1) (ii) (d) of this section.

#### SPECIALTIES

Administration:	Education.
Business.	Management engineering.
Hospital.	Personnel.
Personnel.	Statistics.
Accounting.	

(2) *Medical entomology specialist.*

(1) For appointment in the Medical Service Corps section, applicants must possess a bachelor's degree with a major in the field of entomology, including at least one course in medical entomology from a school or university acceptable to the Department of the Army.

(ii) For appointment in grades of first lieutenant through colonel for service in the Medical Service Corps section, applicants must meet the requirements for second lieutenant and must have had additional qualifying education and/or appropriate progressive experience to meet the requirements for the respective grades specified in paragraph (a) (1) (ii) (d) of this section. Appointment in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank, or those having outstanding scientific research accomplishments or exceptional supervisory ability.

(3) *Industrial hygiene and industrial hygiene engineering specialists.*

(i) For appointment in the grade of first lieutenant in the Medical Service Corps section, applicants must possess a bachelor's degree from a school or university acceptable to the Department of the Army and in addition must have had a minimum of 3 years' appropriate experience in development or direction of health, safety, and welfare programs. This experience to include the inspection of processes and facilities for existence of hazards to life, health, property, and high production, engineering control, or planning of procedures to eliminate or reduce occupational diseases, accidents, and loss of property, or production resulting from those hazards.

(ii) For appointment in grades of captain through colonel for service in the Medical Service Corps section, applicants must meet the requirement for first lieutenant and must have had additional qualifying education and/or appropriate progressive experience to meet the requirement for the respective grades specified in paragraph (a) (1) (ii) (d) of this section. Appointments in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank, or those having outstanding scientific research accomplishment or exceptional supervisory ability.

(4) *Legal specialists.* For appointment in the grade of first lieutenant in the Medical Service Corps section, applicants must have graduated from an approved law school with a professional degree, must have been admitted to practice, and must have membership in good standing of the bar of the highest court of a State, Territory, the District of Columbia, or a Territorial possession of the United States.

(5) *Medical laboratory specialists.* (1) For appointment in the grade of second lieutenant in the Medical Service Corps section, applicants must meet either of the following requirements:

(a) Possess a master's degree from a school or university acceptable to the Department of the Army in one of the specialties listed below.

(b) Possess a bachelor's degree from a school or university acceptable to the Department of the Army in one of the specialties listed below and, in addition, must have been certified as a clinical laboratory technologist by an organization acceptable to the Department of the Army and authorized to tender such certification.

(ii) For appointment in grades of first lieutenant through colonel for service in the Medical Service Corps section, applicants must meet the requirements for second lieutenant and must have had additional qualifying education and/or appropriate progressive experience to meet the requirement for the respective grades specified in paragraph (a) (1) (ii) (d) of this section. Appointment in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank or those having outstanding scientific research accomplishments or exceptional supervisory ability.

SPECIALTIES

Bacteriology.	Serology.
Biochemistry.	Toxicology.
Medical parasitology.	

(6) *Nutrition specialists.* (i) For appointment in the grade of first lieutenant in the Medical Service Corps section, applicants must possess a degree of doctor of philosophy, or its equivalent, in the field of nutritional biochemistry or nutritional physiology from a school or university acceptable to the Department of the Army.

(ii) For appointment in grades of captain through colonel for service in the Medical Service Corps section, applicants must meet the requirements for first lieutenant and must have had additional qualifying education and/or appropriate progressive experience to meet the requirements for the respective grades specified in paragraph (a) (1) (ii) (d) of this section. Appointments in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank, or those having outstanding scientific research accomplishments or exceptional supervisory ability.

(7) *Optometry specialists.* (1) For appointment in the grade of second lieutenant in the Medical Service Corps section as an optometrist, applicant must be a graduate of a school of optometry giving a full 4-year course acceptable to the Department of the Army and meet the following requirements:

(a) Be currently licensed to practice optometry in a State, Territory, or in the District of Columbia.

(b) Be actually engaged in the ethical practice of optometry, except that waiver of license and actual engagement in practice may be made for graduates of schools of optometry acceptable to the Department of the Army, if commissioned at time of graduation.

(ii) For appointment in grades of first lieutenant and captain for service in the Medical Service Corps section, applicants must meet the requirement for second lieutenant and must have had additional qualifying education and/or appropriate

progressive experience to meet the criteria for the respective grades specified in paragraph (a) (1) (ii) (d) of this section.

(8) *Physical reconditioning specialist.*

(1) For appointment in the grade of second lieutenant for service as a physical reconditioning specialist in the Medical Service Corps section, applicants must be a graduate of a college or university acceptable to the Department of the Army, with a major study in physical education. Subjects that must be included in this course of study are anatomy, physiology, psychology, personal hygiene, and kinesiology.

(ii) For appointment in grades of first lieutenant for service as a physical reconditioning specialist in the Medical Service Corps section, applicants must meet the requirement for second lieutenant and must have had additional qualifying education and/or appropriate progressive experience to meet the criteria for the grade specified in paragraph (a) (1) (ii) (d) of this section.

(9) *Psychiatric social worker.* (1) For appointment in the grade of first lieutenant in the Medical Service Corps section as a psychiatric social worker, applicants must possess a master's degree in social work from a school or university acceptable to the Department of the Army and have had 1 year of professional experience.

(ii) For appointment in grades of captain through colonel for service in the Medical Service Corps section as a psychiatric social worker, applicants must meet the requirement for first lieutenant and must have had additional qualifying education and/or experience to meet the criteria for the respective grade specified in paragraph (a) (1) (ii) (d) of this section. Appointment in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank, those having outstanding scientific research accomplishments, or those having had exceptional supervisory experience.

(10) *Psychology specialists.* (1) For appointment in the grade of first lieutenant in the Medical Service Corps section as an experimental and psychophysiological specialist, or clinical psychology specialist, applicants must possess a doctor's degree in psychology from a college or university acceptable to the Department of the Army.

(ii) For appointment in grades of captain through colonel for service in the Medical Service Corps section as an experimental and psychophysiological specialist, or clinical psychology specialist, applicants must meet the requirements for first lieutenant and must have had additional qualifying education and/or experience to meet the criteria for the respective grades specified in paragraph (a) (1) (ii) (d) of this section. Appointment in grades of major and above only will be made when applicant indicates a capacity to direct research or to perform successfully administrative duties.

(11) *Sanitary engineering specialists.* (1) For appointment in the grade of second lieutenant in the Medical Service Corps section as a sanitary engineering

specialist, applicants must possess a bachelor's degree in sanitary, civil, or chemical engineering from a school or university acceptable to the Department of the Army.

(ii) For appointment in the grades of first lieutenant through colonel for service in the Medical Service Corps section as a sanitary engineering specialist, applicants must meet the requirements for second lieutenant and must have had additional qualifying education and/or appropriate experience to meet the criteria for the respective grades specified in paragraph (a) (1) (ii) (d) of this section.

(iii) Appointment in grades of major and above will not be made except in cases of highly qualified individuals with professional rank, or those having outstanding scientific research accomplishments or exceptional supervisory ability.

(f) *Army Nurse Corps.* (1) For appointment in the grade of second lieutenant in the Army Nurse Corps section, applicants must have been graduated from a school of nursing acceptable to the Department of the Army and must possess current nursing registration in the United States, the District of Columbia, or a Territory of the United States.

(2) For appointment in the grade of first lieutenant, Army Nurse Corps section, applicants must possess the requirements for second lieutenant and must have had a minimum of 3 years' professional experience.

(3) For appointment in the grade of captain, Army Nurse Corps section, applicants must either possess a bachelor's degree with a major in one of the nursing specialties, possess current nursing registration specified for appointment as second lieutenant, and, in addition, must have had 7 years' professional experience, or meet the requirements for appointment as second lieutenant and have had a minimum of 7 years' professional experience, including satisfactory completion of a recognized postgraduate course in one of the clinical nursing specialties listed in subparagraph (5) of this paragraph, with at least 1 year's experience in that specialty.

(4) For appointment in the grade of major in the Army Nurse Corps section, applicants must possess a bachelor's degree with a major in one of the nursing specialties, possess current nursing registration specified for appointment as second lieutenant, and, in addition, must have had 14 years' professional experience, including a minimum of 5 years' experience as either an instructor or administrator of a nursing service.

(5) For appointment in the grade of lieutenant colonel in the Army Nurse Corps section, applicants must possess exceptional professional experience and recognized ability above that required for appointment in the grade of major.

#### NURSING SPECIALTIES

Administrative nursing.  
Anesthesia.  
Communicable disease nursing.  
Fever therapy nursing.  
General staff nursing.  
Neuropsychiatric nursing.  
Obstetrical nursing.  
Operating room technique and management.  
Pediatric nursing.  
Public health nursing.

(g) *Women's Medical Specialist Corps.*—(1) *Dietetic specialists.* (i) For appointment as a dietitian in the grade of second lieutenant in the Women's Medical Specialist Corps section, an applicant must possess a bachelor's degree with a major in either foods and nutrition or in institutional management from a college or university and have completed a dietetic internship, both of which are acceptable to the Department of the Army. An applicant who has completed college education as stated herein and who desires to complete the dietetic internship conducted by the Department of the Army may be granted a Reserve commission for that purpose. Individuals granted commissions for such training will be limited to those who express in writing a desire for appointment in the Regular Army.

(ii) For appointment as a dietitian in the grade of first lieutenant in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 2 years of professional experience as a dietitian with at least 1 year in a hospital of 100 beds or more acceptable to the Department of the Army.

(iii) For appointment as a dietitian in the grade of captain in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 6 years of professional experience as a dietitian, 3 years of which must have included a major responsibility in the administration of a dietary department in a hospital acceptable to the Department of the Army.

(iv) For appointment as a dietitian in the grade of major in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty, possess a master's degree in a field allied to this specialty and, in addition, must have had not less than 12 years of professional experience as a dietitian, 7 years of which must have been in a supervisory or administrative capacity. Not more than 7 years of experience in food management in commercial fields will be included in this total.

(2) *Occupational therapy specialists.* (i) For appointment as an occupational therapist in the grade of second lieutenant in the Women's Medical Specialist Corps section, an applicant must have completed not less than 2 years (60 semester hours) in a college or university and a training course in occupational therapy, both of which are acceptable to the Department of the Army. An applicant who possesses a bachelor's degree from a college or university acceptable to the Department of the Army, or who has completed 4 years (120 semester hours) leading to such degree in a college or university and the didactic portion of a course in occupational therapy, both of which are acceptable to the Department of the Army, and who desires to complete the required clinical portion of that course in an Army hos-

pital may be granted a Reserve commission for that purpose. Individuals granted commissions for such training will be limited to those who express in writing a desire for appointment in the Regular Army.

(ii) For appointment as an occupational therapist in the grade of first lieutenant in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 2 years of professional experience as an occupational therapist in medical institutions acceptable to the Department of the Army.

(iii) For appointment as an occupational therapist in the grade of captain in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 6 years of professional experience as an occupational therapist in medical institutions acceptable to the Department of the Army, 3 years of which must have been in a supervisory capacity.

(iv) For appointment as an occupational therapist in the grade of major in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 13 years of professional experience as an occupational therapist in medical or training institutions acceptable to the Department of the Army, 7 years of which must have been in a supervisory or administrative capacity.

(3) *Physical therapy specialists.* (1) For appointment as a physical therapist in the grade of second lieutenant in the Women's Medical Specialist Corps section, an applicant must have completed not less than 3 years (90 semester hours), with major emphasis in physical education or the biological sciences, in a college or university and a training course in physical therapy, both of which are acceptable to the Department of the Army. An applicant who possesses a bachelor's degree, with major emphasis in physical education or the biological sciences, from a college or university acceptable to the Department of the Army and who desires to complete the physical therapy course conducted by the Department of the Army may be granted a Reserve commission for that purpose. Individuals granted commissions for such training will be limited to those who express in writing a desire for appointment in the Regular Army.

(ii) For appointment as a physical therapist in the grade of first lieutenant in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as a second lieutenant in this specialty and, in addition, must have had not less than 3 years of professional experience as a physical therapist in medical institutions acceptable to the Department of the Army.

(iii) For appointment as a physical therapist in the grade of captain in the Women's Medical Specialist Corps section, an applicant must possess a bach-

elor's degree, with major emphasis in physical education or the biological sciences, from a college or university and have completed a physical therapy training course, both of which are acceptable to the Department of the Army, and, in addition, must have had not less than 6 years of professional experience as a physical therapist in medical institutions acceptable to the Department of the Army, 3 years of which must have been in a supervisory capacity. If the applicant possesses a bachelor's degree, with a major in physical therapy, from a college or university acceptable to the Department of the Army, the applicant must have completed a minimum of 7 years of professional experience as a physical therapist, 3 years of which must have been in a supervisory capacity.

(iv) For appointment as a physical therapist in the grade of major in the Women's Medical Specialist Corps section, an applicant must meet the educational requirements for appointment as captain in this specialty, possess a master's degree in a field allied to this specialty, and, in addition, must have had not less than 12 years of professional experience as a physical therapist in medical or training institutions acceptable to the Department of the Army, 7 years of which must have been in a supervisory or administrative capacity.

§ 561.19 *Appointment in the Women's Army Corps section*—(a) *Grade of appointment in Active Reserve.* (1) Initial appointment in the Organized Reserve Corps will normally be in the grade of second lieutenant. However, where detail of WAC personnel to another section is authorized, qualified applicants may apply for appointment in the WAC section and concurrent detail to an appropriate section. In case of authorized detail, grade of appointment in the WAC section will be the same grade as authorized for appointment of male applicants of similar qualifications. (2) Appointments in the Volunteer Reserve will be in the grade of second lieutenant.

(b) *Limitation on appointments in Active Reserve.* (1) Appointment in the Organized Reserve Corps under this section will be made only to fill a vacancy in a unit of the Organized Reserve Corps troop program when:

(i) The applicant is considered qualified to perform the normal duties of the vacancy.

(ii) Assignment of WAC personnel is in conformity with special regulations.

(iii) There is no qualified officer of appropriate grade available for the assignment.

(2) Appointments in the Volunteer Reserve will be under a continuing program, and will be made within quotas to be announced periodically by the Department of the Army for each Army area. Appointments will be made within authorized quotas when:

(i) Applicant is qualified for training in a potential military occupational specialty for which training facilities exist.

(ii) Applicant's residence will permit full participation in the training.

(c) *Eligibility requirements.* Applicants must meet the eligibility requirements of §§ 561.2 thru 561.10, inclusive, and the following additional requirements:

(1) *Education.* Must have a baccalaureate degree from an accredited college or university recognized by the Federal Security Agency, United States Office of Education, as listed in part 3, Educational Directory, Higher Education. Area commanders may grant a waiver for those individuals having 120 or more satisfactory semester hours gained through attendance at an accredited college or university.

(2) *Age*—(i) *Minimum.* Applicant must have reached twenty-first birthday by date of appointment.

(ii) *Maximum.* (a) For appointment as second lieutenant, applicant must not have reached twenty-eighth birthday on date of appointment.

(b) For appointment in higher grades, applicant must be of such age as to allow retention in grade under current age-in-grade criteria for at least the minimum period required for promotion to the next higher grade.

(d) *Other WAC appointments.* (1) Former WAC officers, female officers, and former female officers of other Armed Forces of the United States may apply for appointment in the WAC section of the Officers' Reserve Corps under § 561.14.

(2) Qualified female enlisted Reservists and WAC enlisted personnel may apply for appointment under § 561.15.

(e) *Appointment for detail to Army Security section or Military Intelligence section.* The provisions of this Part which pertain to appointments in the Army Security and Military Intelligence sections of the Officers' Reserve Corps are applicable to applicants for appointment in the WAC section who request appointment to fill vacancies in Military Intelligence or Army Security units of the Organized Reserve Corps troop program.

§ 561.20 *Appointment of professional and technical personnel*—(a) *General.*

(1) This section governs the appointment as commissioned officers in the Active Reserve, Officers' Reserve Corps, of qualified professional and technical experts or specialists, of the categories indicated below, whose services are desired to fill authorized position vacancies in regularly constituted units listed in the Organized Reserve Corps troop program:

(i) Automotive engineering specialists.

(ii) Bacteriology specialists.

(iii) Biochemistry specialists.

(iv) Chemical engineering and chemistry specialists.

(v) Civil engineering specialists.

(vi) Electrical engineering specialists, including radio and communications.

(vii) Fire, police, and related security and law enforcement specialists.

(viii) Geology, geophysics, and meteorology specialists.

(ix) Language and foreign liaison specialists.

(x) Mechanical engineering specialists.

(xi) Metallurgical engineering specialists.

(xii) Mining engineering specialists.

(xiii) Petroleum and natural gas engineering specialists.

(xiv) Printing and reproduction specialists.

(xv) Psychology specialists.

(xvi) Purchasing, storage, and distribution specialists (Logistics).

(xvii) Submarine diving specialists.

(xviii) Business administration specialists.

(xix) Radar engineering specialists.

(xx) Mathematicians, statisticians, and physicists.

(xxi) Traffic management specialists.

(xxii) Highway engineering specialists.

(xxiii) Marine engineering specialists.

(xxiv) Naval architectural specialists.

(xxv) Geographers.

(xxvi) Geo-political and area specialists.

(xxvii) Railway Service specialists.

(xxviii) Harbor Craft specialists.

(2) This section does not constitute a basis for appointment of commissioned officers in the following sections of the Organized Reserve Corps: Armor, artillery, infantry, chaplains, Judge Advocate General's Corps, Army Medical Service sections, staff specialists.

(3) Women professional or technical specialists will be appointed in the Women's Army Corps Section (§ 561.19) and detailed to the appropriate section.

(b) *Grade.* Initial appointments up to and including the grade of captain are authorized under this section in recognition of advanced professional or technical experience and training. In no case will appointment be made in a higher grade than that authorized for the position vacancy to which the applicant will be assigned.

(c) *General requirements.* See §§ 561.2 through 561.10, inclusive.

(d) *Special requirements.* (1) The applicant must possess professional or technical ability as required to perform the duties appropriate to the position vacancy.

(2) The services of the applicant must be required for a particular authorized position vacancy in an Organized Reserve Corps troop program unit.

(3) There must be no qualified commissioned officer of the appropriate grade or lower grade available to fill the position vacancy. In this connection, qualified officers of the unit and other available officers must be considered for assignment.

(4) For appointment, applicant must have graduated from a recognized college or university, preferably with major field of study closely related to the position vacancy to be filled and have had minimum qualifying experience in the field of specialization as follows:

Grade:	Years of experience
Second Lieutenant.....	3
First Lieutenant.....	6
Captain .....	10

Each year of graduate education, in the field for which the applicant is being considered, may be counted as a year of qualifying experience. Applicants for appointment in Military Railway Service and Harbor Craft units may substitute 4 years of qualifying experience in lieu of graduation from a recognized college or university, or a United States Power Squadron Certificate, as a navigator in the case of applicants for appointment in Harbor Craft units.

(5) Applicants at time of appointment will:

(i) Possess the minimum professional qualifications listed in subparagraph (4) of this paragraph.

(ii) Be considered for appointment only in a grade based on age of applicant. Scale of grade eligibility is as follows:

Age group:	Grade
21-27 years	Second lieutenant.
28-33 years	First lieutenant.
34-39 years	Captain.

(6) Waiver of age-in-grade limitations will not be granted except to applicants for appointment in Military Railway Service and Harbor Craft Units, Transportation Corps Section. In such cases, and where there is no other qualified individual available, The Adjutant General will consider granting a waiver for age up to the following maximum age-in-grade limitations: Second lieutenant 36 years; first lieutenant, 40 years; and captain, 44 years.

(e) *Application.* Individuals applying for appointment under this section will submit applications and allied forms as required by § 561.13. They will also attach to WD AGO Form 643A (Personal History Statement), required by § 561.13, a plain sheet of paper containing the following additional information pertaining to each position listed under question 34, employment:

- (1) Name of employer.
- (2) Dates of employment (month and year).
- (3) Kind of business.
- (4) Salary or earning (starting—final or present).
- (5) Description of work performed.
- (6) Number and kind of employees supervised.

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

[F. R. Doc. 50-10457; Filed, Nov. 20, 1950;  
8:48 a. m.]

#### PART 564—ENLISTED RESERVE CORPS SEPARATION FROM SERVICE

A new subdivision (xiv) is added to § 564.11 (b) (2), as follows:

§ 564.11 *Separation from service.*

(b) *Discharge from reserve duty status.*

(2) By direction of the commanding generals of area commands or such officers or officers as may be designated by them for that purpose:

(xiv) Upon request of Reservist and upon presentation of a sworn affidavit listing four or more dependents, only the following are considered to be dependents for discharge under this section. Lawful wife, unmarried legitimate children under 21 years of age, and dependent parents, provided a dependent parent receives over one-half of his or her support from the Reservist. No other relatives qualify as dependents for this purpose. Each parent claimed as a dependent must also submit a sworn affidavit that the enlisted applicant did in fact for at least three consecutive months immediately prior to request for discharge contribute over one-half of the support of such parent. If the applicant submits sworn affidavits as proof of dependency acceptable to the headquarters authorized to take final action he will be discharged for hardship from the Reserve. The authority contained herein does not apply to any enlisted Reservist who has been retired from the Regular Army with more than 20 years' service or to a Reservist who previously enlisted in the Regular Army for 1 year or was inducted under the Selective Service Act of June 24, 1948 (62 Stat. 604; 50 U. S. C. App. Supp. III, 451-470). The failure of any eligible enlisted Reservist to request discharge from the Enlisted Reserve Corps under the provisions of this option will be considered as sufficient evidence that the individual is available for recall to active duty.

[C3, SR 140-177-1, Nov. 6, 1950] (R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 55, 39 Stat. 195, as amended, sec. 35, 41 Stat. 780; 10 U. S. C. 421, 423-427)

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

[F. R. Doc. 50-10456; Filed, Nov. 20, 1950;  
8:48 a. m.]

### TITLE 39—POSTAL SERVICE

#### Chapter I—Post Office Department

##### PART 1—ESTABLISHMENT AND ORGANIZATION OF THE POST OFFICE DEPARTMENT

###### COMPTROLLER, BUREAU OF ACCOUNTS, DUTIES

In Part 1 (39 CFR Part 1; 15 F. R. 4681), make the following change:

In § 1.9 amend paragraph (j) (1), as amended (15 F. R. 4686), by inserting the following after the first semicolon in the first sentence: "the establishing and maintaining of adequate and efficient systems of accounting and internal control contemplated by the Post Office Department Financial Control Act of 1950;"

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, Reorg. Plan No. 3 of 1949, 14 F. R. 5225, 63 Stat. 1066; 5 U. S. C. 22, 369, 5 U. S. C. Supp., 1332-15. Interprets or applies Pub. Law 712, 81st Cong.)

[SEAL] J. M. DONALDSON,  
Postmaster General.

[F. R. Doc. 50-10437; Filed, Nov. 20, 1950;  
8:45 a. m.]

### TITLE 43—PUBLIC LANDS: INTERIOR

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

##### Appendix—Public Land Orders

[Public Land Order 688]

##### UTAH

POWER-SITE RESTORATION NO. 512, PARTIALLY REVOKING TEMPORARY POWER-SITE WITHDRAWAL NO. 1 OF MAY 4, 1909, AND EXECUTIVE ORDER OF JULY 2, 1910, ESTABLISHING POWER-SITE RESERVES NOS. 1 TO 4, INCLUSIVE

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The order of the Secretary of the Interior of May 4, 1909, described as Temporary Power-Site Withdrawal No. 1, temporarily withdrawing certain lands in Utah in aid of proposed legislation affecting the disposal of the water-power sites on the public domain, and the Executive order of July 2, 1910, ratifying, confirming, and continuing the said order of May 4, 1909, in full force and effect, and reserving the lands so withdrawn for water-power sites as Power-Site Reserve No. 1, are hereby revoked so far as they affect the following-described lands:

##### UINTA SPECIAL MERIDIAN

###### LAKE CREEK

T. 1 S., R. 4 W.,  
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and  
NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 34, S $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

###### DUCHESNE RIVER

T. 2 S., R. 6 W.,  
Sec. 14, NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 16, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
T. 2 S., R. 7 W.,  
Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 14, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate 600 acres.

