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## Title 6—AGRICULTURAL CREDIT

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

#### SUBCHAPTER B—FARM OWNERSHIP LOANS [FHA Instruction 428.1]

#### PART 331—POLICIES AND AUTHORITIES

##### Average Values of Farms; Maine

On March 18, 1959, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for 11 of the 16 counties identified below were determined to be as herein set forth. The average values heretofore established for said 11 counties, which appear in the tabulations of average values under § 331.17, Chapter III, Title 6, Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

MAINE

County	Average value	County	Average value
Andros-coggin	\$22,000	Oxford	\$20,000
Aroostook	25,000	Penobscot	22,000
Cumberland	18,000	Piscataquis	20,000
Franklin	19,000	Sagadahoc	20,000
Hancock	20,000	Somerset	22,000
Kennebec	25,000	Waldo	20,000
Knox	25,000	Washington	18,000
Lincoln	25,000	York	18,000

(Sec. 41, 50 Stat. 528, as amended, 7 U.S.C. 1015)

Dated: April 3, 1959.

[SEAL]

K. H. HANSEN,  
Administrator,  
Farmers Home Administration.

[F. R. Doc. 59-3013; Filed, Apr. 8, 1959; 8:53 a.m.]

#### SUBCHAPTER G—MISCELLANEOUS REGULATIONS [FHA Instruction 444.1]

#### PART 383—FARM HOUSING LOANS

##### Additional Loan Docket Information

Section 383.11, Title 6, Code of Federal Regulations (21 F.R. 3480, 22 F.R. 3,

5623) is revised to add a new paragraph (c) requiring additional information on indebtedness and to read as follows:

#### § 383.11 Preparation of loan docket.

(c) *Information concerning prior mortgages.* The applicant for a Farm Housing loan to be made subject to an existing mortgage(s) will be required to furnish the County Supervisor a copy of each mortgage held by a prior lienholder and, if available, a copy of each secured note. In addition, the County Supervisor will be furnished a current statement from the mortgagee showing (1) the unpaid principal balance of the mortgage, (2) the amount of any accrued interest, (3) whether the account is current or delinquent, and (4) if a copy of the note is not furnished, its maturity date, repayment schedule, and interest rate. Any cost incident to obtaining the required information will be paid by the applicant.

(Sec. 510, 63 Stat. 437; 42 U.S.C. 1480)

Dated: April 3, 1959.

[SEAL]

K. H. HANSEN,  
Administrator,  
Farmers Home Administration.

[F.R. Doc. 59-3012; Filed, Apr. 8, 1959; 8:53 a.m.]

### Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

#### SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

#### PART 464—TOBACCO

##### Subpart—1958 Tobacco Loan Program

Set forth below is a schedule of advance rates, by grades, for the 1958 crop of type 32, Maryland tobacco, under the tobacco loan program formulated by Commodity Credit Corporation and Commodity Stabilization Service, published July 26, 1958 (23 F.R. 5645).

(Continued on p. 2723)

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## CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplements are now available:

Title 26, Parts 80-169 (\$0.20)  
Parts 170-182 (\$0.20)  
Title 32A (\$0.40)

Previously announced: Title 3, 1958 Supp. (\$0.35); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Titles 35-37 (\$1.25); Title 38 (\$0.55); Titles 40-42 (\$0.35); Title 46, Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Part 30 to end (\$0.30); Title 49, Parts 71-90 (\$0.70); Parts 91-164 (\$0.40)

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§ 464.1040 1958 Crop; Maryland Tobacco, Type 32, advance schedule.1
[Dollars per hundred pounds, farm sales weight]

Table with columns: Grade, Advance rate, Grade, Advance rate. Lists tobacco grades B1F through C1F and their corresponding advance rates.

1 The advance rate for each grade of any tobacco classified as type 32b will be 75 percent, rounded to the nearest dollar, of the rate designated for such grade of regular type 32 tobacco.

[Dollars per hundred pounds, farm sales weight]

Table with columns: Grade, Advance rate, Grade, Advance rate. Lists grades P5L through P4R and their corresponding advance rates.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, as amended, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421; secs. 125, 211, 70 Stat. 198, 202, 7 U.S.C. 1813, 1860)

Issued this 3d day of April, 1959.

[SEAL] WALTER C. BERGER, Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 59-3011; Filed, Apr. 8, 1959; 8:53 a.m.]

SUBCHAPTER D—REGULATIONS UNDER SOIL BANK ACT [Amdt. 32]

PART 485—SOIL BANK

Subpart—Conservation Reserve Program

Section 485.157(i) of the regulations governing the conservation reserve part of the Soil Bank Program, 21 F.R. 6289, as amended, is hereby amended by inserting immediately after the first sentence thereof the following: "However, for any contract under which the contract period begins with 1959 or a subsequent year, the restriction against harvesting shall not apply to a crop which matured and normally would be harvested in the year preceding the first year of the contract period..."

(Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Issued at Washington, D.C., this 3d day of April 1959.

[SEAL] TRUE D. MORSE, Acting Secretary.

[F.R. Doc. 59-2993; Filed, Apr. 8, 1959; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Amendment of Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Plant Quarantine Division by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective June 29, 1958 (7 CFR 354.1, 23 F.R. 5004), administrative instructions (7 CFR 354.2, 23 F.R. 7167), effective September 17, 1958,



prescribing the commuted travel time that shall be included in each period of overtime duty are hereby amended by adding "Boca Grande, Fla. (served from Tampa, Fla.)"; "Fort Myers, Fla. (served from Tampa, Fla.)"; "Keesler Air Force Base, Biloxi, Miss. (served from Mobile, Ala.)"; and "St. Marys, Ga. (served from Jacksonville, Fla.)" to the "Three Hour" list therein.

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Division. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than thirty days after publication in the FEDERAL REGISTER.

This amendment shall be effective April 9, 1959.

(64 Stat. 561; 5 U.S.C. 576)

Done at Washington, D.C., this 6th day of April 1959.

[SEAL]

E. P. REAGAN,  
Director,  
Plant Quarantine Division.

[F.R. Doc. 59-3010; Filed, Apr. 8, 1959;  
8:53 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 7118]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

##### Keystone Manufacturing Co., Inc., et al.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended—* Payment for services or facilities for processing or sale under 2(d): § 13.824 Advertising expenses.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, Keystone Mfg. Co. et al., Boston, Mass., Docket 7118, March 5, 1959]

*In the Matter of Keystone Manufacturing Company, Inc., and Keystone Camera Company, Inc., and Associated Barr Stores, Inc., and Myer B. Barr, as an Individual and as President of Associated Barr Stores, Inc.*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging manufacturers of

home movie equipment, slide projectors, and related items, with sales in 1955 in excess of \$10,000,000, with paying special allowances to a large Pennsylvania jewelry chain for advertising their products while not making such allowances available on proportionally equal terms to competitors of the chain.

Based on an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which on March 5 was adopted as the decision of the Commission.

Count II of the complaint charging said jewelry chain with knowingly inducing and receiving the allowances in question was settled by a consent order on Dec. 18, 1958, 24 F.R. 672.

The order to cease and desist is as follows:

*It is ordered*, That Respondents Keystone Mfg. Co. and Keystone Camera Company, Inc., their officers, employees, agents and representatives, directly or through any corporate or other device, in connection with the sale of home movie equipment, slide projectors, and related items in commerce, as "commerce" is defined in the Clayton Act as amended, do forthwith cease and desist from: Paying or contracting for the payment of anything of value to or for the benefit of Associated Barr Stores, Inc., or any other customer, as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the offering for sale, sale, or distribution of Respondents' products unless such payment or consideration is made available on proportionally equal terms to all other customers competing in the distribution of such products.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is further ordered*, That the respondents, Keystone Mfg. Co. and Keystone Camera Company, Inc., shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained in the aforesaid initial decision.

Issued: March 5, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,  
Acting Secretary.

[F.R. Doc. 59-2972; Filed, Apr. 8, 1959;  
8:47 a.m.]

[Docket 7169]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

##### Crawford Clothes, Inc.

Subpart—*Advertising falsely or misleadingly: § 13.155 Prices: Exaggerated as regular and customary; fictitious marking.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Crawford Clothes, Inc., Long Island City, N.Y., Docket 7169, March 6, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a large men's and boys' clothing chain with main office in Long Island City, N.Y., with advertising falsely that the fictitiously high amounts set out were its regular prices for clothing offered and that purchasers would save the difference between the higher and lower prices.

After acceptance of an agreement providing for entry of a consent order, the hearing examiner made his initial decision and order to cease and desist which became on March 6 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondent Crawford Clothes, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of wearing apparel or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication:

1. That any amount is respondent's usual and regular price of merchandise when it is in excess of the price at which said merchandise is usually and regularly sold by respondent in the normal course of its business.

2. That any savings are afforded in the purchase of merchandise unless the prices at which it is offered constitute a reduction from the prices at which said merchandise is usually and customarily sold by respondent in the normal course of its business.

B. Misrepresenting in any manner the amount of savings available to purchasers of respondent's merchandise, or the amount by which the price of said merchandise is reduced from the price at which it is usually and customarily sold by respondent in the normal course of its business.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: March 6, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,  
Acting Secretary.

[F.R. Doc. 59-2973; Filed, Apr. 8, 1959;  
8:48 a.m.]



[Docket 7255]

**PART 13—DIGEST OF CEASE AND DESIST ORDERS**

**Morris Levine et al.**

Subpart—*Misbranding or mislabeling*: § 13.1190 *Composition*: Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68(c)) [Cease and desist order, Morris Levine and Herman Rabins trading as Levine & Rabins, New York, N.Y., Docket 7255, March 6, 1959]

*In the Matter of Morris Levine, and Herman Rabins, Individually and as Copartners Trading as Levine & Rabins*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York City sellers with violating the Wool Products Labeling Act by tagging as "100 percent reprocessed wool", interlinings which contained a substantial quantity of fibers other than wool.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on March 6 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That the respondents, Morris Levine and Herman Rabins, individually, and as partners trading as Levine & Rabins, or under any other name, and respondents' representatives, agents and employees, directly or through any corporate device, in connection with the introduction or manufacture for introduction, into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, and the Wool Products Labeling Act of 1939, of woolen interlinings, or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool products, of any non-fibrous loading, filling, or adulterating matter;

(c) The name of the registered identification number of the manufacturer of such wool product or of one or more per-

sons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce as "commerce" is defined in the Wool Products Labeling Act of 1939.

By "Decision of the Commission", etc., report of compliance was required as follows:

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

Issued: March 6, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,  
*Acting Secretary.*

[F.R. Doc. 59-2974; Filed, Apr. 8, 1959; 8:48 a.m.]

[Docket 7283]

**PART 13—DIGEST OF CEASE AND DESIST ORDERS**

**Lester C. Carr**

Subpart—*Advertising falsely or misleadingly*: § 13.70 *Fictitious or misleading guarantees*; § 13.71 *Financing*;<sup>1</sup> § 13.85 *Government approval, action, connection or standards*: Government indorsement or certification.<sup>2</sup>

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Lester C. Carr, Washington, D.C., D. 7283, March 6, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Washington, D.C., dealer in used automobiles with representing falsely in newspaper advertising and otherwise that the used automobiles he sold were financed at bank rates and were unconditionally guaranteed, and that the United States Government certified his sales to military personnel.

After acceptance of an agreement providing for entry of a consent order, the hearing examiner made his initial decision and order to cease and desist which became on March 6 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondent Lester C. Carr, an individual, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of automobiles or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That he offers or makes available bank rate financing, or misrepresenting

<sup>1</sup> New.

<sup>2</sup> Amended to read as set forth.

in any manner the terms under which his automobiles or other products are sold.

2. That the automobiles or other products sold by him are guaranteed, unless the nature and extent of the guarantee and the manner in which he will perform thereunder are clearly and truthfully set forth.

3. That the Government of the United States, or any branch or agency thereof, certifies or has any part in sales to military personnel.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: March 6, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,  
*Acting Secretary.*

[F.R. Doc. 59-2975; Filed, Apr. 8, 1959; 8:48 a.m.]

[Docket 7300]

**PART 13—DIGEST OF CEASE AND DESIST ORDERS**

**Harry Krauss et al.**

Subpart—*Advertising falsely or misleadingly*: § 13.155 *Prices*: Exaggerated as regular and customary; fictitious marking. Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1805 *Exaggerated as regular and customary*; § 13.1810 *Fictitious marking*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Harry Krauss et al. doing business as Job Lot Trading Company, New York, N.Y., Docket 7300, March 7, 1959]

*In the Matter of Harry Krauss, and Sam Osman, Individually and Trading and Doing Business as Job Lot Trading Company*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York City sellers with fictitious pricing in newspaper advertisements which represented that exaggerated prices set forth therein as "Reg." and "List" were the prices at which they customarily sold their merchandise.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on March 7 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondents Harry Krauss and Sam Osman, individually and trading and doing business as Job Lot Trading Company, or trading under any other name, their agents, representatives and employees, directly or



through any corporate or other device, in connection with the offering for sale, sale and distribution of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Representing, directly or by implication, that any specific amount is respondent's regular retail price of merchandise when such amount is in excess of the price at which such merchandise is customarily and usually sold at retail by the respondents in the normal course of their business.

By "Decision of the Commission", etc., report of compliance was required as follows:

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

Issued: March 7, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,  
Acting Secretary.

[F.R. Doc. 59-2976; Filed, Apr. 8, 1959;  
8:48 a.m.]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54827]

#### MISCELLANEOUS AMENDMENTS TO CHAPTER

Documentation and operation of certain non-self-propelled vessels or self-propelled vessels of less than 500 gross tons for coastwise trade by citizen corporations and qualification of certain corporations as citizens of the United States—Customs Regulations amended.

Sections 3.1, 3.2, 3.5, 3.10, 3.17, 3.18, 3.19, 3.21, 3.26, 3.30, 3.40, 3.41, 3.42, 4.80, and 4.84, Customs Regulations, relating to the documentation and operation of vessels and the citizenship of corporations, amended, and a new § 3.21a added.

The Act of September 2, 1958 (Pub. Law 85-902; 72 Stat. 1736; T.D. 54693), further amended the Merchant Marine Act, 1920 (46 U.S.C. 861, et seq.), by adding immediately following section 27 thereof (46 U.S.C. 883) a new section 27A (46 U.S.C. 883-1). The new section, among other things, provides that for the purposes of certain laws, including those relating to the documentation and operation of vessels, a domestic corporation which meets certain established qualification requirements shall be deemed to be a citizen of the United States, without regard to the extent of control of such corporation by an alien or aliens. A qualifying corporation which owns a vessel built in the United States which is non-self-propelled or which, if self-propelled, is of less than 500 gross tons, is authorized thereby to document such vessel under the laws of the United States and to engage in the coastwise trade, subject, however, to certain restrictions set out in the Act.

In order to give effect to the enactment, the following changes are made in the Customs Regulations:

### PART 3—DOCUMENTATION OF VESSELS

#### § 3.1 [Amendment]

1. Section 3.1 is amended by inserting new paragraphs (h) and (i) at the end thereof, reading as follows:

(h) The term "parent corporation" means a corporation incorporated under the laws of the United States, or any State, Territory, District, or possession thereof, which controls, directly or indirectly, at least 50 percent of the voting stock of a corporation which is a citizen of the United States as defined in § 3.19(a)(4) and for which there is on file with the proper collector of customs a valid and current certificate under oath as required by § 3.21a.

(46 U.S.C. 883-1)

(i) The term "subsidiary corporation" means a corporation incorporated under the laws of the United States, or any State, Territory, District, or possession thereof, not less than 50 percent of the voting stock of which is controlled, directly or indirectly, by a corporation which is a citizen of the United States as defined in § 3.19(a)(4) or by a parent corporation of any such corporation and for which there is on file with the proper collector of customs a valid and current certificate under oath as required by § 3.21a.

(46 U.S.C. 883-1)

#### § 3.2 [Amendment]

2. Section 3.2 is amended as follows:

a. A new sentence is inserted at the end of paragraph (c), class 1, following the footnote reference, which sentence reads as follows: "A vessel of this class owned by a corporation which is qualified as a citizen of the United States under the definition contained in § 3.19(a)(4) may be documented for use in the coastwise trade within the limitations specified in the Act of September 2, 1958 (46 U.S.C. 883-1), if it is a non-self-propelled vessel or a self-propelled vessel of less than 500 gross tons (see also § 3.19(e))."

b. That portion of paragraph (d) which precedes subparagraph (1) is amended to read as follows:

(d) The appropriate one of the following notations shall be made on the register of any vessel owned by a corporation which is established as a citizen of the United States under the definition contained in § 3.19(a)(3) or § 3.19(b), except when such register is required by any other provision of this part to bear an endorsement prohibiting the vessel from engaging in the coastwise trade:

c. Paragraph (e) is redesignated as paragraph (f) and a new paragraph (e) is inserted reading as follows:

(e) The following notation shall be made on the enrollment and license or license of any non-self-propelled vessel or any self-propelled vessel of less than 500 gross tons owned by a corporation which is established as a citizen of the

United States under the definition contained in § 3.19(a)(4):

As amended by the Act of September 2, 1958 (46 U.S.C. 883-1). This vessel may engage in the coastwise trade, within the limitations specified in the Act, so long as so owned and no longer. It shall not engage in the fisheries and is not authorized to be documented for nor to engage in the foreign trade.

d. Redesignated paragraph (f) is amended by deleting everything after the first sentence and by inserting the following in lieu thereof: "No document shall be issued to such a vessel for the coastwise trade and any document which may be issued for any other trade or employment shall bear the following notation:"

As amended by section 27 of the Merchant Marine Act of June 5, 1920, as amended. This vessel shall not engage in the coastwise trade.

(R.S. 4132, as amended, sec. 22, 41 Stat. 997, R.S. 4136, as amended, 4214, as amended, secs. 2, 9, 39 Stat. 729, as amended, 730, as amended, sec. 27, 41 Stat. 999, as amended, secs. 2, 3, 70 Stat. 544, 72 Stat. 1736; 46 U.S.C. 11, 13, 14, 103, 802, 808, 883, 883a, 883b, 883-1)

#### § 3.5 [Amendment]

3. Section 3.5 is amended by deletion of the parenthetical matter at the end thereof and by inserting a new paragraph (c) reading as follows:

(c) No vessel exempt from documentation under the provisions of paragraph (a) (1), (2), (3), or (5) of this section and owned by a corporation which is a citizen of the United States as defined in § 3.19(a)(4) shall be operated in trade on the navigable waters of the United States unless there is on file with the collector of customs for the district in which the vessel business of the owner is conducted a valid and current certificate under oath on customs Form 1260 as required by § 3.21(f).

(Sec. 7, 24 Stat. 81, as amended, 21 Stat. 44, R.S. 4385, 18 Stat. 31, 72 Stat. 1736; 46 U.S.C. 319, 332, 335, 336, 883-1)

#### § 3.10 [Amendment]

4. Section 3.10 is amended by deleting everything after the first sentence and by inserting the following in lieu thereof: "Vessels engaged in domestic trade only, other than vessels owned by citizens of the United States as defined in § 3.19(a)(4) and documented or to be documented under the Act of September 2, 1958 (46 U.S.C. 883-1), may be registered. (See § 3.30.)"

(R.S. 4132, as amended, sec. 22, 41, Stat. 997, 72 Stat. 1736; 46 U.S.C. 11, 13, 883-1)

#### § 3.17 [Amendment]

5. Section 3.17(e) is amended by inserting a new subparagraph (5) reading as follows:

(5) The vessel is owned by a corporation which is qualified as a citizen of the United States only under the definition contained in § 3.19(a)(4).

#### § 3.18 [Amendment]

6. Section 3.18 is amended as follows:  
a. Paragraph (a) is amended by inserting "or 1260, whichever is applicable" after "customs Form 1259" in the last clause of that paragraph so that that clause, as amended, will read: "or on



customs Form 1259 or 1260, whichever is applicable, if the vessel is owned by a corporation."

b. Paragraph (c) is amended to read as follows:

(c) The master's oath required for the license or enrollment and license of a vessel shall be executed in the space provided thereon on customs Form 1258, 1259, or 1260. If the vessel is to be registered and the master is within the district where the registry is to be made, the master's oath shall be on Form 1258 or 1259. Such form of oath shall not be used for a renewal of license under paragraph (d) of this section.

c. The citation of authority for § 3.18 is amended to read:

(R.S. 3114, as amended, 3115, as amended, 4142, 4139, as amended, 4159, 4161, 4214, as amended, 4312, 4314, as amended, 4320, as amended, 4325, as amended, 4328, as amended, 4330, 72 Stat. 1736; 19 U.S.C. 257, 258, 46 U.S.C. 19, 20, 29, 31, 103, 252, 254, 262, 267, 270, 272, 883-1)

### § 3.19 [Amendment]

7. Section 3.19 is amended as follows:

a. Paragraph (a) is amended by the addition of a new subparagraph (4) reading as follows:

(4) In the case of a corporation owning and operating a non-self-propelled vessel, or a self-propelled vessel of less than 500 gross tons, or in the case of a corporation which seeks to qualify as a citizen under the Act of September 2, 1958 (46 U.S.C. 883-1), for any purpose under the Act, one which is incorporated under the laws of the United States, or any State, Territory, District, or possession thereof provided that (i) a majority of the officers and directors of such corporation are citizens of the United States; (ii) not less than 90 percent of the employees of such corporation are residents of the United States; (iii) such corporation is engaged primarily in a manufacturing or mineral industry in the United States or any Territory, District, or possession thereof; (iv) the aggregate book value of the vessels owned by such corporation does not exceed 10 percent of the aggregate book value of the assets of such corporation; and (v) such corporation purchases or produces in the United States, its Territories, or possessions not less than 75 percent of the raw materials used or sold in its operations, and provided further that a certificate under oath on customs Form 1260 as prescribed in § 3.21 is filed with the collector of customs concerned as provided therein, if any, or if none, with the Commissioner of Customs, together with the required certificate as to the organization of the corporation and the names of all officers and directors of the corporation, showing the home address and citizenship of each.<sup>28</sup>

b. A footnote is appended to paragraph (a) (4) reading as follows:

<sup>28</sup> \* \* \* Notwithstanding any other provision of law, a corporation incorporated under the laws of the United States or any State, Territory, District, or possession thereof, shall be deemed to be a citizen of the United States for the purposes of and within the meaning of that term as used in sections 9 and 37 of the Shipping Act, 1916, as amended (46 U.S.C.

