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Washington, Thursday, January 21, 1954

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10512

REVOCATION OF EXECUTIVE ORDER NO. 9047,[1] EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF THE GOVERNMENT FROM AUTOMATIC SEPARATION FROM THE SERVICE

WHEREAS by Executive Order No. 9047 of January 30, 1942, certain officers and employees in the executive branch of the Government were exempted from automatic separation from the service under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, for an indefinite period of time not extending beyond the duration of their appointment or term of service; and

WHEREAS, in my judgment, the public interest no longer requires the exemption of any of such officer or employee from automatic separation from the service:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 382, 404, and as President of the United States, it is ordered that the said Executive Order No. 9047 be, and it is hereby, revoked.

This order shall become effective at the close of business on March 31, 1954.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-461; Filed, Jan. 20, 1954; 10:29 a. m.]

EXECUTIVE ORDER 10513

DESIGNATING CERTAIN OFFICERS TO ACT AS SECRETARY OF LABOR

By virtue of the authority vested in me by section 179 of the Revised Statutes of the United States (5 U. S. C. 6) and section 301 of title 3 of the United States Code, it is ordered as follows:

I hereby authorize and direct the Assistant Secretaries of Labor and the Solicitor of Labor, in the order designated as hereinafter provided, to perform the duties of the office of the Secretary of Labor in case of the absence, sickness, resignation, or death of both the Secretary of Labor and the Under Secretary of Labor.

The Assistant Secretaries of Labor and the Solicitor of Labor shall act as Secretary of Labor as herein provided (1) in such order as the Secretary of Labor (or the Under Secretary when acting as Secretary) may by order designate from time to time, or (2) if no such designation order is in effect at the time, in the order of the respective dates of their commissions, or in the event that two or more of their commissions bear the same date, in the order in which they shall have taken their oath of office.

This order supersedes Executive Order No. 9968 of June 17, 1948, entitled "Designation of Certain Officers To Act as Secretary of Labor."

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-462; Filed, Jan. 20, 1954; 10:29 a. m.]

EXECUTIVE ORDER 10514

REVOCATION OF EXECUTIVE ORDER NO. 2414 OF JUNE 30, 1916

By virtue of and pursuant to the authority vested in me by the act of March 12, 1914, 38 Stat. 305, and as President of the United States, and upon the recommendation of the Secretary of the Interior, it is ordered that Executive Order No. 2414 of June 30, 1916, prescribing regulations for hospital service in connection with the construction and operation of the Government railway in Alaska, now the Alaska Railroad, be, and it is hereby, revoked.

This order shall become effective at the close of business on December 31, 1953.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-463; Filed, Jan. 20, 1954; 10:29 a. m.]

[1] 7 F. R. 629; 3 CFR, 1943 Cum. Supp.

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FEDERAL REGISTER

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TITLE 14—CIVIL AVIATION

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[Amdt. 61]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
COLLEGE STATION, TEX. Easterwood, 329' SBMRLZ-DTV-BYT Procedure No. 1. December 29, 1953.	CLL-VOR..... MEA, all directions.	117—9.0	1,400	W side of NW course. 315 outbound. 135 inbound. 1,700' within 25 miles.	1,100	114—11.8	T-dn C-dn A-dn	300-1 700-2 800-2	300-1 700-2 800-2	Within 11.8 miles climb to 1,800' on SE course within 25 miles or as directed by ATC.

2. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
DUNKIRK, N. Y. Municipal Airport, 692' Rbn DKK Procedure No. 1 February 1, 1953	PROCEDURE CANCELED EFFECTIVE DECEMBER 21, 1953.									
LANCASTER, PA. Municipal 403' MHW LRP Procedure No. 1 January 21, 1954	Int. HAR VOR radial 132° and 058° bearing to LRP Rbn (final).	058—10	1,800	S side course: 238° outbound. 058° inbound. 1,800' within 10 miles.	1,800	058—4.6	T-dn C-dn S-dn A-dn	300-1 600-1 800-1 1,000-2 BCOB	300-1 600-1½ 800-1 1,000-2 BCOB	Within 4.6 miles, make a climbing left turn and return to LRP Rbn at 2,000'.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
LANSING, MICH. Capital City, 858' LOM-LA Procedure No. 1 December 30, 1953	Lansing VOR	071—11.0	2,300	N side of course: 93 outbound. 273 inbound. 2,300' within 25 miles.	1,760	273—4.3	T-dn C-dn S-dn 27 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 4.3 miles, climb to 2,300' on W course LAN-LFR or on 280° course from LOM within 25 miles, or if directed by ATC make right climbing turn, climb to 2,000' and proceed NW on track of 340° within 25 miles of LOM. *Inbound do not descend below 1,620' until passing 180° bearing to Lansing LFR. Tower 1,343' MSL 2.8 miles S of inbound course.
	Lansing LFR	081—2.9	2,300							
NEW YORK, N. Y. LaGuardia, 20' Rbn RWC Procedure No. 1 February 1, 1953	PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.									
NEW YORK, N. Y. LaGuardia, 20' LOM LG Procedure No. 2 February 1, 1953	PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.									

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specific routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept-ion inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft		
										75 m.p.h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11	12	13
MINNEAPOLIS, MINN. Minneapolis-St. Paul International, 840' ILS MSP Back Course ILS Procedure No. 2 December 30, 1953	Radar terminal area transition altitude.	Back course ILS	All directions within 20 miles.	2,600	S side NW course: 295 outbound. 115 inbound. 2,600' within 20 miles.	No glide slope.	No outer marker.	No middle marker	T-dn C-dn S-dn 11R A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	On final approach within 3 miles after passing 3 mile radar fix, make right climbing turn, climb to 2,200' on SW course MSP LFR. This procedure not authorized when ASR inoperative. *CAUTION: Do not descend below 1,700' MSL until radar controller has advised passing 1,085' tower 3 miles from approach end runway 11R.
	Radar terminal area transition altitude at radar fix indicated (final).	Approach end runway 11R	115—6	2,600								
	Radar terminal area transition altitude at radar fix indicated (final).	Approach end runway 11R	115—5	2,300								
	Radar terminal area transition altitude at radar fix indicated (final).	Approach end runway 11R	115—3	*1,700								

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Transition to ILS: From—	Transition to ILS: To—	Transition to ILS: Course and distance	Transition to ILS: Minimum altitudes (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—: Outer marker	Altitude of glide slope and distance to approach end of runway at—: Middle marker	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m.p.h. or less	Ceiling and visibility minimums: Type aircraft: More than 75 m. p. h.	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11	12	13
TULSA, OKLA. Municipal, 674' ILS-ITUL. LOM-TU Procedure No. 1 Combination ILS-ADF. December 20, 1953	Int. SE course TUL and 260° bearing to LOM.	LOM	250—9	2,400	E side S course: 174° outbound. 354° inbound. 2,400' within 25 miles.	2,400	2,350—6.1	880—0.62	T-dn	300-1	300-1	Climb to 2,000' on NE course of TUL-LFR or course 056° from TUL-VOR. NOTE: No approach lights. *Tower 1,100' MSL 2.5 miles NW of LOM.
	Verdigris River FM	LOM	209—16.0	2,400					C-dn	500-1	500-1¼	
	Skiatook FM	LOM	140—23	2,400					*S-dn 35R ILS ADF	400-¾ 500-1	400-¾ 500-1	
	Red Fork FM	LOM	078—9.0	2,400					A-dn ILS ADF	800-2 1,000-2 BCOB	800-2 1000-2 BCOB	
	TUL-VOR	LOM	165—13.0	2,400								
	TUL-LFR	LOM	183—8.0	2,400								
WILKES-BARRE, PA. Wilkes-Barre-Scranton Airport, 956' ILS AVP Crystal Lake MHW-CYE Procedure No. 1 January 21, 1954	Wilkes-Barre-Scranton VOR.	CYE Rbn	234—25	3,500	E side of SW course: 222 outbound. 042 inbound. 3,500' within 10 miles of Crystal Lake MHW.	*2,800	2,250—4.6	1,180—0.7	#T-dn	600-1	600-1	Make a climbing left turn and climb to 4,000' on SW course Wilkes-Barre-Scranton radio Range. *Minimum altitude over Crystal Lake Rbn 3,500'. This procedure is predicated on the reception of the Crystal Lake Rbn and ILS glide path. #Take-off minimums for Runway 10 and 16: Day 600-2; Night 800-2. NOTE: High terrain to E, SE and S of airport within 3 miles.
	Int. E course AVP LFR and SW course ILS.	CYE Rbn	222—11	3,500					C-dn	900-1½	1,000-2	
	Wilkes-Barre-Scranton LFR.	CYE Rbn	199—8	3,500					C-n	1,300-2	1,300-2	
	Int. E course IPT LFR and SW course AVP LFR.	CYE Rbn	100—10	3,500					S-dn 4	600-2	600-2	
									A-d	1,200-2	1,200-2	
									A-n	1,600-3	1,600-3	

4. The very high frequency omnirange procedures prescribed in § 609.15 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m. p. h. or less	Ceiling and visibility minimums: Type aircraft: More than 75 m. p. h.	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11
FORT WAYNE, IND. Baer Field, 801' BVOR-FWA Procedure No. 1 January 14, 1954	Fort Wayne LFR	332—7.0	2,200	W side of course: 317 outbound. 137 inbound. 2,000' within 10 miles. 2,100' within 25 miles.	1,500	137—4.9	T-dn	300-1	300-1	Within 4.9 miles, climb to 2,200' on course of 137° magnetic within 25 miles, or if directed by ATC, make right climbing turn, climb to 2,200' and return to Fort Wayne VOR. CAUTION: Tower 1,595' MSL located 7 miles NW of airport. Tower 1,170' MSL located 7½ miles W of airport. Sectional maps list other towers in vicinity.
	Int. NW course FWA LFR and 137° course to FWA-VOR.	137—23.0	1,600				C-dn	500-1	500-1½	
							S-dn 13	500-1	500-1	
	Int. NE course FWA LFR and 245° course to FWA-VOR.	245—25.0	2,600				A-dn	800-2	800-2	
LANSING, MICH. Capital City, 858' BVOR-LAN Procedure No. 1 January 21, 1954	Lansing LFR	247—9.0	2,300	S side of course: 234 outbound. 054 inbound. 2,000' within 25 miles.	1,500	054—6.0	T-dn	300-1	300-1	Within 6.0 miles, climb to 2,000' on outbound course of 091° within 25 miles LAN VOR, or when directed by ATC make right climbing turn to 2,900' and proceed to Lansing LFR.
							C-dn	500-1	500-1½	
							S-dn 6	500-1	500-1	
							A-dn	800-2	800-2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54-409; Filed, July 20, 1954; 8:50 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

FEDERAL TRADE COMMISSION

Effective upon publication in the FEDERAL REGISTER, the position listed below is added to § 6.330.

§ 6.330 *Federal Trade Commission.*

* * *

(h) One Secretary of the Federal Trade Commission.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, Mar. 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-416; Filed, Jan. 20, 1954; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

PART 1103—AGRICULTURAL CONSERVATION; VIRGIN ISLANDS

SUBPART—1954

Foreword. Productive land is the main source of the food, clothing, and shelter for the American people. The conservation and improvement of this resource for sustained, productive use is an undertaking of vital concern to citizens of all walks of life.

The Agricultural Conservation Program is an important part, but only a part, of a coordinated effort to help landowners and operators attain soil conservation objectives. The total effort includes research, education, technical assistance, cost-sharing, and such indirect aids as credit.

The fundamental purpose of the Agricultural Conservation Program is to provide a means by which the public can share with landowners and operators the cost of carrying out needed conservation work over and above that which they would do with only their own resources. It is our sincere hope that the Agricultural Conservation Program will be carried out in such a manner that it will make a marked contribution toward attainment of conservation objectives.

General program principles. The 1954 Agricultural Conservation Program for the Virgin Islands has been developed and is to be carried out on the basis of the following general principles:

1. The program is confined to the conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit.

2. The program is designed to encourage those conservation practices which provide the most enduring conservation benefits practicably attainable in 1954 on the lands where they are to be applied.

3. Costs will be shared with a farmer only on satisfactorily performed conservation practices for which Federal cost-sharing was requested by the farmer before the conservation work was begun.

4. Costs should be shared only on practices which it is believed farmers would not carry out to the needed extent without program assistance. Generally, practices that have become a part of regular farming operations on a particular farm should not be eligible for cost-sharing.

5. The rates of cost-sharing are the minimum required to result in substantially increased performance of needed practices.

6. The purpose of the program is to help achieve additional conservation on the land. Such of the available funds that cannot be wisely utilized for this purpose will be returned to the public treasury.

7. If the Federal Government shares the cost of the initial application of conservation practices which farmers otherwise would not perform but which are essential to the national interest, the farmers should assume responsibility for the upkeep and maintenance of those practices.

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1103.316 Practice 6: Installing pipelines for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover.
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AUTHORITY: §§ 1103.300 to 1103.373 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1148, as amended, sec. 348, 52 Stat. 59, as amended, Public Law 156, 83d Cong.; 7 U. S. C. 1348, 16 U. S. C. 590g-590q.

INTRODUCTION

§ 1103.300 *Introduction.* Through the 1954 Agricultural Conservation Program for the Virgin Islands (referred to in this subpart as the 1954 program), administered by the Department of Agriculture, the Federal Government will

share with farmers of the Virgin Islands the cost of carrying out approved conservation practices in accordance with the provisions contained herein, and such modifications thereof, as may hereafter be made. Approved practices will be deemed to have been carried out during the program year if started after the beginning of the program year and the ASC State Office determines that they were substantially completed by the end of the program year. However, no practice will be eligible for Federal cost-sharing until it has been completed in accordance with all applicable specifications and program provisions. The 1954 program was developed by the ASC State Office, the Director of the Soil Conservation Service for the Caribbean Area, the Forest Service official having jurisdiction of farm forestry in the Virgin Islands, and representatives of the Agricultural Extension Service.

CONTROL OF FUNDS

§ 1103.301 *Maximum Federal cost-share.* The maximum Federal cost-share for a farm shall be equal to the total of the cost-shares for all practices approved for the farm and carried out in accordance with the specifications for such practices.

§ 1103.302 *Adjustments.* If the total estimated earnings under the program exceed the total funds available, the Federal cost-shares will be reduced equitably.

§ 1103.303 *Allocation.* The amount of funds available for conservation practices under this program is $9,000. This amount does not include the amount set aside for administrative expenses and the amount required for increase in small Federal cost-shares in § 1103.332.

SELECTION OF PRACTICES AND RESPONSIBILITY FOR TECHNICAL PHASES

§ 1103.306 *Selection of practices.* (a) This subpart contains a general description of the conservation practices in the 1954 program, the applicable specifications, and the rates of Federal cost-sharing for each practice. The practices included herein are those for which the ASC State Office, the Soil Conservation Service, and the Forest Service agree that the bearing by the Federal Government of a share of the cost is essential to permit accomplishment of needed conservation work which would not otherwise be carried out in the desired volume.

(b) Each farm operator shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance in adequate volume on his farm. Costs will be shared only for those practices for which cost-sharing is requested before performance of the practice is started. Any person who wishes to participate in the 1954 program must file a Cert. Form No. 39–54–V. I., Declaration of Intention, Request for Inspection and Certification of Conservation Needs, on or before September 15, 1954. In cases of hardship, such date may be extended by the ASC State Office. These forms may be obtained and filed at any of the offices of the Soil Conservation Service (SCS), offices of the Extension Service and Farmers Home Administration. Prior approval of the ASC State Office is required for all practices. Such approval shall be conditioned upon carrying out the practices under the supervision of persons who have been designated to be responsible for the practices and must be obtained before performance of the practice is started unless otherwise approved by the ASC State Office.