The lands described above are undisposed-of opened lands of the Uintah and Ouray Reservation restored to tribal ownership for the use and benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah, and added to and made a part of the existing reservation by the order of the Secretary of the Interior of August 25, 1945 (10 F. R. 12409).

This order shall be known as Power-Site Restoration No. 512.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

NOVEMBER 15, 1950.

[F. R. Doc. 50-10502; Filed, Nov. 20, 1950;  
8:53 a. m.]

**TITLE 46—SHIPPING**

**Chapter II—Federal Maritime Board,  
Maritime Administration, Department  
of Commerce**

**Subchapter C—Regulations Affecting Subsidized  
Vessels and Operators  
[Rev. Gen. Order 23]**

**PART 282—UNIFORM SYSTEM OF ACCOUNTS  
FOR OPERATING-DIFFERENTIAL SUBSIDY  
CONTRACTORS**

Part 282, appearing in Chapter II of this title and as contained in General Order 22, published in the FEDERAL REGISTER (3 F. R. 385), is superseded and revised to read as follows:

- Sec.  
282.00 General order of Maritime Administrator.  
282.01 Abstract from law; Merchant Marine Act.
- GENERAL INSTRUCTIONS**
- 282.0-1 Definitions.  
282.0-2 Records.  
282.0-3 Unaudited items.  
282.0-4 Submission of questions.  
282.0-5 Terminated voyages.  
282.0-6 Balance-sheet accounts.  
282.0-7 Conversion of securities.  
282.0-8 Contingent assets and liabilities.  
282.0-9 Revenue accounts.  
282.0-10 Expense accounts.
- BALANCE SHEET ACCOUNTS**
- ASSETS**
- 282.100 Cash.  
282.101 Cash on deposit; domestic.  
282.106 Cash on deposit; foreign.  
282.111 Imprest and petty cash funds.  
282.114 Cash on hand and in transit.  
282.115 Special cash deposits.  
282.120 Marketable securities.  
282.130 Notes receivable.  
282.140 Notes and accounts receivable; related companies.  
282.150 Accounts receivable.  
282.151 Traffic accounts receivable.  
282.155 Claims receivable.  
282.160 Maritime Administration; accounts receivable.  
282.165 Accounts receivable; miscellaneous.  
282.169 Accrued accounts receivable.  
282.170 Inventories.  
282.171 Vessels stores, supplies, and equipment ashore.  
282.175 Other shipping inventories.  
282.180 Non-shipping inventories for sale.  
282.185 Non-shipping inventories for consumption.  
282.189 Miscellaneous inventories.  
282.199 Other current assets.  
282.200 Unterminated voyage expense.  
282.300 Special funds and deposits.  
282.301 Capital reserve fund.  
282.302 Special reserve fund.  
282.303 Construction reserve fund.  
282.304 Insurance funds.  
282.306 Debt retirement funds.  
282.309 Other special funds.  
282.312 Special and guaranty deposits.  
282.315 Investments.  
282.316 Securities of related companies.  
282.320 Non-current receivables; related companies.  
282.323 Cash value of life insurance.  
282.328 Other investments.  
282.329 Reserve for revaluation of investments.  
282.330 Property and equipment.  
282.331 Floating equipment; vessels.  
282.332 Reserve for amortization and depreciation; vessels.  
282.337 Other floating equipment.

- Sec.  
282.338 Reserve for amortization and depreciation; other floating equipment.  
282.343 Terminal property and equipment.  
282.344 Reserve for amortization and depreciation; terminal property and equipment.  
282.349 Other shipping property and equipment.  
282.350 Reserve for amortization and depreciation; other shipping property and equipment.  
282.353 Non-shipping property and equipment.  
282.354 Reserve for amortization and depreciation; non-shipping property and equipment.  
282.359 Construction work in progress.  
282.360 Other assets.  
282.361 Claims pending.  
282.362 Spare parts.  
282.364 Notes and accounts receivable from officers and employees.  
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282.367 Deferred operating-differential subsidy receivable.  
282.368 Other non-current notes and accounts receivable.  
282.369 Reserve for doubtful notes and accounts receivable.  
282.374 Miscellaneous other assets.  
282.375 Deferred charges and prepaid expenses.  
282.376 Unexpired insurance.  
282.380 Advances to employees for expenses.  
282.384 Debt discount and expense.  
282.385 Leaseholds.  
282.386 Organization and pre-operating expenses.  
282.389 Other deferred charges and prepaid expenses.  
282.390 Goodwill and other intangible assets.  
282.391 Goodwill.  
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- LIABILITIES**
- 282.400 Notes payable.  
282.401 Bank loans.  
282.410 Insurance notes.  
282.414 Other short-term notes.  
282.415 Notes and accounts payable; related companies.  
282.420 Accounts payable.  
282.421 Trade accounts payable.  
282.422 Traffic accounts payable.  
282.428 Officers and employees accounts payable.  
282.430 Maritime Administration; accounts payable.  
282.438 Dividends payable.  
282.439 Miscellaneous accounts payable.  
282.440 Accrued taxes payable.  
282.459 Other accrued accounts payable.  
282.479 Other current liabilities.  
282.489 Miscellaneous reserves for unrecorded liabilities.  
282.495 Advance ticket sales and deposits.  
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282.526 Mortgage notes; Maritime Administration.  
282.530 Mortgage bonds and debentures.  
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282.549 Non-current notes and accounts payable; officers and employees.  
282.550 Recapturable profits; Maritime Administration.  
282.554 Miscellaneous other liabilities.  
282.555 Deferred credits.  
282.556 Premium on funded debt.  
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282.571 Reserve for pensions and welfare.  
282.579 Miscellaneous operating reserves.  
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282.585 Capital stock subscribed.  
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282.590 Capital surplus.  
282.595 Appreciation surplus.  
282.598 Earned surplus; appropriated.  
282.599 Earned surplus; unappropriated.

**INCOME ACCOUNTS**

**WATER LINE OPERATING REVENUE**

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282.605 Freight; coastwise and intercoastal.  
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- 282.625 Operating-differential subsidy.

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- 282.640 Collections from pools.  
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- 282.675 Interest income.  
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282.691 Release of premium on long-term debt.  
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**WATER LINE OPERATING EXPENSES**

- 282.700 Operating expense; terminated voyages.  
282.701 Wages.  
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282.709 Contributions; welfare plans.  
282.710 Subsistence; purchased domestic.  
282.714 Subsistence; purchased foreign.  
282.715 Stores, supplies, and equipment; purchased domestic.  
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282.757 Insurance; P. & I.  
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282.760 Charter hire.  
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282.765 Agency fees and commissions.  
282.770 Wharfage and dockage.  
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282.850 Contributions to pools.  
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## RULES AND REGULATIONS

Sec.	
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282.929	Entertaining and solicitation.
282.930	Traveling expenses.
282.931	Insurance and bond premiums.
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282.944	Miscellaneous.
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282.955	Taxes; miscellaneous.
282.972	Amortization; leaseholds.
282.980	Depreciation; shipping property and equipment.
282.981	Depreciation; floating equipment; vessels.
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282.960	Interest expense.
282.970	Amortization of deferred charges.
282.971	Amortization; debt discount and expense.
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282.001	Masters and pursers.
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282.015	Related companies; accounts current.
282.025	Collections and deposits for passenger transportation.
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282.0-20	Balance sheet statement.
282.0-30	Income statement.
282.0-40	Water-line operating revenue and expense statement.

NOTE: In this part the numbers assigned to sections include, as whole numbers fol-

lowing the decimal point, the numbers of the prescribed accounts. Cross references to an account are made by citing only the account number portion of the section reference. Instructions, as distinguished from the texts of prescribed accounts, are designated § 282.0 with the prescribed instruction numbers appearing as subnumbers following a dash.

AUTHORITY: §§ 282.00 to 282.0-40 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114. Interpret or apply sec. 801, 49 Stat. 2011; 46 U. S. C. 1211.

§ 282.00 *General order of Maritime Administrator*—(a) *Uniform system of accounts for operating-differential subsidy contractors.* Every operating-differential subsidy contractor and such affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, such contractor, as the Maritime Administration shall require, shall keep its books, records, and accounts, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines covered by an agreement, entered into pursuant to the provisions of Title VI of the Merchant Marine Act, 1936, as amended (secs. 601-610, 49 Stat. 2001-2007; 46 U. S. C. 1171-1180), as prescribed in, and in the manner required by, the "Uniform System of Accounts for Maritime Carriers" annexed hereto: *Provided, however, That, Supplement No. 1 to General Order No. 22 adopted by the United States Maritime Commission on the eighth day of February 1940, "Prescribing Accounting Procedure and Method of Applying Credits in Transactions under Section 510 of the Merchant Marine Act, 1936, as amended", published in the FEDERAL REGISTER (5 F. R. 647), shall remain in full force and effect.*

(b) *Effective date of section.* As to each contractor with which the United States Maritime Commission or the Federal Maritime Board has entered into an operating-differential subsidy agreement pursuant to the provisions of Title VI of the Merchant Marine Act, 1936, as amended, this section shall become effective on January 1, 1951. As to every other company included within the terms of this section, the same shall become effective upon the first day of the calendar month during which such company and the Federal Maritime Board enter into an operating-differential subsidy agreement pursuant to the provisions of Title VI of the Merchant Marine Act, 1936, as amended.

§ 282.01 *Abstract from law; Merchant Marine Act.* Section 801 of Title VIII of the Merchant Marine Act, 1936:

Every contract executed by the Commission under the provision of titles VI or VII of this act shall contain provisions requiring (1) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to keep its books, records, and accounts, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines covered by the contract, in such form and under such regulations as may be prescribed by the Commission: *Provided, That the provisions of this paragraph shall not require the duplication of books, records, and accounts required to be kept in some*

other form by the Interstate Commerce Commission; (2) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to file, upon notice from the Commission, balance sheets, profit and loss statements, and such other statements of financial operations, special report, memoranda of any facts and transactions, which in the opinion of the Commission affect the financial results in, the performance of, or transactions or operations under, such contract; (3) that the Commission shall be authorized to examine and audit the books, records, and accounts of all persons referred to in this section whenever it may deem it necessary or desirable; and (4) that upon the willful failure or refusal of any person described in this section to comply with the contract provisions required by this section, the Commission shall have the right to rescind the contract, and upon such rescission the United States shall be relieved of all further liability on such contract.

## GENERAL INSTRUCTIONS

§ 282.0-1 *Definitions.* When used in this system of accounts:

(a) "Additions" means structures, facilities, or equipment added to those in service and not replacing property or equipment previously in service.

(b) "Related companies" means companies or persons that directly, or indirectly through one or more intermediaries, control, or are controlled by, or are under common control with, the accounting carrier.

NOTE: Where reference is made to control (in referring to a relationship between any person or persons and another person or persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(c) "Current assets" means cash, as well as those assets that are readily convertible into cash or are held for current operation, and other amounts accruing to the carrier and subject to settlement within one year from date of the balance sheet.

(d) "Current liabilities" means those obligations the amounts of which are definitely determined or can be closely estimated and which are either matured at the date of the balance sheet or become due upon demand or within one year from the date of the balance sheet.

(e) "Debt expense" means all expense in connection with the issuance and sale of evidences of long-term debt, such as fees for drafting mortgages and trust deeds; fees and taxes for issuing or recording evidences of debt; cost of engraving and printing bonds, certificates of indebtedness, and other evidences of debt; fees paid trustees; specific cost of obtaining governmental authority; fees for legal services; fees and commissions paid underwriters, brokers, and salesmen for marketing evidences of debt; fees and expenses of listing on exchanges; and other like costs.

(f) "Discount," as applied to securities issued or assumed by the carrier, means the excess of the par or face value



of the securities, plus interest or dividends accrued to the date of the sale, over the cash value of the consideration received from the sale.

(g) "Nonshipping property" means property neither used in nor held for transportation service.

(h) "Premiums," as applied to securities issued or assumed by the carrier, means the excess of the cash value of the consideration received at their sale over the sum of their par or face value plus interest or dividends accrued to the date of sale.

(i) "Shipping property" means property which is used or held for use by the carrier in the conduct of its shipping operations.

§ 282.0-2 *Records.* (a) The carrier's records shall be kept with sufficient particularity to show fully the facts pertaining to all entries in its accounts.

(b) Where the general book entries do not contain complete information they shall be supported by other detailed records, cross-referenced for ready identification.

(c) All records shall be filed in such manner as to be readily accessible for examination.

(d) All accounts kept shall conform in number and title to those prescribed in this part.

(e) Accounts included in this system may be subdivided if such subaccounts do not impair the integrity of the accounts or records prescribed in this part.

(f) The accounts for each month shall be recorded currently so that all transactions applicable to each month, as nearly as may be ascertained, shall be entered in the books of the carrier.

§ 282.0-3 *Unaudited items.* (a) When it is known that a transaction has occurred which affects operating revenues, operating expenses, or income, but the amount involved and its effect upon the accounts cannot be determined with absolute accuracy, the amount thereof shall be estimated and included in the appropriate operating or income and balance-sheet accounts. Any such estimate shall be adjusted as soon as the actual amount is determined.

(b) Accruals shall not be recorded for purely speculative items, but shall be limited to reasonable estimates on reliable information of transactions that will be consummated.

§ 282.0-4 *Submission of questions.* To promote and maintain uniformity of accounting, carriers shall submit all questions of doubtful interpretation of the accounting regulations for consideration and decision to the agency having jurisdiction over the carrier's accounts.

§ 282.0-5 *Terminated voyages.* (a) The carrier shall keep its records in such manner that it can report with respect to operating revenue, operating expense, and other accounts affected, the revenues accruing and the expenses incurred for each terminated voyage of its vessels operated in line service.

(b) The revenues and expenses for uncompleted voyages or periods, included in unterminated voyage accounts, shall be recorded in such detail that the operating revenue, operating expense, or

other accounts affected may be transferred from the unterminated voyage accounts to the appropriate revenue, expense, and other accounts involved.

§ 282.0-6 *Balance-sheet accounts.* The balance-sheet accounts are intended to disclose the financial condition of the carrier as of a given date by showing the assets, liabilities, capital stock, and surplus (or deficit) of the carrier.

§ 282.0-7 *Conversion of securities.* Journal entries which record the requirement of capital stock or funded debt securities by issuing in exchange the carrier's capital stock or funded debt shall be submitted to the Interstate Commerce Commission for approval before being recorded upon the books by carriers reporting to that Commission.

§ 282.0-8 *Contingent assets and liabilities.* Contingent assets and liabilities shall not be included in the accounts, but such records shall be kept as will enable the carrier to report all items of significant amount.

§ 282.0-9 *Revenue accounts.* (a) The revenue accounts are designed to show the amounts of revenue which the carrier becomes entitled to receive from furnishing of transportation service, including service incidental thereto.

(b) The accounting for operating revenues shall be coincident with the transactions which create them. For the purpose of meeting this requirement, the carrier shall account for unaudited revenues upon an accrual basis.

§ 282.0-10 *Expense accounts.* (a) The expense accounts are designed to show expenses of the carrier in furnishing transportation service, and services incidental thereto including the expenses of maintenance (repairs and depreciation) of the property used in such service.

(b) The accounting for expenses shall be coincident with the transactions which create them. For the purpose of meeting this requirement, the carrier shall account for unaudited expenses upon an accrual basis.

#### BALANCE SHEET ACCOUNTS

##### ASSETS

§ 282.100 *Cash.* (a) This account shall include the amount of current funds available for use on demand in the hands of financial officers or deposited in banks or trust companies including cash in transit for which agents or others have received credit. Cash appropriated for replacement, debt retirements, funded reserves, etc., and cash on deposit to guarantee performance of agreements shall be carried in appropriate accounts numbered 115 and 301 to 312, inclusive. If the withdrawal of any portion of the cash included in this account is restricted for any purpose whatsoever, the balance sheet must carry an appropriate notation to that effect.

(b) This account shall be subdivided as set forth in §§ 282.101, 282.106, 282.111, and 282.114.

§ 282.101 *Cash on deposit; domestic.* This account shall include all cash on

deposit in banks in the United States and available for general purposes.

§ 282.106 *Cash on deposit; foreign.* This account shall include all cash on deposit in foreign banks and available for general purposes.

§ 282.111 *Imprest and petty cash funds.* This account shall include cash funds maintained at fixed amounts to be used in making change or in the nature of revolving funds for minor disbursements requiring immediate payment, the funds being regularly reimbursed from the general cash. Subsidiary accounts shall be maintained by agents or employees.

§ 282.114 *Cash on hand and in transit.* This account shall include cash in the hands of financial officers; cash transfers between banks; and cash in transit from agents, branch houses, and employees.

§ 282.115 *Special cash deposits.* (a) This account shall include the amounts of cash on special deposit (other than in special funds or deposits as elsewhere provided) for the payment of dividends, interest, and other debts of a current nature, when such payments are due one year or less from date of deposit; also amounts of cash deposited to insure the performance of contracts to be performed within one year from date of deposit; and other cash deposits of a special nature not provided for elsewhere.

(b) This account shall also include cash realized from the sale of the carrier's securities and deposited with trustees to be held until disbursed for the purpose for which the securities were sold: *Provided*, That cash held for such purposes, including cash held for redemption of securities, shall be included in the appropriate special funds unless the liability for the disbursement is included under current liabilities.

(c) Cash on deposit in special bank accounts where the funds are available for current requirements shall be included in account 100, "Cash."

§ 282.120 *Marketable securities.* This account shall include the cost of government securities and temporary investments in other readily marketable securities which are available for general purposes of the business. Securities issued or assumed by the carrier or by a related company shall not be included in this account. This account shall be subdivided as follows:

- 121 United States Government securities.
- 122 State, county, and municipal securities.
- 125 Other marketable domestic securities.
- 126 Foreign marketable securities.

§ 282.130 *Notes receivable.* This account shall include the amount of all collectible obligations in the form of short-term notes receivable, or other similar evidences (except interest coupons) of money receivable on demand or within one year from date of issue, except notes receivable from related companies subject to current settlement, which shall be included in account 140, "Notes and accounts receivable—Related companies." This account shall be subdivided as follows:

- 131 Miscellaneous notes receivable.  
135 Subscriptions to capital stock.

§ 282.140 *Notes and accounts receivable; related companies.* (a) This account shall include the amounts receivable from related companies which are subject to current settlement, such as balances in open accounts for services rendered, materials furnished, traffic and interline accounts, rents for use of property, and similar items; also interest, dividends, loans, notes, and drafts for which related companies are liable.

(b) Items which are not subject to current settlement shall be included in account 320, "Non-current receivables—Related companies."

(c) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

§ 282.150 *Accounts receivable.* This account shall be subdivided as set forth in §§ 282.151, 282.155, 282.160, 282.165, and 282.169.

§ 282.151 *Traffic accounts receivable.* (a) This account shall include accounts receivable from shippers, consignees, connecting carriers, and others (excluding related companies) arising incident to the carriage of passengers, excess baggage, freight, and mail.

(b) Subsidiary accounts shall be maintained by individual debtors or by vessels and voyages subdivided as between (1) prepaid freight outward and collect freight inward, (2) collect freight outward and prepaid inward, (when agents are required to remit in full), (3) connecting carriers, (4) other government departments, and (5) passengers and brokers. Receivables from any agent with whom arrangements are made to disburse vessels from revenue collections shall not be included in this account, but shall be included in account 010, "Agents and branch houses."

§ 282.155 *Claims receivable.* (a) This account shall include claims transferred from account 361, "Claims pending," including insurance claims which have been compiled and presented to underwriters for payment, and other adjusted claims collectible within one year.

(b) Subsidiary accounts shall be maintained in the names of the insurance underwriters or adjusters, connecting carriers, and others.

§ 282.160 *Maritime Administration; accounts receivable.* This account shall include operating-differential subsidy accruals and such other current receivables as may arise from transactions between the carrier and the Administration.

§ 282.165 *Accounts receivable; miscellaneous.* (a) This account shall include all accounts receivable from other than related companies for which no other account is specifically provided.

(b) Subsidiary accounts shall be maintained alphabetically by names of debtors.

§ 282.169 *Accrued accounts receivable.* (a) This account shall include monthly or other periodical accruals of unmatured receivables, including interest, rentals, dividends, charter hire, except

the accrual of interest on securities on deposit in account 301, "Capital reserve fund," and account 302, "Special reserve fund," and all other unaudited current items receivable accrued to the date of the balance sheet.

(b) No amounts representing interest, dividends, or rents receivable shall be included in this account unless collection thereof is reasonably assured by past experience, anticipated provisions, or otherwise.

(c) No dividends or other returns on securities issued or assumed by the company shall be included in this account.

(d) Interest, dividends, and rents receivable from related companies shall be included in account 140, "Notes and accounts receivable—Related companies."

(e) This account shall be subdivided as follows: Interest, rentals, dividends, charter hire, etc.

§ 282.170 *Inventories.* (a) This account shall include the cost, less trade discounts, of all unissued and unapplied materials, articles in process of manufacture by the carrier, fuel, tools, stationery, and other stores and supplies, but excluding fuel, stores, and supplies on board vessels, and spare parts includible in account 362, "Spare parts."

(b) For balance sheet purposes only, this account shall include the balances on unterminated voyages in clearing account 040, "Bar accounts," and clearing account 045, "Slop chest account."

(c) The costs chargeable to this account are the actual costs of the material and supplies at point of free delivery, plus custom duties, sales and other taxes, insurance, inspection, special tests, loading and unloading, and transportation charges paid for transporting the material from the free point of delivery to the carrier's line. No charge shall be made to this account for the cost of transporting material and supplies when performed by the carrier.

(d) An annual inventory of material and supplies shall be taken, except in instances where inventories are waived by the Interstate Commerce Commission or the Maritime Administration, and the necessary adjustments made to bring this account into harmony with actual inventory balance. In effecting such adjustments, determined differences for important classes of material shall be equitably assigned among the accounts to which such classes are ordinarily chargeable. Other differences shall be equitably apportioned among the primary accounts.

(e) This account shall be subdivided as set forth in §§ 282.171, 282.175, 282.180, 282.185, and 282.189.

§ 282.171 *Vessels stores, supplies, and equipment ashore.* (a) This account shall include the cost of all stores, supplies, and equipment held for delivery to vessels at some future date, including quantity purchases warehoused and delivered to vessels as required.

(b) Subsidiary accounts shall be so maintained as to show location of inventories.

§ 282.175 *Other shipping inventories.* (a) This account shall include the cost

of all stores, supplies, and equipment held for use in the conduct of the shipping business and its auxiliaries, such as terminal, cargo handling, tug and lighters, and other incidental shipping operations, for which no other account is specifically provided.

(b) Subsidiary accounts shall be so maintained as to show location of inventories.

§ 282.180 *Non-shipping inventories for sale.* In instances of companies engaged in non-shipping enterprises, inventories of merchandise for sale shall be included in this account. The account shall be maintained so as to show separately the major classes of inventory such as raw materials, work in process, and finished goods.

§ 282.185 *Non-shipping inventories for consumption.* This account shall include the cost of all stores, supplies, and equipment, held for use in the conduct of non-shipping enterprises, other than merchandise for sale.

§ 282.189 *Miscellaneous inventories.* This account shall include the cost of all stores, supplies, and equipment acquired for use in the conduct of the business, which cannot be allocated as between shipping and non-shipping enterprises.

§ 282.199 *Other current assets.* This account shall include the amount of assets of a current nature not includible in any of the foregoing current asset accounts. Subsidiary accounts shall be maintained so as to show separately each class of other current assets.