808, 835), section 27 of the Merchant Marine Act of 1920, as amended (46 U.S.C. 883), Revised Statutes, section 4370 (46 U.S.C. 316), and the laws relating to the documentation of vessels, if it is established by a certificate filed with the Secretary of the Treasury as hereinafter provided, that—

(a) A Majority of the officers and directors of such corporation are citizens of the United States;

(b) Not less than 90 per centum of the employees of such corporation are residents of the United States;

(c) Such corporation is engaged primarily in a manufacturing or mineral industry in the United States or any Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by such corporation does not exceed 10 per centum of the aggregate book value of the assets of such corporation; and

(e) Such corporation purchases or produces in the United States, its Territories, or possessions not less than 75 per centum of the raw materials used or sold in its operations

but no vessel owned by any such corporation shall engage in the fisheries or in the transportation of merchandise or passengers for hire between points in the United States, including Territories, Districts, and possessions thereof, embraced within the coastwise laws, except as a service for a parent or subsidiary corporation and except when such vessel is under demise or bareboat charter at prevailing rates for use otherwise than in the domestic noncontiguous trades from any such corporation to a common or contract carrier subject to part 3 of the Interstate Commerce Act, as amended, which otherwise qualifies as a citizen under section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802), and which is not connected, directly or indirectly, by way of ownership or control with such corporation.

As used herein (1), the term "parent" means a corporation which controls, directly or indirectly, at least 50 per centum of the voting stock of such corporation, and (2), the term "subsidiary" means a corporation not less than 50 per centum of the voting stock of which is controlled, directly or indirectly, by such corporation or its parent, but no corporation shall be deemed to be a "parent" or "subsidiary" hereunder unless it is incorporated under the laws of the United States, or any State, Territory, District, or possession thereof, and there has been filed with the Secretary of the Treasury a certificate as hereinafter provided.

Vessels built in the United States and owned by a corporation meeting the conditions hereof which are non-self-propelled or which, if self-propelled, are of less than five hundred gross tons shall be entitled to documentation under the laws of the United States, and except as restricted by this section, shall be entitled to engage in the coastwise trade and, together with their owners or masters, shall be entitled to all the other benefits and privileges and shall be subject to the same requirements, penalties, and forfeitures as may be applicable in the case of vessels built in the United States and otherwise documented or exempt from documentation under the laws of the United States.

A corporation seeking hereunder to document a vessel under the laws of the United States or to operate a vessel exempt from documentation under the laws of the United States shall file with the Secretary of the Treasury of the United States a certificate under oath, in such form and at such times as may be prescribed by him, executed by its duly authorized officer or agent, establishing that such corporation complies with the conditions of this section above set forth. A "parent" or "subsidiary" of such corporation shall likewise file with the Sec-

retary of the Treasury a certificate under oath, in such form and at such time as may be prescribed by him, executed by its duly authorized officer or agent, establishing that such "parent" or "subsidiary" complies with the conditions of this section above set forth, before such corporation may transport any merchandise or passengers for such parent or subsidiary. If any material matter of fact alleged in any such certificate which, within the knowledge of the party so swearing is not true, there shall be a forfeiture of the vessel (or the value thereof) documented or operated hereunder in respect to which the oath shall have been made. If any vessel shall transport merchandise for hire in violation of this section, such merchandise shall be forfeited to the United States. If any vessel shall transport passengers for hire in violation of this section, such vessel shall be subject to a penalty of \$200 for each passenger so transported. Any penalty or forfeiture incurred under this section may be remitted or mitigated by the Secretary of the Treasury under the provisions of section 7 of Title 46, United States Code.

Any corporation which has filed a certificate with the Secretary of the Treasury as provided for herein shall cease to be qualified under this section if there is any change in its status whereby it no longer meets the conditions above set forth, and any documents theretofore issued to it, pursuant to the provisions of this section, shall be forthwith surrendered by it to the Secretary of the Treasury. (46 U.S.C. 883-1)

c. The parenthetical matter at the end of paragraph (d) is deleted and a new paragraph (e) is inserted reading as follows:

(e) A corporation which qualifies as a citizen as defined in paragraph (a) (4) of this section is not thereby precluded from qualifying as a citizen under any other applicable definition and vessels which it owns or operates shall be entitled to be documented as vessels of the United States under any other provision of this part upon compliance with all applicable requirements.

(R.S. 4132, as amended, 4131, as amended, secs. 2, 9, 39 Stat. 729, as amended, 730, as amended, sec. 4, 40 Stat. 901, as amended, 72 Stat. 1736; 46 U.S.C. 11, 221, 802, 808, 835, 883-1)

### § 3.21 [Amendment]

8a. The headnote of § 3.21 is amended to read "*Execution of oaths for documentation, for operation of certain vessels exempt from documentation, and for qualification of certain corporations as citizens of the United States.*" That section is further amended as follows:

b. The period at the end of paragraph (c) is changed to a comma and the following is inserted thereafter: "showing the home address and citizenship of each. If the corporate owner is qualifying as a citizen of the United States under the definition contained in § 3.19(a) (4), the oath shall be on Form 1260 and the accompanying certificate shall include information as to the names of all officers and directors."

c. The parenthetical matter at the end of paragraph (e) is deleted and the following new paragraphs are inserted:

(f) A corporation which meets the qualification requirements of § 3.19(a) (4) as a citizen of the United States and which seeks to operate in trade a vessel owned by such corporation and exempt



from documentation under § 3.5 shall file in duplicate with the collector of customs for the district in which the vessel business of the owner is conducted a certificate under oath on customs Form 1260 by its president, its secretary, or by any officer or agent thereof duly authorized by a writing under the corporate seal to act in its behalf. Such officer or agent shall also furnish in duplicate a certificate as to the organization of the corporation and the names of all officers and directors of the corporation, showing the home address and citizenship of each.

(g) A corporation which meets the qualification requirements of § 3.19(a) (4) as a citizen of the United States and which seeks to qualify under the Act of September 2, 1958 (46 U.S.C. 883-1), for any purpose other than as outlined in paragraph (f) hereof shall file in duplicate with the Commissioner of Customs a certificate under oath on customs Form 1260, appropriately modified to omit reference to any vessel, by the corporation's president, its secretary, or by any other officer or agent thereof duly authorized in writing under the corporate seal to act in its behalf. Such officer or agent shall also furnish in duplicate a certificate as to the organization of the corporation and the names of all officers and directors of the corporation, showing the home address and citizenship of each, and shall state in duplicate in writing the reasons for desiring to qualify under the Act and the reasons why qualification is not sought under paragraph (c) or (f) of this section.

(h) If any change occurs in any corporation after the filing of a certificate under oath and the other papers required under paragraph (f) or (g) of this section whereby the corporation is no longer entitled to be deemed a citizen of the United States as defined in § 3.19(a) (4), the corporation shall cause a report of such change to be made in writing in duplicate to the office where the previous certificate under oath was filed.

(i) Upon the filing of a certificate under oath and the other papers required under paragraph (f) or (g) of this section, the collector of customs or the Commissioner of Customs shall furnish the corporation, through its officer or agent, a certificate of filing of such oath on customs Form 1262 which shall be valid for a period of 3 years from the date of its issuance unless there first occurs a change in corporate status requiring a report under paragraph (h) of this section. On or before the date of expiration of the validity of such certificate, a new oath on customs Form 1260 and the other papers required by paragraph (f) or (g) of this section shall be filed with the appropriate officer.

(j) The duplicate copy of the oath and other papers required by paragraphs (f) and (h) of this section and a copy of any certificate issued by the collector under paragraph (i) of this section shall be forwarded promptly to the Commissioner of Customs, who will cause notice of the contents thereof to be given to all collectors of customs concerned. The Commissioner will also give similar notice of the contents of any oath filed with him under paragraph (g) of this section.

(Sec. 1, 61 Stat. 633, as amended, 44 Stat. 830, R.S. 4138, 4142, 4139, as amended, 4143, 4144, 4163, 4314, as amended, 4320, as amended, 72 Stat. 1736; 1 U.S.C. 1, 5 U.S.C. 92a, 46 U.S.C. 16, 19-22, 33, 254, 262, 883-1)

9. A new section 3.21a is added reading as follows:

**§ 3.21a Execution of oaths by a parent or subsidiary corporation.**

(a) A parent or subsidiary corporation as defined in § 3.1 (h) and (i) shall file a certificate under oath on customs Form 1263 executed by its duly authorized officer or agent establishing the facts respecting the citizenship of such parent or subsidiary corporation before any vessel owned by a corporation as defined in § 3.19(a) (4) shall transport any merchandise or passengers for such parent or subsidiary corporation, whether the transporting vessel is documented as a vessel under the laws of the United States or is exempt from the requirements for documentation under § 3.5(c) or otherwise.

(b) The certificate under oath required under paragraph (a) of this section shall be filed in duplicate with the collector of customs at the vessel's home port if the vessel is documented as a vessel of the United States or, if not so documented, with the collector of customs for the district in which the vessel business of the owner is conducted. Such officer or agent shall also furnish in duplicate a certificate as to the organization of the corporation and the names of all officers and directors of the corporation, showing the home address and citizenship of each.

(c) When there is any change in the status of a parent or subsidiary corporation which is a citizen of the United States whereby such corporation shall cease to be qualified as a citizen, such corporation shall cause a report of such change to be made in writing in duplicate to the collector of customs at the port where the previous certificate under oath was filed.

(d) The duplicate copy of the oath and other papers required by this section shall be forwarded promptly to the Commissioner of Customs, who will cause notice of the contents thereof to be given to all collectors of customs concerned.

(72 Stat. 1736; 46 U.S.C. 883-1)

**§ 3.26 [Amendment]**

10. Section 3.26(a) is amended by deleting "and" preceding the last clause of the first sentence thereof, by changing the period at the end of that sentence to a semicolon, and by inserting an additional clause thereafter reading as follows: "and when there is any change in the status of a corporation which is a citizen of the United States as defined in § 3.19(a) (4) whereby such corporation shall cease to be qualified as a citizen thereunder."

**§ 3.26 [Amendment]**

11. The citation of authority for § 3.26 is amended to read as follows:

(R.S. 4146, as amended, 4160, 4170, as amended, 4322, 4325, as amended, 72 Stat. 1736, sec. 30, subsec. 0, 41 Stat. 1004, sec. 204,

49 Stat. 1987, as amended; 46 U.S.C. 23, 30, 39, 264, 267, 883-1, 961, 1114)

**§ 3.30 [Amendment]**

12a. The first sentence of § 3.30(a) is amended to read as follows: "Any enrolled and licensed or licensed vessel, other than a vessel documented under the Act of September 2, 1958 (46 U.S.C. 883-1), may be registered upon the surrender" of her document to a collector of customs."

b. The citation of authority for § 3.30 is amended to read as follows:

(R.S. 3114, as amended, 3115, as amended, 4322, 4323, as amended, 4337, 72 Stat. 1736, sec. 30, subsec. 0, 41 Stat. 1004, sec. 204, 49 Stat. 1987, as amended; 19 U.S.C. 257, 258, 46 U.S.C. 264, 265, 278, 883-1, 961, 1114)

**§ 3.40 [Amendment]**

13a. Section 3.40(b) is amended by adding the following sentence at the end thereof: "When the endorsement required by § 3.2(e) is placed on a frontier enrollment and license, the words 'and Foreign' in the license shall be deleted."

b. The citation of authority for section 3.40 is amended to read:

(R.S. 4318, as amended, 4321, as amended, 72 Stat. 1736; 46 U.S.C. 258, 263, 883-1)

**§ 3.41 [Amendment]**

14a. Section 3.41(a) is amended to read as follows:

(a) Except as stated in § 3.40(d), when a vessel under frontier enrollment and license proceeds to sea, directly or by way of an intermediate port, the vessel shall be required to surrender the frontier document and, unless it is a vessel owned by a corporation which is a citizen of the United States as defined in § 3.19(a) (4) (see §§ 3.2(e) and 3.10), shall be issued only a register if bound on a foreign voyage partly by sea or if proceeding from one United States port to another by way of the St. Lawrence River and the sea." A vessel under frontier enrollment and license may retain that document when proceeding by way of the Hudson River to any United States port without going to sea.

b. The citation of authority for § 3.41 is amended to read:

(R.S. 4318, as amended, 72 Stat. 1736; 46 U.S.C. 258, 883-1)

**§ 3.42 [Amendment]**

15a. The last sentence of § 3.42(e) is amended to read as follows: "If the vessel is owned by a corporation which is a citizen of the United States as defined in § 3.19(a) (3) or 3.19(b), the notation required by § 3.2(d) shall also be made on the document."

b. The citation of authority for § 3.42 is amended to read:

(R.S. 4132, as amended, sec. 22, 41 Stat. 997, secs. 2, 9, 39 Stat. 729, as amended, 730, as amended, sec. 27, 41 Stat. 999, as amended, 72 Stat. 1736; 46 U.S.C. 11, 13, 802, 808, 883, 883-1)

**§ 3.43 [Amendment]**

16. Section 3.43(f) is amended changing the reference to § 3.2(e) therein to a reference to § 3.2(f).



**PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES**

**§ 4.30 [Amendment]**

1. Section 4.80 is amended by deleting the parenthetical matter at the end of paragraph (b) and by inserting a new paragraph (c) reading as follows:

(c) No vessel owned by a corporation which is a citizen of the United States as defined in § 3.19(a) (4) shall be used in any trade other than the coastwise trade and shall not be used in that trade unless it is properly documented for such use or is exempt from documentation and is entitled to or, except for its tonnage, would be entitled to be enrolled and licensed or licensed for the coastwise trade. Such a vessel shall not be documented for nor engage in the foreign trade or the fisheries and shall not transport merchandise or passengers coastwise for hire except as a service for a parent or subsidiary corporation as defined in § 3.1(h) or (i) of this chapter or while under demise or bareboat charter at prevailing rates for use otherwise than in trade with noncontiguous territory of the United States to a common or contract carrier subject to part III of the Interstate Commerce Act, as amended (49 U.S.C. 901-923), which otherwise qualifies as a citizen of the United States under section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802), and which is not connected, directly or indirectly, by way of ownership or control with such owning corporation.

(R.S. 4311, as amended, sec. 2, 39 Stat. 729, as amended, sec. 27, 41 Stat. 999, as amended, 72 Stat. 1736; 46 U.S.C. 251, 802, 883, 883-1)

**§ 4.34 [Amendment]**

2. Section 4.84 is amended by deleting the parenthetical matter at the end of paragraph (d) and by inserting a new paragraph (e) reading as follows:

(e) No vessel owned by a corporation which is a citizen of the United States as defined in § 3.19(a) (4) of this chapter shall be granted any clearance under this paragraph in trade with noncontiguous territory or the Canal Zone while under demise or bareboat charter from such corporation.

(R.S. 4197, as amended, 4200, as amended, 32 Stat. 172, 72 Stat. 1736; 46 U.S.C. 91, 92, 95, 883-1)

(R.S. 161, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended, 72 Stat. 1736; 5 U.S.C. 22, 46 U.S.C. 2, 3, 883-1)

Notice of the proposed issuance of the foregoing amendments was published in the FEDERAL REGISTER on December 11, 1958 (23 F.R. 9605). Careful consideration was accorded to all data, views, and arguments received pertaining to the proposed amendment. As a result thereof, certain changes have been incorporated in this final draft. In this respect, particular attention is invited to §§ 3.2(c), class 1; 3.19(a) (4); 3.19(e); 3.21 (c), (f), (g), (h), (i), and (j); and 4.80(c) of the regulations.

This order, which is deemed to be one granting or recognizing exemption or relieving restriction within the meaning of sec. 4 of the Act of June 11, 1946 (5 U.S.C. 1003), shall be effective upon publication.

The substance of the forms prescribed hereunder is set out in the appended matter which immediately follows this order. Until such time as printed copies of such forms are available, typewritten or other reproduced copies may be used.

[SEAL] **LAWTON M. KING,**  
*Acting Commissioner of Customs.*

Approved: April 2, 1959.

**A. GILMORE FLUES,**  
*Acting Secretary of the Treasury.*

**APPENDIX**

For the purposes indicated in the last paragraph of the foregoing order the substance of customs Forms 1260, 1262, and 1263 is reproduced below:

Customs Form 1260

**TREASURY DEPARTMENT  
BUREAU OF CUSTOMS**

**OATH ON LICENSE OR ENROLLMENT AND LICENSE, FOR OPERATION OF UNDOCUMENTED VESSEL, OR FOR QUALIFICATION OF CORPORATION AS A CITIZEN OF THE UNITED STATES UNDER THE ACT OF SEPTEMBER 2, 1958 (46 U.S.C. 883-1)**

Vessel: <sup>1</sup>  
Rig -----  
(Sloop, barge, oil screw, etc.)  
Name -----  
Official No. <sup>2</sup> -----  
Home Port <sup>3</sup> -----  
Year of build -----  
Place of build -----  
Service -----  
(Freight, towing, etc.)  
Gross <sup>2</sup> -----  
Net <sup>2</sup> -----  
Length -----  
Horsepower -----  
Corporation:  
Name -----  
Address <sup>3</sup> -----  
State where incorporated -----  
Affiant:  
Name -----  
Address -----  
Company -----  
Title or capacity <sup>4</sup> -----

I, the affiant named above, swear that the information which I have given, including that respecting the vessel and the corporation, is, to the best of my knowledge and belief, true, complete, and correct; that the corporation named is the sole owner of the vessel named and described above;

That no subject or citizen of any foreign prince or state, is directly or indirectly, by

<sup>1</sup> The portion of the form requiring vessel identification shall be struck out when the affiant's oath is filed merely to qualify as a citizen under the Act and not as an owner and operator.

<sup>2</sup> Do not complete this blank in the case of an undocumented vessel.

<sup>3</sup> Show address where vessel business of owner or operator is conducted; when corporation is qualifying under Act other than as owner or operator of vessel, show place of principal business.

<sup>4</sup> Show the capacity in which the affiant is acting for the owning corporation, as "President," "Secretary," "Specially authorized officer," or "Agent" as the case may be.

way of trust, confidence, or otherwise, interested in the vessel, or in the profits or issues thereof; <sup>6</sup>

That a majority of the officers and directors of such corporation are citizens of the United States, as shown by the attached listing incorporated in and made a part of this oath which truly and correctly names all such officers and directors, giving the home address and citizenship of each; that not less than 90 percent of the employees of such corporation are residents of the United States; that such corporation is engaged primarily in a manufacturing or mineral industry in the United States or in a Territory, District, or possession thereof; that the aggregate book value of the vessels owned by such corporation does not exceed 10 percent of the aggregate book value of the assets of such corporation; that such corporation purchases or produces in the United States, its Territories, or possessions not less than 75 percent of the raw materials used or sold in its operations; <sup>6</sup>

That all equipments or any part thereof, including boats, purchased for, or the repair parts or materials to be used, or the expenses of repairs made in any foreign country upon said vessel within the year immediately preceding the date of this application, have been duly reported and accounted for under the provisions of sections 257 and 258, title 19, and section 272, title 46, United States Code, and the duties thereon have been duly paid.

Subscribed and sworn to before me on the day and year shown.

(Notary Public or Deputy Collector of Customs)

Date -----

**MASTER'S OATH ON REGISTRY, LICENSE, OR ENROLLMENT AND LICENSE**

I, -----  
(Street and No., city and State)  
master of the -----  
(Rig) (Name of vessel)  
Official No. ----- swear that I am a citizen of the United States, having been born in -----  
(City)  
(State or country)

on -----<sup>8</sup>  
and naturalized before the <sup>8</sup> -----  
(Name of court)

for -----  
(District, county, or State)

on -----<sup>9</sup> having been issued Naturalization Certificate No. -----; and I also swear that the license granted to the said vessel shall not be used for any other vessel or for any other employment than the coasting trade or in any trade or business

<sup>6</sup> "Interest" as used herein does not refer to the ownership of stock of the corporation owning the vessel or to control of the corporation by way of voting or other direct or indirect means but rather refers to ownership of the vessel itself. Strike out this clause in the case of a licensed vessel of less than 20 net tons.

<sup>7</sup> Attach the required list of the names of all officers and directors of the corporation, giving the home address and citizenship of each.

<sup>8</sup> The officer or agent of the corporation subscribing to this oath, if other than the president or secretary, shall present a written instrument attested by the corporate seal, authorizing him to act in this behalf.