§ 1103.307 *Responsibility for technical phases.* (a) The Soil Conservation Service is responsible for the technical phases of the practices contained in §§ 1103.315–1103.318 and 1103.321. This responsibility shall include (1) a finding that the practice is needed and practical on the farm, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance (or application of the practice to the land).

(b) The Forest Service is responsible for the technical phases of the practices contained in §§ 1103.319 and 1103.320. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, and (3) working through the ASC State Office, determining compliance in meeting these specifications.

CONSERVATION PRACTICES AND MAXIMUM RATES OF COST-SHARING

§ 1103.311 *Practice 1: Initial establishment of permanent pasture for erosion control by seeding, sodding, or sprigging perennial grasses, or other approved forage plants.* Federal cost-sharing will be allowed for planting any of the following grasses, or similar approved grasses or forage plants: Guinea Grass, Molasses Grass, Para Grass, Barbados Sour Grass, Bermuda Grass, St. Augustine Grass, Sour Paspalum Grass, Merker Grass, Pangola Grass, and Carpet Grass. The varieties of grasses must be well adapted to conditions of the particular area to be planted. The land must be properly prepared by plowing, and harrowing if necessary, and furrowing along contour lines, and sufficient quantities of slips, cuttings, or seeds used to assure a good ground cover at maturity. Where pasture is established by using seed, the rate of seeding should be not less than 12 pounds per acre. Where pasture is established by using slips or cuttings, the distance between the rows must not be more than 3 feet. On land of 2 percent or more slope the planting and cultivating must be as near as practicable along contour lines.

Maximum Federal cost-share. $4.50 per acre.

§ 1103.312 *Practice 2: Initial eradication of shrubs or trees for establishing new permanent pasture for erosion control.* (a) Federal cost-sharing will be allowed for eradicating any of the following shrubs or trees: Acacia, Soap Brush, Kanappy (Kennep), Sage, Guava, Logwood, Marigold, Tan Tan, Wild Cedar, Ginger Thomas, all varieties of Cactus, and Thibet (Tebit). All shrubs or trees, except such as can be used for timber or shade, must be thoroughly uprooted either by hand labor or mechanical implements, and all shrubs, trees and roots must be removed from the land or may be burned thereon. Permanent pasture of the varieties specified under practice 1 (§ 1103.311) must be established as soon as practicable. Temporary use of the land for other crops may be permitted where the ASC State Office determines this is essential to establishing the grasses. Farmers must obtain prior approval from the ASC State Office of the area and acreage to be cleared before starting the practice.

(b) No Federal cost-sharing will be allowed for this practice on any area on which cost-sharing for this practice has been allowed under a previous program. Federal cost-sharing for carrying out this practice is limited to not more than 20 acres on any farm, as defined in § 1103.366. This practice is applicable only to St. Thomas and St. John Islands. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. (1) $4.00 per acre on land with light growth where the shrubs or trees cover up to 30 percent of the area.

(2) $7.00 per acre on land with medium growth where the shrubs or trees cover more than 30 percent and up to 60 percent of the area.

(3) $10.00 per acre on land with heavy growth where the shrubs or trees cover more than 60 percent of the area.

§ 1103.313 *Practice 3: Initial eradication of hurricane grass for establishing permanent pasture for erosion control.* The eradication must be carried out by plowing or disking the whole area to a depth of at least 6 inches and double cuttings with heavy disk harrow at least twice at 30-day intervals. Permanent pasture of the varieties specified under practice 1 (§ 1103.311) must be established as soon as practicable after the hurricane grass has been eradicated. No Federal cost-sharing will be allowed for carrying out this practice on any acreage for which Federal cost-sharing for eradicating hurricane grass was allowed under a previous program.

Maximum Federal cost-share. $3.00 per acre.

§ 1103.314 *Practice 4: Construction of permanent cross fences to obtain better distribution and control of livestock grazing and to promote proper grassland management for protection of the established forage resources.* Federal cost-sharing will be allowed for new fences constructed entirely of new materials. Hardwood or living tree posts shall be used. Posts must be spaced not more than 6 feet apart with corner posts adequately braced. Four strands of No. 12½ standard gage or heavier barbed wire must be used and tightly stretched. Federal cost-sharing will not be allowed for boundary fences, fences between pasture and other land, and the repair, replacement, or maintenance of existing fences.

Maximum Federal cost-share. $2.20 per 100 linear feet.

§ 1103.315 *Practice 5: Constructing wells for livestock water to obtain proper distribution of livestock, and encourage rotation grazing and better grassland management, as a means of protecting established vegetative cover.* The wells should be constructed or drilled in an area of the farm where the providing of water will contribute to a better distribution of grazing. The necessary pumping equipment must be installed, except in conection with artesian wells. Adequate drinking troughs for animals also must be installed. Dug wells must have a minimum diameter of not less than 8 feet, including the stone lining which must have a thickness of not less than 12 inches. No Federal cost-sharing will be allowed for wells constructed or drilled at or for use at farm headquarters nor unless water is obtained.

Maximum Federal cost-share. (1) Constructing dug wells lined with stone, $3.25 per cubic yard of well dug.

(2) Drilling wells:

(a) $1.00 per linear foot of well for wells having a bore taking a casing of less than 4 inches in diameter, and artesian wells.

(b) $2.00 per linear foot of well for wells having a bore taking a casing of 4 inches or more but less than 6 inches in diameter, excluding artesian wells.

(c) $3.00 per linear foot of well for wells having a bore taking a casing of 6 inches or more in diameter, excluding artesian wells.

§ 1103.316 *Practice 6: Installing pipelines for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover.* Federal cost-sharing will be allowed when the pipeline carries water to areas where no other water supply for livestock is available and proper drinking troughs for livestock have been provided. No Federal cost-sharing will be allowed for this practice if the cost is shared by the Virgin Islands Corporation under any other program.

Maximum Federal cost-share. (1) $0.12 per linear foot when pipes of 1 inch diameter are used.

(2) $0.18 per linear foot when pipes of 1¼ inches diameter are used.

(3) $0.25 per linear foot when pipes of 2 inches or more diameter are used.

§ 1103.317 *Practice 7: Constructing concrete or rubble masonry watersheds (catchments) and/or storage tanks to collect rain water or for accumulating water from wells or springs for livestock or for irrigation purposes.* Adequate pumping equipment and drinking troughs for animals must be installed. No Federal cost-sharing will be allowed for maintaining an existing structure.

Maximum Federal cost-share. (1) $12.00 per cubic yard of concrete structure.

(2) $7.00 per cubic yard of rubble masonry structure.

§ 1103.318 *Practice 8: Constructing rock barriers to form bench terraces or to obtain or control the flow of water and check erosion on sloping land.* The height of the barriers must not exceed 5 feet. The location and the distance between the barriers shall be in accordance with the recommendations of the Soil Conservation Service.

Maximum Federal cost-share. $1.50 per cubic yard of rock used.

§ 1103.319 *Practice 9: Planting adapted trees on farmland for farm woodlots, erosion control, or for forestry purposes.* The trees must be planted, regardless of the slope of the land, in rows not less than 10 feet apart, with a distance of not less than 10 feet within the row, and must have been planted at least one year and only those living will be counted. All plantings must be protected from fire and grazing. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. $5.00 per 100 trees.

§ 1103.320 *Practice 10: Planting adapted trees on strips which have been cleared in areas of heavy brush, for erosion control and forestry purposes.* All brush on the strips must be uprooted and the brush removed from the spaces where trees are to be planted. The trees must be planted on the strips cleared in this manner, and spaced not more than 10 feet apart. All plantings must be protected from fire and grazing. Necessary erosion preventive measures must be carried out. Federal cost-sharing will be allowed only for well-established trees, approximately 1 foot high and living at the time of inspection, and for not more than 200 trees per acre. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. (1) For clearing strips 3 feet wide at intervals of 20 feet, $3.00 per acre.

(2) Planting trees such as mahogany or varieties suitable for timber, recommended by the Forest Service, $0.05 per tree.

§ 1103.321 *Practice 11: Planting fruit trees for erosion control in gullies.* Trees must be planted on the contour and protected from fire and grazing. A permanent cover of grass, legumes, or mulch must be obtained under the trees. Federal cost-sharing will be allowed for not more than 200 trees on a farm. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. $0.10 per tree.

FEDERAL COST-SHARES

§ 1103.331 *Division of Federal cost-shares*—(a) *Federal cost-shares.* Federal cost-shares shall be credited to the person who carried out the practices by which such Federal cost-shares are earned. If more than one person contributed to the carrying out of such practices, the Federal cost-share shall be divided among such persons in the proportion that the ASC State Office determines they contributed to the carrying out of the practices. In making this determination, the ASC State Office shall take into consideration the value of the labor, equipment or material contributed by each person toward the carrying out of each practice on a particular acreage and shall assume that each contributed equally unless it is established to the satisfaction of the ASC State Office that their respective contributions thereto were not in equal proportion. The furnishing of land or the right to use water will not be considered as a contribution to the carrying out of any practice.

(b) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP–122, as amended (Part 1108 of this chapter).

§ 1103.332 *Increase in small Federal cost-shares.* The Federal cost-share computed for any person with respect to any farm shall be increased as follows: *Provided, however,* That in the event legislation is enacted which repeals or amends the authority for making such increases, the Secretary may in such manner and at such time as is consistent with such legislation discontinue such increases:

(a) Any Federal cost-share amounting to $0.71 or less shall be increased to $1.

(b) Any Federal cost-share amounting to more than $0.71, but less than $1, shall be increased by 40 percent.

(c) Any Federal cost-share amounting to $1 or more shall be increased in accordance with the following schedule:

Amount of cost-share computed:	Increase in cost-share
$1 to $1.99	$0.40
$2 to $2.99	.80
$3 to $3.99	1.20
$4 to $4.99	1.60
$5 to $5.99	2.00
$6 to $6.99	2.40
$7 to $7.99	2.80
$8 to $8.99	3.20
$9 to $9.99	3.60
$10 to $10.99	4.00
$11 to $11.99	4.40
$12 to $12.99	4.80
$13 to $13.99	5.20
$14 to $14.99	5.60
$15 to $15.99	6.00
$16 to $16.99	6.40
$17 to $17.99	6.80
$18 to $18.99	7.20
$19 to $19.99	7.60
$20 to $20.99	8.00
$21 to $21.99	8.20
$22 to $22.99	8.40
$23 to $23.99	8.60
$24 to $24.99	8.80
$25 to $25.99	9.00
$26 to $26.99	9.20
$27 to $27.99	9.40
$28 to $28.99	9.60
$29 to $29.99	9.80
$30 to $30.99	10.00
$31 to $31.99	10.20
$32 to $32.99	10.40
$33 to $33.99	10.60
$34 to $34.99	10.80
$35 to $35.99	11.00
$36 to $36.99	11.20
$37 to $37.99	11.40
$38 to $38.99	11.60
$39 to $39.99	11.80
$40 to $40.99	12.00
$41 to $41.99	12.10
$42 to $42.99	12.20
$43 to $43.99	12.30
$44 to $44.99	12.40
$45 to $45.99	12.50
$46 to $46.99	12.60
$47 to $47.99	12.70
$48 to $48.99	12.80
$49 to $49.99	12.90
$50 to $50.99	13.00
$51 to $51.99	13.10

Amount of cost-share computed:	Increase in cost-share
$52 to $52.99	$13.20
$53 to $53.99	13.30
$54 to $54.99	13.40
$55 to $55.99	13.50
$56 to $56.99	13.60
$57 to $57.99	13.70
$58 to $58.99	13.80
$59 to $59.99	13.90
$60 to $185.99	14.00
$186 to $199.99	(1)
$200 and over	(2)

[1] Increase to $200.
[2] No increase.

§ 1103.333 *Federal cost-shares limited to $1,500.* (a) The total of all Federal cost-shares under the 1954 program to any person with respect to farms, ranching units, and turpentine places in United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) shall not exceed the sum of $1,500.

(b) All or any part of any Federal cost-share which otherwise would be due any person under the 1954 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this section.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 1103.336 *Maintenance of practices.* The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm under the 1954 program will be subject to the condition that the person with whom the costs are shared will maintain such practices in accordance with good farming practices as long as the land on which they are carried out is under his control.

§ 1103.337 *Practices defeating purposes of programs.* If the ASC State Office finds that any person has adopted or participated in any practice which tends to defeat the purpose of the 1954 or any previous program, including, but not limited to, failure to maintain in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1954 program.

§ 1103.338 *Depriving others of Federal cost-share.* If the ASC State Office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1954 program.

§ 1103.339 *Filing of false claims.* If the ASC State Office finds that any person has knowingly filed claim for payment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-sharing under the program and shall refund all amounts that may have been paid to him under the program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 1103.340 *Federal cost-shares not subject to claims.* Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 1103.341, and except for indebtedness to the United States subject to set-off under orders issued by the Secretary); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 1103.341 *Assignments.* Any person who may be entitled to any Federal cost-share under the 1954 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1954. No assignment will be recognized unless it is made in writing on Form ACP–69 and in accordance with the instructions in ACP–70–Insular Region.

§ 1103.342 *Compliance with regulatory measures.* Persons who carry out conservation practices under the 1954 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The person with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws or regulations.

§ 1103.344 *Practices carried out with State or Federal aid.* The Federal share of the cost for any practice shall not be reduced because it is carried out with materials or services furnished through the program or by any agency of a State to another agency of the same State, or with technical advisory services furnished by a State or Federal agency. In other cases of State or Federal aid, the total Federal cost-share computed on the basis of the total number of units of the practice performed shall be reduced by the value of the aid, as determined by the ASC State Office, in computing the amount of the Federal cost-share to be paid for performance of the practice. Materials or services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this section.

§ 1103.345 *Excess cotton acreage.* (a) Any person who makes application for payment of cost-shares with respect to any farm located in a county in which any kind of cotton is planted in 1954 shall file with such application a statement that he has not knowingly planted any kind of cotton or caused any kind of cotton to be planted during 1954 on any farm in which he has an interest in excess of the 1954 acreage allotment established for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended.

(b) Any person who knowlingly plants any kind of cotton or causes any kind of cotton to be planted on his farm in 1954 in excess of the 1954 acreage allotment for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1954 programs authorized by sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. Cotton of any kind shall not be deemed to have been planted on any farm in excess of the farm acreage allotment for such kind of cotton if, after the acreage originally planted to such kind of cotton has been determined and notice thereof sent to the operator of the farm, the acreage planted to such kind of cotton is adjusted to the farm acreage allotment for such kind of cotton in the period allowed under the notice. If the operator is notified that the acreage allotment for any kind of cotton has been exceeded and the acreage planted to such kind of cotton is not adjusted to such acreage allotment in the period allowed under the notice, the acreage allotment for such kind of cotton shall be deemed to have been knowingly exceeded by all producers having an interest in such kind of cotton on the farm. Notice of overplanting to the operator of the farm shall be deemed to be notice to all persons sharing in the production of any kind of cotton on the farm.