§ 282.200 *Untermated voyage expense.* (a) This account shall be charged with all vessels expenses while voyages are in progress. After each voyage has terminated, and substantially all expenses have been recorded, the balance in the account shall be transferred to account 700, "Operating expense—Terminated voyages."

(b) In instances where inventories of vessels stores, supplies, and/or equipment are taken and priced at the end of each voyage, the value of such inventories shall be credited in this account to the terminating voyage and charged to the succeeding voyage.

(c) Subsidiary accounts are to be maintained by vessels and consecutively by voyages, and according to the classification of expenses shown in the chart of accounts.

§ 282.300 *Special funds and deposits.* This account shall be subdivided as set forth in §§ 282.301–304, 282.306, 282.309, and 282.312.

§ 282.301 *Capital reserve fund.* (a) This account shall be charged with cash and approved securities deposited in this fund, and shall be credited with withdrawals therefrom in accordance with provisions of section 607 (b) of the Merchant Marine Act, 1936, and under such rules and regulations as the Maritime Administration may issue from time to time.

(b) Subsidiary accounts are to be maintained by depositories or trustees, as the case may be, and further sub-

divided to show the amount of (1) cash, and (2) marketable securities.

§ 282.302 *Special reserve fund.* (a) This account shall be charged with cash and approved securities deposited in this fund, and shall be credited with withdrawals therefrom in accordance with section 607 (c) of the Merchant Marine Act, 1936, and under such rules and regulations as the Maritime Administration may issue from time to time.

(b) Subsidiary accounts are to be maintained as described in account 301.

§ 282.303 *Construction reserve fund.* (a) This account shall be charged with cash and the cost of approved securities deposited in such fund, and shall be credited with withdrawals therefrom in accordance with the provisions of section 511 of the Merchant Marine Act, 1936, as amended, and section 112 (b) of the Internal Revenue Code, and other Internal Revenue Acts. It shall also include accretions on investments in such fund when retainable therein.

(b) Subsidiary accounts are to be maintained as described in account 301.

§ 282.304 *Insurance funds.* (a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees to guarantee the satisfaction of obligations for losses in instances where the carrier is a self-insurer in whole or in part.

(b) Subsidiary accounts shall be maintained by depositories or trustees, as the case may be, and further subdivided as to (1) cash, and (2) marketable securities.

§ 282.306 *Debt retirement funds.* (a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees as a sinking fund to meet obligations maturing in the future, or to carry out such operations as the retirement of preferred stock or the purchase of serial bonds.

(b) Subsidiary accounts shall be maintained by depositories or trustees, further subdivided to show cash or marketable securities and purposes of the fund.

§ 282.309 *Other special funds.* (a) This account shall include cash, marketable securities, and other quick assets appropriated for replacement of unsubsidized vessels (except in instances where account 303, "Construction reserve fund," is applicable), to fund reserves for pensions, and any other special fund for which no specific account is provided.

(b) Subsidiary accounts shall be maintained for each class of fund by depositories or trustees, and further subdivided to show (1) cash, and (2) marketable securities.

§ 282.312 *Special and guaranty deposits.* (a) This account shall include cash and the cost of securities deposited to guarantee the performance of conference and similar agreements; also deposits in lieu of mortgaged property sold, and other trust deposits, to be held until equivalent property is acquired or pending other disposition. This account shall

also include deposits on containers, such as oil drums, ammonia cylinders, etc.

(b) Subsidiary accounts shall be maintained by depositories.

§ 282.315 *Investments.* This account shall be subdivided as set forth in §§ 282.316, 282.320, 282.325, 282.328, and 282.329.

§ 282.316 *Securities of related companies.* This account shall include the investment in securities issued or assumed by related companies.

§ 282.320 *Non-current receivables; related companies.* (a) This account shall include all loans, advances, and other receivables from related companies for other than services rendered, supplies furnished, and other transactions customarily subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

§ 282.325 *Cash value of life insurance.* This account shall include the cash surrender value of life insurance policies, under which the carrier is the beneficiary, less the amount of any loans which have been obtained on such policies and not repaid.

§ 282.328 *Other investments.* This account shall include the investment in unpledged securities of other than related companies, including investment advances to companies and individuals, and miscellaneous investments not provided for elsewhere.

§ 282.329 *Reserve for revaluation of investments.* (a) This account shall be credited at the close of each accounting period with amounts necessary to reflect the decline in value of securities and other assets held as investments, where there appears to be a permanent impairment in their value, by contra charge to account 599, "Earned surplus—Unappropriated."

(b) When securities are disposed of, the reserve balance in this account applicable to such securities shall be charged hereto.

§ 282.330 *Property and equipment.* (a) This account shall include the cost of acquisition or construction, including additions and betterments, of property and equipment owned by the carrier; also the amount of appreciation, if any, which the carrier is permitted to record. (Carriers coming within the jurisdiction of the Interstate Commerce Commission must secure the approval of that Commission before appreciating the value of any vessels or equipment.)

(b) This account shall be subdivided as set forth in §§ 282.331, 282.332, 282.337, 282.338, 282.343, 282.344, 282.349, 282.350, 282.353, 282.354, and 282.359.

§ 282.331 *Floating equipment; vessels.* (a) This account shall include the cost of construction or acquisition, including additions and betterments, of vessels (steamships and motorships) and of appurtenances, furniture, and fixtures necessary to equip them for service, including inspection, trial runs, and tests.

(b) As regards vessels with respect to which an operating-differential subsidy is paid, capitalizable costs must be de-

termined in accordance with applicable orders, rules, and regulations prescribed or adopted by the Maritime Administration.

(c) Subsidiary accounts shall be maintained in such manner as to show by vessels the original cost to the carrier and cost of additions and betterments.

§ 282.332 *Reserve for amortization and depreciation; vessels.* (a) This account shall be credited with all depreciation on vessels charged to account 931, "Depreciation—Floating equipment—Vessels," and with amortization of appreciation on vessels charged to account 595, "Appreciation surplus."

(b) Credits to this account applicable to subsidized vessels shall be computed on a twenty-year life expectancy, except in instances where some other basis is specifically authorized by the Maritime Administration, with such allowances for residual values as approved by that Administration, and in accordance with applicable orders, rules, and regulations prescribed or adopted by the Maritime Administration.

(c) Subsidiary accounts shall be maintained by vessels.

§ 282.337 *Other floating equipment.* (a) This account shall include the cost of construction or acquisition, including additions and betterments, of other floating equipment, such as tugs, barges, scows, launches, lighters, floating cranes, etc., and of appurtenances, furniture, and fixtures necessary to equip for service including inspection, trial runs, and tests.

(b) Subsidiary accounts shall be maintained in such manner as to show the foregoing information by the various kinds of other floating equipment.

§ 282.338 *Reserve for amortization and depreciation; other floating equipment.* (a) This account shall be credited with all depreciation charged to account 984, "Depreciation—Other floating equipment," and with amortization of any appreciation thereof.

(b) Subsidiary accounts should be maintained in the same manner as the corresponding accounts supporting account 337.

§ 282.343 *Terminal property and equipment.* (a) This account shall include the cost of construction or acquisition, including additions and betterments, and any appreciated book value of terminal, land, buildings (including improvements to property under long-term lease), shore cranes, trucks, furniture and fixtures, and other terminal gear and equipment.

(b) Subsidiary accounts shall be subdivided as between the various kinds of property and equipment, and shall be maintained in such manner as to show location, original cost, cost of additions and betterments, and any appreciation of book value.

§ 282.344 *Reserve for amortization and depreciation; terminal property and equipment.* (a) This account shall be credited with all depreciation on terminal property and equipment which is charged to account 987, "Depreciation—Terminal property and equipment" and

with amortization of any appreciation thereof.

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 343.

§ 282.349 *Other shipping property and equipment.* (a) This account shall include the cost, cost of additions and betterments, and any appreciated book value of land and buildings, furniture and fixtures, stevedoring and other cargo handling gear, repair yards, highway vehicles, and any other property and equipment used exclusively in shipping and auxiliary operations which are not applicable to accounts 331, 337, and 343.

(b) Subsidiary accounts shall be subdivided as between the various kinds of property and equipment and maintained in such manner as to show location, original cost, cost of additions and betterments, and any appreciation of book value.

§ 282.350 *Reserve for amortization and depreciation; other shipping property and equipment.* (a) This account shall be credited with all depreciation on other shipping property and equipment (as described in account 349) which is charged to account 988, "Depreciation—Other shipping property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 349.

§ 282.353 *Non-shipping property and equipment.* (a) In instances where companies are engaged in non-shipping enterprises all property and equipment which can be allocated properly to such non-shipping enterprises shall be included in this account.

(b) Subsidiary accounts shall be subdivided as between the various kinds of non-shipping property and equipment, and maintained in such manner as to show location, original cost, and cost of additions.

§ 282.354 *Reserve for amortization and depreciation; non-shipping property and equipment.* (a) This account shall be credited with all depreciation on non-shipping property and equipment which is charged to account 996, "Depreciation—Non-shipping property and equipment," and with amortization of any appreciation thereof.

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 353, "Non-shipping property and equipment."

§ 282.359 *Construction work in progress.* (a) This account shall be charged with all payments incident to the costs on vessels or other transportation property in process of construction which can be capitalized in accordance with sound accounting procedure.

(b) Subsidiary accounts shall be subdivided as between the various kinds of construction, and maintained in such manner as to show type of construction and location. When the construction is completed, the cost thereof shall be credited to this account and charged to the appropriate property accounts.

§ 282.360 *Other assets.* This account shall be subdivided as set forth in §§ 282.361, 282.362, 282.364, 282.365, 282.367-369, and 282.374.

§ 282.361 *Claims pending.* (a) This account shall include any claims in litigation, and insurance claims in process of compilation or adjustment. After adjudication of claims in litigation, or adjustment of insurance claims, this account shall be credited and a charge made to account 155, "Claims receivable." Deductible average insurance losses (if policies provide deductibles) should at the same time be transferred to account 570, "Reserve for insurance."

(b) Subsidiary accounts shall be subdivided as between hull underwriters, P. & I. underwriters, general average claims connecting carriers, and such further classes as may be necessary. Each group of subsidiary accounts shall be maintained by vessels and voyages supported by sufficient detail to permit ready identification and analysis of each claim.

§ 282.362 *Spare parts.* This account shall include the acquisition cost (or other applicable acquisition base) of shore side reserve spare parts and spare equipment acquired as stand-by equipment, such as propellers, propeller blades, tail shafts, crank shafts, pumps, rudders, hoisting engines, generators, rotors, anchors, etc., held for future installation on vessels of the carrier, the individual minimum gross book value of which is not less than \$1,000. (The use of this account is mandatory for carriers having vessels under operating-differential subsidy agreements with the Maritime Administration.)

§ 282.364 *Notes and accounts receivable from officers and employees.* This account shall include all amounts due from officers, directors, and employees other than unpaid subscriptions to capital stock. Records supporting entries to this account and subsidiary accounts shall be so maintained as to show separately such major classes as officers' personal accounts, employees' salary advances, and amounts due for such items as group insurance, and retirement annuity deposits.

§ 282.365 *Interest accruals for deposit in capital reserve fund.* This account shall include the monthly or periodical accruals of interest on securities on deposit in account 301, "Capital reserve fund" and account 302, "Special reserve fund."

§ 282.367 *Deferred operating-differential subsidy receivable.* This account shall include that part (if any) of accrued operating-differential subsidy receivable, the payment of which is withheld by the Maritime Administration, pursuant to Public Law 862, 80th Congress, or any subsequent legislation having the same or substantially similar force and effect.

§ 282.368 *Other non-current notes and accounts receivable.* (a) This account shall include all non-current receivables from other than officers, employees, or related companies which, by agreement, are to run for more than one year from date established.

(b) Subsidiary accounts shall be maintained by individual debtors.

§ 282.369 *Reserve for doubtful notes and accounts receivable.* This account shall be credited at the close of each accounting period with the amount charged to account 975, "Doubtful notes and accounts receivable," to provide for estimated uncollectible notes and accounts. (For balance sheet purposes, the balance in this account shall be segregated between current and non-current items.)

§ 282.374 *Miscellaneous other assets.* This account shall include the estimated value of salvage recoverable from property retired when the recovery of the salvage is deferred for any reason; funds on deposit with closed banks; and all other deferred items not covered by other deferred asset accounts.

§ 282.375 *Deferred charges and prepaid expenses.* This account shall be subdivided as set forth in §§ 282.376, 282.380, 282.384-386, and 282.389.

§ 282.376 *Unexpired insurance.* This account shall include the unexpired amount of insurance premiums prepaid, or recorded as a liability in advance. As these premiums accrue periodical charges equivalent to pro rata insurance costs are to be made to account 200, "Unterminated voyage expense," or to other appropriate expense accounts, with concurrent credit to this account. This account shall be subdivided to show separately prepayments on the several classes of insurance.

§ 282.380 *Advances to employees for expenses.* (a) This account shall include all amounts advanced to officers and employees for travel, entertainment, and similar expenses, from which such expenses are to be paid and accounted for. This account shall not include imprest and petty cash funds in fixed amounts held by employees and branch offices for the purpose of making minor expenditures, requiring immediate payments, for which such funds are regularly reimbursed.

(b) Subsidiary accounts shall be maintained by employees, agents, or branch offices.

§ 282.384 *Debt discount and expense.* (a) This account shall include all discount and expense for all classes of funded debt. The debt discount and expense shall be amortized periodically over the respective lives of the securities by charge to account 971, "Amortization—Debt discount and expense."

(b) When an issue of funded debt, or any part thereof, is refunded and at the date of refunding there is a balance of unamortized discount and expense relating to such issue, such balance, together with any premium paid in retiring such issue, shall be charged to account 599, "Earned surplus—Unappropriated."

§ 282.385 *Leaseholds.* (a) This account shall include the unamortized balance of the cost of acquiring long-term leases including rental applicable to future periods paid in advance, and the cost of alterations thereto and fixtures installed in leased property. This account should not include buildings

erected on land under long-term lease or improvements thereto which shall be carried in appropriate property accounts.

(b) Amounts included in this account shall be amortized through such periodic charges to account 972, "Amortization—Leaseholds," as may be necessary for equitable cost distribution.

§ 282.386 *Organization and pre-operating expenses.* This account shall include the unamortized balance of expenses incurred in the formation and development of the business. The balance of this account shall be amortized by annual charges to account 973, "Amortization—Organization and pre-operating expense."

§ 282.389 *Other deferred charges and prepaid expenses.* This account shall include all deferred charges and prepaid expenses not provided for elsewhere, such as prepaid interest, taxes, rentals, advertising, etc. As the term expires for which prepayment was made, this account shall be credited and a corresponding charge made to the appropriate expense accounts. Minor items may be charged directly to the appropriate accounts.

§ 282.390 *Goodwill and other intangible assets.* This account shall be subdivided as set forth in §§ 282.391 and 282.399.

§ 282.391 *Goodwill.* This account shall include only Good Will actually purchased in taking over assets, trade name, etc., calculated to enhance future profits of the business.

§ 282.399 *Other intangible assets.* This account shall include the purchase price of such intangible assets as patents, copyrights, operating rights, etc.

#### LIABILITIES

§ 282.400 *Notes payable.* (a) This account shall include the face value of notes, drafts, and other evidences of indebtedness issued or assumed by the carrier (except interest coupons) which are payable on demand or within one year from date of issue.

(b) This account shall be subdivided as set forth in §§ 282.401, 282.410, and 282.414.

§ 282.401 *Bank loans.* Subsidiary accounts shall be subdivided to show separately (a) amount secured, and (b) amount unsecured.

§ 282.410 *Insurance notes.* This account shall include the face amount of notes issued by the company to cover deferred payments of insurance premiums.

§ 282.414 *Other short-term notes.* This account shall include notes payable within one year from date of issue, for which no other account is specifically provided, but excluding notes issued to related companies. This account shall be maintained to show (a) notes secured, and (b) notes unsecured.

§ 282.415 *Notes and accounts payable; related companies.* (a) This account shall include amounts payable to related companies which are subject to current

settlement, such as credit balances in open accounts for services rendered, materials furnished, traffic and interline accounts, claims, rents, and for interest, dividends, loans, notes, and drafts.

(b) No amount representing dividends payable shall be included in this account unless they have been declared.

(c) Items which are not subject to current settlement shall be included in account 541, "Non-current payables—related companies."

(d) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

§ 282.420 *Accounts payable.* This account shall be subdivided as set forth in §§ 282.421, 282.422, 282.428, 282.430, 282.438, 282.439, 282.440, and 282.459.

§ 282.421 *Trade accounts payable.* This account shall include all liabilities currently due to trade creditors for services rendered and supplies furnished in the general conduct of the business.

§ 282.422 *Traffic accounts payable.* This account shall include exchange orders and other amounts due connecting carriers, freight and passenger brokerage, amounts due for hotel reservations and sightseeing tours, custodian funds payable such as head taxes, freight and passenger manifest stamp taxes, consular fees; advance, prepaid beyond, and transshipping charges, and claims payable, but excluding amounts due related companies.

§ 282.428 *Officers and employees accounts payable.* This account shall include amounts due to officers, directors, individual stockholders, and employees, which are payable within one year from the date the liability is incurred.

§ 282.430 *Maritime Administration; accounts payable.* This account shall include all current accounts payable to the Maritime Administration, including accrued interest, that arise from transactions with that agency.

§ 282.438 *Dividends payable.* This account shall include the amount of dividends declared on actually outstanding capital stock, unpaid at the date of the balance sheet, except dividends payable to related companies which shall be reflected in account 415, "Notes and accounts payable—Related companies."

§ 282.439 *Miscellaneous accounts payable.* This account shall include all current accounts payable to other than related companies, including unclaimed wages, taxes withheld or collected from others for the account of taxing agencies, and other items for which no other account is specifically provided.

§ 282.440 *Accrued taxes payable.* (a) This account shall include the accruals of all taxes payable. Subsidiary accounts shall be maintained as between:

- (1) Federal income tax.
- (2) Federal old age benefit tax.
- (3) Unemployment insurance tax.
- (4) Foreign.
- (5) Other.

(b) Taxes withheld or collected from others for the account of taxing agencies shall be included in account 439, "Miscellaneous accounts payable."

§ 282.459 *Other accrued accounts payable.* (a) This account shall include monthly or other periodical accruals of unmatured payables other than taxes.

(b) Subsidiary accounts shall be maintained as between (1) interest, (2) rentals, (3) voyage payrolls, and such other classes as frequently occur.

§ 282.479 *Other current liabilities.* (a) This account shall include all current liabilities for which no classification is elsewhere provided.

(b) Subsidiary accounts shall be maintained to show separately each class of current liability.

§ 282.489 *Miscellaneous reserves for unrecorded liabilities.* This account shall include reserves provided to cover known current obligations or commitments, either actual or estimated. When the obligation or commitment falls due and the amount thereof is definitely known, this account shall be debited and the proper payable account credited. This account should not be confused with other reserve accounts created for specific purposes.

§ 282.495 *Advance ticket sales and deposits.* This account shall include the credit balance remaining in account 025, "Collections and deposits for passenger transportation," after the balances in that account have been analyzed and those relating to completed transactions have been transferred to the appropriate other accounts designated in the chart.

§ 282.500 *Unterminated voyage revenue.* (a) This account shall be credited with the gross freight, passenger, mail, excess baggage, salvage, and other voyage revenue as soon as the manifests are ready for journalization. The account shall be charged with the total of the revenue of each terminated voyage, when account 600, "Operating revenue—Terminated voyages," is credited.

(b) The subsidiary accounts are to be maintained alphabetically by vessels and consecutively by voyages, according to the classification of revenue as shown on the chart of accounts.

(c) Postings shall be subdivided as between revenue earned on outward, inward, and intermediate legs of voyages.

(d) For purposes of postings in subsidiary accounts, coastwise and intercoastal service shall be deemed to be all commerce conducted by vessels between ports of the forty-eight states of the United States and foreign commerce shall be deemed to be all commerce conducted by vessels over the seas other than commerce between the ports of the forty-eight states of the United States, provided that, with respect to operators receiving an operating-differential subsidy, the subdivision in the subsidiary accounts shall be expanded so as to show, separately, revenue earned on coastwise and/or intercoastal legs of voyages described in section 605 (a) of Title VI of the Merchant Marine Act, 1936, as amended, as well as commerce between ports of the forty-eight states of the United States as hereinbefore required.

§ 282.525 *Long-term debt.* This account shall be subdivided as set forth in §§ 282.526, 282.530, and 282.534.

§ 282.526 *Mortgage notes; Maritime Administration.* (a) This account shall include all mortgage notes payable to the Maritime Administration.

(b) Subsidiary accounts shall be maintained by vessel and subdivided as between Merchant Ship Sales Act of 1946 and Merchant Marine Act, 1936.

§ 282.530 *Mortgage bonds and debentures.* This account shall include the face amount of bonds and debentures and shall be maintained to show full particulars in respect to each issue outstanding. Reacquired bonds and debentures shall be charged to this account at face amount.

§ 282.534 *Other long-term debt.* This account shall include all long-term obligations, excluding amounts due related companies, for which no other account has been specifically provided, and shall be subdivided to show separately long-term obligations secured by capital assets and unsecured long-term debt.

§ 282.540 *Other liabilities.* This account shall be subdivided as set forth in §§ 282.541, 282.549, 282.550, and 282.554.

§ 282.541 *Non-current payables; related companies.* (a) This account shall include all loans, advances, and other payables to related companies not subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

§ 282.549 *Noncurrent notes and accounts payable; officers and employees.* This account shall include all short-term notes and accounts payable to officers, directors, individual stockholders, and employees, which by arrangement become due later than one year from date established.

§ 282.550 *Recapturable profits; Maritime Administration.* (a) If excess profits accrue to the Maritime Administration under the "recapture" provisions of sections 606 and 607 of the Merchant Marine Act, 1936, as amended, this account shall, at the end of the first accounting period in which such profits accrue, be credited with the amount thereof. At the close of each succeeding accounting period within the recapture period involved, this account shall be adjusted so as to reflect the net amount of such excess profits accrued to the Administration as at that date.

(b) The account shall be charged with amounts transferred to account 430, "Maritime Administration—Accounts payable."

§ 282.554 *Miscellaneous other liabilities.* This account shall include all liabilities which cannot be allocated properly to any other account classification.

§ 282.555 *Deferred credits.* This account shall be subdivided as set forth in §§ 282.556 and 282.564.

§ 282.556 *Premium on funded debt.* (a) This account shall include premiums for all classes of funded debt which are to be amortized periodically over the respective lives of the securities by credit

to account 691, "Release of premium on long-term debt."

(b) When an issue of funded debt or any part thereof is refunded and at date of refunding there is a balance of unamortized premium relating thereto, the amount of such balance shall be credited to account 599, "Earned surplus—Unappropriated."

§ 282.564 *Miscellaneous deferred credits.* This account shall include all deferred income and unadjusted credits for which no other account is specifically provided, such as unexpended proceeds from insurance recoveries.

§ 282.565 *Operating reserves.* This account shall be subdivided as set forth in §§ 282.566, 282.570, 282.571, and 282.579.

§ 282.566 *Reserve for repairs.* (a) When reserves are provided for equalization of repair expenses incurred at domestic ports, this account shall be credited and account 200, "Unterminated voyage expense," charged. Actual repair expenses incurred at the domestic ports will be charged to this account. Repair expenses incurred at foreign ports will be charged direct to account 200. Any balance in this account applicable to terminated voyages at the end of the accounting year shall be distributed equally to such voyages in account 700, "Operating expense—Terminated voyages," after all repair expenses actually incurred and all commitments against voyages terminated during the period have been recorded.

(b) Subsidiary accounts shall be arranged alphabetically by vessel and consecutively by voyages.

§ 282.570 *Reserve for insurance.* (a) Agreed amounts for Marine and P. & I. Insurance deductibles (if provided in the policies) should be charged to each voyage in account 200, "Unterminated voyage expense," and the corresponding credits posted to this account. When the amount within the deductibles average chargeable against each voyage is determined, it should be transferred from account 361, "Claims pending," as a charge to this account.