<sup>9</sup> Strike out portion relating to naturalization if native-born citizen.



whereby the revenue of the United States may be defrauded.

-----  
(Master)  
Subscribed and sworn to before me this  
day of -----, 19--

-----  
(Deputy Collector of  
Customs)

Customs Form 1262

TREASURY DEPARTMENT  
BUREAU OF CUSTOMS

CERTIFICATE OF COMPLIANCE WITH THE PROVISIONS OF THE ACT OF SEPTEMBER 2, 1958 (46 U.S.C. 883-1)

Port or Place -----  
Date -----  
Name of vessel ----- Rig -----  
Name of corporation -----  
Address -----  
State of incorporation -----

The corporation named and identified above has on this date complied with the provisions of § 3.21, Customs Regulations, by filing the corporate certificate under oath required under the Act of September 2, 1958 (46 U.S.C. 883-1), and is hereby authorized to operate the undocumented vessel named herein, if any, in the coastwise trade subject to the limitations of the Act. This certificate and any authorization granted hereunder expire three years from the date shown above unless there first occurs a change in corporate status requiring a report under § 3.21 cited above.

(Signature) -----  
(Title) -----

OATH OF PARENT OR SUBSIDIARY CORPORATION  
ACT OF SEPTEMBER 2, 1958 (46 U.S.C. 883-1)

Port -----  
Date -----  
Individual affiant's name -----  
Address -----  
Capacity or title -----  
Corporate name (parent)<sup>1</sup> (subsidiary)<sup>2</sup> -----  
Address -----  
State of incorporation of parent or subsidiary -----  
Name of associated corporation -----  
Address -----  
State of incorporation of associated corporation -----

I, the affiant named above, swear that the corporation first named herein is the (parent)<sup>1</sup> (subsidiary)<sup>2</sup> of the associated corporation named; that I am the duly authorized officer or agent of such corporation; that the associated corporation named has previously established that it is a citizen of the United States within the meaning of the Act of Sep-

<sup>1</sup>The term "parent corporation" for the purposes of this oath means a corporation incorporated under the laws of the United States, or any State, Territory, District, or possession thereof, which controls, directly or indirectly, at least 50 percent of the voting stock of a corporation which is a citizen of the United States as defined in section 3.19 (a) (4) of the Customs Regulations and the Act of September 2, 1958 (46 U.S.C. 883-1). Strike out the inapplicable term.

<sup>2</sup>The term "subsidiary corporation" for the purposes of this oath means a corporation incorporated under the laws of the United States, or any State, Territory, District, or possession thereof, not less than 50 percent of the voting stock of which is controlled, directly or indirectly, by a corporation which is a citizen of the United States as defined in § 3.19(a)(4) of the Customs Regulations and the Act of September 2, 1958 (46 U.S.C. 883-1) or by a parent corporation of any such corporation. Strike out the inapplicable term.

tember 2, 1958 (46 U.S.C. 883-1), having filed a certificate under oath to that effect with the collector of customs concerned; that a majority of the officers and directors of the said parent or subsidiary corporation are citizens of the United States, as shown by the attached listing incorporated in and made a part of this oath which truly and correctly names all such officers and directors, giving the home address and citizenship of each; that not less than 90 percent of the employees of such parent or subsidiary corporation are residents of the United States; that such parent or subsidiary corporation is engaged primarily in a manufacturing or mineral industry in the United States or in a Territory, District, or possession thereof; that the aggregate book value of the vessels owned by such parent or subsidiary corporation does not exceed 10 percent of the aggregate book value of the assets of such corporation; and that such parent or subsidiary corporation purchases or produces in the United States, its Territories, or possessions not less than 75 percent of the raw materials used or sold in its operations.

Signed -----

Subscribed and sworn to before me on the day and year shown.

-----  
(Notary Public or Deputy  
Collector of Customs)

Date -----

[F.R. Doc. 59-3000; Filed, Apr. 8, 1959;  
8:52 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER G—PERSONNEL

#### PART 882—DISCHARGE OR RELEASE FROM ACTIVE DUTY

##### Miscellaneous Revocations

In Part 882, the following sections are revoked:

Sections 882.1 to 882.10 (Minority).  
(15 F.R. 1268, March 9, 1950)

Sections 882.16 to 882.25 (Hardship).  
(17 F.R. 10981, December 5, 1952)

Sections 882.30 to 882.33 (Separation for Convenience of the Government).  
(20 F.R. 5916, August 16, 1955)

[SEAL] CHARLES M. McDERMOTT,  
Colonel, U.S. Air Force, Deputy  
Director of Administrative  
Services.

[F.R. Doc. 59-2998; Filed, Apr. 8, 1959;  
8:51 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 13—ADMISSION, GUIDE, ELE-VATOR AND AUTOMOBILE FEES

##### Jamestown Island and Glasshouse Point in Colonial National Park, Virginia

*Basis and purpose.* The purpose of this amendment is to delete superfluous language from the present National Park Service regulation. The fee of 25 cents for admission to Jamestown Island and Glasshouse Point remains unchanged.

Paragraph (d) of § 13.13 *Admission fees; miscellaneous*, is amended to read as follows:

(d) A fee of 25 cents shall be charged each person entering the Government area on Jamestown Island and Glasshouse Point in Colonial National Historical Park, except members of the Association for the Preservation of Virginia Antiquities. The fee shall be combined with a fee of 25 cents per person charged for admission to the area owned by the Association for the Preservation of Virginia Antiquities and included within the Jamestown National Historic Site. Officials of the National Park Service and the Association for the Preservation of Virginia Antiquities may admit the general public to the areas under their jurisdiction without charge upon special occasions, and official complimentary passes issued by either party shall be honored by the other party.

Since the effect of this amendment is merely to correct the regulation, notice and public procedure thereon are considered to be unnecessary.

(Sec. 3, 39 Stat. 535, as amended; 16 U.S.C. 3)

FRED A. SEATON,  
Secretary of the Interior.

APRIL 2, 1959.

[F.R. Doc. 59-2985; Filed, Apr. 8, 1959;  
8:49 a.m.]

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

#### PART 231—GRAZING

##### Applications and Permits

By virtue of the authority vested in the Secretary of Agriculture, paragraph (a) of Regulation G-3 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes paragraph (a) of § 231.3, Part 231, Chapter II, Title 36, Code of Federal Regulations, is hereby amended, effective upon publication in the FEDERAL REGISTER, to read as follows:

##### § 231.3 Applications and permits.

(a) Unless otherwise authorized by the Chief of the Forest Service, every person must submit an application and obtain a permit before his livestock can be allowed to graze on national-forest lands or other lands administered in connection therewith. Water rights obtained under State law on such lands will not be recognized as giving the recipient thereof any right to use such lands in connection therewith or to enjoy the benefits thereof. The grazing regulations shall be considered a part of every permit.

(Sec. 1, 30 Stat. 35, as amended; 16 U.S.C. 551. Interpret or apply sec. 1, 33 Stat. 628; 16 U.S.C. 472)

Done at Washington, D.C., this 3d day of April 1959.

[SEAL] TRUE D. MORSE,  
Acting Secretary.

[F.R. Doc. 59-2994; Filed, Apr. 8, 1959;  
8:50 a.m.]



**Title 14—CIVIL AVIATION**  
**Chapter II—Federal Aviation Agency**  
 [Amdt. 110]

**PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES**

**Miscellaneous Alterations**

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. 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 automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

**ADF STANDARD INSTRUMENT APPROACH PROCEDURE**

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CHD-VOR.....	CHD "H".....	017°—18.9.....	5600	T-dn..... C-dn..... A-dn.....	300-1 700-1 800-2	NA NA NA	NA NA NA

Procedure turn W side of final approach crs—357° Outbd, 177° Inbd. 4600' within 10 miles.

Facility on airport. Minimum altitude over facility 4000'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles turn right climb to 4600' on course 357° within 20 miles.

City, Chadron; State, Nebr.; Airport Name, Chadron; Elev. 3312'; Fac. Class, "H" (Non Federal Facility); Ident., CHD; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 59

Memphis LFR.....	LOM.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1½
Cuba FM.....	LOM.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1½
Oakville Int.....	LOM.....	Direct.....	1500	S-dn-9.....	400-1	400-1	400-1
Bruins MIW.....	LOM.....	Direct.....	1700	A-dn.....	800-2	800-2	800-2
Island Int*.....	LOM (Final).....	Direct.....	1200				
Bowen Int.....	LOM.....	Direct.....	1700				
Edmondson Int.....	LOM.....	Direct.....	1700				
Raleigh Int.....	LOM.....	Direct.....	2000				
Miller.....	LOM.....	Direct.....	1600				
Memphis VOR.....	LOM.....	Direct.....	1500				

\*Int Brng 216° to Bruins RBn and Brng 087° to LOM.

Radar terminal area transition altitude 600' thru 360°, 1700' within 25 mi; 075° thru 245°, 1500' within 25 mi.

All bearings and distances are from radar antenna site with sector azimuths progressing clockwise. Radar control must provide 3 mi or 1000' vertical separation; or 3 to 5 mi and 500' vertical separation from following towers: 1349' MSL 11.2 mi NE, 1340' MSL 9.2 mi NE, 1088' MSL 9.3 mi NE, 1078' MSL 11.8 mi NE, and 975' MSL 10.6 mi NE.

Procedure turn S side W crs, 267° Outbd, 087° Inbd. 1700' within 10 miles.

Minimum altitude over facility on final approach crs, 1200'.

Crs and distance, facility to airport, 087°—4.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 mi, climb to 1500' on crs 087° within 20 mi or, when directed by ATC, turn right, climb to 2000' on S crs MEM LFR within 10 mi of LFR.

ARR CARRIER NOTE: Takeoff with less than 200-1/4 NA on Runway 14-32.

CAUTION: 470' MSL tower located 1 mile East of LOM.

City, Memphis; State, Tenn.; Airport Name, Municipal; Elev., 291'; Fac. Class, LOM; Ident., BXS; Procedure No. 1, Amdt. 5; Eff. Date, 18 Apr. 59; Sup. Amdt. No. 4; Dated, 14 Mar. 59

MIA VOR.....	MIA RBn.....	Direct.....	1100	T-dn.....	300-1	300-1	200-1½
Ferrine LFR.....	MIA RBn.....	Direct.....	1300	C-d.....	800-1	800-1	800-1½
Radar Terminal Area Transition Altitude.....	Radar Site.....	Within 25 mi.....	*1500	C-n.....	800-2	800-2	800-2
				A-dn.....	800-2	800-2	800-2

\*2000' required within 3.0 miles of TV towers 999' and 997' 10.8 and 12.5 miles NNE of radar antennae site.

Procedure turn E side of crs, 342° Outbd, 162° Inbd, 1100' within 10 mi.

Procedure turn nonstandard to provide separation with northbound traffic.

Minimum Altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 140°—10.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles, climb to 1400' on 140° crs from MIA RBn within 20 miles or, when directed by ATC, climb to 1400' on crs of 086° from the Miami LOM within 20 miles.

City, Miami; State, Fla.; Airport Name, International; Elev., 9'; Fac. Class, BI; Ident., MIA; Procedure No. 2, Amdt. 1; Eff. Date, 18 Apr. 59; Sup. Amdt. No. Orig.; Dated, 21 Feb. 59



**RULES AND REGULATIONS**

**2. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:**

**VOR STANDARD INSTRUMENT APPROACH PROCEDURE**

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

**CANCELED EFFECTIVE 18 APRIL 59. CANCELED DUE TO RELOCATION OF DAL VOR.**  
 City, Dallas; State, Tex.; Airport Name, Garland; Elev., 614'; Fac. Class, BVOR; Ident., DAL; Procedure No. 1, Amdt. 2; Eff. Date, 18 Apr. 59; Sup. Amdt. No. 1; Dated, 28 Dec. 57

**CANCELED EFFECTIVE 18 APRIL 59. CANCELED DUE TO RELOCATION OF DAL VOR.**  
 City, Dallas; State, Tex.; Airport Name, Highland Park; Elev., 524'; Fac. Class, BVOR; Ident., DAL; Procedure No. 1, Amdt. 2; Eff. Date, 18 Apr. 59; Sup. Amdt. No. 1; Dated, 28 Dec. 57

**CANCELED EFFECTIVE 18 APRIL 59. CANCELED DUE TO RELOCATION OF DAL VOR.**  
 City, Dallas; State, Tex.; Airport Name, Love Field; Elev., 485'; Fac. Class, BVOR; Ident., DAL; Procedure No. 1, Amdt. 7; Eff. Date, 18 Apr. 59; Sup. Amdt. No. 6; Dated, 31 Aug. 57

				T-d.....	1000-2	1000-2	NA
				T-n*.....	2000-2	2000-2	NA
				C-d.....	1500-2	1500-2	NA
				C-n.....	2000-2	2000-2	NA
				A-dn.....	2500-2	2500-2	NA

\* Runway 25 authorized for take-off only. Runway 7 not authorized.  
 Procedure turn 8 side of final approach crs, 066° Outbnd, 246° Inbnd. 4500' within 10 miles. Beyond 10 miles NA.  
 Minimum altitude over facility on final approach course 3300'.  
 Course and distance, facility to airport—246°, 4.7 mi.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles, climb to 3000' on 246° radial. Make a climbing right turn within 10 miles and return to LEB VOR at 4500'.

City, Lebanon; State, N.H.; Airport Name, Lebanon Airport; Elev., 608'; Fac. Class, VOR; Ident., LEB; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 59

Wadsworth FM.....	RNO-VOR.....	Direct.....	9000	T-dn.....	2000-2	2000-2	2000-2
Reno LFR.....	RNO-VOR.....	Direct.....	9000	C-dn.....	2500-3	2500-3	2500-3
Verdi Int.....	RNO-VOR.....	Direct.....	9000	A-dn.....	2500-3	2500-3	2500-3
Bingo Int.....	RNO-VOR.....	Direct.....	9000				

Procedure turn 8 side of crs, 050° Outbnd, 230° Inbnd, 9000' within 10 miles. NA beyond 10 miles. Nonstandard due to terrain.  
 Minimum Altitude over facility on final approach crs, 7900'.  
 Crs and distance, facility to airport, 230—5.1.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles, turn right climb to 9000' on R-050 within 10 miles.  
**CAUTION:** If contact not established at minimums, missed approach must be started immediately due to high terrain W.  
 Major Change: Deletes Mt. Rose Int. and Steamboat Int. Transitions.

City, Reno; State, Nev.; Airport Name, Municipal; Elev., 4411'; Fac. Class, BVOR; Ident., RNO; Procedure No. 1, Amdt. 6; Eff. Date, 18 Apr. 59; Sup. Amdt. No. 5; Dated, 1 June 57

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply sec. 307, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 2, 1959.

**E. R. QUESADA,**  
*Administrator.*

[F.R. Doc. 59-2904; Filed, Apr. 8, 1959; 8:45 a.m.]

[Amdt. 111]

**PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES**

**Miscellaneous Alterations**

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. 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 or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn N side SE crs, 108° Outbnd, 288° Inbnd; 1600' within 10 miles.  
 Minimum altitude over facility on final approach crs 700'.  
 Course and distance, facility to airport 277°, 5.5 mi.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles make left turn climbing to 2300' returning to LFR. Then on NE crs LFR within 20 miles.

City, Bethel; State, Alaska; Airport Name, Bethel Municipal; Elev., 135'; Fac. Class, SBRAZ; Ident BET; Procedure No. 1, Original; Eff. Date, 25 Apr. 59

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

CANCELED EFFECTIVE APRIL 25, 1959.

City, Amarillo; State, Tex.; Airport Name, Tradewind; Elev., 3636'; Fac. Class, MHW; Ident., TDW; Procedure No. 1, Amdt. 1; Eff. Date, 17 Aug. 57; Sup. Amdt. No. Orig.; Dated, 29 June 57.

CANCELED EFFECTIVE APRIL 25, 1959.

City, San Juan; Puerto Rico; Airport Name, Isla Grande; Elev., 9'; Fac. Class, SBRAZ; Ident., SJU; Procedure No. 1, Amdt. 4; Eff. Date, 17 Nov. 56; Sup. Amdt. No. 3; Dated, 6 Oct. 56

Int SE crs LFR and 250 Brng to LOM.....	LOM.....	Direct.....	2100	T-dn.....	300-1	300-1	#200-1½
TUL VOR.....	LOM.....	Direct.....	2200	C-dn.....	400-1	500-1	500-1½
TUL LFR.....	LOM.....	Direct.....	2200	S-dn-35R.....	400-1	400-1	400-1
Red Fork FM.....	LOM.....	Direct.....	2400	A-dn.....	800-2	800-2	800-2
Skintook FM.....	LOM.....	Direct.....	2400				
Verdigris River FM.....	LOM.....	Direct.....	2200				
Int R-201 TUL and S crs ILS.....	LOM (Final-ADF).....	Direct.....	1900				

#300-1 required on rny 3L, 21R, 17R, 35L.  
 Procedure turn E side S crs, 174° Outbnd, 354° Inbnd, 2400 within 10 miles. Beyond 10 miles NA.  
 Minimum altitude over LOM inbnd final 1900'.  
 Crs and distance, facility to airport 354°-5.4 mi.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing LOM climb to 1900' on crs 354° within 20 miles, or when directed by ATC, climb to 2000' on R-035 TUL VOR within 20 mi.  
 CAUTION: 1100' tower 2.0 mi NW of LOM.

City, Tulsa; State, Okla.; Airport Name, Municipal; Elev., 674'; Fac. Class, LOM; Ident., TU; Procedure No. ADF-1, Amdt. 7; Eff. Date, 25 Apr. 59; Sup. Amdt. No. 6 (ADF Portion of ILS/ADF Comb.); Dated, 1 Feb. 58

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn*.....	300-1	300-1	200-1½
				C-dn*.....	600-1	600-1	600-1½
				A-dn*.....	800-2	800-2	800-2

Procedure turn S side of crs, 288° Outbnd, 108° Inbnd, 2000' within 10 mi.  
 Minimum altitude over facility on final approach course, 1400'.  
 Crs and distance, facility to airport, 108°-6.8.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 mi., climb to 2000' on R-108, turn right and return to La Grange VOR.

Note: \*Night operations authorized on Runway 13-31 only.

City, La Grange; State, Ga.; Airport Name, Callaway; Elev., 700'; Fac. Class, BVOR; Ident., LGC; Procedure No. 1, Amdt. 3; Eff. Date, 25 Apr. 59; Sup. Amdt. No. 2; Dated 22 Feb. 58



RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Monroe LFR.....	MLU-VOR.....	Direct.....	1300	T-dn.....	300-1	300-1	200-1/2
				C-dn.....	500-1	500-1	500-1 1/2
				S-dn 4.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 212° Outbnd, 032° Inbnd, 1400' within 10 miles. Beyond 10 miles NA.  
 Minimum altitude over facility on final approach crs, 800'.  
 Crs and distances, facility to airport, 032-4.3.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles, climb to 1400' on R 032 within 10 miles.\*  
 \*No control area beyond 10 miles.  
 CAUTION: 850' TV antenna located 3.7 miles WNW of airport.  
 AIR CARRIER NOTE: No reduction in take-off minimums for cargo and ferry flights authorized on Runways 4, 9, 13, 31, and 35.  
 MAJOR CHANGE: Adds straight-in approach to Runway 4.

City, Monroe; State, La.; Airport Name, Selman Field; Elev., 79'; Fac. Class, BVOR; Ident., MLU; Procedure No. 1, Amdt. 2; Eff. Date, 25 Apr. 59; Sup. Amdt. No. 1; Dated, 29 Jan. 55

4. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
 If an instrument approach procedure of the above type 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 for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1/2
				C-dn.....	500-1	500-1	500-1 1/2
				S-DN 9.....	200-1/2	200-1/2	200-1/2
				A-dn.....	600-2	600-2	600-2

Procedure turn S side of crs, 271° Outbnd, 091° Inbnd, 2100' within 10 mi.  
 Minimum altitude at G.S. int inbnd, 2000'.  
 Altitude of G.S. and distance to approach end of rny at OM 1988-4.1, at MM 986-0.6.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2300' on E crs of ILS within 15 mi of LOM.  
 MAJOR CHANGE: Deletes approach light note and air carrier note.

City, Flint; State, Mich.; Airport Name, Bishop Fid.; Elev., 781'; Fac. Class, ILS; Ident., I-FNT; Procedure No. ILS-9, Amdt. 5; Eff. Date, 25 Apr. 59; Sup. Amdt. No. 4; Dated, 7 Mar. 59

Int SE crs LFR and 250 brng to LOM.....	LOM.....	Direct.....	2100	T-dn.....	300-1	300-1	#200-1/2
TUL VOR.....	LOM.....	Direct.....	2200	C-dn.....	400-1	500-1	500-1 1/2
TUL LFR.....	LOM.....	Direct.....	2200	S-dn-35R*.....	200-1/2	200-1/2	200-1/2
Red Fork FM.....	LOM.....	Direct.....	2400	A-dn.....	600-2	600-2	600-2
Skiatook FM.....	LOM.....	Direct.....	2400				
Verdigris River FM.....	LOM.....	Direct.....	2200				
Int R-201 TUL and S crs ILS.....	LOM (Final-ILS).....	Direct.....	2500				

#300-1 required on rny 3L, 21R, 17R, 35L.  
 \*400-1/2 required when glide slope not utilized.  
 Procedure turn E side S crs, 174° Outbnd, 354° Inbnd, 2500' within 10 miles. Beyond 10 miles NA.  
 Minimum altitude at G.S. int inbnd 2500'.  
 Altitude of G.S. and distance to approach end of rny at OM 2450-5.4, at MM 880-0.5.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1900' on N crs ILS (354) within 20 miles, or when directed by A TC, climb to 2000' on R-035 TUL VOR within 20 mi.  
 CAUTION: 1100' tower 2.0 mi NW of LOM.