(c) For the purposes of this section "kind of cotton" shall be upland cotton or extra long staple cotton.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

§ 1103.351 *Persons eligible to file application.* Any person who, as landlord, tenant, or sharecropper on a farm, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

§ 1103.352 *Time and manner of filing application and information required.* Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the offices of the Soil Conservation Service Work Unit at St. Thomas or St. Croix not later than February 28, 1955, except that the ASC State Office may accept an application filed after February 28, 1955, but not later than December 31, 1955, in any case where the failure to timely file was not the fault of the applicant. If an application for a farm is filed within the time prescribed, any person on the farm who did not sign the application may subsequently file an application, provided he

does so on or before December 31, 1955. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any form which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the ASC State Office within the time fixed by the Administrator, ACPS, which time shall be not later than December 31, 1955. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible, to file the form or information within the period prescribed. Such notice shall be given by mailing notice to the SCS Work Unit offices and making copies available to the press.

APPEALS

§ 1103.356 *Appeals.* Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the ASC State Office in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm. The ASC State Office shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the ASC State Office, he may, within 15 days after its decision is forwarded to or made available to him, request the Administrator, ACPS, to review the decision of the ASC State Office. The decision of the Administrator, ACPS, shall be final. Written notice of any decision rendered under this section by the ASC State Office shall also be issued to each other landlord, tenant, or sharecropper on the farm who may be adversely affected by the decision.

BULLETINS, INSTRUCTIONS, AND FORMS

§1103.361 *Bulletins, instructions, and forms.* The Administrator, ACPS, is authorized to make determinations and to prepare and issue bulletins, instructions, and forms containing detailed information with respect to the 1954 program as it applies to the Virgin Islands, and forms will be available in the State and district ASC offices. Producers wishing to participate in the program should obtain all information needed from the offices mentioned herein.

DEFINITIONS

§ 1103.366 *Definitions.* For the purposes of the 1954 program:

(a) "Secretary" means the Secretary of the United States Department of Agriculture or the officer of the Department acting in his stead pursuant to delegated authority.

(b) "Administrator, ACPS," means the Administrator of the Agricultural Conservation Program Service.

(c) "State" means the Virgin Islands.

(d) "ASC State Office" means the Caribbean Area Agricultural Stabilization and Conservation Office, San Juan, Puerto Rico.

(e) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, a State, a political subdivision of a State, or any agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm.

(f) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also (1) any other adjacent or nearby farm or range land which the ASC State Office, in accordance with instructions issued by the Administrator, ACPS, determines is operated by the same person as part of the same unit in producing livestock or with respect to the rotation of crops, and with work stock, machinery, and labor substantially separate from that for any other land; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops. A farm shall be regarded as located in the municipality in which the principal dwelling is situated or, if there is no dwelling thereon, it shall be regarded as located in the municipality in which the major portion of the farm is located.

(g) "Cropland" means farmland which in 1953 was tilled or was in regular crop rotation, excluding (1) bearing orchards (except the acreage of cropland therein), and (2) plowable noncrop open pasture.

(h) "Orchards" means the acreage in planted fruit trees, nut trees, coffee trees, vanilla plants, and banana plants.

(i) "Pastureland" means farmland, other than rangeland, on which the predominant growth is forage suitable for grazing and on which the spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

(j) "Rangeland" means nonirrigated land growing, without cultivation, native perennial grasses and forage plants primarily, and used for grazing by domestic livestock.

(k) "Program Year" means the period from January 1, 1954, through December 31, 1954.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 1103.371 *Authority.* The program contained in this subpart is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148; 16 U. S. C. 590g–590q), and the Department of Agriculture Appropriation Act, 1954.

§ 1103.372 *Availability of funds.* (a) The provisions of the 1954 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided in this subpart is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1954 program will not be available for paying Federal cost-shares for which applications are filed in the SCS Work Unit Offices after December 31, 1955.

§ 1103.373 *Applicability.* (a) The provisions of the 1954 program contained in this subpart are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) grazing lands owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act), or the Fish and Wildlife Service of the United States Department of the Interior; and (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

(b) The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Reconstruction Finance Corporation, the Federal Farm Mortgage Corporation, the United States Department of Defense, or by any other Government agency designated by the Administrator, ACPS, and (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it.

Done at Washington, D. C., this 18th day of January 1954.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 54-399; Filed, Jan. 20, 1954; 8:48 a. m.]

PART 1106—NAVAL STORES CONSERVATION PROGRAM

SUBPART—1954

EXCESS COTTON ACREAGE

Pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Domestic Allotment Act and section 348 of the Agricultural Adjustment Act of 1938, as amended, the 1954 Naval Stores Conservation Program, issued August 15 1953 (18 F. R. 4885) is amended by adding a new § 1106.527 a to read as follows:

§ 1106.527a *Excess cotton acreage.* (a) Any person who makes application for payment of cost-shares with respect to any farm located in a county in which any kind of cotton is planted in 1954 shall file with such application a state-

ment that he has not knowingly planted any kind of cotton or caused any kind of cotton to be planted during 1954 on any farm in which he has an interest in excess of the 1954 acreage allotment established for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended.

(b) Any person who knowingly plants any kind of cotton or causes any kind of cotton to be planted on his farm in 1954 in excess of the 1954 acreage allotment for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1954 programs authorized by sections 7–17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. Cotton of any kind shall not be deemed to have been planted on any farm in excess of the farm acreage allotment for such kind of cotton if, after the acreage originaly planted to such kind of cotton has been determined and notice thereof sent to the operator of the farm, the acreage planted to such kind of cotton is adjusted to the farm acreage allotment for such kind of cotton in the period allowed under the notice. If the operator is notified that the acreage allotment for any kind of cotton has been exceeded and the acreage planted to such kind of cotton is not adjusted to such acreage allotment in the period allowed under the notice, the acreage allotment for such kind of cotton shall be deemed to have been knowingly exceeded by all producers having an interest in such kind of cotton on the farm. Notice of overplanting to the operator of the farm shall be deemed to be notice to all person sharing in the production of any kind of cotton on the farm.

(c) For the purposes of this section "kind of cotton" shall be upland cotton or extra long staple cotton.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interprets or applies secs. 7–17, 49 Stat. 1148, as amended, sec. 348, 52 Stat. 59, as amended, Public Law 156, 83d Cong.; 7 U. S. C. 1348, 16 U. S. C. 590g–590q)

Done at Washington, D. C. this 18th day of January 1954.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 54-421; Filed, Jan. 20, 1954; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Sections 536.31 and 536.32 are rescinded and the following substituted therefor:

§ 536.31 *Policy.* (a) Persons or agencies apprehending and detaining or delivering absentees or deserters to military control will be rewarded or reimbursed by:

(1) Payment of a reward of $15 for the apprehension and detention of absentees, deserters, or escaped military prisoners until the military authorities take them under control;

(2) Payment of a reward of $25 for the apprehension and delivery to military control of absentees, deserters, or escaped military prisoners; or

(3) Reimbursement for actual expenses incurred incident to apprehension and detention or delivery not to exceed $25 under circumstances when rewards are not payable.

(b) The amount of reward or reimbursement for actual expenses incurred incident to apprehension and detention or delivery will be charged against the absentee, deserter, or escaped military prisoner including a prisoner sentenced to discharge, whose discharge has not been executed.

(c) The costs of reward or reimbursement will not be charged against an absentee, deserter, or escaped military prisoner who was mentally irresponsible at the time of commencement of absence.

§ 536.32 *Definitions.* For the purpose of §§ 536.31 to 536.35, the following definitions apply:

(a) *Service member.* A commissioned officer, warrant officer, or enlisted member of the Army.

(b) *Absent without leave.* The status of a service member subject to military law who, without proper authority, fails to go to an appointed place of duty at the time prescribed, or goes from that place, or absents himself, or remains absent from his unit, organization, or other place of duty at which he is required to be at the time prescribed.

(c) *Absentee.* A service member who is absent without leave.

(d) *Desertion.* Absence without leave accompanied with the intention not to return, or to avoid hazardous duty, or to shirk important service.

(e) *Military prisoner.* A prisoner, whether detained, arraigned, or sentenced, or unsentenced.

(f) *Return to military control.* The physical turn-over or delivery of an absentee, deserter, or escaped military prisoner to the military authorities authorized to receive such persons.

§ 536.33 *Payment of reward.* Persons or agencies (except any salaried officer or employee of the Federal government or service member) may be paid a reward for the apprehension and detention or delivery of absentees, deserters, or escaped military prisoners under the following circumstances, provided that the persons or agencies are in receipt of DD Form 553 (Absentee Wanted By The Armed Forces), or have been notified by military authorities, or Federal law enforcement officers that the person was absent and that his return to military control is desired. Payment of the reward will be made to the person or agency who turns over or delivers to military control an absentee, deserter, or an escaped military prisoner. Such payments will be in full satisfaction of all expenses of apprehending, keeping and delivering the absentee, deserter, or escaped military prisoner. If two or more persons join in performing these services, payment will be made only to the person or agency recognized and designated by the military authority, at the time the service member is received, as having returned the member to military control. Payment of reward will be made when absentees, deserters, or escaped military prisoners voluntarily surrender to persons or agencies, other than salaried officers or employees of the Federal government or service members, and such persons or agencies take them into custody and detain or deliver them to military control. However, payment of a reward will not be made to an attorney on whose advice the absentee, deserter, or escaped military prisoner surrenders himself. Payment will not be made merely for information leading to an apprehension, or for an apprehension not followed by the return to military control of the service member apprehended.

(a) A reward of $15 may be paid for the apprehension and detention of absentees, deserters, or escaped military prisoners until the military authorities take them under control. The person or agency must notify the proper military authorities and detain the absentee, deserter, or escaped military prisoner until the military authorities physically take over control.

(b) A reward of $25 may be paid for the apprehension and delivery to military control of absentees, deserters, or escaped military prisoners. The delivery must be to a military installation where actual physical control may be assumed by military authorities.

(c) One reward only may be paid for any particular apprehension and detention or delivery. The reward may be divided by the payee among several participants in the apprehension and detention or delivery. However, payment will be made only to one person or agency.

(d) In the event the apprehension and detention or delivery is effected jointly by a salaried officer or employee of the Federal Government or service member and a person or agency qualified to receive a reward, payment of the full reward will be made to the person or agency so qualified.

§ 536.34 *Reimbursement for actual expenses.* (a) Reimbursement for actual expenses incurred may be made not to exceed $25 in those cases when the absentee, deserter, or escaped military prisoner has been physically turned over to military control and when no reward has been offered or when conditions for payment of a reward cannot otherwise be met. Reimbursement of actual expenses may be made to a person or agency ineligible to receive rewards, a salaried officer or employee of the Federal Government, a service member, or an attorney on whose advice the absentee, deserter, or escaped military prisoner surrenders himself to military authorities. Reasonable expenses for which reimbursement may be made include the following:

(1) Travel performed by privately owned conveyance at the rate of 7 cents

a mile, on a round trip basis, from either place of apprehension or civil police headquarters to place of return to military control.

(2) Actual and necessary expenses including taxicab fare or bus fare when necessary for travel performed by the person or agency representative and prisoner.

(3) Cost of all necessary meals consumed by the prisoner, provided the cost was actually incurred by the apprehending, detaining, or delivering person or agency representative.

(4) Telephone and telegraph communication costs in connection with the apprehension or detention or delivery of the prisoner to military authority.

(5) Damages to the apprehending, detaining, or delivering persons or agencies property whenever such damages are caused directly by the prisoner.

(6) Any other reasonable expenses incurred in the actual apprehension or detention or delivery of the prisoner as may be deemed justifiable and reimbursable by the certifying officer.

(b) Reimbursement may be made to more than one person or agency listed in paragraph (a) of this section for the expenses incurred by each in apprehending, detaining, or delivering the absentee, deserter, or escaped military prisoner when more than one person or agency is involved in the actual return of the individual to military control, provided the total reimbursement does not exceed $25 for the return of any individual. However, the absentee, deserter, or escaped military prisoner must actually be returned to military control before reimbursement may be made to any of the persons or agencies involved in the apprehending, detaining, or delivering of the individual.

(c) Reimbursement will not be made for transportation performed by official vehicles or for personal services of delivering person or agency representative.

(d) Both reward and reimbursement may not be paid for the same apprehension and detention or delivery.

§ 536.35 *Cost of confinement of military prisoners in nonmilitary facilities.*

(a) Civil authorities may be reimbursed for the cost of confinement of absentees, deserters, or escaped military prisoners detained for safekeeping at the request of the appropriate military authority after the member has been turned over to military control, provided the military authority has authorized such further detention.

(b) When the use of nonmilitary confinement facilities is contracted for by the appropriate military authority for the reason that military confinement facilities are not available at the military installation for prisoners, civil authorities may be paid for the costs of such confinement.

[AR 35-1570, May 14, 1953, and C2, AR 35-1570, December 30, 1953] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-408; Filed, Jan. 20, 1954; 8:50 a. m.]

Subchapter E—Organized Reserves

PART 561—ARMY RESERVE

MISCELLANEOUS AMENDMENTS

1. In § 561.31, paragraph (g) is rescinded and the following substituted therefor:

§ 561.31 *Eligibility.* • • •

(g) *Dependents.* Male applicants having dependents are eligible for enlistment if otherwise qualified, only if entitled to enlist in grade E-4 or higher, or or in circumstances equivalent to those prescribed in §§ 571.1 to 571.5 of this chapter governing enlistment in the Regular Army of male applicants with dependents, including enlistment of Selective Service registrants classified 1A, except that applicants without prior active service who have four or more dependents are not eligible for enlistment. Applicants for immediate reenlistment who have dependents and who have had not less than 3 years' service may be reenlisted (without regard to grade) but, if in grade lower than E-4, will be required to sign a waiver, as shown below, of any deferment from active duty.

State of ---------- ss:
City, town, or military post ----------
I, ----------, applicant for enlistment as a reservist of the Army, understanding that if enlisted I am subject to being ordered to active duty, do hereby waive any right I might have to deferment from active duty.

(Signature)

Sworn to and subscribed before me this ---- day of ---------, 19---

---
(Signature (Army Reserve recruiting officer or offier administering oath))

• • • • •

2. In § 561.22, paragraph (a) is rescinded and the following substituted therefor:

§ 561.32 *Ineligibility.* • • •

(a) Any person who has been ordered to report for preinduction physical and mental examinations under the Universal Military Training and Service Act, as amended, except for immediate reenlistment and concurrent order to active duty and except for those instances where deferment from induction has been granted and is of such length or character that the training which the enlistee could reasonably be expected to undergo would be of advantage to the individual and to the Army. A registrant currently classified 1-A-P is not eligible.

• • • • •

3. In § 561.33 a new paragraph (a-1) is added as follows:

§ 561.33 *Grade.* • • •

(a-1) Former noncommissioned officers of the Army last discharged from active duty in grades E-7, E-6, or E-5 who apply for enlistment after 180 days but within 12 months from date of discharge will be enlisted in a grade one grade lower than that in which discharged. Those who apply for enlistment within the period from 12 to 24 months after date of discharge will be enlisted in a grade two grades lower than that in which discharged. Those enlisting after the expiration of 24 months may be enlisted in grade as authorized in pertinent special regulations.