(b) This account may also be used for equalization of other insurance risks assumed by the carrier, as for example, self-carried workmen's compensation, and public liability insurance. At the end of each accounting year, any balance in this account applicable to voyages terminated during the preceding accounting year, in those instances where the records indicate that all claims have been settled, should be transferred to account 090, "Adjustments applicable to prior periods."

(c) Subsidiary accounts shall be maintained by the various classes of insurance for which provisions are made and shall be arranged alphabetically by vessel and consecutively by voyage.

§ 282.571 *Reserve for pensions and welfare.* This account shall include the liability of the carrier for the amount of assets (whether contributed by the carrier, by the employees, or by others) in the hands of the treasurer or of a trustee or manager as the administrator of

employees' pension, savings, relief, hospital, or other association funds.

§ 282.579 *Miscellaneous operating reserves.* (a) This account shall include all provisions for the equalization of operating expenses for which no other reserve account is specifically provided.

(b) Subsidiary accounts shall be maintained by the various classes of reserve arranged alphabetically by vessels and consecutively by voyages, or by other accounting units.

§ 282.580 *Net worth.* This account shall be subdivided as set forth in §§ 282.581, 282.585, 282.587, 282.590, 282.595, 282.598, and 282.599.

§ 282.581 *Capital stock.* (a) This account shall include the par value, or for stock without par value, the money value of the consideration received, in respect of capital stock or other form of proprietary interest in the carrier which has been issued to purchasers and has not been reacquired and canceled. It shall also include stock issued representing appropriations of surplus for stock dividends. When capital stock is retired, this account shall be charged with the book value at which such stock is recorded herein. Capital stock reacquired and held for resale or investment shall be charged to this account at a value equivalent to its book liability. The book value of nonpar stock reacquired shall be determined by a prorate of the amount recorded for shares of the particular subclass of stock of which the shares reacquired are a part actually outstanding immediately prior to acquisition.

(b) The credits hereto shall be divided as follows:

(1) *Preferred stock.* (Stock having a preference or priority in respect to dividend participation.)

(2) *Common stock.* (Stock entitled to a dividend, if any, after preferred stock.)

(c) A separate record shall be kept for each subclass showing the number of shares authorized by the articles of incorporation and amendments, the number of shares issued, the number of shares reacquired, the number of shares canceled, the number of shares outstanding, and their book value.

§ 282.585 *Capital stock subscribed.* This account shall include the amount of subscriptions to capital stock of the carrier. It shall be credited with the par value, or with the subscription price of stock without par value, exclusive of dividends, if any. Concurrently, account 135, "Subscriptions to capital stock," shall be debited with the agreed price and any discount or premium shall be included in the appropriate account. When properly executed stock certificates are issued, this account shall be debited and account 581, "Capital stock," credited.

§ 282.587 *Discount on capital stock.* (a) This account shall include the discount suffered and commissions paid in connection with the sale of capital stock. Records supporting the entries to this account shall be maintained to show the discount and commissions on each class and series of capital stock.

(b) When capital stock is reacquired, the amount in this account with respect to the shares reacquired shall be credited hereto.

§ 282.590 *Capital surplus.* (a) This account shall include the amount of capital donated or paid in as surplus (including premiums and assessments on capital stock) and also gains from reacquired or donated shares of capital stock, from forfeiture of subscriptions and from reduction of the par or recorded value of capital stock.

(b) This account shall be charged with amounts included herein capitalized by stock dividends or otherwise; losses from retirement or resale of reacquired shares not exceeding the credit herein applicable thereto; and may be charged with discount, commissions, and expense on capital stock to the extent of credits herein applicable thereto.

§ 282.595 *Appreciation surplus.* (a) This account shall be credited with appreciation, if any, of capital assets which the carrier has been permitted to appraise at a higher value than cost less depreciation at time of appraisal. The account shall be debited with annual amortization of the amount of appreciation charged to the affected property accounts.

(b) Entries made to this account must be complete in detail.

§ 282.598 *Earned surplus; appropriated.* (a) Surplus appropriated for replacement of capital assets, debt retirement, contingencies, and other funded reserves shall be credited to this account with a corresponding charge to account 599, "Earned surplus—Unappropriated."

(b) Subsidiary accounts shall be maintained by classes of appropriations.

§ 282.599 *Earned surplus; unappropriated.* (a) All profits or losses shown in account 095, "Profit and loss account," at the end of the accounting year, adjustments shown in account 090, "Adjustments applicable to prior periods," unamortized balance of discount or premium reacquired funded debt, and extraneous or nonrecurring profits or losses arising from acquisition or disposal of capital assets, or otherwise, shall be recorded in this account.

(b) Any part of earned surplus appropriated for any purpose shall be charged to this account, including excess profits accruing to the Maritime Administration under the "recapture" clauses in sections 606 and 607 of the Merchant Marine Act, 1936, which shall be credited to account 550, "Recapturable profits—Maritime Administration."

#### INCOME ACCOUNTS

##### WATER LINE OPERATING REVENUE

§ 282.600 *Operating revenue; terminated voyages.* (a) This account shall include all revenue on terminated voyages transferred from account 500, "Un-terminated voyage revenue." Revenue items recorded on terminated voyages, after the transfer has been made, shall be posted in detail direct to this account. Revenue items arising in connection with voyages terminated in prior years shall

be posted to account 090, "Adjustments applicable to prior periods."

(b) Subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages, according to the classification of revenues, as shown in the chart of accounts. Postings shall be subdivided as between revenues earned on outward, inward, and intermediate legs of voyages.

(c) For purposes of postings in subsidiary accounts, coastwise and intercoastal service shall be deemed to be all commerce conducted by vessels between ports of the forty-eight states of the United States and foreign commerce shall be deemed to be all commerce conducted by vessels over the seas other than commerce between the ports of the forty-eight states of the United States: *Provided*, That, with respect to operators receiving an operating-differential subsidy, the subdivision in the subsidiary accounts shall be expanded so as to show, separately, revenue earned on coastwise and/or intercoastal legs of voyages described in section 605 (a) of Title VI of the Merchant Marine Act, 1936, as amended, as well as commerce between ports of the forty-eight states of the United States as hereinbefore required.

(d) The same subsidiary ledger forms may be used for both account 500 and account 600, and the sheets may be physically transferred or the totals, by classifications, transferred to new sheets, as the carrier elects.

(e) This account shall be subdivided as set forth in §§ 282.601, 282.605, 282.608, 282.612, 282.615-617, 282.619, 282.620, and 282.624.

§ 282.601 *Freights; foreign.* (a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on basis of contracts. It shall include revenue earned from the carriage of:

- (1) General cargo.
- (2) Refrigerated cargo.
- (3) Bulk cargo.
- (4) Dead freight.
- (5) Express.
- (6) Heavy lift charges.
- (7) Primage.
- (8) Revenue from cargo charters (contracts).

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight; refunds and uncollectible charges on lost, damaged, or destroyed freight shipments; and with refunds of overcharges assumed by the carrier under the voucher minimum.

§ 282.605 *Freight; coastwise and intercoastal.* (a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on basis of contracts. It shall include revenue earned from the carriage of:

- (1) General cargo.
- (2) Refrigerated cargo.
- (3) Bulk cargo.

(4) Dead freight.

(5) Express.

(6) Heavy lift charges.

(7) Revenue from cargo charters (contracts).

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight; refunds and uncollectible charges on lost, damaged, or destroyed freight shipments; and with refunds of overcharges assumed by the carrier under the voucher minimum.

§ 282.608 *Passenger; foreign.* This account shall include all revenue accruing from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations, and the furnishing of meals.

§ 282.612 *Passenger; Coastwise and intercoastal.* (a) This account shall include all revenue accruing from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations, and the furnishing of meals.

(b) The credits to this account shall be subdivided as follows among (1) revenue from passenger fares, (2) revenue from staterooms, (3) revenue from meals, and (4) revenue that cannot be separated among subparagraphs (1), (2), and (3) of this paragraph.

§ 282.615 *U. S. mail; foreign.* This account shall include revenue from the transportation of United States mail between foreign ports and between domestic and foreign ports. It shall be charged with mail penalties imposed upon the carrier.

§ 282.616 *U. S. mail; coastwise and intercoastal.* This account shall include revenue from the transportation of United States mail between the ports of the 48 States of the United States. It shall be charged with mail penalties imposed upon the carrier.

§ 282.617 *Foreign mail.* This account shall include revenue from the transportation of mail of countries other than the United States. It shall be charged with mail penalties imposed upon the carrier.

§ 282.619 *Ad valorem.* This account shall include all revenue from the transportation of cargo, the charges for the transportation of which are based on a percentage of the invoiced value thereof, such as bullion, currency, precious metals, etc.

§ 282.620 *Charter revenue.* This account shall include revenue from contracts for the charter of vessels to others when the amount receivable for charter is not directly related to and dependent upon the commodities and volume transported, such as bareboat and time form charters. The compensation is usually based upon daily or monthly hire of the vessel.

## RULES AND REGULATIONS

§ 282.624 *Other voyage revenue.* This account shall include all revenue accruing from other services by and activities aboard vessels, not otherwise provided for, such as:

Advances, prepaid beyond and manifest transaction, net credit.  
Assisting vessels in distress—Salvage.  
Barber shop and other services to passengers aboard vessels.  
Concessions aboard vessels granted to others.  
Demurrage and dispatch.  
Excess baggage.  
Parcel rooms aboard vessels.  
Radio service aboard vessels.  
Refrigeration aboard vessels.  
Rent from steamer chairs and other equipment to passengers.  
Sale of periodicals and newsstand supplies to passengers.  
Sale of buffet and bar supplies to passengers, net credit.  
Sale of aloft chest supplies to crew, net credit.  
Transportation of animal pets.  
Weighing and vending machines aboard vessels.

## SUBSIDIES

§ 282.625 *Operating-differential subsidy.* (a) This account shall be credited with sums accruing to the carrier under the subsidy provisions of the Operating-Differential Subsidy Agreement.

(b) Subsidiary accounts, to which postings shall be made by vessel and voyage, shall be maintained according to classifications shown in chart of accounts.

626 Wages of officers and crew.  
628 Subsistence of officers and crew.  
629 Subsistence of passengers.  
630 Maintenance.  
632 Repairs not compensated by insurance.  
634 Shore gang repairs—upkeep.  
636 Hull insurance premiums.  
637 Hull insurance deductible repairs.  
638 P. & L. insurance.

## OTHER SHIPPING REVENUE

§ 282.640 *Collections from pools.* This account shall be credited with collections for each accounting period in accordance with pooling agreements by transfers from account 055, "Pool participation."

§ 282.645 *Revenue from terminal operations.* (a) This account shall include all revenue derived from the rental, lease, or use by others of the carrier's terminal facilities, including dockage, side wharfage, top wharfage, storage, use of doorways, lights, furnishing water, protective service, refrigeration, precooling, and similar service.

(b) Any agreed amounts for the use of such facilities by vessels owned or operated by the carrier which are charged to account 200, "Unterminated voyage expense," shall be credited to account 890, "Interdepartmental credits for services and facilities."

(c) Subsidiary accounts shall be maintained to show separately for each terminal the different kinds of revenue earned.

§ 282.650 *Revenue from cargo handling operations.* (a) This account shall include all revenue derived from the performance by the carrier for others of stevedoring and other cargo handling services, such as checking, tallying, receiving, d-livering, cooping, loading,

and discharging cargo; also use of gear, equipment, etc.

(b) Any agreed amounts for the use of such facilities by vessels owned or operated by the carrier which are charged to account 200, "Unterminated voyage expense," shall be credited to account 890, "Interdepartmental credits for services and facilities."

(c) Subsidiary accounts shall be maintained to show separately for each port the different kinds of services earning revenues.

§ 282.655 *Revenue from tug and lighter operations.* (a) This account shall include all revenue derived from services performed for others by the carrier's tugs, lighters, barges, scows, launches, floating cranes, and other equipment, including rental and charter hire for use of such equipment.

(b) Any agreed amounts for the use of such facilities by vessels owned or operated by the carrier which are charged to account 200, "Unterminated voyage expense," shall be credited to account 890, "Interdepartmental credits for services and facilities."

(c) Subsidiary accounts shall be maintained to show separately for each port the different kinds of services earning revenues.

§ 282.660 *Revenue from other shipping operations.* (a) This account shall be credited with gross revenue derived from the performance of repairs, and any other services or operations for others which are incidental to the shipping business and for which no other account is specifically provided.

(b) Any agreed amounts for the use of such facilities by vessels owned or operated by the carrier which are charged to account 200, "Unterminated voyage expense," shall be credited to account 890, "Interdepartmental credits for services and facilities."

(c) Subsidiary accounts shall be maintained to show separately for each port the different kinds of services earning revenues.

§ 282.670 *Agency fees, commissions, and brokerage earned.* (a) This account shall include revenues received from others covering gross agency fees, commissions, and brokerage, less amounts paid to sub-agents therefrom.

(b) Any agreed amounts for services performed for vessels owned or operated by the carrier which are charged to account 200, "Unterminated voyage expense," shall be credited to account 890, "Interdepartmental credits for services and facilities."

(c) Subsidiary accounts shall be maintained by offices, and postings shall show sources of earnings and classification thereof such as agency fees, management and operating commissions, freight brokerage, passenger brokerage, and names of sub-agents in instances where such payments are charged to this account.

## OTHER CREDIT ACCOUNTS

§ 282.675 *Interest income.* (a) This account shall be credited with all interest accrued.

(b) Interest shall not be credited before actual collection unless its payment

is reasonably assured by past experience, guaranty, anticipated provisions, or otherwise.

(c) This account shall not include interest on securities issued or assumed and owned by the carrier.

(d) This account shall be subdivided as follows:

676 Cash on deposit.  
677 Notes and accounts receivable—Related company.  
678 Notes and accounts receivable—Others.  
679 Marketable securities.  
680 Special funds and deposits.  
681 Investments in related companies.  
682 Other investments.  
684 Miscellaneous.

§ 282.685 *Dividend income.* (a) This account shall be credited with all dividends received. Dividends may be credited prior to actual collection if their payment is reasonably assured by past experience, guaranty, anticipated provisions, or otherwise. This account shall not include dividends on the carrier's own capital stock.

(b) This account shall be subdivided as follows:

686 Marketable securities.  
687 Special funds and deposits.  
688 Investments in related companies.  
689 Miscellaneous.

§ 282.690 *Miscellaneous other income.* This account shall include all income not provided for elsewhere, such as:

Cash discounts.  
Profits from conversion of foreign currencies. (Transferred from account 050, "Foreign exchange account.")  
Fees collected in connection with exchange of coupon bonds for registered bonds.

§ 282.691 *Release of premium on long-term debt.* This account shall include for each fiscal period such proportion of the premium on funded debt as is transferred from account 556, "Premium on funded debt."

§ 282.695 *Income from non-shipping operations.* (a) This account shall include the gross income derived from ventures other than shipping and shipping auxiliary operations.

(b) Separate accounts shall be maintained for each enterprise and location.

## WATER LINE OPERATING EXPENSE

§ 282.700 *Operating expense; terminated voyages.* (a) This account shall be charged with all expenses of terminated voyages transferred from account 200, "Unterminated voyage expense." Expense items recorded on terminated voyages after the transfer has been made shall be posted in detail direct to this account. Expense items arising in connection with voyages terminated in prior years shall be posted to account 090, "Adjustments applicable to prior periods."

(b) Subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages, according to the classification of expense as shown in the chart of accounts.

(c) The same subsidiary ledger forms may be used for both account 200 and account 700, and the sheets may be physically transferred or the totals, by classifications, transferred to new sheets, as the carrier elects.



(d) This account shall be subdivided according to the classifications of expense in accounts 701-799, inclusive.

§ 282.701 *Wages.* This account shall include the pay of masters, officers, pursers, radio operators, and other members of crews of vessels, including regular wages, emergency allowances, overtime, vacation pay, and bonuses.

§ 282.708 *Payroll taxes.* This account shall include taxes computed on the basis of a payroll such as old age benefits, unemployment compensation and similar social security taxes.

§ 282.709 *Contributions; welfare plans.* This account shall include contributions to welfare and pension plans of seamen made in accordance with union agreements.

§ 282.710 *Subsistence; purchased domestic.* This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (but not bar and slop chest supplies and water) purchased in the United States and its territories and possessions except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond) for consumption by passengers, officers, and crews of vessels. This account shall also include board and room allowances to officers and crews in lieu of subsistence and lodging aboard vessels.

§ 282.714 *Subsistence; purchased foreign.* This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (except bar and slop chest supplies and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam, or purchased in the United States out of bond, for consumption by passengers, officers, and crews of vessels.

§ 282.715 *Stores, supplies, and equipment; purchased domestic.* This account shall include the cost (and related sales taxes) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in the United States and its territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond), for use aboard vessels. The term "expendable equipment" includes all tools, utensils, instruments, small machinery, strainers, burner parts, valve parts, and paraphernalia of a portable or removable nature, as distinguished from "permanent equipment" fastened to the vessel or installed as an integral part thereof, and spares required by the classification societies. The cost of such permanent equipment and spares shall be included in account 740, "Repairs performed—Domestic," or 749, "Repairs performed—Foreign," as the case may be.

§ 282.724 *Stores, supplies, and equipment; purchased foreign.* This account

shall include the cost (including related sales taxes) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam, or purchased in the United States out of bond, for use aboard vessels.

§ 282.725 *Other maintenance expense.* (a) This account shall include such expenses as laundry and pressing services; wages of shoregang labor for cleaning, painting, scraping, or other vessel-upkeep services usually performed by the crew; inspection service charges; and the cost of maintaining expendable equipment, such as adjustment compasses, rating chronometers, retinning utensils, mending linens, upholstering chairs, repairing typewriters, etc.

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.735 *Fuel.* This account shall include the cost of bunker coal and fuel oil and of services and facilities incident to delivery, inspection, and trimming thereof.

§ 282.740 *Repairs performed; domestic.* (a) This account shall include the cost incident to repairs (not recoverable from insurance) directly attributable to replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, their machinery, and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in the United States and its territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam. The cost of repairing or servicing expendable equipment shall be included in account 725, "Other maintenance expense." In instances where reserves are maintained by the carrier to equalize repair expenses, this account shall also include the reserve provision and the unexpended or debit balance of the repair reserve applicable to the period covered by this report in excess of the amount reserved for uncompleted repairs, if it is the practice of the carrier to close such balances at the end of each accounting period.

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.749 *Repairs performed; foreign.* This account shall include the cost incident to repairs (not recoverable from insurance) directly attributable to

replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, their machinery and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam.

§ 282.755 *Insurance; hull and machinery.* This account shall include the premiums on full navigating, total loss (including disbursements and/or earnings), war-risk and port-risk insurance coverage; provisions for deductible average losses; and the unexpended or debit balances of reserves for deductible average losses applicable to the period, in excess of the amount reserved for pending claims, if it is the practice of the carrier to close such balances at the end of each accounting period.

§ 282.757 *Insurance; P. & I.* This account shall include the premiums on protection and indemnity insurance coverage; provisions for deductible average losses, in instances where reserves are maintained by the carrier to equalize such losses; and the unexpended or debit balances of reserves for deductible average losses applicable to the period, in excess of the amount reserved for pending claims, if it is the practice of the carrier to close such balances at the end of each accounting period.

§ 282.759 *Insurance; other.* This account shall include the premiums on all classes of marine-risk coverage carried by the carrier which are not properly allocable to account 755, "Insurance—Hull and machinery," and account 757, "Insurance—P. & I.," as defined in § 282.757.

§ 282.760 *Charter hire.* This account shall include the cost of hiring vessels from others under bareboat, time, trip, or other forms of charter.

§ 282.764 *Other vessel expense.* This account shall include all miscellaneous expenses directly incident to the management and maintenance of vessels which are not properly chargeable to other account classification, such as:

Ashes, removal of.	Masters, expenses of.
Bill of health.	Medical, examination of ship personnel.
Crew transportation and cost of securing.	Pursers, expenses of.
Dispatch.	Payroll insurance.
Emblems and stock marks.	Rental of radio equipment.
Fresh water.	Rental of submarine signal apparatus.
Garbage service.	Seaworthy certificate.
Inventory expense.	Steam for winches, furnishing.
Launch hire.	Taxi hire.
Lights furnished from shore when ship is dead.	

§ 282.765 *Agency fees and commissions.* (a) This account shall include agency fees, attendance fees, and commissions for services performed by agents at outports. This should not be

confused with commissions paid to any other persons or concern acting as managing or operating agent of the carrier in instances where the latter does not maintain an operating organization, which expenses should be included in account 945, "Management and operating commissions."

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.770 *Wharfage and dockage.* (a) This account shall include the cost of terminal facilities furnished vessels of the carrier such as dockage or side-wharfage, top-wharfage, storage, use of doorways, lights, etc.

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.779 *Other port expenses.* This account shall include port service charges, dues, and taxes such as:

Anchor dues.  
Bridge, openings.  
Brokerage, customs.  
Buoy hire.  
Canal tolls other than Panama and Suez Canals (see account 795).  
Cargo dues.  
Certificates, loading, discharge.  
Chamber of Commerce dues.  
Clearance dues and fees.  
Consular charges.  
Contributions to hospital.  
Custom house dues and overtime.  
Entry dues and fees.  
Fumigation.  
Handling lines.  
Harbor dues.  
Health and immigration office fees.  
Launch hire.  
Lighthouse dues.  
Mooring and unmooring.  
Packet privileges.  
Permits, loading, discharge.  
Piloting.  
Port dues and taxes.  
Quarantine charges.  
Running lines.  
Sanitary dues.  
Shifting vessel.  
Stamp dues.  
Tonnage tax.  
Towage.  
Tug hire.  
Watching vessel.

§ 282.780 *Stevedoring.* (a) This account shall include the cost of removing and handling cargo from the piles on the pier or in pier sheds, or from cars, barges, lighters, scows, or booms alongside, and stowing the same in or on any part of the vessel, and the cost of discharging cargo from any part of the vessel onto the pier or into pier sheds, or into or on cars, barges, lighters, scows, or booms alongside the vessel and piling the same on the pier or in pier sheds, such as:

Straight time.  
Overtime.  
Detentions.  
Extra labor:  
Breaking down.  
Handling baggage and mail.  
Heading cotton.  
Heavy-lift charges.  
High piling.  
Long trucking.  
Rigging and unrigging.  
Shifting barges and lighters.  
Shifting cargo.  
Sorting.  
Tiering.  
Transshipping cargo into sheds and barges.  
Hire of stevedoring gear and equipment, including cargo slings, hatch bridles, hatch tents, save-alls, etc.  
Transportation, traveling time, and feeding of stevedores.  
Trimming or leveling cargo.  
Insurance, premium on workmen's compensation and public liability, based on labor charges included under this classification.

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.789 *Other cargo expenses.* (a) This account shall include all expenses directly incident to the handling and carriage of cargo which are not properly allocable to account 780, "Stevedoring," as above defined, such as:

Cleaning holds and tanks for reception of cargo.  
Sweeping and cleaning wharves and docks.  
Cartage of baggage and mail.  
Checking and tallying.  
Clerk hire, receiving and delivering.  
Coopering (labor and materials).  
Cotton inspection.  
Demurrage on cars and lighters.  
Dunnage, including cost of handling.  
Grain inspection.  
Hire of:  
Barges and lighters.  
Cranes and derricks.  
Electric lights for loading or discharging.  
Grain elevators.  
Tarpaulins.  
Installation of special cargo fittings.  
Landing charges and collections.  
Measuring cargo.  
Port marking.  
Separation cloths for grain cargoes.  
Spiral charges.  
Survey of cargo and hatches.  
Towage of barges and lighters.  
Watching cargo.  
Weighing cargo.  
Insurance, premium on workmen's compensation and public liability, based on labor charges included under this classification.