City, Tulsa; State, Okla.; Airport Name, Municipal; Elev., 674'; Fac. Class and Ident., ILS-ITUL; Procedure No. ILS-35R, Amdt. 7; Eff. Date, 25 Apr. 59; Sup. Amdt. No. 6 (ILS Portion of Comb. ILS/ADF); Dated, 1 Feb. 58

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply sec. 307, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 2, 1959.

E. R. QUESADA,  
 Administrator.

[F.R. Doc. 59-2966; Filed, Apr. 8, 1959; 8:47 a.m.]

[Amdt. 44]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

Miscellaneous Alterations

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the

industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. 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 610 is amended as follows:  
 Section 610.19 *Green civil airway 9* is amended to read:

From Swordfish INT, T.H.; to Coconut INT, T.H.; MEA 1,000.  
 From Coconut INT, T.H.; to Honolulu, T.H., LFR; MEA 3,000.  
 From \*Honolulu, T.H., LFR; to Banana INT, T.H.; MEA 5,000. \*4,000—MCA Honolulu LFR, northeastbound.



From Banana INT, T.H.; to Skipjack INT, T.H.; northeastbound, MEA 2,000; southwestbound, MEA 3,500.

From Skipjack INT, T.H.; to Sunrise INT, T.H.; MEA 2,000.

Section 610.108 *Amber civil airway 8* is amended to delete:

From Camarillo, Calif., LFR; to Santa Barbara, Calif., LFR; southeastbound, MEA 4,000; northwestbound, MEA 6,000.

Section 610.313 *Red civil airway 113* is amended to read:

From South Port Allen INT, T.H.; to Whitecap INT, T.H.; MEA 2,000.

From Whitecap INT, T.H.; to \*Makapuu Pt., T.H., LF/RBN; northeastbound, MEA 5,000; southwestbound, MEA 4,000. \*4,000—MCA Makapuu Pt. LF/RBN, northeastbound; \*5,000—MCA Makapuu Pt. LF/RBN, southwestbound.

Section 610.1001 *Direct routes—U.S.* is amended by adding:

From Koko Head, T.H., VOR; to Southgate INT T.H.; northeastbound, MEA 4,500; southwestbound, MEA 3,000.

From Koko Head, T.H., VOR; to Molokai, T.H., VOR; eastbound, MEA 4,000; westbound, MEA 4,500.

Section 610.1001 *Direct routes, U.S.* is amended to read in part:

From Banana INT, T.H.; to Makapuu Pt., T.H., LF/RBN; northbound, MEA 2,000; southbound, MEA 4,500.

Section 610.1001 *Direct routes—U.S.* is amended to delete:

From Beaumont, Tex., LFR; to Port Arthur INT, Tex.; MEA 1,400.

Section 610.6002 *VOR civil airway 2* is amended to read in part:

From Miles City, Mont., VOR; to Dickinson, N. Dak., VOR; MEA \*5,000. \*4,500—MOCA. From \*Cardinal INT, Wis.; to \*Minnow INT, Mich.; MEA 2,000. \*2,700—MCA Cardinal INT, westbound. \*\*2,500—MRA. From Minnow INT, Mich.; to Muskegon, Mich., VORTAC. MEA 2,000

Section 610.6003 *VOR civil airway 3* is amended to read in part:

From Jacksonville, Fla., VOR via W alter.; to Waverly INT, Ga., via W alter.; MEA 1,300.

From Waverly INT, Ga., via W alter.; to Brunswick, Ga., VOR via W alter.; MEA 1,200.

Section 610.6007 *VOR civil airway 7* is amended to read in part:

From Dade City INT, Fla.; to Homo INT, Fla.; MEA \*2,000. \*1,500—MOCA.

From \*Jones INT, Ala.; to Birmingham, Ala., VOR; MEA \*\*3,000. \*3,000—MRA. \*\*2,600—MOCA.

Section 610.6013 *VOR civil airway 13* is amended to read in part:

From Mason City, Iowa, VOR via W alter.; to \*Waterville INT, Minn., via W alter.; MEA \*\*3,500. \*4,600—MRA. \*\*2,600—MOCA.

Section 610.6014 *VOR civil airway 14* is amended to delete:

From Roswell, N. Mex., VOR via N alter.; to Dora INT, N. Mex., via N alter.; MEA \*6,500. \*5,500—MOCA.

From Dora INT, N. Mex., via N alter.; to \*Pep INT, Tex., via N alter.; MEA \*\*8,000. \*8,000—MRA. \*\*5,500—MOCA.

From Pep INT, Tex., via N alter.; to Lubbock, Tex., VOR via N alter.; MEA 4,600.

Section 610.6014 *VOR civil airway 14* is amended by adding:

From Roswell, N. Mex., VOR; to \*Kenna INT, N. Mex.; MEA \*6,500. \*9,000—MRA. \*\*5,500—MOCA.

From Kenna INT, N. Mex.; to Dora INT, N. Mex.; MEA \*6,500. \*5,500—MOCA.

From Dora INT, N. Mex.; to \*Pep INT, Tex.; MEA \*\*8,000. \*8,000—MRA. \*\*5,500—MOCA.

From Pep INT, Tex.; to Lubbock, Tex., VOR; MEA 4,600.

From Roswell, N. Mex., VOR via S alter.; to \*Caprock INT, N. Mex., via S alter.; MEA \*\*7,000. \*7,500—MRA. \*\*6,600—MOCA.

From Caprock INT, N. Mex., via S alter.; to \*Whiteface INT, Tex., via S alter.; MEA \*\*7,000. \*7,500—MRA. \*\*5,500—MOCA.

From Whiteface INT, Tex., via S alter.; to Lubbock, Tex., VOR via S alter.; MEA 4,800.

From Lubbock, Tex., VOR via S alter.; to Childress, Tex., VOR via S alter.; MEA 4,500.

Section 610.6017 *VOR civil airway 17* is amended to read in part:

From Austin, Tex., VOR via E alter.; to \*Jonah INT, Tex., via E alter.; MEA \*\*2,500. \*3,000—MRA. \*\*2,100—MOCA.

From Jonah INT, Tex., via E alter.; to Barclay INT, Tex., via E alter.; MEA \*2,500. \*2,100—MOCA.

From Waco, Tex., VOR via W alter.; to \*Mill INT, Tex., via W alter.; MEA \*\*3,800. \*3,500—MRA. \*\*2,500—MOCA.

Section 610.6026 *VOR civil airway 26* is amended to delete:

From Redwood Falls, Minn., VOR via N alter.; to Loretto INT, Minn., via N alter.; MEA 2,500.

From Loretto INT, Minn., via N alter.; to Minneapolis, Minn., VOR via N alter.; MEA 2,200.

From Minneapolis, Minn., VOR via N alter.; to White Bear INT, Minn., via N alter.; MEA 2,500.

From White Bear INT, Minn., via N alter.; to Eau Claire, Wis., VOR via N alter.; MEA 2,800.

Section 610.6026 *VOR civil airway 26* is amended to read in part:

From Green Bay, Wis., VOR; to White Cloud, Mich., VOR; MEA 3,800.

Section 610.6036 *VOR civil airway 36* is amended to read in part:

From Wilkes-Barre, Scranton, Pa., VOR; to Sparta, N. J., VOR; MEA 3,500.

From Sparta, N. J., VOR; to Paterson INT, N. J.; MEA 2,500.

Section 610.6046 *VOR civil airway 46* is amended to read in part:

From Riverhead, N.Y., VOR via S alter.; to Mastic INT, N.Y., via S alter.; MEA 3,000.

From Mastic INT, N.Y., via S alter.; to Hampton, N.Y., VOR via S alter.; MEA 1,500.

Section 610.6054 *VOR civil airway 54* is amended to read in part:

From Hillemann INT, Ark., via N alter.; to \*Round Pond INT, Ark., via N alter.; MEA \*\*2,500. \*5,000—MRA. \*\*1,600—MOCA.

Section 610.6055 *VOR civil airway 55* is amended to read in part:

From Muskegon, Mich., VORTAC; to Pentwater INT, Mich., MEA 2,300.

From Pentwater INT, Mich.; to Green Bay, Wis., VOR; MEA 3,800.

Section 610.6056 *VOR civil airway 56* is amended to read in part:

From Montgomery, Ala., VOR; to Kent INT, Ala.; MEA \*2,000. \*1,200—MOCA.

From Kent INT, Ala.; to Columbus, Ga., VOR; MEA \*2,100. \*1,200—MOCA.

Section 610.6057 *VOR civil airway 57* is amended to read in part:

From \*Jones INT, Ala.; to Birmingham, Ala., VOR; MEA \*3,000. \*3,000—MRA. \*\*2,600—MOCA.

Section 610.6060 *VOR civil airway 60* is amended to delete:

From Texico, N. Mex., VOR \*5,300—MOCA; to Lubbock, Tex., VOR; MEA \*5,500.

Section 610.6060 *VOR civil airway 60* is amended by adding:

From Texico, N. Mex., VOR; to \*Hale INT, Tex.; MEA \*\*6,600. \*6,600—MRA. \*\*5,900—MOCA.

From Hale INT, Tex.; to Lubbock, Tex., VOR; MEA \*5,500. \*4,500—MOCA.

From Texico, N. Mex., VOR via S alter.; to Lubbock, Tex., VOR via S alter.; MEA \*5,500. \*5,300—MOCA.

Section 610.6062 *VOR civil airway 62* is amended to delete:

From Texico, N. Mex., VOR; to Lubbock, Tex., VOR; MEA \*5,500. \*5,300—MOCA.

Section 610.6062 *VOR civil airway 62* is amended by adding:

From Texico, N. Mex., VOR; to \*Hale INT, Tex.; MEA \*\*6,600. \*6,600—MRA. \*\*5,900—MOCA.

From Hale INT, Tex.; to Lubbock, Tex., VOR; MEA \*5,500. \*4,500—MOCA.

From Texico, N. Mex., VOR via S alter.; to Lubbock, Tex., VOR via S alter.; MEA \*5,500. \*5,300—MOCA.

Section 610.6062 *VOR civil airway 62* is amended to read in part:

From Lubbock, Tex., VOR; to Spur INT, Tex.; MEA \*5,800. \*4,500—MOCA.

From Spur INT, Tex.; to \*Hamlin INT, Tex.; MEA \*\*5,700. \*6,000—MRA. \*\*3,600—MOCA.

Section 610.6063 *VOR civil airway 63* is amended to read in part:

From Waco, Tex., VOR; to Ennis INT, Tex.; MEA \*2,400. \*2,000—MOCA.

Section 610.6066 *VOR civil airway 66* is amended to delete:

From Atlanta, Ga., VOR; to Athens, Ga., VOR; MEA 2,300.

From Athens, Ga., VOR; to Iva INT, S.C.; MEA \*2,200. \*1,900—MOCA.

From Iva INT, S.C.; to Union INT, S.C.; MEA \*4,000. \*2,000—MOCA.

From Union INT, S.C.; to Charlotte, S.C., VOR; MEA 2,000.

Section 610.6068 *VOR civil airway 68* is amended to read in part:

From Hobbs, N. Mex., VOR via S alter.; to Goldsmith INT, Tex., via S alter.; MEA 5,300.

Section 610.6074 *VOR civil airway 74* is amended to read in part:

From Fort Smith, Ark., VOR; to \*Subiaco INT, Ark.; MEA 3,000. \*6,000—MRA.

From Subiaco INT, Ark.; to \*Roland INT, Ark.; MEA \*\*4,700. \*8,000—MRA. \*\*3,200—MOCA.

From Roland INT, Ark.; to City INT, Ark.; MEA \*4,700. \*3,200—MOCA.

Section 610.6076 *VOR civil airway 76* is amended to delete:

From Lubbock, Tex., VOR; to Big Spring, Tex., VOR; MEA 5,100.

Section 610.6076 *VOR civil airway 76* is amended by adding:

From Lubbock, Tex., VOR; to \*Welch INT, Tex.; MEA 5,100. \*6,000—MRA.



From Welch INT, Tex.; to \*Pat\*INT, Tex.; MEA 5,100. \*7,000—MRA.

From Pat INT, Tex.; to Big Spring, Tex., VOR; MEA \*7,000. \*4,000—MOCA.

From Lubbock, Tex., VOR, via N alter.; to Big Spring, Tex., VOR via N alter.; MEA 5,100.

Section 610.6076 *VOR civil airway 76* is amended to read in part:

From Big Spring, Tex., VOR via N alter.; to \*Rowena INT, Tex., via N alter.; MEA \*\*6,000. \*6,000—MRA. \*\*4,000—MOCA.

Section 610.6078 *VOR civil airway 78* is amended by adding:

From Minneapolis, Minn., VOR; to White Bear INT, Minn.; MEA 2,500.

From White Bear INT, Minn.; to Eau Claire, Wis., VOR; MEA 2,800.

Section 610.6079 *VOR civil airway 79* is amended to delete:

From Hobbs, N. Mex., VOR; to Lubbock, Tex., VOR; MEA 5,300.

Section 610.6079 *VOR civil airway 79* is amended by adding:

From Hobbs, N. Mex., VOR; to \*Welch INT, Tex.; MEA \*\*6,000. \*6,000—MRA. \*\*5,300—MOCA.

From Welch INT, Tex.; to Lubbock, Tex., VOR; MEA 5,100.

From Hobbs, N. Mex., VOR via W alter.; to Lubbock, Tex., VOR via W alter.; MEA 5,300.

Section 610.6081 *VOR civil airway 81* is amended to read in part:

From Midland, Tex., VOR; to \*Pat INT, Tex.; MEA 4,000. \*7,000—MRA.

From Pat INT, Tex.; to \*Welch INT, Tex.; MEA 5,100. \*6,000—MRA.

From Welch INT, Tex.; to Lubbock, Tex., VOR; MEA 5,100.

From Lubbock, Tex., VOR; to \*Hale INT, Tex.; MEA \*\*5,500. \*6,600—MRA. \*\*4,500—MOCA.

From Hale INT, Tex.; to Amarillo, Tex., VOR; MEA 5,500.

Section 610.6091 *VOR civil airway 91* is amended to read in part:

From Albany, N.Y., VOR; to Glens Falls, N.Y., VOR; MEA 3,000.

Section 610.6102 *VOR civil airway 102* is amended by adding:

From Roswell, N. Mex., VOR; to \*Caprock INT, N. Mex.; MEA \*\*7,000. \*7,500—MRA. \*\*6,600—MOCA.

From Caprock INT, N. Mex.; to Dora INT, N. Mex.; MEA \*7,500. \*5,500—MOCA.

From Dora INT, N. Mex.; to \*Pep INT, Tex.; MEA \*\*8,000. \*8,000—MRA. \*\*5,500—MOCA.

From Pep INT, Tex.; to Lubbock, Tex., VOR; MEA 4,600.

Section 610.6115 *VOR civil airway 115* is amended to read in part:

From Montgomery, Ala., VOR; to Central INT, Ala.; MEA 2,000.

From Central INT, Ala.; to Birmingham, Ala., VOR; MEA 2,600.

Section 610.6116 *VOR civil airway 116* is amended to read in part:

From Wilkes-Barre, Scranton, Pa., VOR; to Sparta, N.J., VOR; MEA 3,500.

From Sparta, N.J., VOR; to Paterson INT, N.J.; MEA 2,500.

Section 610.6123 *VOR civil airway 123* is amended to read in part:

From Echelon INT, N.J.; to Columbus INT, N.J.; MEA \*2,500. \*1,500—MOCA.

From Columbus INT, N.J.; to Robbinsville, N.J., VOR; MEA 1,500.

From Robbinsville, N.J., VOR; to Preston INT, N.J.; MEA 1,500.

From Preston INT, N.J.; to New Rochelle INT, N.Y.; MEA 2,500.

From New Rochelle INT, N.Y.; to Wilton, Conn., VOR; MEA 2,000.

Section 610.6134 *VOR civil airway 134* is amended to delete:

From Columbus, Ga., VOR; to McDonough, Ga., VORTAC; MEA 2,500.

From McDonough, Ga., VORTAC; to Athens, Ga., VOR; MEA 2,300.

Section 610.6138 *VOR civil airway 138* is amended to read in part:

From Neola, Iowa, VOR; to Fort Dodge, Iowa, VOR; MEA \*5,000. \*2,500—MOCA.

From Grand Island, Nebr., VOR; to Union, Nebr., VORTAC; MEA 3,500.

From Union, Nebr., VORTAC; to Gretna INT, Nebr.; MEA 2,500.

Section 610.6154 *VOR civil airway 154* is amended to read in part:

From \*York INT, Ala.; to \*\*Jefferson INT, Ala.; MEA \*\*2,300. \*2,500—MRA. \*\*2,400—MRA. \*\*1,200—MOCA.

From Jefferson INT, Ala.; to \*Safford INT, Ala.; MEA \*\*4,500. \*2,500—MRA. \*\*1,200—MOCA.

From Montgomery, Ala., VOR; to Tuskegee, Ala., VOR; MEA 2,000.

From Tuskegee, Ala., VOR; to Columbus, Ga., VOR; MEA 2,100.

Section 610.6157 *VOR civil airway 157* is amended to read in part:

From Richmond, Va., VOR; to Doncaster INT, Va.; MEA \*5,000. \*1,500—MOCA.

From Doncaster INT, Va.; to Washington, D.C., TVOR; MEA 1,500.

Section 610.6159 *VOR civil airway 159* is amended by adding:

From Albany, Ga., VOR; to Eufaula, Ala., VOR; MEA 1,700.

From Eufaula, Ala., VOR; to Tuskegee, Ala., VOR; MEA 1,700.

From Tuskegee, Ala., VOR; to Central INT, Ala.; MEA 1,800.

From Central INT, Ala.; to Birmingham, Ala., VOR; MEA 2,600.

Section 610.6177 *VOR civil airway 177* is amended to read in part:

From Naperville, Ill., VOR; to \*Elgin INT, Ill.; MEA 2,200. \*2,500—MRA.

From Elgin INT, Ill.; to Marengo INT, Ill.; MEA 2,200.

From Marengo INT, Ill.; to Janesville, Wis., VOR; MEA 2,200.

Section 610.6249 *VOR civil airway 249* is amended to delete:

From Caldwell INT, N.J.; to Huguenot, N.Y., VOR; MEA 3,000.

Section 610.6249 *VOR civil airway 249* is amended by adding:

From Sparta, N.J., VOR; to Huguenot, N.Y., VOR; MEA 3,000.

Section 610.6251 *VOR civil airway 251* is amended to read in part:

From Pottstown, Pa., VOR; to Captain INT, Pa.; MEA 2,000.

From Captain INT, Pa.; to Sparta, N.J., VOR; MEA 2,300.

Section 610.6272 *VOR civil airway 272* is amended to read in part:

From \*Washita INT, Okla., via S alter.; to Minco INT, Okla., via S alter.; MEA 3,100. \*3,500—MRA.

From Minco INT, Okla., via S alter.; to Oklahoma City, Okla., VOR via S alter.; MEA 2,400.

Section 610.6278 *VOR civil airway 278* is amended to read in part:

From \*Hampton INT, Ark.; to Jerome INT, Ark.; MEA \*\*8,500. \*5,000—MRA. \*\*1,400—MOCA.

Section 610.6280 *VOR civil airway 280* is amended to read in part:

From Roswell, N. Mex., VOR; to \*Caprock INT, N. Mex.; MEA \*\*7,000. \*7,500—MRA. \*\*6,600—MOCA.

From Caprock INT, to Dora INT, N. Mex.; MEA \*7,500. \*5,500—MOCA.

From Dora INT, N. Mex.; to Texico, N. Mex., VOR; MEA \*6,500. \*5,500—MOCA.

Section 610.6284 *VOR civil airway 284* is amended to read:

From Fort Stockton, Tex., VOR; to \*Ozona INT, Tex.; MEA \*\*8,000. \*8,000—MRA. \*\*4,300—MOCA.

From Ozona INT, Tex.; to San Angelo, Tex., VOR; MEA \*5,000. \*3,500—MOCA.

From Fort Stockton, Tex., VOR via N alter.; to San Angelo, Tex., VOR via N alter.; MEA \*6,800. \*4,000—MOCA.

Section 610.6402 *Hawaii VOR civil airway 2* is amended to delete:

From Lihue, T.H., VOR via S alter.; to Hulu Girl INT, T.H., via S alter.; MEA 4,000.

From Hulu Girl INT, T.H., via S alter.; to \*Makai INT, T.H., via S alter.; northeast bound, MEA 3,000; southwest bound, MEA 4,000. \*5,000—MRA.

From Makai INT, T.H., via S alter.; to Honolulu, T.H., VOR via S alter.; northeast bound, MEA 3,000; southwest bound, MEA 4,000.

Section 610.6404 *Hawaii VOR civil airway 4* is amended to read:

From \*South Port Allen INT, T.H.; to Hula Girl INT, T.H.; eastbound, MEA 4,000; westbound, MEA 6,000. \*6,000—MRA.