• • • • •

4. Section 561.36 is rescinded and the following substituted therefor:

§ 561.36 *Report of separation from the Armed Forces of the United States required for enlistment or reenlistment.* Persons applying for enlistment or reenlistment as reservists of the Army for service in the Army Reserve who have had prior military service will present their last Report of Separation from the Armed Forces of the United States (DD Form 214) to the recruiting officer who will enter thereon the date, place, and period of the new enlistment. In the event that the applicant has lost or misplaced his last report of separation or when otherwise necessary, verification of his Army service will be obtained by the recruiting officer from The Adjutant General, or from the station or organization from which discharge is claimed, prior to accomplishing enlistment or reenlistment. For duty other than in the Army, verification will be obtained by the recruiting officer from proper officials of the service concerned prior to accomplishing enlistment or reenlistment.

[C2, SR 140-107-1, December 24, 1953] (66 Stat. 481)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-407; Filed, Jan. 20, 1954; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VI-3]

DMO VI-3—ESTABLISHMENT OF AN INDUSTRIAL DEFENSE COMMITTEE

By virtue of the authority vested in me by Executive Order 10461 of June 17, 1953 and Reorganization Plan No. 3 of June 12, 1953, and in order to facilitate the development and insure the coordination and effectiveness of Federal policies, programs and activities for reducing and overcoming the effects of attack damage on the Continental United States, it is hereby ordered:

1. There is established in the Office of Defense Mobilization the Industrial Defense Committee which shall consist of a representative of the Office of Defense Mobilization who is hereby designated as Chairman, and a representative designated by the head of each of the following agencies:

Department of the Treasury.
Department of Defense.
Department of the Interior.
Department of Agriculture.
Department of Commerce.
Department of Labor.
Department of Health, Education and Welfare.
Federal Civil Defense Administration.
Federal Reserve System.
General Services Administration.
Housing and Home Finance Agency.
Small Business Administration.

and such other agencies as the Director of the Office of Defense Mobilization may from time to time designate.

2. The Committee shall advise the Assistant Director for Non-Military Defense on policies, plans, programs, problems and activities related to reducing and overcoming the effects of attack damage on the continental United States which come within his jurisdiction.

3. The Central Task Force on Post-Attack Industrial Rehabilitation is hereby terminated. Each person who is now a member of the Central Task Force may continue as a member of the Industrial Defense Committee without the necessity of redesignation by reason of this order.

4. This order shall become effective immediately.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-411; Filed, Jan. 20, 1954; 8:51 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers, Department of the Army

PART 311—RULES AND REGULATIONS GOVERNING PUBLIC USE OF CERTAIN RESERVOIR AREAS

MISCELLANEOUS AMENDMENTS

The Secretary of the Army having determined that the use of the John Martin Reservoir Area, including Lake Hasty, Arkansas River, Colorado, by the general public for boating, swimming, bathing, fishing and other recreation purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purposes, hereby prescribes rules and regulations for the public use of the John Martin Reservoir Area, including Lake Hasty, Colorado, pursuant to the provisions of section 4 of the Flood Control Act of 1946 (60 Stat. 643) as follows:

A new paragraph (xx) is added to § 311.1 and a new subparagraph (27) is added to paragraph (a) of § 311.4, as follows:

§ 311.1 *Areas covered.* * * *

(xx) John Martin Reservoir Area, including Lake Hasty, Arkansas River, Colorado.

§ 311.4 *Houseboats.* (a) A permit shall be obtained from the District Engineer for placing any houseboats on the water of any reservoir area listed in § 311.1, except for the following reservoir areas on which houseboats are prohibited:

* * * * *

(27) John Martin Reservoir Area, including Lake Hasty, Arkansas River, Colorado.

* * * * *

[Regs., Dec. 7, 1953—ENGWO] (60 Stat. 643; 16 U. S. C. 460d)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-406; Filed, Jan. 20, 1954; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order No. 2744]

PART 8—JOINT POLICY FOR LAND ACQUISITION ON RESERVOIR PROJECTS; DEPARTMENT OF THE INTERIOR-DEPARTMENT OF THE ARMY

JANUARY 13, 1954.

Sec.
8.1 Lands to be acquired in fee.
8.2 Lands for which easements are to be acquired.
8.3 Blocking out.
8.4 Mineral rights.
8.5 Buildings.
8.6 Acquisition of lands for collateral purposes.
8.7 Application of policy.

AUTHORITY: §§ 8.1 to 8.7 issued under sec. 7, 32 Stat. 389, sec. 14, 53 Stat. 1197; 43 U. S. C. 421, 389.

§ 8.1 *Lands to be acquired in fee.* The fee title will be acquired to the following lands:

(a) Lands necessary for permanent structures.

(b) Lands below the top of the pool elevation for storing water for navigation, power, irrigation and other conservation purposes.

(c) Fee title in general will be acquired to all land 300 feet horizontally from the edge of the conservation pool described in paragraph (b) of this section. In those projects where the topography is precipitous, or where the topography is unusually flat, and where such discretionary action is desirable, fee title may be acquired to those lands which are included in the five-year flood frequency rather than 300 feet horizontally.

(d) Additional lands which may be needed to provide for limited public use and reasonable access in accordance with applicable laws, or for operation and maintenance of the project.

(e) Lands covered by the exception noted in § 8.2 (f).

§ 8.2 *Lands for which easements are to be acquired.* Easements will be acquired to the following lands:

(a) Additional reservoir lands needed for flowage in reservoir areas above those described in § 8.1 (c).

(b) Lands in reservoir areas of navigation only projects.

(c) Lands in reservoir areas of flood control only projects which do not provide conservation pools.

(d) Lands required for a relatively short time for temporary structures or for use during the construction period only.

(e) Easements may be acquired for lands in the zone as defined in § 8.1 (c) above the conservation pool, and which are in remote areas of the reservoir or which had previously been subject to frequent inundation, where it is determined that fee title is not required.

(f) Fee title may be taken as necessary where it is to the financial advantage of the Government to acquire fee rather than easement, and in special cases to prevent hardship.

§ 8.3 *Blocking out.* In land acquired in fee, blocking out will be accomplished in accordance with sound real estate practices, for example, on minor sectional subdivision lines; and, normally, land will not be acquired to avoid severance damage if the owner will waive such damage. For lands acquired in easement, close tangents may be used in the upper limit of the easement-held lands; the final easement taking line thereof should generally follow the upper flood line when elevation differences are not significant. Tangents will not be refined to the point they are economically disadvantageous. If more economical, easements may be secured on the basis of the right to flood to a prescribed elevation rather than to block out the upper flood line.

§ 8.4 *Mineral rights.* Mineral, oil and gas rights will not be acquired where the owner objects or where a substantial additional cost would be involved, except where mineral development would interfere with operation of the project or except where required by the provisions of the Atomic Energy Act. Mineral rights not acquired will be subordinated to the Government's right to regulate their development in a manner that will not interfere with the primary purposes.

§ 8.5 *Buildings.* Buildings for human occupancy as well as other structures which would interfere with the operation of the project for its primary purposes would be prohibited in the reservoir areas on lands for which an easement is acquired.

§ 8.6 *Acquisition of lands for collateral purposes.* Except as authorized by law, no title to land will be acquired for purposes of preservation of wildlife or forests, restoration or replacement of such values destroyed by reservoirs or for creating additional values of like nature, or for recreational purposes.

§ 8.7 *Application of policy.* The policy set forth in this part will govern the determination as to acquisition of any tract on which title to the United States has not been vested or a final judgment in condemnation has not been entered except for projects on which the land acquisition program has progressed to the point where application of the policy would be unreasonable or to the distinct disadvantage of the United States or to the general public. The application of the principles and criteria outlined above to lands already acquired for reservoir projects by disposal of fee title to former owners will require Federal legislation. Flowage easements will be retained where necessary. All other lands rendered surplus by this policy will continue to be dis-

posed of in accordance with existing laws.

RALPH A. TUDOR,
Acting Secretary of the Interior.

[F. R. Doc. 54-358; Filed, Jan. 20, 1954; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

OWNERSHIP REPORTS, BROADCAST LICENSEES AND PERMITTEES

1. The Commission has before it for consideration § 1.343 of its rules and regulations relating to the filing of Ownership Reports (FCC Form 323) by licensees and permittees of broadcast stations.

2. Under paragraph (a) of the existing rule licensees and permittees of each broadcast station (standard, FM, television and international) are required to file on or before April 1 of each year an Ownership Report (FCC Form 323) giving certain information as of December 31 of the preceding calendar year. Under paragraph (b) of the existing rule licensees and permittees of broadcast stations are required to file a supplemental Ownership Report (FCC Form 323) within 30 days after any change occurs in the information required in the ownership report (the application or construction permit in the case of a permittee who has not filed an Ownership Report).

3. On the basis of its past experience, the Commission is now of the view that compliance by licensees and permittees with paragraph (b) of § 1.343 of the rules provides the Commission with sufficient ownership data as to warrant elimination of the requirement of annual ownership reporting. The Commission is, however, of the opinion that the public interest does require that licensees file a full and complete ownership report at the time of application for renewal of license.

4. The amendment adopted herein is procedural in nature and prior notice of rule making in this case is not required. The amendment adopted herein represents a relaxation of the requirements of the present rule since it provides that licensees of broadcast stations file ownership reports at the time an application for renewal of license is filed rather than annually. Accordingly, the amendment adopted herein may be made effective immediately.

5. In view of the foregoing: *It is ordered*, That, effective immediately, § 1.343 of the Commission's rules and regulations is amended as follows:

a. Amend paragraph (a) to read as follows:

(a) The licensee of each broadcast station (standard, FM, television and international) shall file an Ownership Report (FCC Form 323) at the time the application for renewal of station license is required to be filed by § 1.320 (a), giving the following information as of the date of filing:

(1) In the case of an individual, the name of such individual.

(2) In the case of a partnership, the names of the partners and the interests of each partner.[6]

(3) In the case of a corporation or association: (i) Capitalization, with a description of the classes and voting power of stock authorized and the shares of each class issued and outstanding; (ii) the name, residence, citizenship, and stockholdings of officers and directors, and stockholders; (iii) full information with respect to the interest and identity of any person whether or not a stockholder of record, having any interest direct or indirect, in the licensee or any of its stock;

For example:

(a) Where A is the beneficial owner or votes stock held by B, the same information should be furnished for A as is required for B.

(b) Where X corporation controls the licensee, or holds 25 percent or more of the stock of the licensee, the same information should be furnished with respect to X corporation (its capitalization, officers, directors, and stockholders and the amount of stock in X held by each) as is required in the case of the licensee, together with full information as to the identity and citizenship of the person authorized to vote licensee's stock.

(c) The same information should be furnished as to Y corporation if it controls X corporation or holds 25 percent or more of the stock of X, and as to Z corporation if it controls Y corporation or holds 25 percent or more of the stock of Y and so on back to natural persons.

(iv) Full information as to family relationship or business association between two or more officials and/or stockholders.

(4) In the case of all licensees (i) a list of all contracts still in effect required to be filed with the Commission by § 1.342 showing the date of execution and expiration of each contract; (ii) any interest which the licensee may have in any other broadcast station.

b. In paragraph (b), after the words "any change" add footnote numbers 6 and 7.

c. At the end of footnote 7 add "and § 1.321".

6. *It is further ordered*, That, the present Ownership Report (FCC Form 323) dated June 1953 be amended by deleting the word "annually" in the last line of the note on Page 3, Paragraph 8 and as amended, is hereby adopted and designated as the form to be used in reporting required ownership information.

7. *It is further ordered*, That, because of the instant amendment of § 1.343 of the rules herein adopted no annual Ownership Report for the calendar year ending December 31, 1953, need be filed.

8. *It is further ordered*, That, licensees of broadcast stations required to file an application for renewal of station license on and after February 1, 1954, under § 1.320 (a) of the Commission's rules, for station licenses expiring on May 1, 1954 and after, shall also file an Ownership Report (FCC Form 323) under § 1.343 (a) as herein amended.

(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)

Adopted: January 13, 1954.

Released: January 14, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-419; Filed, Jan. 20, 1954; 8:53 a. m.]

[6] Any change in partners or in their rights will require prior consent of the Commission upon an application for consent to assignment of license or permit. If such change involves less than a controlling interest, the application for Commission consent to such change may be made upon FCC Form No. 316 (Short Form).

PART 3—RADIO BROADCAST SERVICES

MISCELLANEOUS AMENDMENTS

The Commission desires to make changes in Part 3—Radio Broadcast Services (revised to June 30, 1953) to correct certain typographical errors contained in §§ 3.25, 3.165, section 2A of Appendix to Subpart B and Table III of Appendix II to Subpart E.

The amendments adopted herein are editorial in nature, and, therefore, prior publication of notice of proposed rule making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately.

The amendments adopted herein are issued pursuant to authority contained in sections 4 (i), 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and paragraph F-6 of the Commission's order defining the functions and establishing the organizational structure of the Office of the Secretary, dated February 14, 1952, as amended.

It is ordered, This 18th day of January 1954, that, effective immediately, Part 3 of the Commission's rules and regulations is revised as set forth below:

I. Section 3.25 (c) is amended to read as follows:

(c) For Class II stations which will not deliver over 5 microvolts per meter groundwave or 25 microvolts per meter 10 percent time skywave at any point on the Canadian border and provided that such stations operating nighttime (i. e., sunset to sunrise at the location of the Class II station) are located not less than 650 miles from the nearest Canadian border, 540,[4] 690, 740, 860, 990, 1010,[5] and 1580 kilocycles.

II. The last word in § 3.165 (b) (4) is changed from "ommissions" to "emissions."

III. Section 2 A of Appendix to Subpart B—Standards of Good Engineering Practice Concerning FM Broadcast Stations is amended to read as follows:

A. Sections 3.202 to 3.205 inclusive of the rules and regulations describe the

[4] See § 2.104 (a) of this chapter.

[5] A station on 1010 kilocycles shall also protect a Class I-B station at Havana, Cuba.

basis for allocation of FM broadcast stations, including the division of the United States into Areas I and II.

IV. Table III of Appendix II to Subpart E is amended as follows: Change the statute mile figure for 40° 18'' to read 52.830 instead of 53.830.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303)

Released: January 18, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-420; Filed, Jan. 20, 1954; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 40]

EXCESS PROFITS TAX; TAXABLE YEARS ENDING AFTER JUNE 30, 1950

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62) and in sections 433 (b) (19) and 457 (c) of the Internal Revenue Code, as added by sections 4 and 1, respectively, of Public Law 594, 82d Congress, approved July 21, 1952.

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

In order to conform Regulations 130 (26 CFR Part 40) to sections 1, 2, 3, and 4 of Public Law 594, 82d Congress, approved July 21, 1952, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 40.433 (b)–1 the following:

PUBLIC LAW 594—82D CONGRESS APPROVED JULY 21, 1952

* * * * *

SEC. 4. Effective with respect to taxable years ending after June 30, 1950, section 433 (b) of the Internal Revenue Code (relating to the computation of average base period net income) is hereby amended by inserting at the end thereof two new paragraphs reading as follows:

(18) *Adjustment for base period losses from branch operations.* In the case of a taxpayer which during two or more such taxable years operated a branch at a loss, the excess profits net income for each such taxable year (determined without regard to this paragraph) shall be increased by the amount of the excess of such loss above the loss, if any, incurred by such branch during the taxable year for which the tax under this subchapter is being computed. As used in this paragraph, the term 'branch' means a unit or subdivision of the taxpayer's business which was operated in a separate place from its other business and differed substantially from its other business with respect to character of products or services. A unit or subdivision of the taxpayer's business shall not be considered to differ substantially from the taxpayer's other business unless it is of a type classifiable by the Standard Industrial Classification Manual in a different major industry group or in a different subgroup of the taxpayer's major industry group than that in which its other business is so classifiable: *Provided, however,* That this paragraph shall not apply unless the sum of the net losses of such branch during the base period exceeded 15 per centum of the aggregate excess profits net income of the taxpayer during the base period. For the purposes of this paragraph, the aggregate excess profits net income of the taxpayer during the base period shall be the sum of its excess profits net income for all years in the base period, increased by the sum of the net losses of such branch during the base period.