(b) This account shall also include any agreed amounts charged for the use of the carrier's own facilities or for services rendered by the carrier to its owned or operated vessels, such amounts being credited to account 890, "Interdepartmental credits for services and facilities."

§ 282.790 *Freight brokerage.* This account shall include commissions to brokers for procuring cargo.

§ 282.793 *Passenger brokerage.* This account shall include commissions to brokers and booking agencies for procuring business.

§ 282.795 *Canal tolls.* This account shall include only the cost of tolls levied against vessels for traversing the Panama and Suez Canals. Tolls assessed for passage through other canals shall be included in account 779, "Other port expenses."

§ 282.799 *Other voyage expenses.* (a) This account shall include all miscellaneous expenses incident to traffic operations and conduct of voyages which are not properly chargeable to other account classifications, such as:

Arrival notices.  
Ballast expense (cost of ballast as well as expense of loading and discharging).  
Bank commission.  
Cargo plans.  
Communication expenses, including telegrams, cables, radio dispatches, and telephone tolls.  
Demurrage.  
Extending protest.  
Noting protest.  
Postage and posties.  
Reporting vessels.  
Stowage plans.  
Transshipment of cargo for vessel's convenience.

(b) This classification shall also include net losses resulting from advance and prepaid beyond transactions, miscellaneous other manifested items, bar, and slop chest sales on such voyages.

§ 282.800 *Inactive vessels expense.* (a) This account shall include all expenses incurred during the directly incident to inactive periods of vessels which are owned and controlled by the carrier, such as wages of officers and crews, subsistence, stores, supplies and equipment; fuel, repairs, insurance, charter hire, wharfage and dockage, port charges, etc.

(b) Subsidiary accounts shall be maintained alphabetically by vessels, further divided as to lay-up periods, and according to classifications of expenses, as follows:

801 Wages.  
803 Payroll taxes.  
804 Contributions—Welfare plans.  
807 Subsistence.  
809 Stores, supplies, and equipment.  
810 Other maintenance expense.  
815 Fuel.  
817 Repairs.  
823 Insurance—Hull and machinery.  
825 Insurance—P. & I.  
826 Charter hire.  
829 Wharfage and dockage.  
839 Port expenses.  
849 Miscellaneous.

(c) For detailed description of items chargeable to each account see classification of items for corresponding expenses under account 700, "Operating expense—Terminated voyages."

§ 282.850 *Contributions to pools.* This account shall be charged with contributions for each accounting period in accordance with pooling agreements by transfers from account 055, "Pool participation."

§ 282.855 *Expense of terminal operations.* This account shall include the gross expense incurred in the maintenance and operation of terminal facilities by the carrier such as salaries, wages (and related payroll taxes), rent, heat, light, power, repairs, dredging, and in-

insurance for its owned or operated vessels or for the vessels of others.

(b) In instances where such services are performed by the carrier for its owned or operated vessels, at agreed amounts, such agreed amounts shall be credited to account 890, "Interdepartmental credits for services and facilities," with a corresponding charge to account 200, "Unterminated voyage expense," or account 700, "Operating expense—Terminated voyages."

(c) Subsidiary accounts shall be maintained to show separately the principal classes of expense incurred in the operation of each terminal.

§ 282.865 *Expense of cargo handling operations.* (a) This account shall include the gross expense incurred in the performance by the carrier of stevedoring and other cargo handling services such as checking, tallying, delivering, cooperating, watching, etc. (and related payroll taxes), for its owned or operated vessels or for the vessels of others.

(b) In instances where such services are performed by the carrier for its owned or operated vessels at agreed amounts, such agreed amounts shall be credited to account 890 "Interdepartmental credits for services and facilities," with a corresponding charge to account 200, "Unterminated voyage expense," or account 700, "Operating expense—Terminated voyages."

(c) Subsidiary accounts shall be maintained to show separately the principal classes of expenses incurred in the performance of stevedoring and other cargo handling operations at each port.

§ 282.875 *Expense of tug and lighter operations.* (a) This account shall include the gross expense incurred in the maintenance and operation by the carrier of tugs, lighters, barges, scows, launches, floating cranes, and similar floating equipment for its owned or operated vessels or for the vessels of others.

(b) In instances where such services are performed by the carrier for its owned or operated vessels at agreed amounts, such agreed amounts shall be credited to account 890, "Interdepartmental credits for services and facilities," with a corresponding charge to account 200, "Unterminated voyage expense," or account 700, "Operating expense—Terminated voyages."

(c) Subsidiary accounts shall be maintained to show separately the principal classes of expenses incurred in the maintenance and operation of such floating equipment at each port.

§ 282.885 *Expense of other shipping operations.* (a) This account shall include the gross expense incurred in the performance by the carrier of repairs and any other services or operations incidental to the shipping business for its owned or operated vessels or for the vessels of others, and for which no other account is specifically provided.

(b) In instances where such services are performed by the carrier for its owned or operated vessels at agreed amounts, such agreed amounts shall be credited to account 890, "Interdepartmental credits for services and facilities," with a corresponding charge to

account 200, "Unterminated voyage expense," or account 700, "Operating expense—Terminated voyages."

(c) Subsidiary accounts shall be maintained to show separately the principal classes of expense incurred in the performance of repairs and other auxiliary operations at each port.

§ 282.890 *Interdepartmental credits for services and facilities.* (a) This account shall be credited with agreed amounts concurrently charged to account 200, "Unterminated voyage expense," or account 700, "Operating expense—Terminated voyages," representing services performed and facilities furnished by the carrier for its owned or operated vessels, the expenses for which are included in the following accounts:

Account 855. Expense of terminal operations.

Account 865. Expense of cargo handling operations.

Account 875. Expense of tug and lighter operations.

Account 885. Expense of other shipping operations.

Account 900. Administrative and general expense. (Agency fees and commissions.)

(b) Subsidiary accounts, to which postings shall be made by vessel and voyage, shall be subdivided as follows:

891 Credits from terminal operations.

892 Credits from cargo handling operations.

893 Credits from tug and lighter operations.

894 Credits from other shipping operations.

895 Credits from branch house operations.

§ 282.900 *Administrative and general expense.* (a) This account shall include all administrative and general expenses incurred in the operation of the business for which no other specific account is provided, including the corresponding expenses of branch houses.

(b) Subsidiary accounts shall be maintained separately by offices.

(c) This account shall be subdivided according to the classification of expenses in accounts 901-944, inclusive.

§ 282.901 *Salaries of officers.* This account shall include the compensation of officers and directors, including fees of receivers and trustees, commissions in lieu of salaries and taxes computed on basis of payroll such as old age benefits, unemployment compensation, and similar social security taxes.

§ 282.902 *Wages of employees.* This account shall include the compensation of all employees other than officers and directors, including taxes computed on basis of payroll such as old age benefits, unemployment compensation and similar social security taxes.

§ 282.905 *Legal and accounting fees and expenses.* This account shall include fees, retainers, and other expenses for professional services of attorneys, auditors, accountants, and others, including cost of law books, legal forms, testimony, notarial and witness fees, law and court expenses, and audit reports of investigations and lawsuits.

§ 282.910 *Rent, heat, light, and power.* This account shall include the cost of light, heat, power, water, and air conditioning; also rents payable for use of

buildings, general offices, and storage space.

§ 282.915 *Communication expenses.* This account shall include the cost of telephone, telegraph, cable, radio, teletype, and all other communication services.

§ 282.920 *Office supplies, stationery, and printing.* This account shall include the cost of office supplies and of stationery and printing used in general offices, including the cost of printing annuals reports, contracts, leases, passes, and tariffs.

§ 282.925 *Membership dues and subscriptions.* This account shall include membership dues and fees in associations and subscriptions to periodicals and newspapers. This account shall also include all expenses incurred in administering pooling agreements. (Contributions of revenues to pooling agreements shall be charged to account 850, "Contributions to pools.")

§ 282.929 *Entertaining and solicitation.* This account shall include expenses of canvassing and solicitation in connection with the procurement of traffic and all entertaining expenses.

§ 282.930 *Traveling expenses.* This account shall include all traveling expenses of officers and their employees on official business of the company.

§ 282.931 *Insurance and bond premiums.* This account shall include premiums on insurance such as burglary, theft, robbery, etc., and premiums on fidelity bonds on officers and employees.

§ 282.932 *Pensions and relief.* (a) This account shall include pensions and gratuities paid to retired or incapacitated employees, or heirs of employees, and expenses in connection therewith; also cost of life and benefit insurance on employees.

(b) A carrier may account for pensions on an accrual basis when funded under an established retirement plan whereby it definitely agrees to pay pensions to its retired employees.

(c) No charges shall be made to this account in anticipation of discretionary pension payments in the future. (Contributions to welfare plans of seamen shall be charged to account 709, "Contributions—Welfare plans.")

§ 282.933 *Postage.* This account shall include the cost of postage for mailing official business, including parcel post and registered mail, not provided for elsewhere.

§ 282.934 *Maintenance of office buildings and equipment.* This account shall include the cost of repairing general office buildings and equipment, furniture, and machines. It shall also include the rental of tabulating machines and other office equipment.

§ 282.944 *Miscellaneous.* This account shall include all expenses of a general character for which no other account is provided, such as:

Clipping service.  
Credit investigations.  
Draping buildings.  
Donations.

Office cleaning service.  
Publishing notice of stockholders' meetings.  
Registrar and transfer agent's fees.  
Rent of safe deposit boxes.  
S. E. C. fees.  
Towel service.  
Watchman service.

§ 282.945 *Management and operating commissions.* This account shall include commissions accruing and payable to other persons or concerns acting as managing or operating agents of the carrier, where the carrier does not maintain an operating organization. It does not include the customary agency fees, commissions, and brokerage paid general and sub-agents at out-ports, which latter shall be charged to account 200, "Unterminated voyage expense."

§ 282.950 *Advertising.* This account shall be charged with the cost of all freight, passenger, and other advertising.

§ 282.955 *Taxes; Miscellaneous.* (a) This account shall include all taxes other than Federal income taxes, sales taxes, and taxes computed on basis of payrolls such as old age benefits, unemployment compensation, and similar social security taxes.

(b) Sales taxes and taxes assessed against carriers for electrical energy, telegraph, telephone, radio, cables, checks, rental and safe deposit boxes, motor vehicle licenses, etc., shall be included in the respective accounts to which the cost of the material or services is charged. Social security taxes are to be included in the respective accounts to which the payrolls are charged.

§ 282.972 *Amortization; leaseholds.* This account shall include the amortization of the cost of acquiring long-term leases, and the cost of alterations to, and fixtures installed in, leased property, with a corresponding credit to account 385, "Leaseholds."

§ 282.980 *Depreciation; Shipping property and equipment.* (a) This account shall include all accruals applicable to the accounting period for depreciation of all shipping property and equipment operated in transportation service by the carrier which is subject to depreciation accounting.

(b) This account shall be subdivided as set forth in §§ 282.981, 282.984, 282.987, and 282.988.

§ 282.981 *Depreciation; floating equipment; vessels.* This account shall include the accrual of depreciation of vessels (steamships and motor ships) owned by the carrier with a corresponding credit to account 332, "Reserve for amortization and depreciation—Vessels."

§ 282.984 *Depreciation; other floating equipment.* This account shall include the accrual of depreciation of tugs, lighters, barges, scows, launches, floating cranes, and similar floating equipment, with a corresponding credit to account 338, "Reserve for amortization and depreciation—Other floating equipment."

§ 282.987 *Depreciation; terminal property and equipment.* This account shall include the accrual of depreciation of terminal buildings, shore cranes, trucks, furniture and fixtures, and other terminal gear and equipment with a cor-

responding credit to account 344, "Reserve for amortization and depreciation; Terminal property and equipment."

§ 282.988 *Depreciation; other shipping property and equipment.* This account shall include the accrual of depreciation of property and equipment incident to shipping and its auxiliary operations for which no other account has been specifically provided, including stevedoring and other cargo handling gear and equipment, repair yards and equipment and highway vehicles, with a corresponding credit to account 350, "Reserve for amortization and depreciation—Other shipping property and equipment."

#### OTHER DEBIT ACCOUNTS

§ 282.960 *Interest expense.* (a) This account shall include all interest expense accrued. It shall not include interest on obligations issued and assumed and owned by the carrier.

(b) This account shall be subdivided as follows:

- 961 Bank loans.
- 962 Insurance notes.
- 963 Notes and accounts payable—related companies.
- 964 Notes and accounts payable—Others.
- 965 Mortgage notes: Maritime Administration.
- 966 Mortgage bonds.
- 967 Debentures.
- 968 Other long-term debt.
- 969 Miscellaneous.

§ 282.970 *Amortization of deferred charges.* This account shall be subdivided as set forth in §§ 282.971, 282.973, and 282.974.

§ 282.971 *Amortization; debt discount and expense.* This account shall include for each fiscal period such proportion of debt discount and expense on funded debt as is transferred from account 384, "Debt discount and expense."

§ 282.973 *Amortization; organization and pre-operating expense.* Amortization of expenses incurred in the formation or development of the business shall be charged to this account as transferred from account 386, "Organization and pre-operating expense."

§ 282.974 *Miscellaneous amortization expense.* Amortization of any deferred charges for which no other account is specifically provided shall be included in this account.

§ 282.975 *Doubtful notes and accounts receivable.* (a) This account shall be charged with provisions for reserves against all notes and accounts receivable considered doubtful of collection.

(b) Separate subsidiary accounts shall be maintained for doubtful accounts of related companies as distinguished from those of non-related companies.

§ 282.979 *Miscellaneous deductions from income.* This account shall include amounts properly chargeable to income, not provided for elsewhere, such as:

- Calls for bids in accordance with provision of mortgages.
- Cost of advertising bonds drawn for redemption.
- Losses due to conversion of foreign currencies. (Transferred from account 050, "Foreign exchange account.")

Premiums on bonds to assure performance of contracts when chargeable to income.  
Taxes on interest on funded debt payable at source under tax-free covenants.  
Trusts, current expenses of maintaining, and administering.  
Trustees' commissions and fees for paying bond interest on coupons and expenses connected with such payments.

§ 282.995 *Expense of non-shipping operations.* (a) This account shall include the gross expense, other than amortization and depreciation, incurred in ventures other than shipping and shipping auxiliary operations.

(b) Separate accounts shall be maintained for each enterprise and location.

§ 282.996 *Depreciation; non-shipping property and equipment.* The annual or other periodical accrual of depreciation of property and equipment used in ventures other than shipping and shipping auxiliary operations shall be charged to this account with a corresponding credit to account 354, "Reserve for amortization and depreciation—Non-shipping property and equipment."

§ 282.999 *Provision for Federal income taxes.* This account shall be charged with accrued provision for Federal income taxes applicable to the accounting year.

#### APPENDIX

##### CLEARANCE ACCOUNTS

§ 282.000 *List of clearance accounts.* (a) This group of accounts is designed to accommodate transactions which cannot be allocated directly to balance sheet or income and expense accounts until such transactions have been completely accounted for. In the preparation of periodical financial and operating statements, it is essential that these clearance accounts be analyzed and the balances reflected therein be distributed to appropriate account classifications on such statements.

(b) The balances in this group of accounts applicable to terminated voyages, or other accounting units of a closed fiscal year, must not be carried forward to the succeeding fiscal year.

§ 282.001 *Masters and pursers.* (a) This account shall be charged with amounts advanced to or collected by masters and pursers. The account shall be credited with the net amount of vessels' payrolls, with cash advances to members of the crew, with allowable expenses incurred, with endorsed travelers checks, and unexpended cash balances returned.

(b) Subsidiary accounts shall be maintained alphabetically by masters and pursers, and a separate account maintained for each voyage or other accounting unit.

§ 282.005 *Allotments on wages of crews.* This account shall be charged with payments made to allottees of crews and shall be credited with deductions made therefor on vessels' payrolls.

§ 282.010 *Agents and branch houses.* (a) This account shall serve as a clearance account for all current transactions with foreign and domestic agents, and branch houses of the carrier. The account shall be charged with cash ad-

vances to agents and branch houses, and with freight and other voyage revenue collectible by the agent or branch house in instances where arrangements are made with them to disburse vessels therefrom. Freight and other voyage revenues collectible by agents who are required to remit in full shall be recorded in account 151, "Traffic accounts receivable." This account shall be credited with remittances by the agents or branch houses, and with approved disbursements made for the account of the carrier.

(b) Subsidiary accounts shall be maintained alphabetically by names of agents or branch houses.

§ 282.012 *Sub-agency operations.* (a) This account shall serve as a clearance account for all current transactions with other principals for whom the carrier acts as agent.

(b) The balances in this account shall be reflected in account 165, "Accounts receivable—Miscellaneous," and account 421, "Trade accounts payable," for balance-sheet purposes.

§ 282.015 *Related companies; accounts current.* (a) This account shall be charged with receivables and credited with payables which are customarily subject to current settlement. Under no circumstances shall loans, advances, or other transactions, the settlement of which is deferred beyond one year, be recorded in this account.

(b) The balances in this account shall be reflected in account 140, "Notes and accounts receivable—Related companies," or account 415, "Notes and accounts payable—Related companies," for balance-sheet purposes.

(c) Subsidiary accounts shall be arranged alphabetically by companies, and a description of each transaction shall be reflected in the accounts.

§ 282.025 *Collections and deposits for passenger transportation.* (a) Gross passenger ticket sales and deposits, including those for future reservations, hotel accommodations, shore excursions, passenger taxes, etc., shall be credited to this account.

(b) As transportation is furnished to passengers by vessels of the carrier, this account shall be charged and account 500, "Unterminated voyage revenue," credited. Deposits or collections for other purposes, including commissions earned or payable incident thereto, shall be cleared from this account as soon as practicable to appropriate accounts designated in the Chart. The credit balances remaining in this account shall be reflected in account 495, "Advance ticket sales and deposits," for balance sheet purposes.

(c) Subsidiary accounts shall be maintained in sections corresponding to the classifications shown on the daily ticket sales report, examples of which are: Prepaid orders, one-way tickets, round-trip tickets, exchange orders, railroad fares, hotel reservations, sightseeing tours, head tax, U. S. Government stamp tax, foreign government passenger taxes, commissions due agents and brokers, and commissions earned.

§ 282.030 *Collections on unrecorded freight manifests.* (a) This account

shall be credited with all collections of freight revenue from shippers or consignees prior to the recording of the revenue manifests. When the manifest is recorded, the balance in this account applicable thereto shall be cleared with a corresponding credit to account 500, "Unterminated voyage revenue."

(b) Subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages or other accounting units.

§ 282.035 *Advance and prepaid beyond charges, and miscellaneous manifested items.* (a) When vessels manifests are journalized, this account shall be credited with advance charges, prepaid beyond charges, and miscellaneous manifested items, such as: Consular fees, cargo insurance, handling, transshipment, and transfer charges. The account shall be charged with expenses incurred in the performance of the services for which these collections were made. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to account 700, "Operating expense—Terminated voyages," and net credit balances to account 600, "Operating revenue—Terminated voyages."

(b) Subsidiary accounts should be subdivided as between advance charges, prepaid beyond charges, and miscellaneous manifested items. Each group of accounts should be maintained alphabetically by vessels and consecutively by voyages.

§ 282.040 *Bar accounts.* (a) This account shall be charged with inventories of bar supplies aboard vessels at the beginning of each voyage for sale to passengers, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of bar supplies on hand at the end of each voyage, and with gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to account 700, "Operating expense—Terminated voyages," and net credit balances to account 600, "Operating revenue—Terminated voyages." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts, shall be reported on the balance sheet under the classification "Inventories".

(b) The subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages.

§ 282.045 *Slop chest account.* (a) This account shall be charged with inventories of slop chest supplies aboard vessels at the beginning of each voyage for sale to members of the crew, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of slop chest supplies on hand at the end of each voyage, and with all gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this

account shall be transferred to account 700, "Operating expense—Terminated voyages," and net credit balances to account 600, "Operating revenue—terminated voyages." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts, shall be reported on the balance sheet under the classification "Inventories".

(b) The subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages.

§ 282.050 *Foreign exchange account.* All gains or losses in foreign exchange shall be recorded in this account. At the close of each accounting period the balance in the account shall be transferred to account 690, "Miscellaneous other income," or accounts 979, "Miscellaneous deductions from income," as the case may be.

§ 282.055 *Pool participation.* (a) This account shall be charged with contributions to pools for the purpose of equalizing revenue in accordance with pooling agreements and shall be credited with gross collections received from pools for the same purpose.

(b) Charges against the carrier in administering the pooling agreements shall be recorded in account 925, "Membership dues and subscriptions." The balances in this account at the close of each accounting period, as prescribed in pooling agreements, shall be transferred to account 640, "Collections from pools" and account 850, "Contributions to pools."

(c) This account shall be maintained to show separately transactions under each pooling agreement and accounting period.

§ 282.060 *Stores, supplies, and equipment aboard vessels.* (a) Where inventories of vessels stores, supplies, and/or equipment are not taken and priced at the end of each voyage, the value of such inventories shall be charged to this account at the beginning of each contract period and at the beginning of each subsequent accounting period. The account should also be credited with the value of inventories of stores, supplies, and/or equipment at the end of each accounting period, after which any balance therein shall be charged or credited, as the case may be, to the last voyage of each vessel involved terminated during the accounting period.

(b) The accounts will not be used in instances where inventories of stores, supplies, and/or equipment are taken and priced at the end of each voyage.

(c) The balance in the account at the end of each accounting period, applicable to the subsequent accounting period, will be reflected in balance sheet account 200, "Unterminated voyage expense."

§ 282.090 *Adjustments applicable to prior periods.* (a) Adjustments arising during the current year which are applicable to profit and loss of prior accounting years shall be charged or credited to this account as the case may be. At the end of the accounting year the total debits and credits in this account shall

be transferred to account 599, "Earned surplus—Unappropriated." (b) Subsidiary accounts shall be maintained by the prior accounting year to which the adjustments apply, showing vessels and voyage numbers (where applicable thereto) and classes of income and expense involved.

§ 282.095 Profit and loss account. At the end of the accounting year this account shall be credited or charged, as

## FINANCIAL STATEMENTS

## § 282.0-20 Balance sheet statement.

Account Nos.	ASSETS	LIABILITIES AND CAPITAL
	Current assets:	
100	Cash	400
115	Special cash deposits.	415
120	Marketable securities.	420
130	Notes receivable.	479
140	Notes and accounts receivable—Related companies.	489
150	Accounts receivable.	
170	Inventories.	
199	Other current assets.	
	Total current assets.	
369	Less: Reserve for doubtful accounts.	
	Total current assets after reserves.	
200	Voyages in progress (when a net debit balance):	
500	Unterminated voyage expense.	
	Less: Untermiated voyage revenue.	
301	Special funds and deposits:	
302	Capital reserve fund.	
303	Special reserve fund.	
304	Construction reserve fund.	
306-312	Insurance funds.	
	Total special funds and deposits.	
	Investments:	
316	Securities of related companies.	
320	Non-current receivables—Related companies.	
325	Cash value of life insurance.	
328	Other investments.	
	Total investments.	
329	Less: Reserve for revaluation of investments.	
	Total investments after reserve for revaluation.	
	Property and equipment:	
331	Floating equipment—Vessels.	
332	Less: Reserve for amortization and depreciation.	
337	Other floating equipment.	
338	Less: Reserve for amortization and depreciation.	
343	Terminal property and equipment.	
344	Less: Reserve for amortization and depreciation.	
349	Other shipping property and equipment.	
350	Less: Reserve for amortization and depreciation.	
353	Non-shipping property and equipment.	
354	Less: Reserve for amortization and depreciation.	
359	Construction work in progress.	
	Total property and equipment after reserves.	
	Other assets:	
361	Claims pending.	
	Other assets—Continued	
362	Spare parts.	
364	Notes and accounts receivable from officers and employees.	
365	Interest accruals for deposit in capital reserve fund.	
367	Deferred operating-differential subsidy receivable.	
368	Other non-current notes and accounts receivable.	
374	Miscellaneous other assets.	
	Total other assets.	
369	Less: Reserve for doubtful accounts.	
	Total other assets after reserve.	
375	Deferred charges and prepaid expenses.	
390	Goodwill and other intangible assets.	
	Total assets.	
	NOTE: Contingent assets (not included above).	