From Hula Girl INT, T.H.; to Koko Head, T.H., VOR; eastbound, MEA 4,500; westbound, MEA 4,000.

From Koko Head, T.H., VOR; to Papaya INT, T.H.; northeastbound, MEA 3,000; southwestbound, MEA 4,500.

From Papaya INT, T.H.; to Crab INT, T.H.; northeastbound, MEA 5,000; southwestbound, MEA 3,000.

From Crab INT, T.H.; to \*Sunrise INT, T.H.; northeastbound, MEA 8,000; southwestbound, MEA 5,000. \*8,000—MRA.

Section 610.6412 *Hawaii VOR civil airway 12* is amended by adding:

From Honolulu, T.H., VOR; to Koko Head, T.H., VOR; MEA 5,000.

From Koko Head, T.H., VOR; to Bamboo INT, T.H.; northeastbound, MEA 3,000; southwestbound, MEA 4,500.

From Bamboo INT, T.H.; to Magnolia INT, T.H.; northeastbound, MEA 6,000; southwestbound, MEA 3,500.

From Magnolia INT, T.H.; to \*Shark INT, T.H.; northeastbound, MEA 8,000; southwestbound, MEA 6,000. \*8,000—MRA.

Section 610.6413 *Hawaii VOR civil airway 13* is added to read:

From Lihue, T.H., VOR; to Hula Girl INT, T.H.; MEA 4,000.

From Hula Girl INT, T.H.; to Koko Head, T.H., VOR; eastbound, MEA 4,500; westbound, MEA 4,000.

Section 610.6446 *VOR civil airway 446* is amended to read in part:

From \*Tuka INT, Ill.; to Samsville, Ill., VOR; MEA 1,800. \*4,500—MRA.



Section 610.6450 VOR civil airway 450 is added to read:

From Muskegon, Mich., VORTAC; to Green Bay, Wis., VOR; MEA 3,800.

Section 610.6452 VOR civil airway 452 is added to read:

From Raton, N. Mex., VOR; to Dalhart, Tex., VOR; MEA 11,000.

Section 610.6454 VOR civil airway 454 is added to read:

From Evergreen, Ala., VOR; to Rutledge INT, Ala.; MEA \*2,500. \*1,800—MOCA.

From Rutledge INT, Ala.; to \*Shady Grove INT, Ala.; MEA \*\*3,000. \*3,000—MRA. \*\*1,800—MOCA.

From Shady Grove INT, Ala.; to Tuskegee, Ala., VOR; MEA \*3,000. \*1,800—MOCA.

From Tuskegee, Ala., VOR; to McDonough, Ga., VOR; MEA 2,300.

From Atlanta, Ga., VOR; to Athens, Ga., VOR; MEA 2,300.

From Athens, Ga., VOR; to Iva INT, S.C.; MEA \*2,200. \*1,900—MOCA.

From Iva INT, S.C.; to Union INT, S.C.; MEA \*4,000. \*2,000—MOCA.

From Union INT, S.C.; to Charlotte, S.C., VOR; MEA 2,000.

Section 610.6600 VOR civil airway 1500 is amended to read in part:

From Green Bay, Wis., VOR; to White Cloud, Mich., VOR; MEA 3,800.

Section 610.6602 VOR civil airway 1502 is amended to read in part:

From \*Cardinal INT, Wis.; to \*\*Minnow INT, Mich.; MEA 2,000. \*2,700—MCA Cardinal INT, westbound. \*\*2,500—MRA.

From Minnow INT, Mich.; to Muskegon, Mich., VORTAC; MEA 2,000.

Section 610.6616 VOR civil airway 1516 is amended to read in part:

From Tobe, Colo., VOR; to State Line INT, Kans.; MEA \*7,300. \*5,500—MOCA.

From State Line INT, Kans.; to Liberal, Kans. VOR; MEA \*7,200. \*5,500—MOCA.

Section 610.6631 VOR civil airway 1531 is amended to read in part:

From Miles City, Mont., VOR; to Dickinson, N. Dak., VOR; MEA \*5,000. \*4,500—MOCA.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply section 307, 72 Stat. 749; 49 U.S.C. 1348)

These rules shall become effective May 7, 1959.

Issued in Washington, D.C. on April 2, 1959.

[SEAL] E. R. QUESADA,  
Administrator.

[F.R. Doc. 59-2905; Filed, Apr. 8, 1959; 8:45 a.m.]

## Title 22—FOREIGN RELATIONS

### Chapter II—International Cooperation Administration

#### PART 202—OCEAN SHIPMENTS OF SUPPLIES BY VOLUNTARY NON-PROFIT RELIEF AGENCIES

##### Miscellaneous Amendments

ICA Regulation 2 is amended as follows:

1. Section 202.5(b) is amended to read as follows:

No. 69—3

(b) whenever it is determined by the agency or the Director that any of the supplies for which reimbursement was made have not been accorded duty free status by the recipient country.

2. Section 202.4 is amended to read as follows:

#### § 202.4 Manner of payment of ocean freight charges.

By means of an equitable apportionment of the funds available for this purpose the Director will pay or reimburse agencies for ocean freight on shipments made in conformity with the regulations in this part: *Provided*, That application for such payment or reimbursement is submitted to the Director of the International Cooperation Administration, Attention: Administrative Audit Branch, Audit Division, Office of the Controller, International Cooperation Administration, Washington 25, D.C., within forty-five days of date of shipment, together with receipted invoices for such charges, supported by ocean bills of lading, showing that such charges are limited to the actual cost of transportation of the supplies from end of ship's tackle at the United States port of loading to end of ship's tackle at port of discharge, correctly assessed at the time of loading by the carrier for freight on a weight, measurement, or unit basis, and free of any other charges.

(Sec. 521, 68 Stat. 855, as amended; 22 U.S.C. 1781)

L. J. SACCIO,  
Acting Director, International  
Cooperation Administration.

APRIL 2, 1959.

[F.R. Doc. 59-2987; Filed, Apr. 8, 1959; 8:50 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 49—STAR ROUTE SERVICE

##### Miscellaneous Amendments

Regulations of Post Office Department are amended as follows:

#### § 49.3 [Amendment]

In § 49.3, *Box Delivery and Collection Service*, make the following changes:

1. In paragraph (a) make the following changes:

A. Amend subparagraph (2) to read as follows:

(2) Deliver registered, insured, certified and COD matter.

NOTE: The corresponding Postal Manual section is 159.31b.

B. Amend subparagraph (3) to read as follows:

(3) Accept matter presented by patrons to be registered, insured, certified, or mailed COD, and money with applications for money orders and give receipts.

NOTE: The corresponding Postal Manual section is 159.31c.

2. In paragraph (b) make the following changes:

A. Amend subparagraph (4) to read as follows:

(4) Request, from the post office to which mail is addressed, delivery and collection service. Patrons residing between two post offices may receive mail service from one or both.

NOTE: The corresponding Postal Manual section is 159.32d.

B. Amend subparagraph (5) to read as follows:

(5) Advise carrier of signal to be used to indicate that mail is to be collected.

NOTE: The corresponding Postal Manual section is 159.32e.

C. Amend subparagraph (6) to read as follows:

(6) Meet carrier to get receipts for money order, insured, certified, and COD mail, where those services are provided.

NOTE: The corresponding Postal Manual section is 159.32f.

3. In the second sentence of paragraph (c) insert the word "certified," immediately following the word "insured," where it appears therein.

NOTE: The corresponding Postal Manual section is 159.33.

4. Amend paragraph (d) to read as follows:

(d) *Collection of mail.* Mail matter properly stamped and placed in a mail box for dispatch must be collected by the carrier and deposited in the next post office at which the carrier arrives. Mail collected on the route, addressed for delivery on that part of the route still to be covered before reaching the next post office, will be delivered on the day of collection. The carrier will cancel the stamps before delivery by writing across them the name of the post office last served, the State, the date, and the number of the route. Bulky mailable matter, properly prepared and stamped, will be collected by the carrier if placed on or near the mail box. Money left in mail boxes for the purchase of stamps will be at the risk of the patron.

NOTE: The corresponding Postal Manual section is 159.34.

(R.S. 161, as amended, 396, as amended, 3964, as amended, 3965, 3966, 3968, sec. 304, 309, 42 Stat. 24, 25; 5 U.S.C. 22, 369, 39 U.S.C. 481, 483, 484, and 486)

Amend § 49.4 to read as follows:

#### § 49.4 Mail boxes and receptacles.

Mail boxes and approved sacks or satchels must be placed where they protect the mail and may be conveniently served by the carrier without leaving his vehicle. They must be located on the right side of the road in the direction of travel when required by traffic conditions or when driving to the left in order to reach the boxes would constitute a violation of traffic laws by the carrier. In such cases, patrons desiring service on both outward and return trips of carrier must furnish a box, sack, or satchel on each side of the road.

(R.S. 161, as amended, 396, as amended, 3964, as amended, 3965, 3966, 3968, sec. 304, 309, 42



Stat. 24, 25; 5 U.S.C. 22, 369, 39 U.S.C. 481, 483, 484, and 486)

HERBERT B. WARBURTON,  
*General Counsel.*

[F.R. Doc. 59-2989; Filed, Apr. 8, 1959;  
8:50 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1829]

[Idaho 09371]

#### IDAHO

##### Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the Act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, and in section 7 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315f), as amended, it is ordered as follows:

The following-described public lands in Idaho are hereby classified as necessary and suitable for stock-driveway purposes, and, excepting any mineral deposits therein, are withdrawn from all disposal under the public land laws and reserved, subject to valid existing rights, for the use of the general public, as a stock-driveway;

#### BOISE MERIDIAN

- T. 7 S., R. 18 E.,  
Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 35, E $\frac{1}{2}$ W $\frac{1}{2}$ .  
T. 8 S., R. 18 E.,  
Sec. 2, lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ N $\frac{1}{2}$ .

The areas described aggregate 1,260.30 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid Act of December 29, 1916, as amended, and existing regulations.

APRIL 3, 1959.

ROGER ERNST,  
*Assistant Secretary of the Interior.*

[F.R. Doc. 59-2977; Filed, Apr. 8, 1959;  
8:48 a.m.]

[Public Land Order 1830]

[Idaho 08362]

#### IDAHO

##### Withdrawing Lands Near Squaw Butte For Use of Federal Aviation Agency as an Air Navigation Site

By virtue of the authority vested in the Secretary of the Interior by section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214) as amended, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Idaho are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral leasing laws nor disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Federal Aviation Agency as an air navigation site:

#### BOISE MERIDIAN

T. 8 N., R. 1 W.,

- Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 95 acres. The Department of the Interior retains jurisdiction over the management of the surface and subsurface resources including the mineral resources in the lands. No disposal of such resources will be made except in a manner consistent with the primary use of the lands as an Air Navigation Site, and under such reasonable stipulations as may be prescribed by the Federal Aviation Agency to preserve the value of the lands as an Air Navigation Site, except that grazing leases and permits may be issued by the Bureau of Land Management without such concurrence.

ROGER ERNST,

*Assistant Secretary of the Interior.*

APRIL 3, 1959.

[F.R. Doc. 59-2978; Filed, Apr. 8, 1959;  
8:48 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[FCC 59-281]

#### PART 41—TELEGRAPH AND TELEPHONE FRANKS

##### Free Communication Services to Official Participants in the IX Plenary Assembly of the International Radio Consultative Committee

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 3d day of April 1959:

The Commission having under consideration Public Law 86-8, 86th Con-

gress, 1st Session, which among other things permits United States communication carriers to accord free communication services to official participants in the IX Plenary Assembly of the International Radio Consultative Committee of the International Telecommunication Union, subject to such rules and regulations as the Commission may deem necessary;

It appearing, that because the IX Plenary Assembly is scheduled to commence on April 2, 1959, the notice and public procedure thereon provided for in the Administrative Procedure Act are impracticable;

It further appearing, that the scheduled convening of the IX Plenary Assembly on April 2, 1959 is good cause for failing to make publication or service not less than thirty days prior to the effective date herein as provided in the Administrative Procedure Act;

It is ordered, That pursuant to Public Law 86-8, 86th Congress, 1st Session, and section 4(i) of the Communications Act of 1934, as amended, Part 41 of the Commission's rules and regulations is amended effective April 3, 1959, by the addition of the following:

#### § 41.41 Free service permitted.

For the duration of the IX Plenary Assembly of the International Radio Consultative Committee of the International Telecommunication Union to be held in Los Angeles, California, in 1959, United States communication common carriers may render, to official participants in such Assembly, free communication services to and from the United States from and to the respective foreign countries which the official participants represent at the Assembly, provided the foreign connecting carriers involved in each case handle free the portion of such communication service rendered by them. The term "official participants" means persons whose names appear on the list of official participants maintained by the official secretariat at the Plenary Assembly.

(Sec. 4, 48 Stat. 1066, as amended; Pub. Law 86-8; 47 U.S.C. 154)

Released: April 6, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
*Secretary.*

[F.R. Doc. 59-3003; Filed, Apr. 8, 1959;  
8:52 a.m.]

## PROPOSED RULE MAKING

### POST OFFICE DEPARTMENT

[39 CFR Part 49]

#### STAR ROUTE SERVICE

##### Rural-Type Receptacles of the Box Delivery and Collection Service

It is proposed, effective July 1, 1959, to amend the regulation in § 49.3(b)(3) of Title 39, Code of Federal Regulations,

with respect to the erection or replacement of mail receptacles of star route patrons having box delivery and collection service. Where new boxes are erected or old boxes are replaced, they must be the approved rural-type receptacles. The name and box number of the owner must be neatly inscribed in letters and numerals not less than one inch high on the side of the box visible to the carrier as he approaches, or on the



door if boxes are grouped. At present, the patrons must provide and erect a suitable box or provide a suitable sack or satchel with post upon which it may be hung.

The proposed regulation relates to a proprietary function of the Government and hence, is exempt from rule-making requirements of 5 U.S.C. 1003. However, it is the desire of the Postmaster General to voluntarily observe rule-making requirements of the Administrative Procedure Act in matters of this kind, and to afford the patrons of the postal service an opportunity to present written views concerning the proposed regulation. Accordingly, such written views may be submitted to Mr. L. B. Schoonover, Director, Postal Installations Division, Bureau of Operations, Post Office Department, Washington 25, D.C., at any time prior to the expiration of thirty days from the date of publication of this document. The proposed amendment is as follows:

In § 49.3 *Box delivery and collection service*, amend subparagraph (3) of paragraph (b) to read as follows:

(3) Provide and erect a suitable box or provide a suitable sack or satchel with post upon which it may be hung. On and after July 1, 1959, where a box is newly installed or a present box is being replaced, an approved rural-type box must be used. The name and box number of the owner must be neatly inscribed in letters and numerals not less than one inch high on the side of the box visible to the carrier as he approaches, or on the door if boxes are grouped. (See § 46.5 of this chapter.)

Note: The corresponding Postal Manual section is 159.32c.

(R.S. 161, as amended, 396, as amended, 3964, as amended, 3965, 3966, 3968; 5 U.S.C. 22, 369, 39 U.S.C. 481, 483, 484, 486)

[SEAL] HERBERT B. WARBURTON,  
General Counsel.

[F.R. Doc. 59-2988; Filed, Apr. 8, 1959; 8:50 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### [ 43 CFR Part 414 ]

### DISPOSAL OF FEDERAL PROPERTIES IN BOULDER CITY, NEV.

*Basis and purpose.* Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Boulder City Act of 1958 (72 Stat. 1726), it is proposed to add a new part to Title 43 of the Code of Federal Regulations. The purpose of this new part is to establish procedures for the disposal to private interests of federally owned properties located at Boulder City, Nevada, a presently unincorporated city under the administration of the Bureau of Reclamation. In addition to disposal of federally owned properties to private persons, this new part contemplates the disposal to the municipality upon its incorporation of federally owned properties

which have been utilized theretofore for functions municipal in character.

This proposed new part relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed new part to the Bureau of Reclamation, Washington 25, D.C., within thirty (30) days of the date of publication of this notice in the FEDERAL REGISTER.

A new Part 414 is added to Title 43, Chapter II, reading as follows:

Sec.	Purpose.
414.1	Definitions.
414.2	Property to be transferred without cost.
414.3	Structures to be sold; lots to be leased.
414.4	First priorities.
414.5	Second priorities.
414.6	Conditions of sale to first and second priority purchasers.
414.7	Purchases by the general public.
414.8	Reduction in the purchase price because of incorporation.
414.9	Sale of structures unsold at time of incorporation and land on which situated.
414.10	Sale of leased lands after June 30, 1963.
414.11	Notice to lessees concerning option to purchase.
414.12	

AUTHORITY: §§ 414.1 to 414.12 issued under sec. 15, 72 Stat. 1726.

#### § 414.1 Purpose.

The purpose of this part is to supplement the Boulder City Act of 1958 (72 Stat. 1726), and to assist in carrying out the provisions of that Act relating to the sale of certain Federal properties in Boulder City, Nevada, and to facilitate the establishment of a municipal corporation under Nevada laws, in order that the people of that area may enjoy local self-government.

#### § 414.2 Definitions.

As used in this part, the term:

(a) "Regional Director" means the Regional Director, Region 3, Bureau of Reclamation, or any person designated by him to act in his behalf.

(b) "City Manager" means the City Manager, Boulder City, Nevada, an employee of the United States Department of the Interior.

(c) "Act" means the Boulder City Act of 1958 (72 Stat. 1726).

(d) "Boulder City municipal area" means the unincorporated area in the State of Nevada as that area is defined in section 2(c) of the Act.

(e) "Near the Boulder City municipal area" means that area which lies within a radius of fifteen (15) miles from the City Hall of Boulder City, Nevada.

(f) "Municipality" means Boulder City, Nevada, after its incorporation as a municipality under the laws of the State of Nevada.

(g) "Persons employed by the Federal Government within the Boulder City municipal area" includes:

(1) Persons who retired and who were so employed immediately prior to their retirement;

(2) Persons who were so employed on May 15, 1958, but who, because of a reduction in force, have ceased being so employed at the time property is offered for sale under §§ 414.5 and 414.6, and

3. Persons who have been so employed but who are, at the time property is offered for sale under §§ 414.5 and 414.6, temporarily absent on other assignment (including foreign assignments) in the interest or for the convenience of the Federal Government. For the purpose of § 414.6, persons referred to in subparagraphs (1), (2), and (3) of this paragraph shall be limited to those whose permanent residence is within the Boulder City municipal area.

(h) "Dwelling houses" and "duplex units" include all furniture therein which is owned by the United States and all fixtures and appurtenances attached or pertaining thereto, as well as any garage located on the same lot occupied by the dwelling house or duplex unit.

#### § 414.3 Property to be transferred without cost.

(a) The Regional Director shall determine what structures and land owned by the United States may be leased, under section 3(e)(2) of the Act, to the corporation owning and operating the Boulder City Hospital and may lease said structures and land to said corporation. Upon incorporation of Boulder City, Nevada, the Regional Director may transfer title to the structures so leased and the land on which said structures are situated, to the municipality without cost, subject to existing leases, in accordance with said section 3(e)(2) of the Act.

(b) The Regional Director may transfer to the appropriate school district, pursuant to section 5(b) of the Act, all right, title, and interest of the United States to all the school buildings and related equipment and facilities, and to lands upon which they are situated, owned by the United States in the Boulder City municipal area.

(c) The Regional Director shall:

(1) Transfer to the municipality all activities and functions of a municipal character in accordance with section 5(a) of the Act;

(2) Transfer to the municipality, pursuant to section 5(c) of the Act, real and personal property, including, but not limited to, buildings, lands, equipment, facilities, works, and utilities, owned by the United States, and used primarily in the performance of activities and functions to be transferred under subparagraph (1) of this paragraph; and

(3) Assign to the municipality any contract, executed on behalf of the United States, which he determines, pursuant to section 5(d) of the Act, concerns activities or functions to be transferred under subparagraph (1) of this paragraph: *Provided, however,* That, pursuant to section 5(d) of the Act, the acceptance of any such assignment by the municipality shall be a condition precedent to the transfer of property under subparagraph (2) of this paragraph.



**§ 414.4 Structures to be sold; lots to be leased.**

The Regional Director shall (a) designate those dwelling houses or duplex units owned by the United States within the Boulder City municipal area, which are not needed in connection with Federal activities or functions; (b) fix the time for offering for sale the designated structures as well as multiple-unit garages and apartment houses, together with furniture, fixtures and appurtenances as are owned by the United States within the Boulder City municipal area; (c) lease the lots on which the structures sold pursuant to this section are situated, and (d) make any determinations required by the provisions of this section.

**§ 414.5 First priorities.**

(a) Dwelling houses and duplex units:

(1) Persons employed by the Federal Government within or near the Boulder City municipal area (and surviving spouses of such persons who have not remarried) and who are tenants in federally owned dwelling houses or duplex units in Boulder City on the date such property is offered for sale in the manner set out in subparagraph (2) of this paragraph, shall have a first priority to purchase the property in which they are tenants at the appraised value thereof.

(2) Offers for sale of such structures shall be indicated by the publication in a newspaper published in Boulder City of the names of the persons in the first priority group, identification of the dwelling houses and duplex units to which the priorities apply, and the appraised value of each of said dwelling houses and duplex units as well as the appraised value of each of the lots on which such structures are situated, as determined pursuant to the Act, and the rental rate to be charged for each of said lots under a lease to be executed by the purchaser of the structure on said lot prior to the transfer of title to the structure. The publication shall be repeated in not less than two (2) additional consecutive issues of the Boulder City newspaper. During the publication period the City Manager shall post at the City Hall and Post Office copies of the information published.