(19) *Rules for application of paragraph (18).* For the purposes of paragraph (18):

(A) A branch shall be deemed to have been operated at a loss during a taxable year if the portion of the deductions under section 23 for such year which is determined, under regulations prescribed by the Secretary, to be the portion thereof properly allocable to the operation of such branch exceeds the portion of the gross income during the taxable year which is determined under such regulations to be the portion thereof properly allocable to the operation of such branch; and the amount of the loss shall be an amount equal to such excess.

(B) If the portion of the gross income determined to be properly allocable to the operation of the branch is a minus quantity, the amount of such excess shall be the sum of the deductions under section 23 determined to be properly allocable to the operation of the branch plus an amount equal to such minus quantity.

* * * * *

PAR. 2. There is inserted immediately after § 40.433 (b)–3 the following new section:

§ 40.433 (b)–4 *Base period losses from branch operations*—(a) *In general.* In the case of a taxpayer which during two or more taxable years in the base period operated a branch at a loss, section 433 (b) (18) provides an adjustment in computing the excess profits net income of the taxpayer for each taxable year in the base period during which such branch was operated at a loss. The excess profits net income of the taxpayer for any such taxable year in the base period (determined without regard to section 433 (b) (18)) shall be increased by the amount of the excess, if any, of (1) the loss incurred by the branch during the taxable year in the base period, over (2) the loss, if any, incurred by such branch during the taxable year for which the excess profits tax is being computed. The adjustment under section 433 (b) (18) shall not be made, however, unless the sum of the net losses of such branch during the base period, as determined under paragraph (c) (3) of this section, exceeded 15 percent of the aggregate excess profits net income of the taxpayer during the base period. For the purposes of section 433 (b) (18) and this section, the aggregate excess profits net income of the taxpayer during the base period shall be the sum of its excess profits net income for all taxable years in the base period, increased by the sum of the net losses of such branch during the base period.

(b) *Definition of "branch"*—(1) *In general.* The term "branch", as used in section 433 (b) (18) and this section, means a unit or subdivision of the taxpayer's business which (i) was operated in a separate place from its other business and (ii) differed substantially from its other business with respect to the character of products or services.

(2) *Separate location.* A unit or subdivision of the taxpayer's business shall be considered as having been operated in a separate place from its other business only if there was a distinct and complete physical separation between the unit or subdivision and the taxpayer's other business.

(3) *Different products or services.* A unit or subdivision of the taxpayer's business shall not be considered to differ substantially from the taxpayer's other business with respect to the character of products or services unless the unit or subdivision is of a type properly classifiable by the Standard Industrial Classification Manual prepared by the Division of Statistical Standards of the Bureau of the Budget in a different major industry group or in a different subgroup of the taxpayer's major industry group than that in which its other business is so classifiable. A difference in classification by the Manual shall not necessarily constitute a substantial difference with respect to the character of products or services. Whether a unit or subdivision differs substantially from the taxpayer's other business with respect to the character of products or services is to be determined upon the particular facts in each case.

(c) *Computation of loss and sum of the net losses*—(1) *Allocation of gross income and deductions.* Items of gross income and deductions shall be allocated to the branch and to the taxpayer's other business in such manner as will clearly reflect the gross income and deductions properly attributable to such branch and to such other business.

(2) *Computation of loss.* The amount of the loss sustained by the branch during any taxable year shall be the excess, if any, of:

(i) The portion of the deductions under section 23 (not including the net operating loss deduction provided in section 23 (s)) for such year which is allocable to the branch under subparagraph (1) of this paragraph, taking into account any applicable adjustments under section 433 (a) or (b), over

(ii) The portion of the gross income for such year which is allocable to the branch under subparagraph (1) of this

paragraph, taking into account any applicable adjustments under section 433 (a) or (b).

If the amount under subdivision (ii) of this subparagraph is a minus quantity, the amount of the loss shall be the sum of the amount under subdivision (i) of this subparagraph plus an amount equal to such minus quantity. If the amount under subdivision (i) of this subparagraph does not exceed the amount under subdivision (ii) of this subparagraph, then the amount by which the amount under subdivision (ii) of this subparagraph exceeds the amount under subdivision (i) of this subparagraph shall be considered the profits realized by the branch during the taxable year.

(3) *Computation of sum of the net losses.* The sum of the net losses of the branch during the entire base period shall be an amount equal to (i) the aggregate losses sustained by the branch during the base period minus (ii) the aggregate profits realized by the branch during the base period, computed as provided in subparagraphs (1) and (2) of this paragraph.

(d) *Statement required.* A taxpayer claiming the benefits of section 433 (b) (18) shall attach to its income tax return or claim for refund a statement setting forth fully all pertinent information necessary for the establishment of its eligibility and for the computation of the adjustment under such section.

PAR. 3. There is inserted immediately preceding § 40.457–1 the following:

PUBLIC LAW 594—82D CONGRESS APPROVED JULY 21, 1952

[SECTION 1.] * * * effective with respect to taxable years ending after June 30, 1950, section 457 of the Internal Revenue Code, as added by section 101 of the Excess Profits Tax Act of 1950, is hereby amended by changing its heading to read "Corporations Completing Contracts or Making Deposits Under Merchant Marine Act" and by adding to said section 457 the following new subsection:

(c) *Base period earnings credit for deposits under Merchant Marine Act, 1936.* The excess profits net income computed under section 433 (b) for any base period year shall be increased by the amount, if any, by which (1) the taxpayer's tax-deferred deposits of earnings, made in or accrued to reserve funds under section 607 of the Merchant Marine Act, 1936, in respect of such base period year, exceeds (2) the amount of such deposits of earnings for the taxable year. The Secretary shall provide, by regulation, for proper adjustment of the deposits made in or accrued to the reserve funds for any taxable year so as to exclude therefrom any amount payable for such year as reimbursement of operating-differential subsidy.

* * * * *

PAR. 4. Section 40.457–1 is amended by striking "457" in the first sentence of paragraph (a) and of paragraph (c) and in the first and second sentences of paragraph (d) and of paragraph (e) and by inserting in each case in lieu thereof "457 (a) and (b)".

PAR. 5. There is inserted immediately after § 40.457–1 the following new section:

§ 40.457–2 *Corporations making deposits under Merchant Marine Act of 1936*—(a) *In general.* Section 457 (c) is applicable to a taxpayer which has entered into a contract with the Federal Maritime Board or its predecessor, the United States Maritime Commission, pursuant to the Merchant Marine Act, 1936, as amended (hereinafter referred to as the act), which makes provision for the payment of an operating-differential subsidy to the taxpayer. Section 457 (c) provides that the excess profits net income of the taxpayer for any taxable year in the base period, computed under section 433 (b), shall be increased by the excess, if any, of (1) the taxpayer's tax-deferred deposits of earnings (as defined in paragraph (b) of this section) made in or accrued to the reserve funds under section 607 of the act in respect of such taxable year in the base period, over (2) the taxpayer's tax-deferred deposits of earnings (as defined in paragraph (b) of this section) made in or accrued to the reserve funds under such section 607 in respect of the taxable year for which the excess profits tax is being computed.

(b) *Tax-deferred deposits.* The term "tax-deferred deposits of earnings", for the purposes of section 457 (c) and this section, means the excess, if any, of (1) the amounts of ordinary income for any taxable year deposited by the taxpayer in either the capital reserve fund or the special reserve fund under section 607 of the act, to the extent that such amounts are treated as "tax-deferred" in a closing agreement entered into under section 3760 between the taxpayer and the Commissioner, over (2) the amount payable for such year by the taxpayer as reimbursement of operating-differention subsidy, as computed under paragraph (c) of this section. Ordinary income deposited in such reserve funds consists of the following items: (i) Mandatory deposits of the earnings from the operations of subsidized vessels and services incident thereto, including the excess of (*a*) the amounts which the United States Maritime Commission or the Maritime Administration requires the taxpayer to deposit for depreciation over (b) the amounts allowable as depreciation under section 23 (l), computed on the adjusted basis provided in section 113 (b); (ii) voluntary deposits of earnings; and (iii) interest earned on tax-deferred amounts in the capital reserve and special reserve funds. Excessive profits which the taxpayer is excused from depositing, to the extent such profits are withheld from the payment of operating-differential subsidy by the United States Maritime Commission or the Maritime Administration (as provided by Public Law 862, 80th Congress, 62 Stat. 1196, or any corresponding provisions of law subsequently enacted), shall be treated as if they were deposited in the special reserve fund. The deposit of amounts received from the United States Maritime Commission or the Maritime Administration which had previously been withheld from payment of operating-differential subsidy under the provisions of Public Law 862, 80th Congress, 62 Stat. 1196, or under any corresponding provisions of law subsequently enacted, shall be considered a deposit of earnings with respect to the taxable year in which actually deposited in the reserve fund. Tax-deferred deposits of earnings do not include amounts which would constitute capital gains under section 117, or would be treated as capital gains under section 117 (j), if currently taxable, even though such amounts are deposited in the reserve funds.

(c) *Adjustment for amounts payable as reimbursement of operating-differential subsidy.* (1) For the purpose of the adjustment of tax-deferred deposits referred to in paragraph (b) (2) of this section, the amount payable for any taxable year as reimbursement of operating-differential subsidy shall be the amount of excessive profits accruing for such year to the United States Maritime Commission or the Maritime Administration under sections 606 and 607 of the Act. The amount of excessive profits so accruing for any taxable year shall be determined by reference to the recapturable profits account as properly recorded on the corporate books of account, taking into account the excess, if any, of (i) the balance of such account as of the close of such year, over (ii) the balance of such account as of the close of the preceding taxable year.

(2) In computing the excess under subparagraph (1) of this paragraph, the respective balances of the recapturable profits account shall be determined as of the close of the taxable year without regard to any events which happen after the close of such year and shall be further adjusted to eliminate any part of such balances attributable to any recapture period prior to the recapture period in which the taxable year falls.

(3) The recapturable profits account referred to in subparagraphs (1) and (2) of this paragraph is the "Recapturable Profits—Maritime Administration" account prescribed by the Maritime Administrator in the "Uniform System of Accounts for Maritime Carriers" (General Order No. 22, revised October 16, 1950) and, for the period prior to January 1, 1951, the "Recapture Profits—U. S. Maritime Commission" account prescribed by the United States Maritime Commission in the "Uniform System of Accounts for Operating-Differential Subsidy Contractors" (General Order No. 22, adopted February 4, 1938).

(4) The term "recapture period", as used in subparagraph (2) of this paragraph, means the period referred to in section 606 (5) of the act.

(d) *Statement required.* A taxpayer claiming the benefits of section 457 (c) shall attach to its income tax return or claim for refund a statement showing a complete computation of the amount of the adjustment under such section, including an itemized list of all deposits into the capital reserve fund and into the special reserve fund and a complete computation showing the amount payable as reimbursement of operating-differential subsidy.

PAR. 6. There is inserted immediately after § 40.459 (e)–1 the following:

PUBLIC LAW 594—82D CONGRESS APPROVED JULY 21, 1952

* * * * *

SEC. 2. Section 459 of the Internal Revenue Code (miscellaneous provisions relating to the computation of average base period net income) is hereby amended by adding

at the end thereof the following new subsection:

(f) *Companies preserving defense capacity and increasing capacity for manufacturing peacetime products from certain strategic and critical metals*—(1) *Eligibility requirement.* In the case of a taxpayer which commenced business on or prior to January 1, 1936, and since such date has been primarily engaged in manufacturing, if—

(A) The percentage of the taxpayer's purchases of raw materials which were strategic and critical metals (as defined in paragraph (3)) was 80 per centum or more for each of the taxable years beginning with or within the taxpayer's base period;

(B) The taxpayer's average monthly excess profits net income (computed in the manner provided in section 443 (e)) for the period comprising all taxable years ending with or within the first twenty-four months of its base period was 250 per centum or more of the average monthly excess profits net income (so computed) of the taxpayer for the period comprising all taxable years ending with or within the last twenty-four months of its base period;

(C) The adjusted basis of the taxpayer's total facilities (as defined in section 444 (d)) as of the beginning of its base period (when added to the total facilities at such time of all corporations with which the taxpayer has the privilege under section 141 of filing a consolidated return for its first taxable year under this subchapter) did not exceed $10,000,000; and

(D) The adjusted basis of the taxpayer's total facilities (as defined in section 444 (d)) on the last day of its base period was 180 per centum or more of the adjusted basis of its total facilities on the first day of its base period.

the taxpayer's average base period net income determined under this subsection shall be the amount computed under paragraph (2).

(2) *Computation.* The average base period net income determined under this subsection for a taxpayer entitled to the benefits of this subsection shall be the amount computed under section 435 (e) (2) (E) and (F) except that there shall be substituted for the aggregate of the excess profits net income for each of the six months in the period beginning July 1, 1949, and ending December 31, 1949, an amount computed by multiplying the aggregate of the excess profits net income for each of the six months in the period beginning July 1, 1946 and ending December 31, 1946, by the per centum determined by dividing the adjusted basis of taxpayer's total facilities (as defined in section 444 (d)) on December 31, 1948, by the adjusted basis of its total facilities on the first day of its base period. The average base period net income computed under the preceding sentence shall not exceed 80 per centum of the excess profits tax net income for the taxpayer's first taxable year under this subchapter.

(3) *Definition of strategic and critical metals.* As used in this subsection, the term "strategic and critical metals" means copper and zinc which on January 1, 1945, had been determined by proper authority to be strategic and critical under the provisions of the Strategic and Critical Stock Piling Act and shall include scrap containing such metals.

SEC. 3. The amendment made by section 2 shall be applicable with respect to all taxable years ending after June 30, 1950.

* * * * *

No. 14——3

§ 40.459 (f)–1 *Companies preserving defense capacity and increasing capacity for manufacturing peacetime products from certain strategic and critical metals*—(a) *In general.* A corporation which commenced business on or before January 1, 1936, which has been primarily engaged in manufacturing since January 1, 1936, and which satisfies all the requirements provided in subparagraphs (A) through (D) of section 459 (f) (1) may compute its average base period net income, for the purpose of computing its excess profits tax for any taxable year ending after June 30, 1950, under the provisions of section 459 (f) (2) and of (b) of this section instead of under any other applicable provision of the Code and regulations. The average base period net income computed under section 459 (f) (2), in the case of a taxpayer which meets the eligibility requirements provided in section 459 (f) (1), shall be used in computing the taxpayer's excess profits tax for any excess profits tax taxable year if the use of such average base period net income computed under section 459 (f) results in a lesser excess profits tax for such taxable year than would result from any other allowable computation of such tax. If the taxpayer computes its average base period net income under section 459 (f), the base period capital addition provided in section 435 (f) shall not be allowed in computing its excess profits credit. Thus, for example, if the use of the amount computed under section 435 (d) as the average base period net income together with the base period capital addition would result in a lesser excess profits tax for a taxable year than would result from the use of the amount computed under section 459 (f) as the average base period net income but without the base period capital addition, then in determining the excess profits tax for such taxable year the average base period net income shall be the amount computed under section 435 (d) and not the amount computed under section 459 (f) without regard to which of such amounts is the greater.