Account Nos.	LIABILITIES AND CAPITAL—Continued
	Net worth—Continued
	Surplus—Continued
	Earned surplus (or deficit):
598	Appropriated.
599	Unappropriated.
	Total surplus.
	Total net worth.
	Total liabilities and capital.

NOTE: Contingent liabilities (not included above).

§ 282.0-30 *Income statement.*

Account Nos.	
	Shipping operations:
600-670	Water-line operating revenue.
700-888	Water-line operating expense.
	Gross profit (or loss) from shipping operations.
	Other income:
675	Interest income.
685	Dividend income.
690	Miscellaneous other income.
691	Release of premium on long-term debt.
	Total other income.
	Other deductions from income:
960	Interest expense.
970	Amortization of deferred charges.
975	Doubtful notes and accounts receivable.
979	Miscellaneous deductions from income.
	Total other deductions from income.
	Net profit (or loss) from shipping operations.
	Non-shipping operations:
695	Income from non-shipping operations.
995	Expense of non-shipping operations.
	Gross profit (or loss) from non-shipping operations.
995	Overhead expense.
996	Depreciation—Non-shipping property and equipment.
	Total expenses.
	Net profit (or loss) from non-shipping operations.
	Net profit (or loss) before provision for Federal income taxes.
999	Provision for Federal income taxes:
	Net profit (or loss) after income taxes.

§ 282.0-40 *Water-line operating revenue and expense statement.*

Account Nos.		Revenue	Expense	Net
	<i>Shipping operations</i>			
600-700	Terminated voyage results.....			
800	Inactive vessels expense.....			
640-850	Collections from and contributions to pools.....			
	Gross profit (or loss) from vessel operations before subsidy.....			
625	Operating-differential subsidy.....			
	Gross profit (or loss) from vessel operations after subsidy.....			
645-855	Terminal operations.....			
650-805	Cargo handling operations.....			
655-875	Tug and lighter operations.....			
660-885	Other shipping operations.....			
670	Agency fees, commissions and brokerage earned.....			
890	Interdepartmental credits for services and facilities.....			
	Gross profit (or loss) from shipping operations before overhead, amortization, and depreciation.....			
	<i>Overhead</i>			
900	Administrative and general expense.....			
945	Management and operating commissions.....			
950	Advertising.....			
955	Taxes—Miscellaneous.....			
	Gross profit (or loss) from shipping operations before amortization and depreciation.....			
	<i>Depreciation—Shipping property and equipment</i>			
972	Amortization—Leaseholds.....			
981	Depreciation—Floating equipment—vessels.....			
984	Depreciation—Other floating equipment.....			
987	Depreciation—Terminal property and equipment.....			
988	Depreciation—Other shipping property and equipment.....			
	Total water-line operating revenue and expense.....			
	Gross profit (or loss) from shipping operations.....			

[F. R. Doc. 50-10111; Filed, Nov. 20, 1950; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 12—AMATEUR RADIO SERVICE

WAIVER OF AMATEURS SERVING IN ARMED FORCES OF UNITED STATES FROM CERTAIN APPLICATION RENEWAL REQUIREMENTS

In the matter of Waiver in the case of amateurs serving in the armed forces of the United States, of requirement that applications for renewal of amateur operator licenses be accompanied by a showing of actual operation by radiotelegraphy prior to expiration of the license.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 13th day of November, 1950;

The Commission having under consideration the provisions of § 12.27 (a) of Part 12, "Rules Governing Amateur Radio Service" which require, in effect, that each application for renewal of an amateur radio operator license shall be accompanied by information to show that the applicant has lawfully operated an amateur radio station or stations licensed by the Commission and has thereby communicated by radiotelegraphy with at least three other amateur radio stations in the United States within the last six months of the license term;

It appearing that many amateurs are not able to comply with such requirement because they have been or are being called into active service in the various branches of the armed forces of the United States;

It further appearing that it would be in the public interest to waive the requirement of practice operation prior to expiration of the license in cases where the applicant is unable by reason of active military or naval service to engage in such operation, and to amend § 12.27 of Part 12 by the addition of a footnote in which the conditions of such waiver are stated;

It further appearing that authority for the aforesaid waiver and amendment of rules is contained in sections 4 (i) and 303 (l) and (r) of the Communications Act of 1934, as amended;

It further appearing that, in view of the imminent need for action in this matter caused by the national emergency which requires rapid mobilization of the armed forces of the United States, compliance with the public notice and procedure provided for in section 4 of the Administrative Procedure Act is impracticable and unnecessary;

It is ordered, That, effective immediately, the requirement of § 12.27 that all applications for renewal of an amateur operator license be accompanied by a showing that the applicant actually operated an amateur radio station or

stations, in the manner and upon the occasions or for the period of time specified in that section, be and it hereby is waived in cases where it is shown that the applicant was unable to conduct such operation because he was on active duty in the armed forces of the United States.

*It is further ordered*, That the provisions of this order shall apply in the case of applications for renewal of operator licenses expiring during the period January 1 to December 31, 1951, inclusive;

*It is further ordered*, That, effective immediately, § 12.27 of Part 12 be and it hereby is amended by the addition of the following footnote:

<sup>1</sup>By order dated and effective November 13, 1950, the Commission temporarily waived, to a limited extent, the requirement that all applications for the renewal of an amateur operator license be accompanied by a showing that the applicant actually operated an amateur radio station or stations, in the manner and upon the occasions or for the period of time specified in § 12.27, in cases where it is shown that the applicant was unable to conduct such operation because he was on active

duty in the armed forces of the United States. This order is applicable to all amateur operator licenses which expire during the period January 1 to December 31, 1951, inclusive.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303.)

Released: November 14, 1950.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary,

[F. R. Doc. 50-10505; Filed, Nov. 20, 1950;  
8:54 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF COMMERCE

#### Maritime Administration

[ 46 CFR, Ch. II ]

#### DOMESTIC INTERCOASTAL OR COASTWISE SERVICE

##### NOTICE OF PROPOSED RULE MAKING

By petition dated May 11, 1950, American President Lines, Inc. requested the United States Maritime Commission (predecessor of Federal Maritime Board and Maritime Administration) to issue an interpretative rule to the effect that "steamship service between ports of the State of California and ports in the islands of Guam, Midway, and Wake is not 'domestic intercoastal or coastwise service' within the meaning of section 805 (a) of the Merchant Marine Act, 1936, as amended."

By notice published in the FEDERAL REGISTER June 29, 1950 (15 F. R. 4175), the Department of Commerce (Maritime Administration) instituted a public rule-making proceeding whereby interested persons were invited to submit written data, views and arguments relative to the question whether "steamship service between ports of continental United States and ports of the Islands of Guam, Midway, and Wake is or is not 'domestic intercoastal or coastwise service' within the meaning of such section. Such material was thereafter submitted by various persons, and has been considered by the Maritime Administration. On the basis of the aforementioned petition and of the comments of interested persons relative thereto, the Administration proposes to issue the following rule:

Steamship service between ports of the United States mainland and ports in the islands of Guam, Midway and Wake is not "domestic intercoastal or coastwise service" within the meaning of section 805 (a) of the Merchant Marine Act, 1936. This interpretation is limited to Guam, Midway and Wake and does not signify that a similar interpretation is or would be applicable to Hawaii, Puerto Rico or Alaska.

Interested persons may file with A. J. Williams, Secretary of the Maritime Administration, Department of Commerce Building, Washington 25, D. C., on or before December 4, 1950, such written data, views and arguments as they deem

relevant to the proposed rule, and may request oral argument.

A memorandum setting forth the considerations underlying the proposed rule has been prepared and is available upon request directed to A. J. Williams, Secretary, at the address above set forth.

Dated at Washington, D. C., November 15, 1950.

E. L. COCHRANE,  
Maritime Administrator,  
Department of Commerce.

[F. R. Doc. 50-10449; Filed, Nov. 20, 1950;  
8:47 a. m.]

### CIVIL AERONAUTICS BOARD

[ 14 CFR, Part 51 ]

#### GROUND INSTRUCTOR RATING; RESCISSION OF PART 51

##### NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board the rescission of Part 51 of the Civil Air Regulations.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by January 2, 1951, will be considered by the Board before taking further action on the proposed rules. Copies of such communications will be available after January 4, 1951, for perusal by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Provision for certification of ground instructors in pilot training schools was originally provided in order to assure qualified instructors in what was then a relatively new field in which relatively few aspirants for teaching positions possessed the necessary experience and ability, and where the demand for instruction posed a real threat to air safety in terms of use of unqualified people. Today, especially in view of the large number of individuals who secured training as instructors during the war,

there is an ample number of persons available for employment as instructors. Moreover, in step with the increased maturity of the aviation industry it is the policy of the Board to place greater responsibility on the operator for the maintenance of competence and for methods of meeting safety standards.

It is therefore deemed appropriate at this time to place full responsibility for obtaining competent instructors on the schools and to eliminate the ground instructor certification requirement.

This action will have the added advantage of permitting the reassignment of CAA personnel from certification to inspection which will result, it is believed, in a more positive contribution to air safety.

It is therefore proposed to rescind Part 51 of the Civil Air Regulations in its entirety.

This regulation is proposed under authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205 (a), 52 Stat. 984, 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012, 49 U. S. C. 551-560)

Dated: November 14, 1950, at Washington, D. C.

By the Bureau of Safety Regulation,

[SEAL] JOHN M. CHAMBERLAIN,  
Director.

[F. R. Doc. 50-10463; Filed, Nov. 20, 1950;  
8:49 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR, Parts 9 and 14 ]

[Docket No. 9827]

#### AERONAUTICAL SERVICES IN ALASKA

##### NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 9, rules and regulations governing aeronautical services, to provide for aviation service in Alaska; and amendment of Part 14, Rules Governing Radio Stations in Alaska, to delete the sub-part thereof entitled "Aviation Service".

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Part 9 of the Commission's rules and regulations



governing aeronautical services, by implementing the existing rules so as to provide for aviation radio communication service in Alaska as a part of the rules relating to the Aeronautical Services. As a concomitant of this amendment, it is proposed to delete, as no longer useful, the "Aviation Service" sub-part of Part 14 of the Commission's Rules Governing Radio Stations in Alaska—other than amateur and broadcast.

3. The purpose of this proposal is to meet the increased needs for aeronautical radio communication in Alaska by providing a plan of frequency assignments adapted to that end. The frequencies available under Part 14 of the Commission's rules have not been adequate for the present day requirements. The frequency assignment plan set forth in the proposed rules has been coordinated with the appropriate interested government agencies through the Inter-department Radio Advisory Committee.

4. The proposed amendments are set forth in Appendices A and B attached to this notice.

5. The authority for the proposed amendments is contained in sections 4 (i), 303 (b), (c), (d), (e), and (r) of the Communications Act of 1934 as amended.

6. Any interested person may file with the Commission on or before December 31, 1950, a written statement or brief in support, opposition, or urging modification of the proposed amendments. Comments or briefs in reply to the original comments or briefs may be filed within 30 days from the last day for filing said original comments or briefs. The Commission will consider such comments before taking action in this matter. If any comments are received which will appear to warrant the holding of an oral argument or hearing, a notice of the time and place therefor will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished to the Commission.

Adopted: November 13, 1950.

Released: November 14, 1950.

FEDERAL COMMUNICATIONS,  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

APPENDIX A

Part 9, the Commission's Rules and Regulations Governing Aeronautical Services, is amended as follows:

The first paragraph of § 9.431 is designated "(a)" and the following new subsections are added thereto:

(b) Aeronautical stations in Alaska shall furnish emergency service to private aircraft on request.

(c) The licensee of every aeronautical station license for unlimited hours of operation in Alaska shall file with the Engineer in Charge of Juneau Office of the Federal Communications Commission a statement of the hours that the station will be in service, and thereafter shall give immediate notice to that Engineer of any changes therein.

(d) All aeronautical stations in Alaska shall maintain a listening watch during the hours of service as reported under the provisions of the preceding paragraph of this section, on 3105 kc which is hereby designated as the calling and working frequency for aircraft in Alaska.

Paragraph (viii) is added to § 9.432 (a) (1).

(viii) Alaskan chain and feeders. (a)

2748 kc	5652.5 kc
2922 kc	6590 kc <sup>†</sup>
5310 kc	11695 kc <sup>††A</sup>

(b) These frequencies are shared with the Civil Aeronautics Administration, and are available for licensing by the Commission at those locations where an applicant justifies the need for service and the Government is not prepared to render this service.

1638 kc	3082.5 kc
1674 kc	3285 kc
2912 kc	5037.5 kc
2946 kc	5672.5 kc

Paragraph (vii) is added to § 9.432 (a) (2).

(vii) Alaskan chain and feeders:

127.1 Mc	127.9 Mc
127.3 Mc	129.3 Mc
127.5 Mc	129.5 Mc

Paragraphs (5) and (6) are added to § 9.432 (b).

(5) North Pacific via Alaska Route:

4742.5 (A1 only) kc	3485 kc
6523 (A1 only) kc	5612.5 kc
6537 (A1 only) kc	8220 kc
6590 (A1 only) kc	10060 kc
8554 (A1 only) kc <sup>†</sup>	13420 kc
12788 (A1 only) kc	16630 kc <sup>†</sup>
17550 (A1 only) kc	

(6) Central Eastern Pacific Route:

3127.5 kc	12330 kc
5577.5 kc	18360 kc
8700 kc	

Footnote 18A is added to § 9.443.

18A frequencies authorized or assigned by the Commission to aeronautical fixed stations in Alaska as of August 1, 1949 include the following:

2648 kc	5122.5 kc	6570 kc
4650 kc	5582.5 kc	6590 kc
4742.5 kc	5622.5 kc	8015 kc
4947.5 kc	5632.5 kc	8554 kc
4967.5 kc	5662.5 kc	12788 kc
5042.5 kc	5687.5 kc	17550 kc

The following sentence is added to § 9.102: "Applications for stations in Alaska shall be filed with Inspector in Charge, Seattle, Washington."

APPENDIX B

Part 14, the Commission's Rules and Regulations Governing Radio Stations in Alaska other than amateur and broadcast is amended as follows:

The sub-part thereof entitled "Aviation Service", consisting of §§ 14.71 through 14.74, inclusive, is hereby deleted.

[F. R. Doc. 50-10506; Filed, Nov. 20, 1950; 8:54 a. m.]

NOTICES

DEPARTMENT OF DEFENSE  
Munitions Board

SECRETARY OF THE ARMY

MUNITIONS BOARD DELEGATION OF "DO"  
RATING AUTHORITY NO. 1

Pursuant to the delegation of authority from the Secretary of Defense, in accordance with section 902 (a) and section 902 (b) of Executive Order 10161 (15 F. R. 6105), there is hereby delegated to the Secretary of the Army authority:

(1) To apply "DO" ratings on direct contracts and purchase orders to meet authorized procurement and construction programs of the Department of Defense or the Mutual Defense Assistance Program;

(2) To assign the right to apply "DO" ratings to persons placing orders for materials to be delivered to or for the account of the Department of Defense to meet authorized programs;

(3) To assign the right to apply "DO" ratings to certain prime or subcontractors on orders for delivery of production equipment specifically required to support authorized procurement orders of the Department of Defense;

(4) To redelegate this authority to

<sup>†</sup> These frequencies are assigned upon the express condition that no interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies with which interference results.

<sup>††A</sup> Only for operations in the Aleutian Islands.

appropriate agencies of the Department of Defense or to its authorized agents.

The exercise of this authority shall conform to the terms of the regulations and orders of the National Production Authority and also to priorities and allocations policy directives issued by the Munitions Board.

In applying ratings on direct contracts and purchase orders, the certification and procedure stated in NPA Reg. 2 shall be used. In assigning the right to apply ratings on contracts and orders, the following certification shall be used: "By authority of the National Production Authority, rating DO (2 digit program code) is assigned to the deliveries on this purchase order or contract". This certification shall be authenticated with the signature of an authorized official of the

Department of Defense or its authorized agents.

The use of this authority is limited to such quantitative allocations as may be assigned by the Munitions Board to the Department of the Army and to such conditions as may be imposed by the National Production Authority on use, records and reports.

This authority shall not be used to rate direct procurement or contractors' purchase of construction equipment for use on construction in the Zone of Interior; civilian type items for resale in Post Exchanges and Ship Stores; purchases from exclusively retail establishments, except in emergency situations and only for small amounts to prevent imminent stoppage, or procurement of any of the following items: Commercial office equipment and supplies; flags, bunting, flagstuffs, pennants, insignia and medals; vending machines; portable household fans; commercial type luggage; barber chairs; card tables; books, maps and periodicals; brooms and mops for household use; and domestic type dishwashing machinery.

Delegation shall take effect on October 3, 1950.

ROSCOE SEYBOLD,  
*Acting Chairman,  
Munitions Board.*

OCTOBER 4, 1950.

[F. R. Doc. 50-10499; Filed, Nov. 20, 1950;  
8:52 a. m.]

#### SECRETARY OF THE NAVY

##### MUNITION BOARD DELEGATION OF "DO" RATING AUTHORITY NO. 1

Pursuant to the delegation of authority from the Secretary of Defense, in accordance with section 902 (a) and section 902 (b) of Executive Order 10161 (15 F. R. 6105), there is hereby delegated to the Secretary of the Navy authority:

(1) To apply "DO" ratings on direct contracts and purchase orders to meet authorized procurement and construction programs of the Department of Defense or the Mutual Defense Assistance Program;

(2) To assign the right to apply "DO" ratings to persons placing orders for materials to be delivered to or for the account of the Department of Defense to meet authorized programs;

(3) To assign the right to apply "DO" ratings to certain prime or subcontractors on orders for delivery of production equipment specifically required to support authorized procurement orders of the Department of Defense;

(4) To redelegate this authority to appropriate agencies of the Department of Defense or to its authorized agents.

The exercise of this authority shall conform to the terms of the regulations and orders of the National Production Authority and also to priorities and allocations policy directives issued by the Munitions Board.

In applying ratings on direct contracts and purchase orders, the certification and procedure stated in NPA Reg. 2 shall be used. In assigning the right to apply ratings on contracts and orders,

the following certification shall be used: "By authority of the National Production Authority, rating DO (2 digit program code) is assigned to the deliveries on this purchase order or contract". This certification shall be authenticated with the signature of an authorized official of the Department of Defense or its authorized agents.

The use of this authority is limited to such quantitative allocations as may be assigned by the Munitions Board to the Department of the Navy and to such conditions as may be imposed by the National Production Authority on use, records and reports.

This authority shall not be used to rate direct procurement or contractors' purchase of construction equipment for use on construction in the Zone of Interior; civilian type items for resale in Post Exchanges and Ship Stores; purchases from exclusively retail establishments, except in emergency situations and only for small amounts to prevent imminent stoppage; or procurement of any of the following items; commercial office equipment and supplies; flags, bunting, flagstuffs, pennants, insignia and medals; vending machines; portable household fans; commercial type luggage; barber chairs; card tables; books, maps and periodicals; brooms and mops for household use; and domestic type dishwashing machinery.

Delegation shall take effect on October 3, 1950.

ROSCOE SEYBOLD,  
*Acting Chairman,  
Munitions Board.*

OCTOBER 4, 1950.

[F. R. Doc. 50-10500; Filed, Nov. 20, 1950;  
8:52 a. m.]

#### SECRETARY OF THE AIR FORCE

##### MUNITIONS BOARD DELEGATION OF "DO" RATING AUTHORITY NO. 1

Pursuant to the delegation of authority from the Secretary of Defense, in accordance with section 902 (a) and section 902 (b) of Executive Order 10161 (15 F. R. 6105), there is hereby delegated to the Secretary of the Air Force authority:

(1) To apply "DO" ratings on direct contracts and purchase orders to meet authorized procurement and construction programs of the Department of Defense or the Mutual Defense Assistance Program;

(2) To assign the right to apply "DO" ratings to persons placing orders for materials to be delivered to or for the account of the Department of Defense to meet authorized programs;

(3) To assign the right to apply "DO" ratings to certain prime or subcontractors on orders for delivery of production equipment specifically required to support authorized procurement orders of the Department of Defense;

(4) To redelegate this authority to appropriate agencies of the Department of Defense or to its authorized agents.

The exercise of this authority shall conform to the terms of the regulations and orders of the National Production

Authority and also to priorities and allocations policy directives issued by the Munitions Board.

In applying ratings on direct contracts and purchase orders, the certification and procedure stated in NPA Reg. 2 shall be used. In assigning the right to apply ratings on contracts and orders, the following certification shall be used: "By authority of the National Production Authority, rating DO (2 digit program code) is assigned to the deliveries on this purchase order or contract". This certification shall be authenticated with the signature of an authorized official of the Department of Defense or its authorized agents.

The use of this authority is limited to such quantitative allocations as may be assigned by the Munitions Board to the Department of the Air Force and to such conditions as may be imposed by the National Production Authority on use, records, and report.

This authority shall not be used to rate direct procurement of contractors' purchase of construction equipment for use on construction in the Zone of Interior; civilian type items for resale in Post Exchanges and Ship Stores; purchases from exclusively retail establishments, except in emergency situations and only for small amounts to prevent imminent stoppage; or procurement of any of the following items: commercial office equipment and supplies; flags, bunting, flagstuffs, pennants, insignia and medals; vending machines; portable household fans; commercial type luggage; barber chairs; card tables; books, maps and periodicals; brooms and mops for household use; and domestic type dishwashing machinery.

Delegation shall take effect on October 3, 1950.

ROSCOE SEYBOLD,  
*Acting Chairman,  
Munitions Board.*

OCTOBER 4, 1950.

[F. R. Doc. 50-10501; Filed, Nov. 20, 1950;  
8:53 a. m.]

#### Office of the Secretary

##### CHAIRMAN OF THE MUNITIONS BOARD

##### DELEGATION OF "DO" RATING AUTHORITY FROM SECRETARY OF DEFENSE

Pursuant to the delegation of authority from the Administrator of the National Production Authority, in accordance with section 902 (a) and section 902 (b) of Executive Order 10161 (15 F. R. 6105), there is hereby delegated to the Chairman of the Munitions Board authority:

(1) To apply "DO" ratings on direct contracts and purchase orders to meet authorized procurement and construction programs of the Department of Defense or the Mutual Defense Assistance Program;

(2) To assign the right to apply "DO" ratings to persons placing orders for materials to be delivered to or for the account of the Department of Defense to meet authorized programs;

(3) To assign the right to apply "DO" ratings to certain prime or subcontractors on orders for delivery of production

equipment specifically required to support authorized procurement orders of the Department of Defense;

(4) To redelegate this authority to appropriate agencies of the Department of Defense or to its authorized agents.

The exercise of this authority shall conform to the regulations and orders of the National Production Authority and also to Munitions Board priorities and allocations policy directives concurred in by the National Production Authority.

In applying ratings on direct contracts and purchase orders, the certification and procedure stated in NPA Reg. 2 shall be used. In assigning the right to apply ratings on contracts and orders, the following certification shall be used: "By authority of the National Production Authority, rating DO (2 digit program code) is assigned to the deliveries on this purchase order or contract". This certification shall be authenticated with the signature of an authorized official of the Department of Defense or its authorized agents.

The use of this authority is limited to such quantitative allocations as may be assigned by the National Production Authority to the Department of Defense, and to such conditions as may be imposed by the National Production Authority on use, records and reports.

This authority shall not be used to rate direct procurement or contractors' purchase of construction equipment for use on construction in the Zone of Interior; civilian type items for resale in Post Exchanges and Ship Stores; purchases from exclusively retail establishments, except in emergency situations and only for small amounts to prevent imminent stoppage; or procurement of any of the following items: commercial office equipment and supplies; flags, bunting, flag-staffs, pennants, insignia and medals; vending machines; portable household fans; commercial type luggage; barber chairs; card tables; books, maps and periodicals; brooms and mops for household use; and domestic type dishwashing machinery.