(3) The purchaser of a duplex unit shall be responsible for sharing in the cost of maintenance of the common wall, and the water and sewer lines common to both units of the duplex house.

(b) Exercise of priority rights: First priority rights shall:

(1) Expire unless notice of intent to purchase the structures is received by the City Manager on a form to be supplied by him, before the expiration of sixty (60) days from the date of the first publication of the offer for sale.

(2) Be deemed abandoned unless the prospective purchaser concludes the sale within sixty (60) days after the tender of the instrument of purchase. The instrument of purchase shall be deemed to be tendered to the purchaser if mailed to his last known address by registered or certified mail.

(c) Priority rights may be exercised only once. A purchase shall render the purchaser and any spouse of such pur-

chaser ineligible thereafter to purchase under this section or § 414.6.

**§ 414.6 Second priorities.**

(a) Available structures: Structures not purchased under the first priorities described in § 414.5 shall be offered for sale at their appraised value to persons who at the time such structures are offered for sale are employed by the Federal Government within or near the Boulder City municipal area.

(b) Manner of selecting second priority group: Offers for sale of such structures to such persons shall be indicated by the City Manager by the publication in the newspaper published in Boulder City of the addresses of the structures available and their approved values. The publication shall be repeated in not less than two (2) additional consecutive issues of the Boulder City newspaper. During the publication period the City Manager shall post at the City Hall and the local Post Office copies of the information published. Applicants to purchase under the second priority group shall be placed in order of opportunity to choose pursuant to a public drawing, as provided for in section 3(b)(2) of the Act, to be held at a time specified in the notice. The offers for sale shall specify that persons who consider themselves eligible to participate in the drawing shall submit applications to purchase to the City Manager at least four (4) days prior to the date of the public drawing on a form provided by the City Manager. The City Manager shall make the final determination as to eligibility to participate in the drawing and to purchase hereunder and shall post a list in the City Hall and the local Post Office of those persons so determined to be eligible. In accordance with the requirements of section 3(b)(2) of the Act, spouses of such applicants shall not be entitled to apply.

(c) Public drawing: In conducting the public drawing, the following procedures shall be observed:

(1) At the public drawing, the names of all applicants who have been determined by the City Manager to be eligible to participate shall be placed in a single container and withdrawn one at a time on a random basis. A list designating order of preference shall be prepared showing each name in the order in which it is drawn. The City Manager may, in order to facilitate selection of properties, divide the list into two or more groups of not more than twenty (20) names each in the order drawn. The persons, or their representatives, who participate in the drawing, or the first of the several groups of such persons, shall meet at a time and place designated by the City Manager on a day not less than five (5) days nor more than fifteen (15) days after the date of the drawing to exercise their preference to select property pursuant to the drawing. If there are two or more groups of persons, the second and subsequent group shall meet to exercise their preference to select properties on the seventh day after the day on which the next preceding group has met. A list of the properties selected shall be posted in the City Hall and in the local

Post Office not later than one day following the date on which selections are made.

(2) The City Manager shall post in the Post Office and other public places in the area and otherwise bring to the attention of persons eligible to select property pursuant to the drawing, information as to the order of preference established pursuant to the drawing, the groups, if any, established to facilitate the selection process and the date or dates on which eligible persons or groups of persons shall meet to exercise their preferences to select properties for purchase.

(3) At 10:00 a.m. local time on the date on which selections are to be made, those persons eligible to select shall meet at the designated place and make their selections in order of preference. Any preference right not exercised on the prescribed day shall be forfeit.

(d) Exercise of priority rights: The second priority rights shall be deemed abandoned unless the prospective purchaser concludes the sale within sixty (60) days after the tender of the instrument of purchase. The instrument of purchase shall be deemed to be tendered to the purchaser if mailed to his last known address by registered or certified mail.

(e) Priority rights may be exercised only once. A purchase shall render the purchaser and any spouse of such purchaser ineligible thereafter to purchase under § 414.5 and shall render the purchaser ineligible thereafter to purchase under this section.

**§ 414.7 Conditions of sale to first and second priority purchasers.**

(a) A purchaser in the first priority group must deposit the sum of one hundred dollars (\$100.00) with the City Manager at the time he files his notice of intent to purchase the structure in which he is a tenant pursuant to § 414.5(b)(1). A purchaser in the second priority group must deposit the sum of one hundred dollars (\$100.00) with the City Manager at the time he makes his selection pursuant to § 414.6(c)(3). Each deposit will be credited toward the purchase price of the structure at the time the sale is concluded: *Provided, however,* That if the purchaser fails for any reason whatsoever to conclude the sale, this deposit shall be retained by the United States as payment for the costs incurred by it in processing the purchaser's notice of intent, or selection, and in processing the deposit. The deposit shall be made by cash, certified check, cashier's check, bank draft, irrevocable commercial letter of credit issued by a bank established in the United States, postal or express money order, payable to the Bureau of Reclamation.

(b) Each purchaser in the first and second priority groups must make his own arrangements for financing his purchase: *Provided, however,* That if he is unable to obtain financing on reasonable terms he shall so advise the City Manager in writing and shall provide him with the names of not less than three (3) lending institutions to which he has applied and the terms and conditions, if any, offered by each lending institution



and shall indicate whether or not he desires the City Manager to accept his deposit and note and first mortgage in accordance with section 3(h) of the Act. For the purpose of this section, "reasonable terms" shall be similar to the terms set out in the proviso to paragraph (c) of this section.

(c) The Regional Director shall, at the time the structures are offered for sale and from time to time thereafter, determine whether financing on reasonable terms is available. In the event that the Regional Director shall find that financing on reasonable terms of the purchases referred to in paragraph (b) of this section is not available from other sources, he shall so advise the City Manager and the City Manager may, in order to facilitate the sale of the structures to be sold hereunder, accept, in partial payment of the purchase price of the property, notes secured by first mortgages, in such form and on such terms and conditions as in his opinion are appropriate: *Provided, however,* That the maturity and percentage of appraised value in connection with such notes and mortgages shall not exceed those prescribed under section 223(a) of the National Housing Act, as amended, and the interest rate shall equal the interest rate plus the premium being charged (and any periodic service charge being authorized by the Federal Housing Commissioner for properties of similar character) under section 223(a) of the National Housing Act, as amended, at the effective date of such notes and mortgages.

#### § 414.8 Purchases by the general public.

(a) *Available structures.* Structures not sold under the first or second priorities, as well as such multiple unit garages, and such apartment houses, together with furnitures, fixtures, and appurtenances as are owned by the United States within the Boulder City municipal area, shall be offered for sale to the general public and sold to the highest responsible bidder as determined by the Regional Director.

(b) *Manner and conditions of public sales.* (1) Invitations for the general public to bid on structures offered for sale to the highest responsible bidder shall be advertised for a period of not less than thirty (30) days prior to the date of sale, in not less than three (3) newspapers of general circulation in the area, including at least one such newspaper published in Boulder City, Nevada, and shall be posted in the City Hall, post offices and other public places within a radius of thirty (30) miles of Boulder City, Nevada, and may be circulated through other news media.

(2) Invitations to bid, which shall specify the structures offered for sale, may be obtained from the Regional Director.

(3) Sealed bids will be received by the Regional Director for thirty-seven (37) days from the date of issue of the advertisement for bids and will then be opened. Awards will be made as soon thereafter as, in the Regional Director's opinion, is practicable.

(4) A deposit of ten per centum (10%) of the total amount bid shall accompany the bid to guarantee purchase. Such deposit shall be made by cash, certified check, cashier's check, bank draft, irrevocable commercial letter of credit issued by a bank established in the United States, postal or express money order, payable to the Bureau of Reclamation. In the event of any default by the successful bidder or any failure of the successful bidder to comply with all terms and conditions of the sale, the deposit made by the bidder shall not be refundable. Deposits accompanying bids by unsuccessful bidders shall be returned within thirty-five (35) calendar days after the date the bids are opened.

(5) No bid may be withdrawn within thirty (30) calendar days from the date the bids are opened and will, during that time, remain firm and irrevocable. If a bid is accepted, the bidder will return to the Regional Director an executed contract of sale, on a form to be provided by the Regional Director, within fifteen (15) days after notice of the award thereof has been mailed to the address stated in his bid by certified or registered mail. The successful bidder shall pay to the United States the purchase price of the structure in accordance with the invitation and his bid.

(6) In the event of identical bids, award shall be made by lot under conditions prescribed by the Regional Director.

(7) The Regional Director shall have the right to waive any irregularities in bidding.

(8) Where the total sale price of any structure sold under this section is \$2,000 or less, the purchaser shall pay to the United States the balance of the purchase price not later than the time established in subparagraph (5) of this paragraph for concluding the sale.

(9) Where the total sale price is more than \$2,000, the ten per centum (10%) deposit, which accompanies the bid shall constitute the down payment and the balance of the purchase price shall be payable in not more than ninety (90) days from the time established in subparagraph (5) of this paragraph for concluding the sale.

#### § 414.9 Reduction in the purchase price because of incorporation.

In the event that incorporation of Boulder City, Nevada, is effected prior to September 2, 1962, persons purchasing dwelling houses or duplex units in accordance with sections 3(b)(1) and 3(b)(2) of the Act or their successors, assigns, or legal representatives, shall be entitled to a reduction in the purchase price, or a rebate as appropriate, of ten per centum (10%), except that no person who has purchased a house under the Act of May 25, 1948 (62 Stat. 268), shall be eligible for such reduction. If a sale shall have been concluded prior to said incorporation, an appropriate rebate will be made where the purchase price has been paid in full to the United States or where the amount of the reduction in the purchase price exceeds the unpaid balance owed by the purchaser to the United States. Where the amount of the reduction in the purchase price is less

than the unpaid balance owed by the purchaser to the United States, the unpaid balance will be reduced by the amount of the reduction in the purchase price and the installments then remaining unpaid will be adjusted accordingly.

#### § 414.10 Sale of structures unsold at time of incorporation and land on which situated.

The Regional Director may sell, pursuant to section 3(g) of the Act, any structure authorized to be sold pursuant to section 3 of the Act which is unsold at the time of incorporation of Boulder City, Nevada, together with the land on which such structure is situated. Such sales shall be made, as near as may be, in accordance with the procedures and the system of priority established in §§ 414.5 to 414.8, inclusive. Where applicable, the appraised value shall be the combined appraised value of structure and land.

#### § 414.11 Sale of leased lands after June 30, 1963.

(a) After June 30, 1963, unless incorporation of Boulder City, Nevada, shall previously have been achieved, the Regional Director may:

(1) Negotiate the sale to the lessees thereof of all leased lands within the Boulder City municipal area, and

(2) Sell to the highest responsible bidder, at not less than the appraised value as determined by the Regional Director, any other lands within the Boulder City municipal area not needed for Federal purposes, including the purposes of the Act.

#### § 414.12 Notice to lessees concerning option to purchase.

Lessees of lots within the Boulder City municipal area, referred to in sections 3(f)(1) and 4(a) of the Act, on which structures sold under section 3 of the Act are situated or on which privately owned improvements are located and lessees of unimproved lands within the Boulder City municipal area as the Regional Director determines are not required in connection with Federal activities or functions may request of the City Manager that such leases be amended to provide an option to purchase the leased lots in accordance with the provisions of section 4(a) of the Act.

FRED A. SEATON,  
Secretary of the Interior.

APRIL 3, 1959.

[F.R. Doc. 59-2986; Filed, Apr. 8, 1959;  
8:49 a.m.]

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[ 19 CFR Part 17 ]

### DISCONTINUANCE OF NOTICES TO IMPORTERS FOLLOWING REAPPRAISEMENT DECISIONS

#### Notice of Proposed Rule Making

For many years, § 17.8(a) of the Customs Regulations has provided that a



collector of customs, upon receipt from the United States Customs Court of a notice of a reappraisal decision, shall immediately notify the importer or his agent of any advance over entered value. This provision of the regulations for the giving of notice by a collector of customs is a successor to regulatory provisions in effect when by law an importer had but two official days in which to file notice of dissatisfaction with a reappraisal decision.

Today, simultaneously with the mailing of the notice to a collector of customs the Customs Court mails a direct notice to the importer of its decision. The importer has 30 days from the date of the filing of the notice with the collector within which to file with the collector of customs an application for review of the court's decision.

During that 30-day period, the invoices and related papers are retained by the Customs Court so that they are available to the court in the event an application for review of its decision is filed. Consequently, without such documents, the collector of customs is most often unable to determine whether the decision of the Customs Court affects the imported merchandise involved by advancing the value over the entered value.

As a result, the collector is unable to give immediate notice to an importer about an advance of value pursuant to the court's decision.

For these reasons, notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that it is proposed to amend § 17.8 of the Customs Regulations. Such section will be amended principally by deleting paragraph (a) pertaining to notices to importers by collectors of customs of reappraisal decisions which result in an advance in value over entered value. The amended section will read as follows:

**§ 17.8 Review of reappraisal decision; filing application for.**

Any application by or on behalf of the consignee for a review of a reappraisal decision shall be filed with the collector in duplicate. Customs Form 4307 may be used for this purpose.

(Sec. 1, 62 Stat. 981; 28 U.S.C. 2636) / (R.S. 161, as amended, 251, secs. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views, or arguments pertaining to the proposed amendment which are submitted in writing to the Commissioner of Customs, Washington 25, D.C., and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] LAWTON M. KING,  
Acting Commissioner of Customs.

Approved: April 2, 1959.

A. GILMORE FLUES,  
Acting Secretary of the Treasury.

[F.R. Doc. 59-3002; Filed, Apr. 8, 1959; 8:52 a.m.]

**United States Coast Guard**

**[ 33 CFR Part 146 ]**

**[ 46 CFR Parts 1, 4, 10, 12, 30, 32-35, 43-45, 52, 54-57, 61, 76, 78, 95-97, 110-113, 136, 137, 146, 147, 160-162, 167, 176, 181, 183, 187 ]**

[CGFR 59-3]

**VESSEL INSPECTION, AND FIXED STRUCTURES ON OUTER CONTINENTAL SHELF**

**Public Hearing on Proposed Changes**

1. The Merchant Marine Council will hold a public hearing on Monday, April 27, 1959, commencing at 9:30 a.m., in the Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D.C., for the purpose of receiving comments, views and data on the proposed changes in the rules and regulations governing vessel inspection and fixed structures on the Outer Continental Shelf, as set forth in Items I to XI, inclusive, of the Merchant Marine Council Public Hearing Agenda, CG-249, dated April 1959 and Item XII as set forth in this document. The Agenda contains the specific changes proposed, and for certain items the present and proposed regulations are set forth in comparison form, together with the reasons for the changes, where necessary.

2. The proposed changes in the vessel inspection regulations, together with the statutory authority for making such changes, are generally described by subjects in this document. The specific wording of proposed changes are set forth in the Merchant Marine Council Public Hearing Agenda, CG-249, dated April 1959. Copies of this Agenda are mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished them. Copies of the Agenda will be furnished, upon request to the Commandant (CMC), United States Coast Guard, Washington 25, D.C., so long as they are available. After the supply of extra copies is exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. Written comments containing constructive criticisms, suggestions, or views are welcomed. However, acknowledgment of the comments received or reasons why the suggested changes were or were not adopted cannot be furnished since personnel are not available to handle the necessary correspondence involved. Each oral or written comment is considered and evaluated. If it is believed the comment, view, or suggestion clarifies or improves the proposed regulation or amendment, it is changed accordingly and, after adoption by the Commandant, the revised regulation is published in the FEDERAL REGISTER. Each person who desires to submit written comments, data, or views in connection with the proposed regulations set

forth in the Merchant Marine Council Public Hearing Agenda should submit them so that they will be received prior to April 23, 1959, by the Commandant (CMC), U.S. Coast Guard Headquarters, Washington 25, D.C. Comments, data, or views may be presented orally or in writing at the hearing before the Merchant Marine Council on April 27, 1959. In order to insure consideration of comments and to facilitate checking and recording, it is essential that each comment regarding a section or paragraph of the proposed regulations shall be submitted on Form CG-3287, showing the section number, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG-3287 is attached to the Agenda. Additional copies may be obtained upon request from the Commandant (CMC), or from any Coast Guard District Commander, or may be reproduced by typewriter or otherwise.

4. Each item in the Agenda has been given a general title, intended to encompass the specific proposals presented. It is urged that each item be read completely because the application of proposals to specific employment or types of vessels may be found in more than one item. For example, Item V contains proposals applicable only to tank vessels, yet Items II and VIII also contain proposals affecting tank vessels.

**ITEM I—LIFESAVING APPLIANCES**

5. It is proposed to establish a specification for inflatable liferafts to be designated 46 CFR Subpart 160.051, and consisting of §§ 160.051-1 to 160.051-9, inclusive. This specification provides guidance for manufacturers in obtaining the Commandant's approval. The proposals deal with construction, design, types and sizes of inflatable liferafts; inspections and tests; servicing after manufacture; equipment required to be stowed outside of equipment containers but so as to be readily available, such as boarding ladders, heaving line, instruction manual, jackknife, light, lifeline, paddles, painter, pump (inflation-deflation), righting gear, sea anchor and towing bridle; equipment required to be stowed in equipment containers, such as bailer, drinking cup, first-aid kit, flashlight, signaling mirror, provisions, repair kit, signals, cellulose sponge, and water; name plate and marking; and procedures for obtaining approval by the Commandant, U.S. Coast Guard. Proposed vessel inspection regulations to permit use of inflatable life rafts as lifesaving equipment are not included with this item.

6. The authority to prescribe regulations with respect to inflatable liferafts is in section 3, act of May 10, 1956 (70 Stat. 152; 46 U.S.C. 390b).

7. It is proposed to require that the interiors of all existing and new lifeboats be painted or otherwise colored orange on and after January 1, 1961. These lifeboats are used on passenger, tank, cargo and miscellaneous vessels and nautical school ships. New regulations will be added and designated 46 CFR 33. 25-



5(d), 78.47-60(f), 97.37-37(f), 160.035-2(c) (1), and 167.35-25(d).

8. The authority for regulations respecting lifeboats is in R.S. 4405, as amended, 4417a, as amended, 4426, as amended, 4462, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 375, 391a, 404, 416, 474, 481, 489, 490, 396, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

#### ITEM II—FIRE PROTECTION EQUIPMENT

9. As announced in the FEDERAL REGISTER of September 6, 1958 (23 F.R. 6880), it is proposed to revise the regulations governing tank vessels (Subchapter D) and small passenger vessels (Subchapter T) by cancelling requirements governing use of toxic vaporizing liquid type fire extinguishers and fire extinguishing systems, and to prohibit the use of toxic vaporizing materials, such as carbon tetrachloride, in approved equipment on and after January 1, 1962. These proposed amendments are for the purpose of amending Subchapters D and T in accordance with the policy set forth in the FEDERAL REGISTER September 6, 1958 and will bring these regulations into agreement with previous amendments to other regulations governing passenger, cargo, and miscellaneous vessels. To accomplish this and to reclassify certain fire extinguishers, it is proposed to amend 46 CFR 33.15-10(h), 34.01-1, 34.05-1, 34.15-1(b), 34.15-5(b), 34.20-25, 34.25-25(b), 34.40-1(a), 34.40-5, and to cancel 46 CFR 34.15-30, which are in Subchapter D—Tank Vessels, and to amend 46 CFR 176.15-20(d) and 181.20-1(b) and add a new section designated 46 CFR 181.20-10, which are in Subchapter T—Small Passenger Vessels (Not More Than 65 Feet In Length).

10. The authority for regulations respecting fire protection equipment on tank vessels is in R.S. 4417a, as amended, and sec. 3, act of August 9, 1954 (46 U.S.C. 391a, 50 U.S.C. 198), and on small passenger vessels is in sec. 3 of the Act of May 10, 1956 (70 Stat. 152; 46 U.S.C. 390b).

11. To remove some confusion because of the indefinite wording in the regulations with respect to fixed carbon dioxide fire extinguishing systems for passenger, tank, cargo, and miscellaneous vessels, it is proposed to revise 46 CFR 34.20-10(a), 34.21-1(f), 76.15-5(e), and 95.15-5(e). This will be accomplished by defining "hatch opening" and "material reduction in area," and by describing computation of volume of a space.

12. The authority to prescribe regulations respecting fire protection for passenger, tank, cargo and miscellaneous vessels is in R.S. 4405, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4462, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 375, 391, 391a, 392, 404, 416,

482, 483, 363, 367, 1333, 463a, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

#### ITEM III—ENGINEERING

15. It is also proposed to revise 46 CFR 76.15-5(e) and 95.15-5(e) regarding discharge outlets in Subchapter H—Passenger Vessels and Subchapter I—Cargo and Miscellaneous Vessels. The present requirements do not sufficiently define the "minimum areas of all the cylinder discharges." The proposals change wording for clarity, are consistent with the present practices, and do not represent any increase of existing requirements. They are also considered to be consistent with the standards of the National Fire Protection Association. With respect to small passenger vessels, it is proposed to amend 46 CFR 181.15-15(c) in Subchapter T. This proposal will change the present area limit requirements governing the total area of all discharge outlets by reducing the lower limit from 40 percent to 35 percent. This proposal is consistent with the National Fire Protection Association Standards.