(b) *Computation of average base period net income under section 459 (f).* If a taxpayer may compute its average base period net income under section 459 (f), its average base period net income as computed under section 459 (f) (2) shall be the amount computed under section 435 (e) (2) (E) and (F) and under § 40.435–5 (a) (5) and (6) and § 40.435–5 (b), except that there shall be substituted for the aggregate of the excess profits net income for each of the six months in the period beginning July 1, 1949, and ending December 31, 1949, an amount computed by multiplying the aggregate of the excess profits net income for each of the six months in the period beginning July 1, 1946, and ending December 31, 1946, by the percent determined by dividing the adjusted basis of the taxpayer's total facilities (as defined in section 444 (d)) on December 31, 1948, by the adjusted basis of its total facilities on the first day of its base period. In no event, however, shall the average base period net income computed under section 459 (f) (2) exceed 80 percent of the taxpayer's excess profits net income for its first excess profits tax taxable year (that is, for its first taxable year ending after June 30, 1950).

(c) *Definition of strategic and critical metals.* The term "strategic and critical metals", for the purposes of section 459 (f) and of this section, means copper and zinc which on January 1, 1945, had been determined by proper authority to be strategic and critical under the provisions of the Strategic and Critical Stock Piling Act and shall also include scrap containing such metals, if such metals constitute a substantial portion of such scrap.

(d) *Date the taxpayer commenced business.* The date the taxpayer commenced business shall be determined, for the purposes of section 459 (f) and of this section, under the rules provided in the regulations promulgated under section 445, relating to the computation of average base period net income in the case of new corporations. See § 40.445–1 (a) (2).

[F. R. Doc. 54-412; Filed, Jan. 20, 1954; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 10765]

RADIO BROADCAST SERVICES

NOTICE OF EXTENSION OF TIME FOR FILING COMMENTS

In re amendment of § 3.25 (a) of the Commission rules, Docket No. 10765.

1. On November 24, 1953 the Commission issued a notice of proposed rule making (FCC 53–1531) in the above entitled matter which specified that comments were to be filed on or before January 15, 1954. National Broadcasting Company, Inc. (NBC) and Clear Channel Broadcasting Service (CCBS) have requested the time for filing comments be extended until March 8, 1954 in order that engineering studies may be concluded.

2. In view of the above requests notice is hereby given that the time for filing comments in the above entitled matter is extended to March 8, 1954. Replies to such comments may be filed on or before March 23, 1954.

Adopted: January 14, 1954.

Released: January 15, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-418; Filed, Jan. 20, 1954; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF CERTAIN MERCHANDISE DIRECTLY FROM HONG KONG

AVAILABLE CERTIFICATIONS

Notice is hereby given that certificates of origin issued by the Department of Commerce and Industry of the Government of Hong Kong under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Hong Kong of the following additional commodities:

Pictures, iron.
Plum sauce.
Sandalwood fans.
Soy bean sauce.
Trays, brass.
Wheat starch.

[SEAL] ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F. R. Doc. 54-405; Filed, Jan. 20, 1954; 8:49 a. m.]

HAIR OF CERTAIN ANIMALS, AND COTTON AND SILK WASTE; IMPORTATION FROM COUNTRIES NOT IN AUTHORIZED TRADE TERRITORY

APPLICATIONS FOR LICENSES

Notice is hereby given that the Treasury Department is now prepared to consider applications for licenses under the Foreign Assets Control Regulations (31 CFR 500.101-500.808) to purchase and import any of the following commodities from countries not in the authorized trade territory (other than Communist China and North Korea):

Badger hair.
Camel hair.
Cotton waste.
Goat hair.
Horse mane hair, horse tail hair and other horse hair.
Silk waste.
Yak hair.

Applications will now be considered from persons who have previously imported such a commodity from any part of the world, including Communist China and North Korea. Up to the present time Foreign Assets Control licenses were granted only to persons who had previously imported such a commodity from a country not in the authorized trade territory, other than Communist China and North Korea.

Any person wanting to import during 1954 one or more of the aforementioned commodities from any country not in the authorized trade territory (other than Communist China or North Korea) should file an application for this purpose on Form TFAC-1. The application should be filed in duplicate with the Federal Reserve Bank of New York no later than February 23, 1954. Each application should describe and state the quantity and value of each commodity the applicant desires to import during 1954, its country of origin and the names and addresses of all persons who it is contemplated will be involved as suppliers, agents, shippers or intermediaries of any sort. The application should also set forth for each commodity desired to be imported the record of the importations effected for applicant's own account and risk for each of the years 1946 through 1951. The record should show for each such importation the description of the merchandise as per the contract or invoice, the date of the invoice, the country of origin of the merchandise, the name and address of the supplier, the quantity and value of the merchandise actually imported, and the date, port and number of the covering entry. No importation, whether made in the name of the applicant or another person, should be listed unless the importation was for the account and at the risk of the applicant. In all cases where importations were in the name of persons other than the applicant, the basis on which they are listed as importations by the applicant should be fully explained.

Attention is directed to the fact that the term "authorized trade territory" is defined in § 500.322 of the Foreign Assets Control Regulations and that the term "countries not in the authorized trade territory" as used herein includes Albania, Bulgaria, Czechoslovakia, the Eastern Zone of Germany, the Eastern Sector of Berlin, Estonia, Hungary, Latvia, Lithuania, Outer Mongolia, Poland, Rumania, and the Union of Soviet Socialist Republics.

[SEAL] ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F. R. Doc. 54-428; Filed, Jan. 20, 1954; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 60935]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM COLORADO RIVER STORAGE PROJECT

JANUARY 15, 1954.

An order of the Bureau of Reclamation dated April 2, 1951, concurred in by the Assistant Director, Bureau of Land Management, May 7, 1951, revoked the departmental order of October 16, 1931, so far as it withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described land in connection with the Colorado River Storage Project, Arizona, and provided that such revocation should not affect any other orders withdrawing or reserving the lands described:

GILA AND SALT RIVER MERIDIAN

T. 13 N., R. 19 W.,
Sec. 4.

The area described contains 639.76 acres.

The lands lie in a rough, broken area, about 15 miles from the nearest highway, and are almost inaccessible by automobile. Vegetation consists of black brush, burro brush, mesquite, scattered grasses and weeds. They are usable mainly for grazing. They are primarily suitable for disposition by private exchange. It is not likely that they will be classified for any other disposition, but any application that is filed will be considered on its merits.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, under the applicable public-land laws, subject to valid existing rights, the provisions of existing withdrawals, the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Inquiries concerning the lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Phoenix, Arizona.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 54-388; Filed, Jan. 20, 1954; 8:45 a. m.]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JANUARY 15, 1954.

An application, serial number Misc. 63087, for the withdrawal from all forms of appropriation under the public land laws, except the mineral leasing laws of the lands described below was filed on April 7, 1952, by Fish and Wildlife Service, U. S. Department of the Interior. The purposes of the proposed withdrawal: Gila River Water Fowl Area Acquisition, Arizona.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Regional Administrator, Region V, Bureau of Land Management, Department of the Interior at Box 1695, Albuquerque, New Mexico. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 1 W.
Sec. 34: N½SE¼.
Sec. 35: S½.
T. 1 N., R. 2 W.
Sec. 34: SE¼SE¼.
T. 1 S., R. 2 W.
Sec. 3: N½NE¼, S½SW¼, SW¼SE¼.
Sec. 4: SW¼NE¼, SE¼NW¼, SE¼.
Sec. 8: N½SW¼.
Sec. 9: NE¼, S½NW¼, S½.
T. 1 S., R. 3 W.
Sec. 10: SE¼SW¼, S½SE¼.
Sec. 11: NE¼SW¼, S½SW¼.
Sec. 12: SW¼NE¼, S½NW¼.
Sec. 15: N½NE¼, SW¼, S½SE¼.
Sec. 17: S½NE¼, SE¼.
Sec. 18: N½S½, S½SW¼, SW¼SE¼.
Sec. 19: SE¼NE¼, NE¼SW¼, S½SW¼, SE¼.
T. 1 S., R. 4 W.
Sec. 19: S½SE¼.
Sec. 20: S½S½.
Sec. 21: S½NE¼, SE¼NW¼, N½S½, S½SW¼.
Sec. 22: NE¼, NE¼NW¼, S½NW¼, N½SW¼, NW¼SE¼.
Sec. 23: N½NE¼, NW¼.
Sec. 27: SW¼.
Sec. 28: NW¼, S½.
Sec. 29: N½N½, SE¼NE¼, SE¼.
Sec. 30: N½N½, SE¼SE¼.
T. 1 S., R. 5 W.
Sec. 25: N½SW¼.
Sec. 26: S½.
Sec. 34: NW¼NE¼, NW¼, W½SW¼.
T. 2 S., R. 5 W.
Sec. 4: W½E½.
Sec. 9: NW¼NE¼, S½NE¼, SE¼.
Sec. 21: E½, SE¼NW¼, E½SW¼.

The area described aggregates 7,009.37 acres.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 54-398; Filed, Jan. 20, 1954; 8:48 a. m.]

ALASKA

RESTORATION ORDER NO. 3, UNDER FEDERAL POWER ACT

JANUARY 14, 1954.

Pursuant to the following-listed determination of the Federal Power Commission, and in accordance with section 2.22 (a) (4) of Order No. 427, approved by the Secretary of the Interior August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights, the lands in Alaska, hereinafter described, so far as they are withdrawn for power purposes, are hereby opened to disposition under the public land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818) as amended.

Determination No.	Dates and types of withdrawals	Type of restoration
DA-59—Alaska	Power Site Reserve No. 674 of Jan. 23, 1918; Power Site Classification No. 107 of June 12, 1925; Power Site Classification No. 399 of Mar. 29, 1950.	Under the applicable public land laws.

LAND DESCRIPTION, SEWARD MERIDIAN

T. 14 N., R. 1 E., all unsurveyed lands located within ¼ mile of Peters Creek.
T. 15 N., R. 1 E., all unsurveyed lands located within ¼ mile of Peters Creek.
T. 15 N., R. 1 W., all unsurveyed land therein lying within ¼ mile of Peters Creek

This order shall not become effective until 10:00 a. m. on the 35th day after the date of this order. At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead, home or headquarters site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 54-410; Filed, Jan. 20, 1954; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

CUNARD STEAM SHIP CO., LTD., ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. Section 814.

(1) Agreement No. 7926 between the Cunard Steam Ship Company, Limited and Alcoa Steamship Company, Inc., covers the transportation of general cargo on through bills of lading from the loading ports of the Cunard Steam Ship Company, Limited in the United Kingdom of Great Britain and Northern Ireland to Puerto Rico, with transhipment at New York.

(2) Agreement No. 7927, between Alcoa Steamship Company, Inc., and Moore-McCormack Lines, Inc., covers the transportation of general cargo under through bills of lading from Brazil, Argentina and Uruguay to Puerto Rico, with transhipment at Baltimore and New York.

(3) Agreement No. 7938, between the carriers comprising the Kokusai Line joint service and Alcoa Steamship Company, Inc., covers the transportation of general cargo under through bills of lading from Japan and the Philippines to Puerto Rico, with transshipment at New York.

(4) Agreement No. 7939, between the carriers comprising the Kokusai Line joint service and Alcoa Steamship Company, Inc., covers the transportation of general cargo under through bills of lading from Japan and the Philippines to the Virgin Islands, with transhipment at New York.

(5) Agreement No. 7948, between United States Lines Company and Alcoa Steamship Company, Inc., covers transportation of general cargo under through bills of lading from United Kingdom of Great Britain, Northern Ireland, the Irish Free State, and in the Vigo/Hamburg range of Continental Europe to Puerto Rico, with transhipment at New York.

(6) Agreement No. 7952, between Companhia De Navegacao Carregadores Acoreanos and Alcoa Steamship Company, Inc., covers transportation of general cargo under through bills of lading from specified Portuguese ports to Puerto Rico, with transhipment at New York.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 18, 1954.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 54-422; Filed, Jan. 20, 1954; 8:53 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended June 2, 1952, 17 F. R. 3818).

American Modes, Inc., Winchester, Ill., effective 2-5-54 to 2-4-55; 10 learners for normal labor turnover purposes (dresses).

Big Smith Manufacturing Co., Bonham, Tex., effective 1-11-54 to 1-10-55; 10 learners for normal labor turnover purposes (blue jeans).

Big Smith Manufacturing Co., Bonham, Tex., effective 1-11-54 to 7-10-54; 15 learners for plant expansion purposes (blue jeans).

Brookfield Manufacturing Co., 145 West Pine Street, Warrensburg, Mo., effective 1-7-54 to 1-6-55; 10 learners for normal labor turnover purposes (work pants, work shirts, etc.).

Samuel Cooperman & Sons, Inc., 970 Ridge Avenue, Scranton, Pa., effective 1-7-54 to 1-6-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Dunhill Shirt Co., Lexington, Mo., effective 1-12-54 to 1-11-55; 10 percent of the total number of production workers for normal labor turnover purposes (shirts).

Dunhill Shirt Co., Holden, Mo., effective 1-8-54 to 1-7-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (shirts).

M. Fine & Sons Manufacturing Co., Inc., New Albany, Ind., effective 1-23-54 to 1-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts).

Forest City Manufacturing Co., Staunton, Ill., effective 1-19-54 to 1-18-55; 10 learners for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Virden, Ill., effective 1-19-54 to 1-18-55; 10 learners for normal labor turnover purposes (dresses).

Hamlin Manufacturing Co., Poteau, Okla., effective 1-15-54 to 7-14-54; 25 learners for plant expansion purposes (children's single pants, overall jackets, etc.).

Hollywood-Maxwell Co., 437 South Pleasant Street, Princeton, Ill., effective 1-23-54 to 1-22-55; 10 learners for normal labor turnover purposes (brassieres).

Hollywood Maxwell Co., 302 North Walnut Street, Cameron, Mo., effective 1-23-54 to 1-22-55; 10 learners for normal labor turnover purposes (brassieres).

Iva Manufacturing Co., Iva, S. C., effective 1-12-54 to 1-11-55; 4 learners for normal labor turnover purposes (blouses).

F. Jacobson & Sons, Inc., Jay and River Streets, Troy, N. Y., effective 1-11-54 to 1-10-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's shirts and pajamas).

Linden Manufacturing Co., Linden, Ala., effective 1-15-54 to 7-14-54; 40 learners for plant expansion purposes (dresses).

Metro Pants Co., Harrisonburg, Va., effective 1-11-54 to 7-10-54; 25 learners for plant expansion purposes (men's and boys' trousers).

Metro Pants Co., Harrisonburg, Va., effective 1-11-54 to 1-10-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' trousers).

Myles Manufacturing Co., Pennsboro, W. Va., effective 1-12-54 to 1-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's pajamas and blouses).

Oshkosh B'Gosh Inc., 33 Otter Street, Oshkosh, Wis., effective 1-11-54 to 1-10-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (overalls, dungarees, etc.).

Paulsboro Dress Co., Inc., Delaware and Gill Streets, Paulsboro, N. J., effective 1-5-54 to 1-4-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Publix Shirt Corp., Hazleton, Pa., effective 1-23-54 to 1-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dress and sport shirts).

Rice Stix Factory No. 20, Slater, Mo., effective 1-26-54 to 1-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

The Salisbury Co., Salisbury, Mo., effective 1-12-54 to 1-11-55; 10 percent of the total number of factory production workers, for normal labor turnover purposes (men's dress trousers and slacks).