Delegation shall take effect on October 3, 1950.

G. C. MARSHALL,  
Secretary of Defense.

OCTOBER 4, 1950.

[F. R. Doc. 50-10498; Filed, Nov. 20, 1950; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

APPLEGATE RIVER, OREG.

POWER SITE CLASSIFICATION NO. 410

NOVEMBER 9, 1950.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025), the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of June 10,

1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C. 818):

WILLAMETTE MERIDIAN, OREGON

- T. 39 S., R. 3 W.,
- Sec. 2, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ ;
- Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 21, E $\frac{1}{2}$ E $\frac{1}{2}$ ;
- Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ ;
- Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- Sec. 28, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$ .

The area described aggregates 1,110 acres

THOMAS B. NOLAN,  
Acting Director.

[F. R. Doc. 50-10458; Filed, Nov. 20, 1950; 8:48 a. m.]

GREEN RIVER, UTAH

POWER SITE CLASSIFICATION NO. 411

NOVEMBER 9, 1950.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025), the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C. 818):

SALT LAKE MERIDIAN, UTAH

- T. 2 N., R. 20 E.,
- Sec. 2, lots 1 to 8, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- Sec. 11, lots 6 to 16, inclusive, N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- Sec. 12, lot 2;
- Sec. 13, lots 4 to 9, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 14, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;
- Sec. 24, lots 2, 3, and 4.

T. 3 N., R. 20 E.,

- Sec. 26, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 2 N., R. 21 E., Every smallest legal subdivision along the right bank (south bank) of Green River any portion of which, when surveyed, will be at an elevation of 5900 feet or less above mean sea level and as shown by the map entitled "Plan and Profile, Green River, Green River, Utah to Green River, Wyoming", published by the U. S. Geological Survey in 1924. Protraction of land net from existing surveys indicates that the land will be in sections 12, 13, 14, 15, 19, 20, 21, 22, and 23.

- T. 2 N., R. 22 E.,
- Sec. 7, lots 9, 10, and 11;
- Sec. 9, lots 5, and 6;
- Sec. 10, lots 2, and 3;
- Sec. 13, lot 3;
- Sec. 14, lots 4, 5, and 6;
- Sec. 15, lots 5 to 12, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Sec. 16, lots 2 to 8, inclusive, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- Sec. 17, lots 4 to 8, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ ;
- Sec. 18, lots 6, 7, 8, 9, 11, and 12, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 23, lots 2, 3, 7, and 8;
- Sec. 24, lots 3 to 8, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$ .

- T. 9 S., R. 19 E.,
- Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 33, unsurveyed island (16 a. estimated).
- T. 10 S., R. 19 E.,
- Sec. 4, lots 1, and 2 on right bank of the Green River;
- Sec. 5, lot 5;
- Sec. 8, lots 1, and 2, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;
- Sec. 9, lots 1, 2, 3, and 4;
- Secs. 7 and 18, unsurveyed island (80 a. estimated).

The area described aggregates 4,793.48 acres of which 1,440 acres are unsurveyed.

THOMAS B. NOLAN,  
Acting Director.

[F. R. Doc. 50-10459; Filed, Nov. 20, 1950; 8:48 a. m.]

LITTLE SUSITNA RIVER, AND VICINITY  
ALASKA

POWER SITE CLASSIFICATION NO. 412

NOVEMBER 9, 1950.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025), the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C. 818):

SEWARD MERIDIAN, ALASKA

- T. 17 N., R. 1 W.,
- Sec. 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ .
- T. 18 N., R. 1 E.,
- Sec. 31, lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Sec. 32, lots 2, and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Sec. 33, lots 3, and 8;
- Sec. 34, lot 2.
- T. 19 N., R. 1 E.,
- Sec. 2, SW $\frac{1}{4}$  (unsurveyed);
- Sec. 11, NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$  (unsurveyed);
- Sec. 14, W $\frac{1}{2}$ W $\frac{1}{2}$  (unsurveyed);
- Sec. 15, E $\frac{1}{2}$ E $\frac{1}{2}$  (unsurveyed);
- Sec. 22, E $\frac{1}{2}$  (unsurveyed);
- Sec. 23, W $\frac{1}{2}$ W $\frac{1}{2}$  (unsurveyed);
- Sec. 26, NW $\frac{1}{4}$ ;
- Sec. 27, NE $\frac{1}{4}$ .

The area described aggregates 2,086.42 acres.

THOMAS B. NOLAN,  
Acting Director.

[F. R. Doc. 50-10460; Filed, Nov. 20, 1950; 8:48 a. m.]

ALSEA RIVER, OREGON

POWER SITE CLASSIFICATION NO. 413

NOVEMBER 9, 1950.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025), the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of

June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C. 818):

WILLAMETTE MERIDIAN, OREGON

- T. 14 S., R. 8 W.  
 Sec. 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 21, N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 29, S $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 15 S., R. 8 W.  
 Sec. 7, lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 13 S., R. 9 W.  
 Sec. 30, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 31, lots 9, 10, 11, 12, 13, 14, and 15, those parts outside National Forest.  
 T. 14 S., R. 9 W.  
 Sec. 6, lot 5;  
 Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 18, lot 2.  
 T. 15 S., R. 9 W.  
 Sec. 1, lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 13 S., R. 10 W.  
 Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 36, lot 12.  
 T. 14 S., R. 10 W.  
 Sec. 12, lot 3.

The area described aggregates 733.34 acres.

THOMAS B. NOLAN,  
 Acting Director.

[F. R. Doc. 50-10461; Filed, Nov. 20, 1950;  
 8:48 a. m.]

COLUMBIA RIVER, WASHINGTON

POWER SITE CLASSIFICATION NO. 100 AFFECTING POWER SITE CLASSIFICATION NO. 349

NOVEMBER 9, 1950.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025), Power Site Classification No. 349, approved June 22, 1944, is hereby canceled in so far and to the extent that it affects the following described lands:

WILLAMETTE MERIDIAN, WASHINGTON

- T. 18 N., R. 22 E.  
 Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 18 N., R. 23 E.  
 Sec. 30, E $\frac{1}{2}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .

The area described aggregates 200 acres.

THOMAS B. NOLAN,  
 Acting Director.

[F. R. Doc. 50-10462; Filed, Nov. 20, 1950;  
 8:48 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

AMERICAN HAWAIIAN STEAMSHIP CO. AND LUCKENBACH STEAMSHIP CO.

NOTICE OF HEARING ON APPLICATIONS TO BAREBOAT CHARTER DRY-CARGO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held in Room 4821, Commerce Building, Washington, D. C., on December 6, 1950, at 10 o'clock a. m., before Examiner A. L.

Jordan, upon the applications of American Hawaiian Steamship Company and Luckenbach Steamship Company to bareboat charter Government-owned war-built dry-cargo vessels.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately-owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such applications will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing in lieu of briefs, and the examiner will issue a recommended decision. Parties may have 15 days within which to file exceptions to or memoranda in support of the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted or whether briefs in connection therewith will be received.

Dated November 15, 1950.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,  
 Secretary.

[F. R. Doc. 50-10512; Filed, Nov. 20, 1950;  
 8:55 a. m.]

ISBRANDTSEN CO., INC.

NOTICE OF HEARING ON APPLICATION FOR BAREBOAT CHARTER OF TWO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held in Room 4821, Commerce Building, Washington, D. C., on December 4, 1950, at 10:00 a. m., before the Federal Maritime Board, upon application of Isbrandtsen Co., Inc., to bareboat charter the S. S. "Pass Christian Victory" and S. S. "Calvin Victory."

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such application will be given an opportunity to be heard if present.

Dated November 15, 1950.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,  
 Secretary.

[F. R. Doc. 50-10511; Filed, Nov. 20, 1950;  
 8:55 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended 63 Stat. 910) and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR, 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Goodwill Industries, 2416 East Ninth Street, Cleveland 15, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective September 11, 1950 and expires August 31, 1951.

Cincinnati Goodwill Industries, 514 East Pearl Street, Cincinnati 2, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 25 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective November 1, 1950, and expires October 31, 1951.

Michigan Employment Institution for the Blind, 924 Houghton Avenue, Saginaw, Michigan; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 30 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective November 10, 1950 and expires October 31, 1951.

Goodwill Industries of Dayton, Inc., 201 West Fifth Street, Dayton 2, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in reg-

ular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective November 16, 1950 and expires October 31, 1951.

Goodwill Industries of Ft. Wayne, Ind., Inc., 112 East Columbia Street, Ft. Wayne, Indiana; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 35 cents per hour whichever is higher; certificate is effective November 1, 1950, and expires October 31, 1951.

Goodwill Industries of New York, Inc., 123 East One Hundred and Twenty-fourth Street, New York 35, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 35 cents per hour, whichever is higher; certificate is effective November 13, 1950 and expires October 31, 1951.

Volunteers of America, 724 East Diamond Street, Pittsburgh, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher, and a rate of not less than 40 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective December 1, 1950 and expires November 30, 1951.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the Regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the Regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 9th day of November 1950.

JACOB I. BELLOW,  
Assistant Chief of Field Operations.

[F. R. Doc. 50-10426; Filed, Nov. 20, 1950; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2888 et al.]

SKYTRAIN AIRWAYS, INC., ET AL.; LATIN AMERICAN AIR FREIGHT CASE

NOTICE OF HEARING

In the matter of the applications of Skytrain Airways, Inc., Aerovias Sud Americana, Inc. et al., as amended, for a permanent, temporary or experimental certificate of public convenience and necessity to engage in scheduled and/or non-scheduled air transportation of property and mail to, from and between New Orleans, La., Houston, Tex., Tampa-St. Petersburg and Miami, Fla., on the one hand and points in the Caribbean, Central and South America on the other, pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 401, 801 and 1102 thereof, that hearing in the above-entitled proceeding is assigned to commence on Tuesday, December 5, 1950, at 10:00 a. m., e. s. t., in Conference Room C, Departmental Auditorium, between Twelfth and Fourteenth Streets, Constitution Avenue NW., Washington, D. C., before Hearing Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues to be explored in this proceeding, particular attention will be directed to the following matters and questions:

1. Whether the air transportation of mail and/or property between designated points in the United States, Caribbean, Central and South American area, proposed in the applications of Skytrain Airways, Inc., under Docket No. 2888, and Aerovias Sud Americana, Inc., under Docket No. 3280, is required by the public convenience and necessity in whole, in part, or not at all.

2. Whether the applicants are fit, willing and able to perform such transportation properly, and to conform to the provisions of the Civil Aeronautics Act of 1938, as amended, and the rules, regulations and requirements of the Board thereunder.

Notice also is given that any person, other than parties of record as of November 15, 1950, desiring to be heard in this proceeding must file with the Board on or before December 5, 1950 a statement setting forth the issues of fact or law raised by this proceeding on which he desires to be heard.

For further details with respect to the issues involved herein interested persons are referred to the applications and pertinent orders of the Civil Aeronautics Board on file in the docket of this proceeding.

Dated at Washington, D. C. November 15, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 50-10453; Filed, Nov. 20, 1950; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1517]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION

NOVEMBER 15, 1950.

Take notice that East Tennessee Natural Gas Company (Applicant), a Tennessee corporation, with its principal offices in the Hamilton National Bank Building, Chattanooga, Tennessee, filed on October 20, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to construct and operate three lateral pipelines together with physical connections, metering, measuring and regulating equipment and other necessary appurtenances, as follows:

(a) *Gallatin Lateral*. Approximately one mile of 3½-inch diameter pipeline extending from Applicant's 22-inch main pipeline in Sumner County, Tennessee, in a southerly direction to near the City of Gallatin, Sumner County, Tennessee.

(b) *Cookeville Lateral*. Approximately 3.25 miles of 4½-inch diameter pipeline extending from Applicant's 22-inch main pipeline in Putnam County, Tennessee, in a southerly direction to near the City of Cookeville, Putnam County, Tennessee.

(c) *Harriman Lateral*. Approximately 4 miles of 3½-inch diameter pipeline extending from a point of connection of Applicant's 22-inch main pipeline in Roane County, Tennessee, in a southerly direction to near the City of Harriman, Roane County, Tennessee.

The facilities, according to the application, are proposed for the purpose of transporting and selling natural gas to the municipalities of Gallatin, Cookeville and Harriman, Tennessee, for resale within these cities and their environs, and for selling natural gas directly to main line industrial customers. Applicant states that at the time of filing of the application it has no contracts to supply natural gas directly to any industrial customers by means of any of the lateral pipeline facilities applied for, and further states that Applicant has not been negotiating with any such industrial customers.

The estimated total overall capital cost of the proposed facilities is approximately \$105,000, which cost Applicant proposes to finance out of operating revenues supplemented, if necessary, by short term bank loans.

The estimated daily capacities of, and maximum daily demands in the first and fifth years of operation on, the proposed lateral lines are as follows:

Laterals	Capacity (Mcf)	Maximum daily demand (Mcf)	
		First year	Fifth year
Gallatin.....	10,000	729	1,792
Cookeville.....	11,000	889	1,921
Harriman.....	4,800	827	2,270

Applicant desires to commence construction of the proposed facilities in November 1950 and to complete the same

on or about January 1, 1951, and requests that its application be considered under the Commission's shortened procedure rule (18 CFR 1.32 (b)).

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 and 1.10) on or before the 4th day of December 1950. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10443; Filed, Nov. 20, 1950;  
8:46 a. m.]

[Docket No. G-1531]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

NOVEMBER 14, 1950.

Take notice that on November 6, 1950, Consolidated Gas Utilities Corporation (Applicant), a Delaware corporation with its principal place of business in Oklahoma City, Oklahoma, 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 described facilities:

- (a) 10,600 feet of 6 $\frac{1}{2}$ -inch O. D. pipeline,
- (b) 70 feet of 10 $\frac{1}{4}$ -inch O. D. casing to be used as conduit under railroad,
- (c) Necessary measuring and regulating equipment, and
- (d) Miscellaneous fittings, valves and appurtenances incident to the construction and operation of the proposed facilities.

The proposed pipe line will extend from Applicant's existing 14-inch main pipeline in Sedgwick County, Kansas, and extend in a Westerly direction to the chemical plant of Frontier Chemical Company of Kansas, Inc., located in Sedgwick County, Kansas.

The proposed facilities will have a maximum delivery capacity of approximately 6,000 Mcf per day.

The overall capital cost of the facilities will approximate \$33,487. Applicant asserts that it will not be necessary to borrow any money to finance the proposed construction as the same will be constructed out of funds on hand.

The application is on file with the Commission for public inspection. 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) before the 4th day of December 1950.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10444; Filed, Nov. 20, 1950;  
8:46 a. m.]

[Docket No. G-1527]

MID-SOUTH GAS CO.

NOTICE OF APPLICATION

NOVEMBER 14, 1950.

Take notice that on November 3, 1950, Mid-South Gas Company (Applicant), an

Arkansas Corporation with its principal place of business in Little Rock, Arkansas, 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 described facilities:

A proposed 3.23 miles transmission pipeline connecting the transmission system of Texas Gas Transmission Corporation and the existing distribution facilities of the Arkansas Utilities Company at Helena, Arkansas.

Applicant proposes to start construction as soon as practicable after the issuance of the Commission's order herein and desires to begin natural gas service to the City of Helena by December 1, 1950.

Applicant proposes to obtain its supply of natural gas from Texas Gas Transmission Corporation which has applied for authorization in Docket No. G-1492 to supply to Applicant at a point near Helena, Arkansas, natural gas up to 5,000 Mcf per day.

The over-all capital cost of the proposed facilities is estimated at \$29,000.

The application is on file with the Commission for public inspection. 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) before the 4th day of December 1950.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10445; Filed, Nov. 20, 1950;  
8:46 a. m.]

[Docket No. G-1524]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF APPLICATION

NOVEMBER 15, 1950.

Take notice that Mississippi River Fuel Corporation (Applicant) a Delaware corporation of 407 North 8th Street, St. Louis, Missouri, filed on November 1, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of a gas turbine-driven centrifugal compressor unit on its No. 1 transmission line at a location between Applicant's Twelve Mile Compressor Station and its Meramec Measuring Station near St. Louis, Missouri.

The turbine blower station, according to the application, is proposed for the purpose of providing adequate pressures at Meramec Measuring Station; for making available the maximum volume of gas possible in "line-pack" storage at the market end of Applicant's pipe line; and for facilitating the delivery of gas in "line-pack" storage to meet hourly peaks on cold days during the heating season. Applicant states that the over-all sales capacity of its system will not be increased by the operation of the centrifugal compressor except as to such quantities of gas as may be made available by its operation for delivery during peak hours, which would not otherwise

be available, but that any such increase will be nominal.

The estimated cost of the proposed centrifugal compressor is \$220,000, which cost is proposed to be financed by Applicant out of cash on hand.

Applicant estimates that six weeks will be required to complete the proposed installation of the centrifugal compressor covered by the application, and states that it plans to begin construction at the earliest possible moment and have the unit in operation during the month of December 1950. It asserts that failure to have the unit installed promptly may result in Applicant being unable to supply the hourly peak demands of its customer distribution companies during the coming winter, and requests that pending issuance of the certificate herein, Applicant be authorized forthwith, upon a temporary basis, to construct and operate the said compressor facilities.

Applicant requests that its application be considered under the Commission's shortened procedure rule (18 CFR 1.32 (b)).

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 and 1.10) on or before the 4th day of December 1950. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10446; Filed, Nov. 20, 1950;  
8:46 a. m.]

[Docket No. G-1526]

WESTCOAST TRANSMISSION CO., INC.

NOTICE OF APPLICATION

NOVEMBER 14, 1950.

Take notice that Westcoast Transmission Company, Inc. (Applicant), a Delaware corporation, address, 100 West Tenth Street, Wilmington, Delaware, filed on November 3, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities herein-after described.

Applicant proposes to transport natural gas for resale to the Cities of Bellingham, Mount Vernon, Everett, Bellevue, Seattle, Tacoma, Olympia, Centralia, Chehalis, Kelso and Longview in the State of Washington, and to Portland and St. Helens in the State of Oregon, by means of a 277-mile pipeline to be constructed, together with appurtenant facilities, south from the International Boundary near Sumas, Washington, to Portland, Oregon.

Applicant also proposes to transport natural gas for resale to the City of Spokane and for direct sale to the Atomic Energy Commission's plant at Hanford, in the State of Washington, by means of a 266-mile pipeline to be constructed, together with appurtenant facilities, south from the International Boundary at a point west of Osyoos,

British Columbia, to Hanford with a branch extending from Grand Coulee to Spokane.

In addition to the above, Applicant proposes to make natural gas available for distribution to numerous communities along the proposed pipeline.

The requirements of the markets which Applicant proposes to serve are estimated to total 100,109 Mcf on the peak day and 28,313,050 Mcf on an annual basis during the first year, and 216,182 Mcf on the peak day and 63,669,500 Mcf on an annual basis during the fifth year of operation. The facilities applied for in this docket will have a designed capacity of 104,000 Mcf per day and to meet the future increase in market requirements Applicant proposes to install compressor stations along the pipeline as needed.

Applicant proposes to obtain its supply of natural gas from Westcoast Transmission Company, Limited, which in turn proposes to construct and operate a natural gas transmission system in Canada.

The estimated cost of Applicant's proposed facilities is \$25,690,000. The proposed financing includes issuance of approximately 75 percent of bonds and 25 percent of common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of December 1950. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10447; Filed, Nov. 20, 1950; 8:47 a. m.]

[Docket No. G-1417]

PANHANDLE EASTERN PIPE LINE CO.  
NOTICE OF AMENDED APPLICATIONS

NOVEMBER 14, 1950.

Take notice that Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation, address, Kansas City, Missouri, filed on September 29, 1950, an amended application requesting (a) an order disclaiming jurisdiction or (b) in the alternative a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a physical connection between its facilities and those of Ford Motor Company (Ford).

Applicant by its amended application changes the proposals presented by the original application filed herein on June 9, 1950, notice of the filing thereof being published in the FEDERAL REGISTER on June 23, 1950 (15 F. R. 4065), in accordance with its letter agreement of September 26, 1950, amending its June 2, 1950, contract with Ford.

The amended application recites that under the letter agreement of September 26, 1950, Ford will permit location of Applicant's measuring and metering facilities upon Ford property, and Applicant will construct the necessary 500

feet of 12-inch line from its main pipeline in South Dearborn Road to the said metering and measuring station. The original application had not specified the location of the proposed metering and measuring station or the length of the connecting pipeline.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of December 1950. The amended application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 50-10448; Filed, Nov. 20, 1950; 8:47 a. m.]

SECURITIES AND EXCHANGE  
COMMISSION

[File No. 70-2376]

CITIES SERVICE CO. AND TOLEDO EDISON CO.  
ORDER RELEASING JURISDICTION OVER FEES  
AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of November A. D. 1950.

The Commission, by Orders dated May 9, 1950, June 5, 1950, and June 13, 1950, having granted and permitted to become effective the joint application-declaration, as amended, filed by Cities Service Company ("Cities"), a registered holding company, and its public utility subsidiary, The Toledo Edison Company ("Toledo"), regarding, inter alia, the sale by Cities, through a rights offering to its stockholders, of 3,399,925 shares of common stock of Toledo, the sale by Cities, at competitive bidding, of 302,075 shares of such stock not purchased by Cities' stockholders, and the issuance and sale by Toledo, at competitive bidding, of 400,000 additional shares of its common stock; and

The Commission having in said Orders reserved jurisdiction over the payment of fees of counsel for Cities and Toledo and the fee of the financial adviser incurred in connection with said transactions because the record, at the date of said Orders, was incomplete with respect to such fees; and

The record having been subsequently completed with respect to the fees of counsel for Cities and Toledo and the fee and expenses of the financial adviser, the amounts and allocation thereof being as follows:

Frueauff, Burns, Ruch & Farrell, as counsel for Cities and Toledo, \$25,275 (including \$275 for local counsel), of which \$20,275 will be paid by Cities and \$5,000 by Toledo; Welles, Kelsey, Fuller, Harrington & Seney, as local counsel for Toledo, \$10,000, of which \$7,000 will be paid by Cities and \$3,000 by Toledo; Sullivan & Cromwell, for services in respect of Blue Sky Laws, \$5,875 (including \$875 for local counsel), to be paid by Cities; The First Boston Corporation, as financial adviser, \$25,000 fee and \$2,500 expenses, to be paid by Cities; and

The Commission having examined the record as so completed and it appearing that the requested fees and expenses, and the proposed allocation thereof, are not unreasonable and that jurisdiction with respect thereto should be released:

It is ordered, That the jurisdiction heretofore reserved over the fees of counsel for Cities and Toledo and the fee and expenses of the financial adviser to be paid in connection with said transactions be, and the same hereby is, released.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 50-10438; Filed, Nov. 20, 1950; 8:45 a. m.]

[File No. 70-2506]

LEHIGH VALLEY TRANSIT CO. AND LEHIGH  
VALLEY TRANSPORTATION CO.

ORDER GRANTING APPLICATION AND 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 15th day of November A. D. 1950.

Lehigh Valley Transit Company ("Transit"), a non-utility subsidiary of National Power & Light Company, a registered holding company, and Lehigh Valley Transportation Company ("Transportation"), a subsidiary of Transit, having filed a joint application-declaration and an amendment thereto with this Commission pursuant to sections 6 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder relating to the following proposed transactions:

Transportation proposes to borrow an aggregate of \$339,600 from Lehigh Valley Trust Company, Allentown National Bank and Home Life Insurance Company. Of the total principal amount, Home Life Insurance Company is to advance \$198,000, Allentown National Bank \$70,800 and Lehigh Valley Trust Company \$70,800. Each of the advances will be repayable in 72 equal monthly installments with interest at the rate of 3¼ percent per annum on the reducing balance and will be evidenced by an installment note and will be secured by a chattel mortgage on particular busses to be described in each chattel mortgage. Transit will guarantee the payment of the principal and interest of all of the loans.