16. The authority for regulations respecting discharge outlets for passenger, cargo and miscellaneous vessels and small passenger vessels is in R.S. 4405, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4462, as amended, sec. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 375, 391, 392, 404, 416, 367, 1333, 390b, 50 U.S.C. 198.

17. At the present time the Marine Engineering Regulations require the use of non-destructive methods for measure of pipe wall thickness when the design temperature exceeds 750° F., and the use of "ultrasonic or other method" is permitted. Since the use of radiation type measuring instruments is meeting with general acceptance for measurement of pipe wall thickness, it is proposed to amend 46 CFR 55.07-5(d) in Subchapter F—Marine Engineering to include specifically the use of radiation type thickness gauges which have acceptable accuracy.

18. In order to clarify the meaning of fired and unfired steam boilers, it is proposed to amend the definitions in 46 CFR 52.01-1 by appropriately revising 52.01-1(c) respecting "pressure vessel," and adding new definitions for "fixed steam boiler" and "unfired steam boilers."

19. It is proposed to clarify the requirements governing the use of seamless pipe and electric-resistance-welded pipe for boiler and pressure vessel shells by amending 46 CFR 52.05-15 and 52.05-20, because of the different limitations applicable to boilers and unfired pressure vessels. These proposals conform with the American Society of Mechanical Engineers' Code.

20. A manufacturer of fire-tube boilers has requested the regulations in 46 CFR 52.10-25 be revised to permit the Coast Guard to accept unflanged tube sheets for fire-tube boiler construction. This type of boiler construction has been permitted by the A.S.M.E. Code and has shown satisfactory service in boilers covered by such Code. This design is con-

sidered acceptable for marine boilers if the same construction requirements are prescribed as in the A.S.M.E. Code. It is proposed to add new regulations to 46 CFR 52.10-25 which state the requirements governing when attaching an unflanged tube sheet to the shell or wrapper sheet by welding.

21. It is proposed to revise 46 CFR 52.30-5 with respect to requirements governing areas to be stayed or reinforced for flanged heads and to add requirements for use of unflanged heads which will be permitted. It is also proposed to amend 46 CFR 52.60-10 regarding materials for superheaters, headers, water walls and economizers. Carbon steel plate meeting the requirements of Subparts 51.04 and 51.22 may be used as header end closures where the temperatures do not exceed 800° F. For temperatures exceeding 800° F., the header end closures shall be alloy steel plate.

22. Compression tanks containing water under pressure are presently exempted from the requirements for unfired pressure vessels when the pressure and temperature do not exceed 100 p.s.i. and 200° F. In order to provide an air cushion for pressurizing the water, compression tanks are fitted with air charging connections. When air charging connections are made permanent, the tank is considered to be a compressed air tank and must meet the requirements for such unfired pressure vessel. It is proposed to amend 46 CFR 54.01-1 in order to clarify the requirements for compression tanks when fitted with permanent air charging lines by exempting those fitted with a permanent air charging line subject to pressures not exceeding 15 pounds per square inch and temperatures not exceeding 200° F.

23. Unfired pressure vessels have been installed on vessels subject to inspection without prior approval or shop inspection by the Coast Guard. Administratively the Coast Guard has accepted such installations. It is proposed to add to 46 CFR 54.01-1 requirements governing the acceptance of such unfired pressure vessels, which are in line with present administrative practice.

24. The service limitations on the use of welding flanges for shell attachments on unfired pressure vessels are not clearly specified in the current regulations. The limitations of pipe flanges as prescribed in Figure 55.07-15(f) in 46 CFR 55.07-15(f) are considered too restrictive for ring flanges on unfired pressure vessel shells since the latter design is not subjected to the external loadings which the piping may experience in service. The proposed regulations to be added to 46 CFR 54.03-25 will permit shell flanges of unfired pressure vessels to be designed in conformance with the requirements of the American Society of Mechanical Engineers' Code and Standards of Tubular Exchanger Manufacturers Association. The proposals cover flanges intended to be used for shell attachments to tube sheets channels and end covers of unfired pressure vessels and heat exchangers.

25. The American Society of Mechanical Engineers' Standard and American Standards Association's Standard for



Gasket Materials and Contact Facings were revised in the latest amendments to these Standards. It is therefore proposed to revise Table 54.03-25(c) in 46 CFR 54.03-25 so that this Table will be in agreement with the A.S.M.E. and A.S.A. Standards.

26. The classification of unfired pressure vessels in which steam is generated requires clarification. The scope of the current regulations do not cover this type of pressure vessels. Under the A.S.M.E. Code Rules such pressure vessels are considered as unfired steam boilers requiring Class I construction for design pressures exceeding 50 p.s.i. For marine application it is proposed that this pressure limitation be 30 pounds per square inch since requirements for marine power boilers begin at a pressure of 30 p.s.i. To provide for unfired pressure vessels generating steam, it is proposed to add new requirements designated 46 CFR 54.03-27 and entitled "unfired steam boilers."

27. The requirements for flange attachments to nozzles of unfired pressure vessels need clarification since the present regulations do not cover all designs now being submitted for consideration. It is proposed to revise 46 CFR 54.03-40 regarding openings and reinforcements to provide for plate or slip-on type flange attachments to nozzles with full penetration welds for pressures not exceeding 600 p.s.i. and temperatures not exceeding 700° F.

28. Safety relief valves for liquefied compressed gas service are now required by 46 CFR 54.07-25(d) to be tested at the popping pressure before being placed in service. This test requirement is not considered practical for specially designed safety relief valves fitted with a breaking pin to maintain leak tightness in service, since the pin and rupture disk will have to be replaced by the manufacturer of the valve after each test. Therefore, it is proposed to add to 46 CFR 54.07-25 requirements to permit alternate tests for safety relief valves fitted with a breaking pin and rupture disk.

29. The pressure and temperature limitations for furnace (butt and lap) welded pipe presently prescribed in the regulations are not in agreement with the corresponding requirements in American Standards Association Code for Pressure Piping and the American Bureau of Shipping Rules. It is therefore proposed to revise Table 55.07-1(b) in 46 CFR 55.07-1 to provide a pressure limitation of 250 pounds per square inch for lap welded steel or wrought iron pipe in lieu of present 350 pounds pressure limitation, and 250 pounds per square inch for butt welded steel or wrought iron pipe in lieu of present 150 pounds pressure limitation. It is also proposed to revise 46 CFR 55.07-1(e)(4) to incorporate into the regulations the adjusted pressure-temperature ratings for nodular cast iron, which have been specified by the A.S.M.E. and A.S.A. Codes, so that the regulations will be in agreement with these standards.

30. The new pressure-temperature ratings listed in the current A.S.A. Standard for Flanged Fittings (ASA

B16.5-1957) replace classes A and B ratings with a single rating based on the use of gaskets and flange facings conforming with the requirements in Specification ASA B16.5. It is proposed to revise Table 55.07-15(e1) and 46 CFR 55.07-15(e) so that these requirements will agree with current A.S.A. Standards.

31. It is proposed to revise 46 CFR 55.10-1 with respect to steam and exhaust piping and use of relief valves and shut-off valves to provide protection for the machinery under all conditions of operation. Present requirements for the installation of relief valves to warn of excess pressure where shut-off valves are fitted in exhaust lines of machinery need revision. The installation of a sentinel valve only has not proved adequate. Severe damage to auxiliary turbines has occurred because of the inadequacy of the sentinel relief valve to protect the turbine exhaust casing against the full inlet pressure.

32. In order to clarify the requirements for multiple feed pump installations on vessels of fairly high propulsive power and to conform with the American Bureau of Shipping Rules, it is proposed to revise 46 CFR 55.10-10(d) with respect to the group feed system in the boiler feed piping to specify the aggregate capacity of feed pumps when the total number of pumps are in excess of the two independent pumps now required.

33. It is proposed to revise 46 CFR 55.10-35(d) regarding piping in the fuel oil and cargo oil systems by amplifying requirements for the local control of internal valves. This proposal will clarify requirements covering shut-off valves in fuel oil lines to deep and settling tanks.

34. For welding in nuclear pressure vessels it has been found that internal backing bars are not considered desirable because of the possibility of collecting corrosion products in the crevices between the bar and base metal which could initiate stress corrosion cracking. It is therefore proposed to revise 46 CFR 56.01-55(a) regarding joints by providing that for nuclear pressure vessels, a welding process using an inert gas back-up and/or consumable insert ring will be permitted. It is also proposed to revise 46 CFR 56.01-80(d) regarding Class I piping to clarify the requirements for backing rings when used in nuclear power piping. For nuclear reactor systems, it is proposed to permit a welding process in constructing the main coolant piping which will use an inert gas back-up and/or consumable insert ring. This welding process has been successfully employed in land installations of nuclear reactors.

35. A request has been received from a fabricator of cargo tanks designed to carry liquefied compressed gas to permit the use of fillet welded intermediate heads for the purpose of providing internal diaphragms separating different cargoes within a single shelled tank. The present regulations require butt-welded attachments of dished heads, thus precluding the use of intermediate heads. It is proposed to revise further 46 CFR 56.01-55 by adding new regulations to

permit intermediate heads of a design and attachment which conform with the requirements in the A.S.M.E. Code.

36. The required speed of rudder movement specified in the regulations steering gear was intended for power driven steering gears and not for testing hand operated gears. It is therefore proposed to revise 46 CFR 57.25-10 respecting rudder movement so that this regulation will correspond to similar requirements in the American Bureau of Shipping Rules.

37. Accumulators used in most hydraulic cranking systems incorporate a safety disc designed to rupture at abnormal vessel pressures, thereby releasing nitrogen gas and inactivating the system until the disc is replaced and the accumulator recharged. Since testing at higher than operating conditions would be a destructive test in accumulators using safety discs, it is therefore proposed to add to 46 CFR 61.25-5 requirements providing that hydraulic accumulators shall be leak-tested to the design pressure after installation, and to revise 46 CFR 61.25-20 to specifically provide for inspection of hydraulic accumulators under operating conditions at the annual or biennial inspection.

38. Requests have been received from hydraulic equipment component manufacturers and design agents to permit a shop test of hydraulic components and piping when completely assembled in the shop in lieu of the required hydrostatic test after installation. The objections to the present shipboard tests are (1) the possibility of introducing dirt and other foreign matter in the hydraulic system which may cause a failure in operation; and (2) the hydraulic pumps are not designed for required test pressures. The shipboard tests are based on 1½ times the relief valve setting. This increased hydraulic working pressure to test at 150 percent of the relief valve setting has damaged certain hydraulic pumps when not designed to take this high test pressure. It is therefore proposed to amend 46 CFR 61.30-5 respecting shop tests by adding alternate requirements to cover testing of hydraulic systems, including steering gear, so that tests may be conducted in the manufacturer's shop. In addition it is proposed to revise 46 CFR 61.30-10 so that satisfactory shop tests of hydraulic piping assemblies may replace the required hydrostatic tests after installation, provided a leak-proof and joint tightness test at the relief valve setting is conducted.

39. The regulations with respect to marine engineering and material specifications are issued under R.S. 4405, as amended, and 4462, as amended, 46 U.S.C. 375, 416. These regulations interpret or apply R.S. 4399, 4400, 4417, 4417a, 4418, 4421, 4426-4431, 4433, 4434, 4453, 4491, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 489, 366, 363, 367, 526p, 1333, 463a 50 U.S.C. 198;



E.O. 10402 17 F.R. 9917; 3 CFR, 1952 Supp.

#### ITEM IV—ELECTRICAL

40. In order to clarify the intent of regulations governing electrical installations on small passenger vessels, it is proposed to revise 46 CFR 183.01-1 regarding electrical installations operating at 50 volts and over. This proposal will make the systems required by Subchapter T, as well as any system installed but not required by the regulations, to meet the required details in Subchapter J—Electrical Engineering.

41. The authority for the proposed regulations respecting the electrical installations for small passenger vessels carrying more than six passengers is section 3 of the act of May 10, 1956 (70 Stat. 151-154; 46 U.S.C. 390b).

42. It is proposed to permit the use of mineral-insulated, metal sheathed cable and to provide for reference to new standards, Federal or Military specifications, etc. It is proposed to amend 46 CFR 110.10-1(e) with respect to bringing up to date references to standards issued by Underwriter's Laboratories, Inc.

43. It is proposed to add mineral insulated cable to the list of cables permitted for lighting and power, interior communication, and telephone service. It is proposed to add the designation "MI" for mineral insulated cable in Table 110.15-15(b) (1) in 46 CFR 110.15-15(b), which describes the cable designations for certain cable terms.

44. It is proposed to amend 46 CFR 111.40-1(e), which sets forth the general construction requirements for switchboard and panelboard types of distribution panelboards, to permit certain large type panelboards to be accessible from the front only. In order to remove a conflict in requirements between 46 CFR 111.40-1(i) and 46 CFR 111.35-1(h), it is proposed to revise 46 CFR 111.40-1(i), regarding circuit directory card for panelboard switching units, by deleting requirements respecting the circuit current carrying capacity.

45. In order to prevent single phase operation of a 3-phase lighting branch circuit, it is proposed to amend 46 CFR 111.50-20(c) (5) (i), regarding circuit loads and demand factors for lighting branch circuits for multi-lamp fixtures, appropriately. To clarify the requirements governing small appliances, it is proposed to amend 46 CFR 111.55-1 (b) (7), which provides for overcurrent protection of conductors for appliance branch circuits, by requiring the overcurrent device to have a rating not exceeding 150 percent of the rating of the appliance or device or 15 amperes, whichever is the higher. In order to eliminate a conflict in requirements between 46 CFR 111.55-10(c) and 46 CFR 113.25, regarding disconnection of fuses and thermal cutouts for general alarm feeders and branch circuits covered by 46 CFR 113.25-10(b), it is proposed to add requirements to 46 CFR 111.55-10(c) stating that in this situation no disconnect means shall be provided. With respect to cartridge fuses and fuseholders, it is proposed to amend 46 CFR 111.55-15(c) to require cartridge fuses to be of the nonrenewable type of fuses, which

are recommended by the American Institute of Electrical Engineers in its Standard 45. With respect to electric cable, it is proposed to amend 46 CFR 111.60-1 by revising paragraph (b), governing construction, to include mineral insulated, type MI cable, and mineral insulated, metal sheathed, type MI cable; by revising paragraph (d) containing requirements governing locations where cable may be used; and by revising paragraph (e) and Table 111.60-1(e) (1) (i) for wires and cables to agree with other changes proposed regarding mineral insulated cable. The proposed amendments to 46 CFR 111.60-10(b), regarding installation of ship's service cables, are intended to provide for sealing of mineral insulated, type MI cable and to provide for the grounding of the sheath on such cable. With respect to the general requirements for wiring methods, it is proposed to amend 46 CFR 111.60-15 (e), governing connections to terminals, to require all lugs to be of a type meeting the requirements of Underwriters' Laboratories, Inc. In order to clarify the general requirements governing outlet boxes, it is proposed to revise 46 CFR 111.60-20(a) to specifically state this section includes separately installed connection and junction boxes. It is also proposed to amend 46 CFR 111.60-35, regarding lighting fixtures, by revising paragraph (a) to bring references to latest applicable standards up-to-date, and by revising paragraph (c) containing provisions applicable at fixture outlet boxes, canopies and pans to include temperature limitations when using mineral insulated, Type MI cable. In order to include proper reference to mineral insulated, Type MI cable in requirements governing wiring methods and materials for hazardous locations, it is proposed to revise appropriately 46 CFR 111.60-40 (b) (10) and (c) (8), regarding wiring methods.

46. With respect to special requirements for tank vessels contracted for on or after November 19, 1955, it is proposed to amend 46 CFR 111.70-10(c), governing installation requirements for all tank vessels which handle as cargo Grade A, B, C, or D liquid cargo, by requiring explosion-proof equipment to be also watertight or enclosed in watertight housings when installed on weather decks.

47. It is proposed to revise the general requirements governing storage battery installations. The proposed changes in 46 CFR 112.55-1 will increase the plate thickness requirements of diesel starting batteries and will also permit the use of guaranteed life storage batteries.

48. In order to have a more realistic sound level for general alarm bells, it is proposed to amend 46 CFR 113.25-10 (c) (1), regarding location requirements of general alarm bells, to require a sound level of six decibels above the ground noise level existing when the vessel is underway in moderate weather rather than 20 decibels now required. It is also proposed to revise 46 CFR 113.30-25 (h) and 113.35-45 (d) to include mineral insulated, Type MI cable in the detailed requirements governing sound power

telephone systems, and engine order telegraph systems. The Figure 113.55-25(b), regarding semiautomatic navigation light panel circuits, in 46 CFR 113.55-(b) will be revised to include reference to the dual-voltage AC systems.

49. Miscellaneous changes are proposed in the specification designated 46 CFR Subpart 161.001 for electric water lights used on merchant vessels. The proposed amendments to 46 CFR 161.001-1 contain the new superseding construction material specifications, as well as to provide for acceptance of automatic floating water lights conforming with Military specification MIL-L-2648. The proposed changes in 46 CFR 161.001-4, regarding construction and performance, will revise subparagraph (a) (1) to permit special circuits which produce a flashing light; will revise subparagraph (d) (1) and paragraphs (f), (g), (h), (j) and (k) to show superseding construction material specifications, will revise paragraph (o) to change the type of color finish required to increase the daytime visibility of the water light; and will revise paragraph (p) for mounting bracket by deleting color of finish requirements and to provide for the protection of plastic lenses of lights. The proposed changes in 46 CFR 161.001-5 regarding inspection and methods of tests will revise subparagraph (a) to permit factory inspections by a mutually acceptable independent testing organization; will add as subparagraph (a) (2) permission to recognize test data obtained from tests performed in accordance with specification MIL-L-2648; will delete subparagraph (b) (4) regarding the material tests for plastic parts described in Federal Specification L-P-406; will revise subparagraph (b) (10) to require that metallic parts be free of paint or other finish during the accelerated weathering tests; and will redesignate subparagraphs as necessary to accomplish these changes.

50. With respect to the fire protective system specifications, it is proposed to amend 46 CFR 161.002-9(a) (1) to permit a single, automatically charge storage battery.

51. The regulations with respect to electrical engineering are issued under R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. These regulations interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 1028, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 366, 395, 363, 369, 367, 1333, 463a, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

#### ITEM V—TANK VESSELS

52. It is proposed to amend the Tank Vessel Regulations to clearly indicate the applicability of these regulations to foreign flag tank vessels while in the navigable waters over which the United States has jurisdiction or while under-



going repairs involving fire producing operations in a port or place in the United States, including territories and possessions. To accomplish this it is proposed to amend 46 CFR 30.01-5(e) regarding application of regulations, to specify which requirements are to be followed by foreign flag vessels when within United States jurisdiction.

53. On tank vessels the pump room is considered to be one of the hazardous spaces on board and requires adequate ventilation. It is proposed to add requirements to 46 CFR 32.60-20(b), which are in accordance with present administrative practices, so that all tank vessels carrying Grade A, B, C, or D liquid cargo, the construction or conversion of which is started on or after October 1, 1959, will have non-sparking type ventilation fans, with a capacity sufficient to effect a complete change of air in not more than three minutes.

54. It is proposed to extend the area of application for the safety standards governing the making of repairs involving riveting, welding, burning, etc., presently applicable in the continental United States, by amending 46 CFR 35.01-1(b) (1) to specifically state "when in a port in the United States or its territories and possessions \* \* \*". The proposal will mean that an inspection for determination as to gas free condition of the vessel will be required prior to the performance of "hotwork."

55. A tank vessel became disabled due to lack of boiler water; which was blamed on the improper installation of an evaporator. The investigation disclosed that in this case the evaporator was installed as a replacement without informing the Coast Guard, even though this work had occurred at a port where a Marine Inspection Office was located. The regulations governing passenger, cargo, and miscellaneous vessels require reports to be made to the Coast Guard before repairs are made to "pressure vessels." This requirement was omitted from the regulations governing tank vessels. In order to have information respecting proposed repairs to pressure vessels, it is proposed to amend 46 CFR 35.25-5 of the Tank Vessel Regulations so the text will correspond with the requirements governing cargo vessels. This proposal will require a report by the chief engineer whenever repairs are proposed to be made to unfired pressure vessels.

56. With the construction of tank ships of 46,000 DWT and upward, it is found that the requirements respecting the length of air hose used with fresh air breathing apparatus become impractical due to the weight of the hose and need for dragging it around corners in machinery spaces. A length of 150 feet of air hose is considered to be the limit which one man can successfully manipulate. Therefore, it is proposed to amend 46 CFR 35.30-20(a) with respect to outfit accompanying such apparatus to permit self-contained oxygen breathing apparatus with adequate life line for use in machinery spaces only which shall be in addition to the required fresh air breathing apparatus. Where such self-contained breathing apparatus is provided, the fresh air breathing apparatus

need not be required to have sufficient hose to reach the machinery spaces.

57. For many years non-sparking tools have been required for use in opening and closing cargo hatch covers on tank vessels. The consensus of results of investigations into the subject of spark production by metallic materials appears to substantiate the conclusion that no benefit is gained by the use of "non-sparking" tools in lieu of ordinary tools made of steel. It is therefore proposed to cancel the requirements in 46 CFR 35.30-15 requiring the use of non-sparking tools for opening and closing cargo hatch covers on all tank vessels.