Sharon Manufacturing Co., New Sharon, Iowa, effective 1-11-54 to 1-10-55; 6 learners for normal labor turnover purposes (children's cotton clothing and men's work clothing.

Soperton Manufacturing Co., Soperton, Ga., effective 1-11-54 to 1-10-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (shirts).

The Warner Brothers Co., Malone, N. Y., effective 1-25-54 to 1-24-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (corsets and brassieres).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as amended November 19, 1951, 16 F. R. 10733).

Barber Hosiery Mills, Inc., Mount Airy, N. C., effective 1-25-54 to 1-24-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Belmont Hosiery Mills, Inc., Belmont, N. C., effective 1-25-54 to 1-24-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Belmont Knitting Co., Belmont, N. C., effective 1-25-54 to 1-24-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Chattooga Mills, Inc., Summerville, Ga., effective 1-25-54 to 9-24-54; 10 learners for expansion purposes.

Chattooga Mills, Inc., Summerville, Ga., effective 1-25-54 to 1-24-55; 5 learners for normal labor turnover purposes.

Drexel Knitting Mills Co., Drexel, N. C., effective 1-8-54 to 9-7-54; 35 learners for expansion purposes.

Durham Hosiery Mills, 109 South Corcoran Street, Durham, N. C., effective 1-25-54 to 1-24-55; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866).

Lingerie, Inc., Lenoir Road, Morganton, N. C., effective 1-8-54 to 1-7-55; 5 percent of the total number of factory production workers for normal labor turnover purposes (slips, pettiskirts, bedjackets, etc.).

Stone Manufacturing Co., 3424 Main Street, Eau Claire Columbia, S. C., effective 1-11-54 to 1-10-55; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' woven undershorts).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Atlas Products Corp., Toa Alta, P. R., effective 1-4-54 to 7-3-54; 35 learners; machine sewing of leather gloves, 240 hours at 39 cents an hour, 240 hours at 44 cents an hour (leather gloves).

Porto Rico Telephone Co., Arecibo, P. R., effective 1-7-54 to 1-6-55; 10 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour; installers and repairmen, framemen, testmen, switchmen; each 320 hours at 53 cents an hour, 320 hours at 58 cents an hour, 320 hours at 63 cents an hour (telephone industry).

Porto Rico Telephone Co., Hato Rey, P. R., effective 1-7-54 to 1-6-55; 10 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour (telephone industry).

Porto Rico Telephone Co., Mayaguez, P. R., effective 1-7-54 to 1-6-55; 15 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour; installers and repairmen, framemen, testmen, switchmen; each 320 hours at 53 cents an

hour, 320 hours at 58 cents an hour, 320 hours at 63 cents an hour (telephone industry).

Porto Rico Telephone Co., Ponce, P. R., effective 1-7-54 to 1-6-55; 15 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour; installers and repairmen, framemen, testmen, switchmen; each 320 hours at 53 cents an hour, 320 hours at 58 cents an hour, 320 hours at 63 cents an hour (telephone industry).

Porto Rico Telephone Co., Rio Piedras, P. R., effective 1-7-54 to 1-6-55; 10 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour, (telephone industry).

Porto Rico Telephone Co., Santurce, P. R., effective 1-7-54 to 1-6-55; 95 learners; telephone operators, 240 hours at 53 cents an hour, 240 hours at 58 cents an hour; installers and repairmen, splicers, framemen, apparatus repairmen, testmen, switchmen; each 320 hours at 53 cents an hour, 320 hours at 58 cents an hour, 320 hours at 63 cents an hour (telephone industry).

Weston Puerto Rico, Inc., Ponce, P. R., effective 1-7-54 to 5-6-54; 30 learners; coil winding, 160 hours at 34 cents an hour, 160 hours at 37 cents an hour; assemblers, adjusters, inspectors, each 160 hours at 34 cents an hour (assembly of electrical indicating instruments).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. 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, pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 13th day of January 1954.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 54-390; Filed, Jan. 20, 1954; 8:46 a. m.]

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

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, wage rates and the effective and expiration dates of the certificates are set forth below. In each case, the wage rates are established at rates not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or at wage rates stipulated in the certificate, whichever is higher.

Sheltered Shop; Rehabilitation Center for the Physically Handicapped, Inc., 20 Wall Street, Stamford, Connecticut; at a rate of not less than 5 cents per hour for a training period of 40 hours and 15 cents thereafter. Certificate is effective November 1, 1953, and expires October 31, 1954.

Buffalo Association for the Blind, 864 Delaware Avenue, Buffalo 9, New York; at a rate of not less than 30 cents per hour for a training period of 80 hours and 50 cents thereafter in the Contract Shop and at a rate of not less than 30 cents per hour in The Rehabilitation Center. Certificate is effective December 1, 1953, and expires November 30, 1954.

Buffalo Association for the Blind, 180 Goodell Street, Buffalo, New York; at a rate of not less than 35 cents per hour for a training period of 320 hours and 50 cents thereafter. Certificate is effective December 1, 1953, and expires November 30, 1954.

Elmira Association for the Blind, Inc., 717 Lake Street, Elmira, New York; at a rate of not less than 50 cents per hour for a training period of 160 hours and 60 cents thereafter. Certificate is effective December 1, 1953, and expires November 30, 1954.

Federation of the Handicapped, Inc., 211 West 14th Street, New York 11, New York; at a rate of not less than 40 cents per hour. Certificate is effective November 5, 1953, and expires October 31, 1954.

Goodwill Home and Rescue Mission, 28-44 Eagles Street, Newark, New Jersey; at a rate of not less than 40 cents per hour for a training period of 120 hours and 55 cents thereafter for Paper Balers and at a rate of not less than 40 cents per hour for Truck Helpers. Certificate is effective January 1, 1954, and expires December 31, 1954.

Mobility, Inc., Mobility Workshop, 13 North Central Avenue, Elmsford, New York; at a rate of not less than 50 cents per hour. Certificate is effective December 4, 1953, and expires November 30, 1954.

The New York Association for the Blind, Occupational Department, 111 East 59th Street, New York 22, New York; at a rate of not less than 10 cents per hour. Certificate is effective January 1, 1954, and expires November 30, 1954.

New York Guild for the Jewish Blind, 1880 Broadway, New York 23, New York; at a rate of not less than 20 cents per hour. Certificate is effective November 25, 1953, and expires February 28, 1954.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Home for Disabled Soldiers, Menlo Park, New Jersey; at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents thereafter. Certificate is effective November 1, 1953, and expires October 31, 1954.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, New Jersey Memorial Home, Vineland, New Jersey; at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents thereafter. Certificate is effective November 1, 1953, and expires October 31, 1954.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Veterans' Camp, Mt. McGregor, New York; at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents thereafter. Certificate is effective November 1, 1953, and expires October 31, 1954.

Baltimore Goodwill Industries, 201 South Broadway, Baltimore, Maryland; at a rate of not less than 40 cents per hour. Certificate is effective January 1, 1954, and expires December 31, 1954.

Pennsylvania Association for the Blind, Lancaster County Branch, 506 West Walnut Street, Lancaster, Pennsylvania; at a rate of not less than 40 cents per hour. Certificate is effective January 1, 1954, and expires December 31, 1954.

Pennsylvania Association for the Blind, Inc., Washington County Branch, 254 North Main Street, Washington, Pennsylvania; at a rate of not less than 50 cents per hour. Certificate is effective November 25, 1953, and expires November 30, 1954.

Volunteers of America, 724 Diamond Street, Pittsburgh, Pennsylvania; at a rate of not less than 57 cents per hour. Certificate is effective December 1, 1953, and expires November 30, 1954.

Mississippi Industries for the Blind, 2501 North West Street, Jackson, Mississippi; at a rate of not less than 50 cents per hour. Certificate is effective December 1, 1953, and expires November 30, 1954.

Jackson Goodwill Industries, 217 North Jackson Street, Jackson, Michigan; at a rate of not less than 40 cents per hour for a training period of 40 hours and 60 cents thereafter. Certificate is effective December 14, 1953, and expires November 30, 1954.

The Lott Day School, 255 Heffner at Kelsey, Toledo 5, Ohio; at a rate of not less than 10 cents per hour. Certificate is effective November 9, 1953, and expires October 31, 1954.

The Montefiore Home, 3151 Mayfield Road, Cleveland Heights 18, Ohio; at a rate of not less than 5 cents per hour for a training period of 80 hours and 8 cents thereafter. Certificate is effective December 7, 1953, and expires November 30, 1954.

The Chicago Lighthouse for the Blind, 3323 West Cermak Road, Chicago 23; Illinois; at a rate of not less than 30 cents per hour for a training period of 160 hours and 40 cents thereafter. Certificate is effective December 1, 1953, and expires November 30, 1954.

Goodwill Industries of Chicago and Cook County, Illinois, 1500 West Monroe Street, Chicago 7, Illinois; at a rate of

not less than 40 cents per hour for a training period of 160 hours and 50 cents thereafter. Certificate is effective December 1, 1953, and expires November 30, 1954.

Indianapolis Goodwill Industries, Inc., 215 South Senate Avenue, Indianapolis 25, Indiana; at a rate of not less than 45 cents per hour for a training period of 160 hours and 50 cents thereafter in the Shoe Repair Division and at a rate of 50 cents per hour for a training period of 160 hours and 55 cents thereafter in all other Divisions. Certificate is effective November 1, 1953, and expires October 31, 1954.

Industrial Workshop, a division of the Jewish Vocational Service, 311 Hamm Building, St. Paul 2, Minnesota; at a rate of not less than 30 cents per hour. Certificate is effective November 4, 1953, and expires April 30, 1954.

Marion County Society for Crippled Children and Adults, Inc., 3001 North New Jersey Street, Indianapolis 5, Indiana; at a rate of not less than 25 cents per hour for assembling, sorting, and stuffing mail; at a rate of not less than 50 cents per hour for a training period of 160 hours and 55 cents thereafter for typing, mimeographing, and alphabetizing; at a rate of not less than 45 cents per hour for a training period of 160 hours and 50 cents thereafter for multigraphing; and at a rate of not less than 50 cents per hour for a training period of 160 hours and 60 cents thereafter for other contract work. Certificate is effective December 1, 1953, and expires November 30, 1954.

Dallas County Association for the Blind, 2729 Hatcher Street, Dallas, Texas; at a rate of not less than 25 cents per hour for a training period of 480 hours and 40 cents thereafter. Certificate is effective October 1, 1953, and expires September 30, 1954.

Goodwill Industries of El Paso, El Paso, Texas; at a rate of not less than 50 cents per hour. Certificate is effective January 1, 1954, and expires December 31, 1954.

Goodwill Industries and Gospel Mission, 13 West Salem Avenue, Roanoke, Virginia; at a rate of not less than 45 cents per hour in the Store and at a rate of not less than 50 cents per hour in all other Divisions. Certificate is effective January 1, 1954, and expires December 31, 1954.

Norfolk Goodwill Industries, 316 Bank Street, Norfolk, Virginia; at a rate of not less than 55 cents per hour. Certificate is effective December 1, 1953, and expires November 30, 1954.

Upper East Tennessee Workshop for the Blind, 600 East Maple, Johnson City, Tennessee; at a rate of not less than 40 cents per hour for a training period of 320 hours and 50 cents thereafter. Certificate is effective November 16, 1953, and expires October 31, 1954.

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 12th day of January 1954.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 54-389; Filed, Jan. 20, 1954; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6489]

SEABOARD & WESTERN AIRLINES, INC., AND TRANSOCEAN AIR LINES; ARMY POST OFFICE AND FLEET POST OFFICE MAIL TARIFF INVESTIGATION

NOTICE OF POSTPONEMENT OF TIME

In the matter of rejection of tariff naming rates on Army Post Office and Fleet Post Office Mail proposed by Seaboard & Western Airlines, Inc., and Transocean Air Lines.

Notice is hereby given that the prehearing conference in the above-entitled investigation now assigned for 10:00 a. m., e. s. t., is hereby postponed to 2:00 p. m., e. s. t. The conference will be held on January 25, 1954, in Room 5855, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., January 18, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-413; Filed, Jan. 20, 1954; 8:51 a. m.]

[Docket No. 6200]

WESTERN AIR LINES, INC.

NOTICE OF ORAL ARGUMENT

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 9, 1954, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 18, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-414; Filed, Jan. 20, 1954; 8:52 a. m.]

[Docket No. 1789 et al.]

REOPENED MILWAUKEE-CHICAGO-NEW YORK-RESTRICTION CASE (CLEVELAND-NEW YORK NONSTOP SERVICE)

NOTICE OF ORAL ARGUMENT

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 4, 1954, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 18, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-415; Filed, Jan. 20, 1954; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10851]

AKRON BROADCASTING CORP. (WCUE)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Akron Broadcasting Corporation (WCUE), Akron, Ohio, Docket No. 10851, File No. BP-8478; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of January 1954;

The Commission having under consideration the above-entitled application of the Akron Broadcasting Corporation, licensee of Radio Station WCUE, for a construction permit to change hours of operation from daytime only to unlimited time, with power of 500 watts night and one kilowatt day, employing directional antenna both day and night (DA-2), and installation of a new transmitter; and

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station WCUE as proposed but that the proposed operation may not comply with the Standards of Good Engineering Practice; particularly with reference to coverage of the city and metropolitan district of Akron, Ohio, and the excessive number of persons residing between the normally protected and actual nighttime limitation contours; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the Commission notified the applicant of the foregoing deficiencies, by letter dated February 25, 1953, since the Commission was

unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that in a reply dated December 7, 1953, the applicant reiterated essentially the same reasons in support of his request as were contained in the original application; and

It further appearing, that after consideration of the reply, the Commission is still unable to find that a grant would be in the public interest;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to service to the city and metropolitan district of Akron and excessive population residing between the normally protected and actual nighttime limitation contours.

Released: January 18, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-417; Filed, Jan. 20, 1954; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1785]

SOUTHEASTERN ILLINOIS GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF ORDER TERMINATING PROCEEDINGS

JANUARY 15, 1954.

In the matter of Southeastern Illinois Gas Company, complainant, vs. Texas Eastern Transmission Corporation, defendant, Docket No. G-1785.

Notice is hereby given that on January 14, 1954, the Federal Power Commission issued its order adopted January 13, 1954, terminating proceeding in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-396; Filed, Jan. 20, 1954; 8:47 a. m.]

[Docket Nos. G-2035, G-2040, G-2048, G-2049, G-2050, G-2073, G-2091, G-2301, G-2349]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER SUSPENDING NOTICE OF CANCELLATION OF RATE SCHEDULES, CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-2035, G-2040, G-2048, G-2049, G-2050, G-2073, G-2301, G-2349, and Panhandle Eastern Pipe Line Company, Southeastern Michigan Gas Company, Citizens Gas Fuel Company, Citizens Gas Company, Michigan Gas Utilities Company, Docket No. G-2091.

Panhandle Eastern Pipe Line Company (Panhandle) on December 15 and 28, 1953 filed pursuant to § 154.64 of the Commission's general rules and regulations, First Revised Sheets Nos. 1, 27 41, and 43-E to its FPC Gas Tariff Original Volume No. 1, proposing to cancel as of January 18, 1954, its Interruptible Rate Schedules I-1, I-2, and I-3, the term of service provision and the form of service agreement applicable thereto.