The proceeds of such loans will be used by Transportation to purchase 24 new 37-passenger busses at approximately \$15,800 per bus. The total purchase price of the busses will be approximately \$380,000. The down payment on account of such purchase in the amount of 10%, or approximately \$38,000, will be made by Transportation out of cash on hand.

Said joint application-declaration having been duly filed, and notice of such filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and

the Commission not having received a request for hearing within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicants-declarants having requested that the Commission's order become effective forthwith upon issuance; and

The Commission finding with respect to said joint application-declaration, as amended, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith:

*It is ordered,* Pursuant to Rule U-23 and the applicable provisions of said act, that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission,

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 50-10439; Filed, Nov. 20, 1950;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25578]

COOKED MEATS TO ATLANTA, GEORGIA

APPLICATION FOR RELIEF

NOVEMBER 16, 1950.

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., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1166.

Commodities involved: Meats, cooked, cured or preserved, canned, carloads.

From: Gulf and south Atlantic ports. To: Atlanta, Ga.

Grounds for relief: Circuitous routes. Port competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1166, Supp. 19.

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 hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-10440; Filed, Nov. 20, 1950;  
8:46 a. m.]

[4th Sec. Application 25577]

CITRUS POMACE FROM JACKSONVILLE,  
FLORIDA

APPLICATION FOR RELIEF

NOVEMBER 16, 1950.

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: Atlantic Coast Line Railroad Company.

Commodities involved: Citrus pomace, viz: dehydrated citrus pulp, peel or seeds, not suitable for human consumption, in carloads.

From: Jacksonville, Fla.

To: Chattahoochee, Fla.

Grounds for relief: Circuitous routes. To meet intrastate rates.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 975, Supp. 153.

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. 50-10441; Filed, Nov. 20, 1950;  
8:46 a. m.]

## SUBVERSIVE ACTIVITIES CONTROL BOARD

STATEMENT OF ORGANIZATION

1. *Functions.* The Subversive Activities Control Board is entrusted with the function of determining, pursuant to the Subversive Activities Control Act of 1950, whether organizations are "Communist-action" organizations or "Communist-front" organizations, and whether individuals are members of "Communist-action" organizations. The powers of the Board are set forth in sections 12, 13, and 14 of the Subversive Activities Control Act of 1950.

2. *Offices.* The main offices of the Board are on the fourth floor of the Reconstruction Finance Corporation Building, Washington, D. C.

3. *Information.* Any person desiring information about a particular case or phase of work of the Board may write to the Subversive Activities Control Board, attention of the Executive Secretary of the Board.

4. *Availability of records.* All matters of official record, including final orders of the Board, shall be made available to persons properly concerned therein.

5. *Delegation of functions.* Any member of the Board or any examiner designated by the Board shall have authority, when proceeding at hearings, to administer oaths and affirmations, to issue subpoenas, to rule upon offers of proof and receive relevant evidence, to take or cause depositions to be taken whenever the ends of justice would be served thereby, to regulate the course of the hearing, to hold conferences for the settlement or simplification of the issues by consent of the parties, to dispose of procedural requests or similar matters, to recommend decisions to the Board, and to take any other action consistent with that required in the conduct of hearings.

6. *Executive officer.* The Executive Secretary is the executive officer of the Board and shall be and perform the duties of the Chief Clerk and has legal custody of the Board's papers, records and property. All orders of the Board shall be signed by the Executive Secretary or such other person as may be so authorized by the Board.

7. *Seal.* The Executive Secretary of the Board will have custody of the official seal of the Board.

SUBVERSIVE ACTIVITIES  
CONTROL BOARD,  
SETH W. RICHARDSON,  
Chairman.

[F. R. Doc. 50-10601; Filed, Nov. 20, 1950;  
12:15 p. 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, 816; E. O. 8193, 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 15709]

DEUTSCHES KALISYNDIKAT G. M. B. H. ET AL.

In re: Bank accounts and promissory notes owned by Deutsches Kalisyndikat G. m. b. H. and others; F-49-504 and F-49-504-E-1/7.

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 Deutsches Kalisyndikat G. m. b. H., the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has



had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That *Mitteldeutsche Montanwerke G. m. b. H.*, the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That *N. V. Overzeesche Kali Export Maatschappij* is a corporation organized under the laws of The Netherlands, whose principal place of business is located at Amsterdam, The Netherlands, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid *Deutsches Kallsyndikat G. m. b. H.*, and is a national of a designated enemy country (Germany);

4. That the property described as follows: Those certain debts or other obligations of the banks whose names and addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, arising out of the blocked accounts maintained with said banks whose titles are set forth in said Exhibit A, 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 *Mitteldeutsche Montanwerke G. m. b. H.*, the aforesaid national of a designated enemy country (Germany) to the extent of \$4,687.27, by *N. V. Overzeesche Kali Export Maatschappij*, the aforesaid national of a designated enemy country (Germany) to the extent of \$11,970.00, and by *Deutsches Kallsyndikat G. m. b. H.*, the aforesaid national of a designated enemy country (Germany) to the extent of the remainder;

5. That the property described as follows: An undivided one-half (1/2) interest in those certain debts or other obligations of York Commercial Corporation, 11 Broadway, New York, New York, evidenced by promissory notes in the aggregate principal amount of \$2,000,000 issued by said York Commercial Corporation to *Administratie-en Trustkantoor "Securitas" N. V.* as payee, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under, including particularly the right to possession of, so many of the aforesaid promissory notes as aggregate \$1,000,000 in principal amount, and together with all accrued and unpaid interest allocable to such promissory notes in the aggregate principal amount of \$1,000,000,

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 *Deutsches Kallsyndikat G. m. b. H.*, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

6. That *N. V. Overzeesche Kali Export Maatschappij* is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany); and

7. That to the extent that the persons named in subparagraphs 1, 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

EXHIBIT A

Names and Addresses of Banks and Titles of Accounts

The Chase National Bank of the City of New York, 18 Pine Street, New York, N. Y.: *Continentale Handelsbank N. V.*

Guaranty Trust Company of New York, 140 Broadway, New York, N. Y.: *Continentale Handelsbank N. V.*

Patent No.	Date of issue	Inventor	Title
2,147,156	Feb. 14, 1939	Heinrich Geffcken and Hans Richter	Photoelectric Apparatus.
2,155,224	Apr. 18, 1939	do.	Illumination Switch.

including an undivided three-fifths (3/5ths) of all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property of the aforesaid nationals of a foreign country (Germany).

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

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

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193 as amended.

Irving Trust Company, One Wall Street, New York, N. Y.: *Continentale Handelsbank N. V.*

Bank of the Manhattan Company, 40 Wall Street, New York, N. Y.: *Continentale Handelsbank N. V.*

The National City Bank of New York, 55 Wall Street, New York, N. Y.: *Continentale Handelsbank N. V.*

J. Henry Schroder Banking Corporation, 46 William Street, New York, N. Y.: *Continentale Handelsbank.*

The First National Bank of Boston, Boston, Mass.: *Continentale Handelsbank N. V.*

Manufacturers Trust Company, 55 Broad Street, New York, N. Y.: *Continentale Handelsbank N. V.*

Central Hanover Bank & Trust Company, 70 Broadway, New York, N. Y.: *Continentale Handelsbank N. V.*

The New York Trust Company, 100 Broadway, New York, N. Y.: *Continentale Handelsbank N. V.*

*Continentale Handelsbank N. V. No. 2.*  
*Continentale Handelsbank Special Account.*

[P. R. Doc. 50-10497; Filed, Nov. 20, 1950; 8:52 a. m.]

[Vesting Order 15367]

HEINRICH GEFFCKEN AND HANS RICHTER

In re: Interest of Heinrich Geffcken and Hans Richter in certain United States patents.

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

1. That Heinrich Geffcken and Hans Richter, whose last known addresses are Germany, are residents of Germany and nationals of a foreign country (Germany);

2. That the property described as follows: An undivided three-fifths (3/5ths) interest in and to the following United States Letters Patent:

Patent No.	Date of issue	Inventor	Title
2,147,156	Feb. 14, 1939	Heinrich Geffcken and Hans Richter	Photoelectric Apparatus.
2,155,224	Apr. 18, 1939	do.	Illumination Switch.

Executed at Washington, D. C., on October 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[P. R. Doc. 50-10464; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15590]

CHARLES FONTAINE

In re: Stock owned by Charles Fontaine. F-39-6572-D-1.

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

1. That Charles Fontaine, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Two (2) shares of \$15.00 par value capital stock of Socony-Vacuum Oil Company, Inc., 26 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered C247685, registered in the name of Charles Fontaine, together with all declared and unpaid dividends thereon, and

b. One (1) and Nine Two-hundredths (9/200ths) shares of \$25.00 par value capital stock of Standard Oil Company, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered C946900 for one share, E55166 for 5/200ths of a share and F200311 for 4/200ths of a share, registered in the name of Charles Fontaine, together with all declared and unpaid dividends thereon.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10465; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15505]

ELLA KEIL

In re: Bond owned by Ella Keil; F-28-27339-A-1.

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

1. That Ella Keil, on or since the effective date of Executive Order 8389, as amended, and on or since December 11,

1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: One (1) United States of Brazil 3% Bond, due 1979, of \$1,000.00 face value, bearing the number 8192, in bearer form, presently on deposit with Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an account for Leu & Co.'s Bank Limited, together with any and all rights thereunder and thereto,

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 Ella Keil, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10466; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15603]

GEORGE A. SCHLUETER

In re: Stock owned by George A. Schlueter; F-28-26301-A-1.

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

1. That George A. Schlueter, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Twenty-three (23) shares of \$10.00 par value common capital stock of American LaFrance Foamite Corp., 100 East LaFrance Street, Elmira, New York, a corporation organized under the laws of the State of New York, evidenced by

a certificate numbered 7321, registered in the name of Slade and Company, and presently in the custody of The American Express Company, Inc., New York Agency, 65 Broadway, New York, New York, together with all declared and unpaid dividends thereon, subject, however, to any and all lawful liens of said American Express Company, Inc., New York Agency, against the aforesaid property, and

b. Twenty (20) shares of \$1.00 par value common capital stock of Maryland Casualty Company, 701 West 40th Street, Baltimore, Maryland, a corporation organized under the laws of the State of Maryland, evidenced by certificates numbered 010930 for fifteen (15) shares, and 06701 for five (5) shares, registered in the name of Slade and Company, and presently in the custody of The American Express Company, Inc., New York Agency, 65 Broadway, New York, New York, together with all declared and unpaid dividends thereon, subject however, to any and all lawful liens of said American Express Company, Inc., New York Agency, against the aforesaid property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10467; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15502]

KUNIGUNDE NERRETER

In re: Rights of Kunigunde Nerreter under contracts of insurance. File Nos. F-28-28764-H-2 and F-28-28764-H-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Ex-

Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kunigunde Nerreter, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies Nos. 96 451 436 and 96 451 437 issued by the Metropolitan Life Insurance Company, New York, New York, to Kunigunde Nerreter, together with the right to demand, receive and collect said net proceeds,

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 Kunigunde Nerreter, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10468; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15503]

JOHANNA NESTLER

In re: Rights of Johanna Nestler under contract of insurance. File No. D-28-10855-H-1.

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

1. That Johanna Nestler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. L-33071 issued by the Mutual Life Insurance Company of New York, 34 Nassau Street, New York City, New York, to Friedrich G. G. Schmidt, together with the right to de-

mand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10469; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15504]

JOHN KLEIN

In re: Rights of John Klein under insurance contract. File No. F-28-24319 H-1 and H-2.

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

1. That John Klein, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies No. 77613125 (4314979-B) and No. 97360359 (4314-978-B) issued by the Metropolitan Life Insurance Company, New York, New York, to John Klein, together with the right to demand, receive, and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10470; Filed, Nov. 20, 1950; 8:49 a. m.]

[Vesting Order 15505]

CONRAD OLUFS ET AL.

In re: Rights of Conrad Olufs, et al., under insurance contract. File No. F-28-28637-H-1.

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

1. That Conrad Olufs, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Conrad Olufs, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 695 620 M issued by the Metropolitan Life Insurance Company, New York, New York, to Conrad Olufs, together with the right to demand, receive and collect said net proceeds, 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 Conrad Olufs or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Conrad Olufs, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Conrad Olufs,

## NOTICES

are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[P. R. Doc. 50-10471; Filed, Nov. 20, 1950;  
8:49 a. m.]

[Vesting Order 15506]

JOHANNA SCHAAP

In re: Rights of Johanna Schaaf under certain contracts of insurance. File Nos. F-28-22712-H-1 and F-28-22712-H-2.

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

1. That Johanna Schaaf, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies numbered 9861931 and 10748318 issued by the New York Life Insurance Company, 51 Madison Avenue, New York City, New York, to Elizabeth A. Schaaf, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[P. R. Doc. 50-10472; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15512]

SEIKICHI TAKEISHI ET AL.

In re: Rights of Seikichi Takeishi and Domiciliary Personal Representatives, Heirs, Next of Kin, Legatees and Distributees, names unknown of Seikichi Takeishi under insurance contract F-39-5056-H-1.

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

1. That Seikichi Takeishi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Seikichi Takeishi, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 2168585, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Seikichi Takeishi, together with the right to demand, receive and collect said net proceeds, 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 Seikichi Takeishi or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Seikichi Takeishi, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Seikichi Takeishi, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being

deemed necessary in the national interest,

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[P. R. Doc. 50-10473; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15507]

IDA SCHWARZ

In re: Rights of Ida Schwarz under contract of insurance. File No. F-28-22659-H-1.

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

1. That Ida Schwarz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7973811 issued by the New York Life Insurance Company, 51 Madison Avenue, New York City, New York, to Kurt Jackisch a/k/a Charles R. Jaeger, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10473; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15583]

OGANESS BARSEQUIANTZ

In re: Bank accounts owned by Oganess Barsequiantz; F-28-763-C-1; E-1.

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

1. That Oganess Barsequiantz, whose last known address is c/o E. T. Minassian Courbierestr. 1, Berlin, W. 62, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Oganess Barsequiantz, by The American Express Company, Inc., New York Agency, 65 Broadway, New York, New York, in the amount of \$6,236.24 as of December 31, 1945, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Oganess Barsequiantz by The Chase National Bank of the City of New York, arising out of a deposit account, entitled Oganess Barsequiantz, maintained at the office of the aforesaid bank located at 18 Pine Street, New York 15, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10488; Filed, Nov. 20, 1950;  
8:51 a. m.]

[Vesting Order 15508]

MARY SPRANG

In re: Rights of Mary Sprang under contract of insurance. File No. F-28-24353-H-2.

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

1. That Mary Sprang, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 8116 GLH Serial 990 issued by the Metropolitan Life Insurance Company, New York, New York, to Fritz Sprang, together with the right to demand, receive and collect said net proceeds, 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 Mary Sprang, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10474; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15509]

JOHN STEFAN ET AL.

In re: Rights of John Stefan, et al., under contracts of insurance. File Nos. F-28-24355-H-1 and F-28-24355-H-2.

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

1. That John Stefan and Anna Stefan, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policy Nos. 568831-B and 568833-B issued by the Metropolitan Life Insurance Company, New York, New York, to John Stefan, together with the right to demand, receive and collect said net proceeds, 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 John Stefan or Anna Stefan, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10475; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15510]

TEIGE STOLTE ET AL.

In re: Rights of Teige Stolte, et al., under contract of insurance. File No. F-28-24360-H-1.

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

1. That Teige Stolte and Hermine Stolte, whose last known address is Ger-

many, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 4 887 643 A issued by the Metropolitan Life Insurance Company, New York, New York, to Teige Stolte, together with the right to demand, receive and collect said net proceeds, 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 Teige Stolte or Hermine Stolte, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10476; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15511]

GEORGE STRICKER

In re: Rights of George Stricker under insurance contract. File No. D-28-12198-H-1.

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

1. That George Stricker, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1 X 23832 issued by the Mutual Benefit and Aid Society, Chicago, Illinois, to William Stricker, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on

account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10477; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15514]

LENI PITTHAN WEILER

In re: Rights of Leni Pitthan Weiler under insurance contracts. File Nos. F-28-27119-H-1 and F-28-27119-H-2.

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

1. That Leni Pitthan Weiler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policy Nos. 96 839 793 and 96 839 794 issued by the Metropolitan Life Insurance Company, New York, New York, to Leni Pitthan Weiler, together with the right to demand, receive and collect said net proceeds, 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 Leni Pitthan Weiler, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10479; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15515]

ANNA WILLIBALD

In re: Rights of Anna Willibald under insurance contract. File No. F-28-29551 H-1.

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

1. That Anna Willibald, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Anna Willibald under contract of insurance evidenced by policy No. 90 714 879, issued by the Metropolitan Life Insurance Company, New York, New York, to Anna Willibald, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10480; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15516]

JOHN WILLIBALD

In re: Rights of John Willibald under insurance contract. File No. F-28-29552 H-1.

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

1. That John Willibald, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to John Willibald under contract of insurance evidenced by policy No. 90 714 878, issued by the Metropolitan Life Insurance Company, New York, to John Willibald, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10481; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15517]

JOSEF WIMBAUER

In re: Rights of Josef Wimbauer under insurance contract. File No. F-28-30629 H-1.

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

1. That Josef Wimbauer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by policy No. 102653522, issued by the Metropolitan Life Insurance Company, New York, New York, to Josef Wimbauer, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10482; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15518]

FRIEDA WOERNLE

In re: Rights of Frieda Woernle under insurance contract. File No. D-28-10714-H-1.

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

1. That Frieda Woernle, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by policy No. 7 391 367, issued by The Prudential Insurance Company of America, Newark, New Jersey, to John B. Woernle, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10483; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15519]

AUGUST WORMSTALL

In re: Rights of August Wormstall under insurance contract. File No. F-28-24545-H-1.

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

1. That August Wormstall, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 62043463, issued by the Metropolitan Life Insurance Company, New York, New York, to August Wormstall, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the

aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 3, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10484; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15528]

PAUL W. AND MILDA ACKERMANN

In re: Rights of Paul W. Ackermann and Milda Ackermann under insurance contract. File No. F-28-7490-H-1.

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

1. That Paul W. Ackermann and Milda Ackermann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 306965 issued by the Connecticut General Life Insurance Company, Hartford Connecticut, to Paul W. Ackermann, together with the right to demand, receive and collect said net proceeds,

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, Paul W. Ackermann or Milda Ackermann, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 8, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10485; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15529]

FREDERICK DOELZE

In re: Rights of Frederick Doelze under insurance contract. File No. D-28-10690-H-1.

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

1. That Frederick Doelze, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 0340275SC issued by the Metropolitan Life Insurance Company, New York, New York, to Olga Doelze, together with the right to demand, receive and collect said net proceeds,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 8, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10486; Filed, Nov. 20, 1950;  
8:50 a. m.]

[Vesting Order 15587]

GEBRUDER ASMUSSEN

In re: Debt owing to Gebruder Asmussen;

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 Gebruder Asmussen, the last known address of which is Elmshorn, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gebruder Asmussen, by Emil Ebner, 42 Hudson Street, New York 13, New York, representing amounts due for merchandise purchased, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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



Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10487; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15589]

ROSA DRUBIN

In re: Debt owing to Rosa Drubin; F-28-25076-E-1.

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

1. That Rosa Drubin, whose last known address is Charlottenburg 4, Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Rosa Drubin, by Lewis M. Goodrich, Box 646, Shamrock, Texas, representing funds from the Estate of Bettie Platen, deceased, held for Rosa Drubin, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10489; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15591]

ADOLPH GLEUE AND CO.

In re: Debt owing to Adolph Gleue and Co.; F-28-13606.

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 Adolph Gleue, Heinrich Luebecke and Alexander Beyer, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Adolph Gleue and Co., is a partnership, organized under the laws of China, whose principal place of business is located at Tientsin, China, and is, or on or since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act, directly or indirectly for the benefit of or on behalf of the aforesaid Adolph Gleue, Heinrich Luebecke and Alexander Beyer, and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to Adolph Gleue and Co., Tientsin, China, by the Insurance Company of North America, 1600 Arch Street, Philadelphia 1, Pennsylvania, in the amount of \$1,688.40, as of June 23, 1950, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by, Adolph Gleue and Co., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That Adolph Gleue and Co., is controlled by, or acting for and on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10490; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15594]

IWAICHIRO HAMAMOTO

In re: Bank account owned by Iwaichiro Hamamoto also known as Inuoichico Hamamoto; F-39-6223-E-2.

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

1. That Iwaichiro Hamamoto also known as Inuoichico Hamamoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Iwaichiro Hamamoto also known as Inuoichico Hamamoto, by The United States National Bank, San Diego, California, arising out of a savings account, account number 11190, entitled Iwaichiro Hamamoto, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10491; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15596]

## NAO AND KASUYUKI KUSUMOTO

In re: Bank account owned by Nao Kusumoto and Kasuyuki Kusumoto, F-39-5663-E-1.

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

1. That Nao Kusumoto and Kasuyuki Kusumoto, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Nao Kusumoto and Kasuyuki Kusumoto, by City National Bank and Trust Company, 208 South La Salle Street, Chicago 90, Illinois, arising out of a Savings Account number 21711, entitled Nao Kusumoto and Kasuyuki Kusumoto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10492; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15597]

## MATHILDE MATSCHULAT

In re: Bank account owned by Mathilde Matschulat; F-39-6776.

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 Mathilde Matschulat, whose last known address is House 1093, Karui-zawa, Nagano-Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Credit Suisse, New York Agency, 30 Pine Street, New York 5, New York in the amount of \$4,907.30 as of October 4, 1950, representing a portion of funds on deposit in a Blocked Account held for Credit Suisse, Zurich, maintained by the Credit Suisse, New York Agency, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mathilde Matschulat, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10493; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15598]

## SUYEKO AND KINSEI NAKAGAWA

In re: Bank account owned by Suyeko and Kinsei Nakagawa; D-39-18550-E-1.

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

1. That Suyeko and Kinsei Nakagawa, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Suyeko and Kinsei Naka-

gawa, by The First National Bank of Boston, 67 Milk Street, Boston, Massachusetts, arising out of a Savings Account numbered 9-36319, entitled Suyeko Nakagawa, Joint with Kinsei Nakagawa, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10494; Filed, Nov. 20, 1950; 8:51 a. m.]

[Vesting Order 15599]

## OMURA YA &amp; CO.

In re: Debt owned by Omura Ya & Co.; F-39-5430-C-1.

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

1. That Omura Ya & Co., the last known address of which is 3 Chome Ginza Kyobashi Ku, Tokyo, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Tokyo, Japan, and is a national of a designated enemy country (Japan);

2. That the property described as follows: Those certain debts or other obligations of General Motors Overseas Operations, Division of General Motors Corporation, 1775 Broadway, New York 19, New York, in the amounts set forth below, as of February 26, 1946, together

with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, appearing on the books of said General Motors Overseas Operations, Division of General Motors Corporation, as accounts in the names of the persons set forth below opposite said amounts:

Name:	Amount
Kamio Fukumatau.....	\$24.02
Miyai Kakumasa.....	26.03
Ichikuwa Kiyoshi.....	24.02
Isamoto Masehiko.....	27.30
Enomato Sumio.....	27.30
Mishihara Tatzo.....	27.40
Sugiura Yachiro.....	27.30

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10495; Filed, Nov. 20, 1950;  
8:51 a. m.]

[Vesting Order 15601]

ILSE ROBZINSKI

In re: Bank account owned by Ilse Rodzinski; F-28-14094-E-1.

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

1. That Ilse Rodzinski, whose last known address is Altonaerstrasse 36, Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a Current Account, entitled "George C. Dix, Trustee for Mrs. Ilse Rodzinski", maintained at the

aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ilse Rodzinski, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-10496; Filed, Nov. 20, 1950;  
8:52 a. m.]