Panhandle cites as reasons for the proposed cancellation of its interruptible rate schedules the interference of service under such schedules with the orderly operation of its pipe line, its inability to physically control interruptible gas deliveries to its general service customers, undue discrimination of interruptible service against direct sale customers, and failure of such service to permit flexible pipe line operations.

The interruptible rate schedules are a part of the form of tariff under which Panhandle operates as a result of the following condition in the Commission's July 13, 1951 order accompanying Opinion No. 214, as modified by its August 23, 1951 order accompanying Opinion No. 214-A:

(A) The order of May 4, 1950, issued in these proceedings, and the certificate of public convenience and necessity issued thereby, be further conditioned so as to require Panhandle to operate its pipe line under the form of tariff, Appendix A, hereto, which is hereby approved.

No application has been made by Panhandle for appropriate modification of the Commission's order of July 13, 1951, or the form of tariff upon which operation of Panhandle's pipe line was conditioned.

The consolidated proceedings at Docket Nos. G-2035, G-2040, G-2048, G-2049, G-2073, G-2301, and G-2091 are concerned, among other matters, with whether Panhandle is to be required to render interruptible service to certain of its resale customers, as well as whether changes are to be permitted in Panhandle's interruptible rate schedules. These proceedings are to a large measure related to the existence of interruptible rate schedules.

Letters requesting comment from all of Panhandle's customers on the proposed cancellation were sent out by the Secretary on December 18, 1953. There have been received among the responses several which have objected to the cancellation of the interruptible rate schedules.

Upon consideration of the aforesaid notice of cancellation, the data tendered in support thereof, the comments and objections filed with respect thereto, the nature of the proceedings in Docket No. G-2035 et al., and the failure of Panhandle to apply for concomitant modification of its outstanding certificate authorization, it appears that the tariff changes in Panhandle's tendered filing have not been shown to be justified and may be unjust, unreasonable, and otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest, to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, as hereinafter ordered, pursuant to the authority contained in section 4 of the act with respect to the lawfulness of First Revised Sheets Nos. 1, 27, 41, and 43-E to Panhandle's FPC Gas Tariff, Original Volume No. 1, and that said revised tariff sheets may be unjust, unreasonable, unduly discriminatory, or preferential, and should be suspended and the use thereof deferred, as hereinafter ordered.

(2) Good cause exists for consolidating for purpose of hearing the proceedings referred to in paragraph (1) above at Docket No. G-2349 with proceedings at Docket Nos. G-2035, G-2040, G-2048, G-2049, G-2050, G-2073, G-2301 and G-2091.

(3) Panhandle may not change, amend, modify, or cancel the form of its tariff upon which its operations were conditioned by order of July 13, 1951, without prior order of the Commission authorizing such changes, amendment, modification or cancellation.

The Commission orders:

(A) The proceedings at Docket Nos. G-2035, G-2040, G-2048, G-2049, G-2050, G-2073, G-2301, G-2091 and G-2349, be and the same are hereby consolidated for the purpose of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, including sections 4, 5, 7, 14, 15, and 16, and the Commission's general rules and regulations, a public hearing be held commencing February 23, 1954, at 10:00 a. m. in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented in the consolidated proceedings, including the lawfulness of First Revised Sheets Nos. 1, 27, 41, and 43-E to Panhandle's FPC Gas Tariff, Original Volume No. 1.

(C) Pending such hearing and decision thereon, First Revised Sheets Nos. 1, 27, 41, and 43-E to Panhandle's FPC Gas Tariff, Original Volume No. 1, be and the same are hereby suspended and the use thereof deferred, unless otherwise ordered by the Commission, until such time as said revised tariff sheets may be made effective in the manner prescribed by the Natural Gas Act and Panhandle may be authorized to operate in the fashion contemplated by such revised tariff sheets.

(D) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: January 13, 1954.

Issued: January 15, 1954.

By the Commisison.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-395; Filed, Jan. 20, 1954; 8:47 a. m.]

Docket No. G-2212

PACIFIC GAS AND ELECTRIC CO.

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

JANUARY 15, 1954.

Notice is hereby given that on January 14, 1954, the Federal Power Commission issued its order adopted January 13, 1954, amending order issued October 9, 1953 (18 F. R. 203), issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-397; Filed, Jan. 20, 1954; 8:48 a. m.]

[Docket Nos. G-2340, G-2341, G-2342]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

NOTICE OF APPLICATIONS

JANUARY 15, 1954.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-2340; Texas Eastern Penn-Jersey Transmission Corporation, Docket No. G-2341; Transcontinental Gas Pipe Line Corporation, Docket No. G-2342.

Take notice that on December 23, 1953, Texas Eastern Transmission Corporation (Texas Eastern), Texas Eastern Penn-Jersey Transmission Corporation (Penn-Jersey), and Transcontinental Gas Pipe Line Corporation (Transcontinental), each a Delaware corporation, filed applications, as designated above, for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing construction and operation of facilities as hereafter described. Texas Eastern and Penn-Jersey have their respective principal places of business at Shreveport, Louisiana, and Transcontinental's principal place of business at Houston, Texas.

In Docket No. G-2340, Texas Eastern seeks authority (a) to increase peak-day deliveries to the Philadelphia Gas Works Division of the United Gas Improvement Company (Philadelphia Gas) from 83,642 Mcf to 113,072 Mcf, effective September 1, 1954; (b) to increase daily deliverable volumes of gas to the Manufacturers Light and Heat Company and the Ohio Fuel Gas Company from 60,386 Mcf to 102,003 Mcf; (c) to "loan" from its Oakford Storage Field to Transcontinental up to 136,174 Mcf of gas per day during the period November 16 through April 15 of each year, and to receive back from Transcontinental during the period April 16 through November 15 of each year, equivalent volumes of gas for storage in the Oakford Storage Field; and (d) to lease and operate a pipeline system to be constructed and owned by Penn-Jersey, extending from the Oakford Storage Field, Westmoreland County, Pennsylvania, to Texas Eastern's Compressor Station No. 26, near Lambertville, New Jersey, for the purpose of enabling the additional deliveries described in (a), (b), and (c) to be made. Texas Eastern states that such increased daily deliveries will be required by the companies named above, to enable such companies to meet their increased market demands in the winter of 1954–1955, and that the deliveries to Transcontinental will enable Transcontinental and its customers to store their off-peak summer gas.

In Docket No. G-2341, Penn-Jersey seeks authority (a) to construct a new 24-inch pipeline and appurtenant facilities approximately 265 miles in length, extending from the Oakford Storage Field in Westmoreland County, Pennsylvania, eastwardly to Texas Eastern's Lambertville, New Jersey, Compressor Station No. 26; (b) to install a 3,300 hp reciprocating compressor station on said line near the terminus of the line in Oakford Storage Field; and (c) to lease such facilities to Texas Eastern for operation as described above. Estimated cost of the proposed facilities is $30,755,300, to be raised through the sale of debts securities in the amount of 75 percent of Penn-Jersey's requirements, and the sale of equity securities for the remainder.

In Docket No. G-2342, Transcontinental seeks authority to increase its maximum daily delivery volumes to certain of its existing customers, as designated in its application, in the total of 136,452 Mcf. To accomplish such increased deliveries, Transcontinental will "borrow" gas from Texas Eastern and return an equivalent volume of gas at one or more of three delivery points, as described in its application, or by deliveries at its existing marketing stations, for Texas Eastern's account, to customers common to both Transcontinental and Texas Eastern. The total cost of the three proposed metering and gas interchange facilities is estimated to be $131,628, to be defrayed from funds on hand.

Protests or petitions to intervene in all or any of the proceedings may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with its rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of February 1954. The applications are on file with the Commission and open for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-391; Filed, Jan. 20, 1954; 8:46 a. m.]

[Docket No. G-2343]

TOWN OF TROY, TENN.

NOTICE OF APPLICATION

JANUARY 15, 1954.

Take notice that the Town of Troy (Applicant), a body politic and corporate and an existing municipality of the State of Tennessee, filed on December 24, 1953, an application, pursuant to section 7 (a) of the Natural Gas Act, for an order directing Trunkline Gas Company (Trunkline) to establish physical connection of its transportation facilities with the facilities of Applicant's proposed natural gas distribution system, and to sell natural gas to Applicant for local distribution to the citizens of Troy, Tennessee, and its environs.

Applicant proposes to interconnect its facilities with those of Trunkline at a proper place near Applicant's corporate limits.

The estimated maximum daily demand stated by Applicant is 275.8 Mcf the first year, 351.1 Mcf the third year, and 386.8 Mcf the fifth year.

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 February 1954. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-392; Filed, Jan. 20, 1954; 8:46 a. m.]

[Docket No. G-2346]

TOWN OF TRIMBLE, TENN.

NOTICE OF APPLICATION

JANUARY 15, 1954.

Take notice that the Town of Trimble (Applicant), a body politic and corporate and an existing municipality of the State of Tennessee, filed on December 30, 1953, an application, pursuant to section 7 (a) of the Natural Gas Act, for an order directing Trunkline Gas Company (Trunkline) to establish physical connection of its transportation facilities with the facilities of Applicant's proposed natural gas distribution system, and to sell natural gas to Applicant for local distribution to the citizens of Trimble, Tennessee, and its environs.

Applicant proposes to interconnect its facilities with those of Trunkline at a proper place near Applicant's corporate limits.

The estimated maximum daily demand stated by Applicant is 260.2 Mcf the first year, 326.7 Mcf the third year, and 354.8 Mcf the fifth year.

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 February 1954. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-393; Filed, Jan. 20, 1954; 8:47 a. m.]

[Project No. 2137]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF APPLICATION FOR LICENSE

JANUARY 15, 1954.

Public notice is hereby given that Pacific Gas and Electric Company, of San Francisco, California, has filed application under the Federal Power Act (16 U. S. C. 791a–825r) for license for proposed Project No. 2137 to be located

on the Pit River in Shasta County, California, and affecting lands of the United States in Shasta National Forest. The proposed project would consist of a concrete gravity dam in Pit River, to be known as Pit No. 7 Project; a reservoir, formed by the dam and extending upstream to Applicant's proposed Pit No. 6 powerhouse of Project No. 2104, with a gross capacity of about 15,500 acre-feet; a low, slotted, afterbay dam below proposed Pit No. 7 powerhouse; two steel penstocks extending through the dam to power plant; Pit No. 7 powerhouse; two steel penstocks extending through the dam to power plant; Pit No. 7 powerhouse; a substation and switchyard; and two 220-kv transmission lines. The project would have a capacity of 75,500 horsepower and would produce 60,000 kva. The power generated would be distributed through the Applicant's electric system and sold to the public in the central and northern parts of California.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with rules practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before March 4, 1954. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 54-394; Filed, Jan. 20, 1954; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3155]

OHIO EDISON CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF COMPETITIVE BIDDING FOR UNDERWRITING COMMON STOCK RIGHTS OFFERING AND OVER SUBSCRIPTION PRICE FOR COMMON STOCK

JANUARY 14, 1954.

Ohio Edison Company ("Ohio Edison"), a registered holding company and a public-utility company, having filed an application-declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act"), proposing, among other things, to offer to its common stockholders rights to subscribe for the purpose of 527,830 shares of its $12 par value common stock on the basis of one additional share for each 10 shares held at the close of business on January 14, 1954, and the privilege, subject to allotment, of subscribing for any unsubscribed shares; and also proposing to offer to underwriters, pursuant to the competitive bidding requirements of Rule U-50, at the subscription price, all of such shares as are not subcribed for by the stockholders, plus such number of shares, not exceeding 52,783, of the company's outstanding common stock as are purchased by it through stabilization transactions in connection with such stock offering; and

Ohio Edison having further proposed to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $30,000,000 of bonds; and

The Commission by order dated December 30, 1953, having granted and permitted to become effective said application-declaration, as amended, subject to the condition that the proposed issuance and sale of bonds and of common stock not be consummated until the subscription price of the stock and the results of competitive bidding for the bonds and common stock, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order or orders issued, for which purpose jurisdiction was expressly reserved; and

Ohio Edison, on January 14, 1954, having filed a further amendment to said application-declaration stating that the company has fixed $35.75 per share as the subscription price for such additional shares of its common stock, has invited bids, pursuant to Rule U-50, with respect to the compensation to be paid the underwriters for their services and their agreement to purchase the shares of common stock not subscribed for by the stockholders plus such additional shares of the outstanding common stock as are purchased by the company through stabilization transactions in connection with such stock offering, and has received the following bids:

Bidding group headed by—	Amount of compensation		Aggregate net proceeds to company [1]
	Per share	Aggregate	
White, Weld & Co.	$0.119	$62,811.77	$18,807,110.73
Lehman Bros. / Bear, Stearns & Co. / Merrill Lynch, Pierce, Fenner & Beane / Kidder, Peabody & Co.	.13207	69,711.23	18,800,211.27
	.14337	75,675.00	18,794,247.50
Morgan Stanley & Co.	.148	78,119.00	18,791,803.50
The First Boston Corp.	.164399	86,775.00	18,783,147.50

[1] After deducting amount of compensation per bid.

The amendment further stating that Ohio Edison has accepted the bid of White, Weld & Co. as set forth above; and

The Commission having examined said amendment and having considered the record herein, and finding that the applicable provisions of the act and the rules thereunder have been satisfied, and observing no basis for adverse findings or imposing terms and conditions in respect of the price to be received by the company for said common stock or the compensation to be paid the underwriters of the stock offering:

It is ordered, That the application-declaration, as further amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject, further, to the continuance of the Commission's jurisdiction heretofore reserved in the aforesaid order, dated December 30, 1953, with respect to the proposed sale of bonds and with respect to the fees and expenses of counsel, accountants, and Commonwealth Services, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-356; Filed, Jan. 20, 1954; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28832]

VARIOUS COMMODITIES BETWEEN PACIFIC COAST TERRITORY AND TRANSCONTINENTAL TERRITORY AND WESTERN CANADA

APPLICATION FOR RELIEF

JANUARY 18, 1954.

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: W. J. Prueter, Agent, for carriers parties to his tariffs I. C. C. Nos. 1559, 1552 and 1555.

Commodities involved: Various commodities in carloads and less-than-carload.

Between: Pacific Coast territory on the one hand and points in Transcontinental territory taking Group F, F-1, G, or H in western-trunk line and southwestern territory, and western Canada, on the other.

Grounds for relief: Rail competition, circuity, to maintain grouping, and operation through higher-rated territory.

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.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-400; Filed, Jan. 20, 1954; 8:48 a. m.]

[4th Sec. Application 28833]

WOODPULP FROM SOUTHWEST TO FLORIDA, NORTH CAROLINA AND TENNESSEE

APPLICATION FOR RELIEF

JANUARY 18, 1954.

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: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Woodpulp, carloads.

From: Specified points in Arkansas, Louisiana, and Texas.

To: Miami and Fernandina, Fla., Kingsport and Holston, Tenn., and Rockingham, N. C.

Grounds for relief: Rail competition, circuity, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3780, supp. 27.

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.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-401; Filed, Jan. 20, 1954; 8:49 a. m.]

[4th Sec. Application 28834]

GROUND LIMESTONE FROM MARBLE CITY, OKLA., TO JACKSON, MISS.

APPLICATION FOR RELIEF

JANUARY 18, 1954.

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 F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Limestone, ground, carloads.

From: Marble City, Okla.

To: Jackson, Miss.

Grounds for relief: Rail competition, circuity.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3736, supp. 243.

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.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-402; Filed, Jan. 20, 1954; 8:49 a. m.]