58. The authority for regulations respecting tank vessels is in R.S. 4405, as amended, 4417a, as amended, and 4462, as amended, 46 U.S.C. 375, 391a, 416. These regulations also interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

#### ITEM VI—LOAD LINES

59. The construction of larger Great Lakes vessels requires an extension of the freeboard tables for Great Lakes vessels. These proposals have been discussed with the American Bureau of Shipping and with the cognizant Canadian authorities who have agreed with these proposals. Recently, the Canadian Rules were revised to include these proposed values. The American Bureau of Shipping is using them also in the issuance of Load Line assignments beyond the limits of current freeboard tables. With the opening of the St. Lawrence Waterway and navigation thereof by United States Great Lakes vessels, it will mean that such vessels will be navigating into waters exclusively under Canadian jurisdiction. In this respect, it is proposed to define the waters of such extended navigation and to provide for the appropriate marking of vessels so such vessels will be in agreement with the pertinent Canadian Regulations. To accomplish this, it is proposed to revise 46 CFR 43.01-1(a), 44.05-10(b), 45.01-1(a), 45.05-5(a), 45.05-15, 45.15-97, 45.25-5, and to add a new section designated 45.15-96.

60. It is proposed to make provision permitting use of synthetic fabrics as an alternate to the waterproofed cotton canvas presently specified for hatch tarpaulins by revising 46 CFR 43.10-40 and 45.10-40.

61. The authority to issue regulations regarding load lines is in sec. 2, 45 Stat. 1493, as amended, and sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a.

#### ITEM VII—WORK VESTS

62. For many years the Navy Department and the Corps of Engineers have required personnel working near or over the water to wear buoyant work vests made under Military Specification MIL-L-17653A. Such vests have given protection to those wearing them when required to work around locks or over the sides of ships, etc. However, buoyant work vests do not meet the standards for approved life preservers. Unfortunately, such vests may be confused with life preservers. Under certain conditions vests may be considered superior to the

life preservers for work purposes. The Coast Guard has not knowingly permitted the use of buoyant work vests on board merchant vessels because of the specific provisions in law regarding life-saving equipment and the possible confusion which may arise by a seaman substituting a buoyant work vest for a life preserver in an emergency. It is proposed to grant recognition to the use of buoyant work vests under certain conditions which should minimize the confusion of such equipment with approved life preservers. Therefore, it is proposed to add permissive requirements to the regulations governing the operations of tank vessels, passenger vessels, cargo and miscellaneous vessels, and nautical school ships which will permit the carriage and use of buoyant work vests under specified conditions on board Coast Guard inspected vessels. To accomplish this it is proposed to add regulations designated 46 CFR Subpart 35.03, consisting of §§ 35.03-1 to 35.03-20, inclusive; Subpart 78.36, consisting of §§ 78.36-1 to 78.36-20, inclusive; Subpart 96.35, consisting of §§ 96.35-1 to 96.35-20, inclusive; and Subpart 167.43, consisting of §§ 167.43-1 to 167.43-20, inclusive. These proposals describe which vessels are permitted to carry these work vests, the type of work vests permitted, when work vests may be used, markings, shipboard stowage, and shipboard inspections. It is also proposed to prescribe a new specification governing manufacturers who desire to make Coast Guard approved work vests, which will be designated 46 CFR Subpart 160.053, consisting of §§ 160.053-1 to 160.053-6. These proposals cover the requirements governing the manufacture of unicellular plastic foam work vests for merchant vessels and deal with specifications; type of work vests to be approved by Coast Guard; materials, construction and workmanship; inspections and tests at factory; markings; and procedures for approval.

63. The authority to prescribe regulations governing work vests is in R.S. 4405, as amended, 4417a, as amended, 4426, as amended, 4462, as amended, 4488, as amended, 4491, as amended, 4492, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 676; 46 U.S.C. 375, 391a, 404, 416, 481, 489, 490, 367, 1333, 390b, 50 U.S.C. 198.

#### ITEM VIII—POWER-OPERATED INDUSTRIAL TRUCKS

64. The use of power-operated industrial trucks, such as fork lifts and other types, to handle cargo has increased to the point where its use in the holds aboard merchant vessels and on adjoining areas under Coast Guard jurisdiction should be permitted under certain general safety requirements. In the past only specific authorizations have been given to permit use of power-operated industrial trucks. However, at the present time an expanding trend and increased number of requests from industry to use such equipment in cargo handling operations make it desirable to establish uniform requirements. It is proposed to adopt regulations which will establish general safeguards to be fol-



lowed by vessel owners and operators whenever they desire to use power-operated industrial trucks in areas under Coast Guard jurisdiction, i.e., aboard merchant vessels and on certain shore-side facilities, as well as minimum requirements considered necessary for protection of the truck operator or proper operation or use of equipment. It is proposed to add new regulations designated 46 CFR Subpart 35.80, consisting of §§ 35.80-1 and 35.80-2, governing use on tank vessels; Subpart 78.80, consisting of §§ 78.80-1 and 78.80-2, governing use on passenger vessels; Subpart 97.80, consisting of §§ 97.80-1 and 97.80-2, governing use on cargo vessels; §§ 146.09-9, 146.20-35(e), 146.21-51, 146.22-6, and 146.27-16, governing use or prohibition when handling dangerous cargoes; and a new specification Subpart 162.030, consisting of §§ 162.030-1 to 162.030-3, inclusive, which describe requirements for construction of power-operated industrial trucks for use aboard vessels or on facilities subject to Coast Guard jurisdiction.

65. The proposals being considered to govern power-operated industrial trucks are as follows:

#### Subpart—Power-Operated Industrial Trucks

A. It is proposed to add a subpart to Parts 35, 78, and 97 reading as follows:

##### §§ 35.80-1, 78.80-1, 97.80-1 Application and safety requirements.

The provisions of this subpart shall be applicable to power-operated industrial trucks which are approved under Subpart 162.030 of Subchapter Q (Specifications) of this chapter and used aboard vessels subject to the provisions of this subchapter and foreign vessels when in the navigable waters of the United States. The use, maintenance and stowage of such cargo handling equipment shall be in accordance with the following conditions:

(a) Construction and materials shall conform to the applicable regulations contained in Subpart 162.030 of Subchapter Q (Specifications) of this chapter.

(b) Pressure shall be maintained on the fire main and fire hoses shall be led out and connected so as to be ready for immediate use during the time that trucks are being used.

(c) Gasoline-powered trucks shall not be refueled aboard the vessel. The refueling of Diesel or LP Gas type trucks and the changing of batteries of electrically-powered trucks shall be accomplished on a weather deck in an area designated by the Master. Diesel and LP Gas type trucks shall not be refueled while the engine is operating.

(d) The charging of batteries for propulsion or auxiliary shall be accomplished in accordance with the provisions of Subchapter J (Electrical Regulations) of these regulations.

(e) The holds in which trucks are to be used shall be provided with adequate ventilation. Explosive meters and carbon monoxide meters equipped with visual and audible alarms shall be pro-

vided for each deck level in the hold where trucks are in operation.

(f) Operation of trucks shall be halted immediately and the engines or motors secured, whenever an emergency condition arises aboard the vessel.

(g) (1) Stowage of trucks when not in use shall be on the open deck in an area designated by the Master or in a fixed metal enclosure of gas-tight construction located on or above the weather deck. The enclosure shall have access from the weather deck only and shall be provided with supply and exhaust ventilation so arranged as to remove vapors from both the upper and lower portions of the space.

(2) Alternatively trucks from which the fuel tanks have been removed and all fuel expended from the system or battery-powered trucks from which the batteries have been removed may be stowed in any location aboard the vessel.

(h) Spare tanks containing fuel or vapors shall be stowed in an enclosure in accordance with paragraph (g) (1) of this section.

(i) Liquefied petroleum gases shall be effectively odorized by an agent of such character as to indicate positively, by a distinctive odor, the presence of gas down to concentration in air of not over one-fifth the lower limit of combustibility.

(j) Trucks shall be provided with adequate guards to protect the operator. Fork lift type trucks shall be equipped with overhead guards to protect the operator from falling objects.

(k) Steering wheel knobs shall not be permitted unless the vehicle is provided with a shock absorbing steering device.

(l) The ends of trucks shall be painted bright yellow.

(m) The rated capacity of trucks shall not be exceeded.

##### §§ 35.80-2, 78.80-2, 97.80-2 Prohibitions on use.

Power-operated industrial trucks shall not be used:

(a) In locations containing concentrations or possible concentrations of explosive vapors.

(b) Where prohibited by Subchapter N of this chapter.

(c) When the equipment no longer meets the standards as contained in 46 CFR 162.030 (Subchapter Q—Specifications).

#### Subpart—Cargo Handling and Stowage Devices, U.S. Coast Guard Container Specifications

B. It is proposed to add a new § 146.09-9 to read as follows:

##### § 146.09-9 Power operated industrial trucks.

Power operated industrial trucks complying with the regulations contained within Subpart 162.030 of Subchapter Q of this chapter may be used aboard those vessels subject to the regulations of this part except as prohibited within Subparts 146.20, 146.21, 146.22, 146.27, and 146.29, provided the following conditions are complied with:

(a) Pressure shall be maintained on the fire main and fire hoses shall be

led out and connected so as to be ready for immediate use during the time that trucks are being used.

(b) Gasoline powered trucks shall not be refueled aboard the vessel. The refueling of diesel and liquefied petroleum gas type trucks shall be accomplished on a weather deck in an area designated by the master. Diesel and liquefied petroleum type trucks shall not be refueled with the engine in operation.

(c) The charging of batteries for propulsion or auxiliary shall be accomplished in accordance with the provisions of Subchapter J (Electrical Regulations) of this chapter.

(d) The holds in which these trucks are to be used shall be provided with adequate ventilation. Explosive meters and carbon monoxide meters equipped with visual and audible alarms shall be provided for each deck level in the hold where these trucks are in operation.

(e) Operation of trucks shall be halted immediately, and the engines or motors secured whenever an emergency condition arises aboard the vessel.

(f) Liquefied petroleum gases shall be effectively odorized by an agent of such character as to indicate positively, by a distinctive odor, the presence of gas down to a concentration in air of not over one-fifth the lower limit of combustibility.

(g) The locations where these trucks are to be used shall not contain concentrations or possible concentrations of explosive vapors.

(h) The equipment continues to meet the standard prescribed in Subpart 162.030 of Subchapter Q of this chapter.

(i) Trucks shall be provided with adequate guards to protect the operator. Fork lift type trucks shall be equipped with overhead guards to protect the operator from falling objects.

(j) Steering wheel knobs shall not be permitted unless the vehicle is provided with a shock absorbing steering device.

(k) The ends of trucks shall be painted bright yellow.

(l) The rated capacity of trucks shall not be exceeded.

#### Subpart—Detailed Regulations Governing Explosives

C. It is proposed to amend § 146.20-35 by changing paragraph (e) to read as follows:

##### § 146.20-35 Handling explosives.

(e) Power operated industrial trucks shall not be used in a hold or compartment in which Class A, Class B, or Class C explosives (except small arms ammunition without explosives bullets) are stowed.

#### Subpart—Detailed Regulations Governing Inflammable Liquids

D. It is proposed to add a new § 146.21-51 to read as follows:

##### § 146.21-51 Power operated industrial trucks.

Power operated industrial trucks shall not be used in a hold or compartment in which inflammable liquids are stowed.



### Subpart—Detailed Regulations Governing Inflammable Solids and Oxidizing Materials

E. It is proposed to add a new § 146.22-6 to read as follows:

#### § 146.22-6 Power operated industrial trucks.

Power operated industrial trucks shall not be used in a hold or compartment in which inflammable solids are stowed.

### Subpart—Detailed Regulations Governing Hazardous Articles

F. It is proposed to add a new § 146.27-16 to read as follows:

#### § 146.27-16 Power operated industrial trucks.

Power operated industrial trucks shall not be used in a hold or compartment in which hazardous articles of a fibrous nature such as burlap, cotton, excelsior, vegetable fibers, etc., are stowed.

### Subpart—162.030—Specification for Power-Operated Industrial Trucks for Use Aboard Vessels or on Facilities Subject to Coast Guard Jurisdiction

G. It is proposed to amend Part 162 by the addition of a new Subpart 162.030, as follows:

#### § 162.030-1 Applicable specifications.

(a) The following specifications, of the issue in effect on the date power-operated industrial trucks are manufactured, form a part of this subpart:

(1) 46 CFR 162.015 Flame Arresters, Backfire (For Carburetors).

(2) SAE Standard "Spark Arresters for Internal Combustion Engines."

#### § 162.030-2 Scope.

(a) This specification covers requirements for the design and materials to be used in the construction of power-operated industrial trucks for use aboard merchant vessels and on facilities subject to the jurisdiction of the United States Coast Guard.

#### § 162.030-3 Mechanical requirements.

(a) Power-operated industrial trucks bearing Underwriters Laboratories designation EX, LPS, DS or GS will be acceptable for use aboard those merchant vessels outlined above, subject to the restrictions contained in Subchapter D (Tank Vessels), H (Passenger Vessels), I (Cargo & Miscellaneous Vessels), and N (Explosives & Other Dangerous Articles), provided additional safeguards as follows are incorporated into the basic design:

(1) A 15 lb. carbon dioxide or 10 lb. dry chemical fire extinguisher.

(2) The design shall include a means of insuring an electrical ground from the chassis to the ship's structure.

(3) Non-ferrous materials only shall be used in the construction of the forks.

(4) Provision shall be made for the exhaust system of all internal combustion engines to be water cooled and have incorporated into the basic design, features that will automatically close off the fuel supply to the engine, in the event of failure of the water cooling system.

Exhaust pipes shall be so arranged as to discharge above the head of the operator.

(5) An efficient spark arrester conforming to SAE Standard "Spark Arrester for Internal Combustion Engines" shall be installed in the exhaust system of all internal combustion engine types.

(6) Electrically operated gages will be permitted only on trucks having the designation EX.

(7) Interstate Commerce Commission approved cylinders shall be used in the fuel storage system for LPS trucks.

(8) Carburetors of all internal combustion engines shall be fitted with approved backfire flame arresters. Backfire flame arresters shall be of an approved type, design, construction and tested in conformance with Subpart 162.015 of this chapter.

(9) A rear view mirror and an audible warning device capable of being heard above normal noise levels shall be provided.

(10) The rated capacity shall be posted in such a manner that it is readily visible to the operator.

66. The authority to issue regulations regarding power-operated industrial trucks is in R.S. 4405, as amended, 4417a, as amended, 4418, as amended, 4453, as amended, 4462, as amended, 4472, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 676; 46 U.S.C. 375, 391a, 392, 435, 416, 170, 367, 1333, 390b, 50 U.S.C. 198.

#### ITEM IX—DANGEROUS CARGOES

67. It is proposed to amend the general regulations in 46 CFR 146.02-10 and 146.02-11 to require the export and import shipments of radioactive materials, Groups I, II, and III, to be packed, marked, and labeled in conformity with Interstate Commerce Commission's requirements regardless of whether in interstate transportation prior to delivery to the vessel or destined for interstate transportation in the case of import shipments.

68. It is proposed to amend the commodity list in 46 CFR 146.04-5 to reflect additions, deletions, changes, and label requirements for specified dangerous cargo, while the specific exemptions will be made in the detailed regulations.

69. The proposed amendment to 46 CFR 146.08-45 will add requirements governing transportation of motorboats on trailers while carried on highway vehicle ferries.

70. The proposed amendments to 46 CFR 146.09-1, 146.09-2, and 146.09-6 will clarify the requirements for the location and construction of magazines for carriage of explosives. It is also proposed to amend the detailed regulations governing explosives by making minor changes in 46 CFR 146.20-7, 146.20-13, and 146.20-27; by revising 146.20-23 to clarify stowage of explosives with other dangerous articles; by revising 46 CFR 146.20-15 to authorize the District Commander or the Captain of the Port to allow stowage of small amounts of explosives in areas other than "under deck" and to require that tarpaulins be fire-resistant and/or flame-proof; and by changing 46 CFR 146.20-90 so that re-

quirements governing stowage and stowage chart will apply only to explosives.

71. The proposed amendments to the detailed regulations governing inflammable liquids consist of editorial changes to 46 CFR 146.21-25 and 146.21-65, and incorporation of all detailed requirements for stowage of inflammable liquids with explosives and other dangerous articles in 46 CFR 146.21-30.

72. The proposed amendments to the detailed regulations governing inflammable solids and oxidizing materials consist of editorial changes to 46 CFR 146.22-5 and incorporating therein the requirements in 46 CFR 146.22-10; by adding a new section designated 46 CFR 146.22-10 to cover the detailed requirements for stowage of inflammable solids with explosives and other dangerous articles; by revising 46 CFR 146.22-15 to include detailed requirements for stowage of oxidizing materials with explosives and other dangerous articles; by amending 46 CFR 146.22-30 to clarify the requirements for shipment of ammonium nitrate and ammonium nitrate fertilizers; by adding a new section designated 46 CFR 146.22-40 setting forth requirements for shipment of nitrocarbo-nitrate by vessel; and to amend § 146.22-100 by making editorial corrections, adding new items and bringing the shippers' requirements for nitrates into line with those of the Interstate Commerce Commission.

73. It is proposed to amend the detailed regulations governing corrosive liquids by revising 46 CFR 146.23-10 and 146.23-25 to bring them up to date, incorporate editorial changes, and to include requirements for stowage of corrosive liquids with explosives and other dangerous articles.

74. It is proposed to amend the detailed regulations governing compressed gases by revising 46 CFR 146.24-55 to include all requirements for stowage of compressed gases with explosives and other dangerous cargo, and by adding new items to 46 CFR 146.24-100.

75. It is proposed to amend the detailed regulations governing poisonous articles by making editorial corrections and clarifying 46 CFR 146.25-25; by including all requirements for stowage and handling of radioactive materials on board vessels in 46 CFR 146.25-35; by rewriting 46 CFR 146.25-45 to include requirements for stowage of poisonous articles with explosives and other dangerous articles; and by amending 46 CFR 146.25-200 to provide for stowage of methyl bromide "under deck" with limitations and by adding new items.

76. Regarding the detailed regulations governing combustible liquids, it is proposed to delete "cresol, liquid" from 46 CFR 146.26-100, inasmuch as the flash-point of this item has been determined to be over 150° F.

77. It is proposed to amend the detailed regulations governing hazardous articles by changing 46 CFR 146.27-100 to provide for shipment of electrolyte with "automobiles, etc." and by including minimum regulations for shipment of "petroleum coke."

78. It is proposed to amend 46 CFR Part 147 by making editorial corrections



to 46 CFR 147.05-100 regarding ships' stores and supplies of a dangerous nature and by including the specifications for portable magazine chest for stowage of ships' signal and emergency equipment as a new section designated 46 CFR 147.04-6, which were formerly published as 46 CFR 146.09-6 as portable magazine chest and portable magazine containers.

79. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 are required because corresponding changes have been made in the regulations of the Interstate Commerce Commission, which governs the land transportation of the same commodities. R.S. 4472, as amended (46 U.S.C. 170), requires that the Coast Guard accept and adopt such definitions, descriptions, descriptive names, classifications, specifications for containers, packing, marking, labeling, and certification of explosives or other articles or substances to the extent that they are or may be established from time to time by the Interstate Commerce Commission insofar as they apply to shippers by common carriers engaged in interstate and foreign commerce by water. By 46 CFR 146.02-19 the regulations governing dangerous cargoes are applicable to all types of carriers. Therefore, those amendments applying only to shippers, which the Interstate Commerce Commission has already prescribed for land transportation after complying with the requirements of the Administrative Procedure Act, are not set forth in detail in the Agenda or this document, but will be published in the FEDERAL REGISTER as amendments, together with the changes based on this item.

80. The authority for dangerous cargo regulations is in R.S. 4405, as amended, 4462, as amended, and 4472, as amended, 46 U.S.C. 375, 416, 170. These regulations interpret or apply section 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

#### ITEM X—PERSONNEL LICENSING

81. Under the present regulations any person who holds a valid license as physician or surgeon issued under the authority of a State or Territory of the United States or the District of Columbia may apply for a Certificate of Registry as Surgeon, without meeting any other requirements and regardless of whether or not he intends to use the Certificate in order to serve aboard a merchant vessel. It is, therefore, proposed to amend 46 CFR 10.25-7(f), regarding general requirements governing registration of staff officers, to require "commitment of employment" before issuing a Certificate of Registry as Surgeon.

82. At present there is no provision to permit service as a licensed refrigeration watch engineer to be considered as qualifying service for a raise in grade of license. It is proposed to amend 46 CFR 10.10-27 regarding service requirements as engineroom watch electrician, so that service as refrigeration watch engineer will be uniformly accepted for a raise in grade of license on the same basis as service as engineroom watch electrician.

83. The present regulations provide that a Merchant Mariner's Document issued to a licensed engineer officer will be

endorsed for "any unlicensed rating in the engine department." This allows engineers who have been licensed after service on small steam or motor vessels of limited horsepower to obtain an endorsement entitling them to serve in any qualified member of the engine department rating on steam and motor vessels of any horsepower without ever having served aboard such vessels. It is, therefore, proposed to amend 46 CFR 12.02-11(d) regarding general provisions governing Merchant Mariner's Documents, to provide that the endorsement "any unlicensed rating in the engine department" will be given only to an engineer officer licensed for inspected vessels of over 2,000 horsepower.

84. The present regulations governing service for an original license as third assistant engineer of steam or motor vessels require 2½ years' service as a qualified member of the engine department. It is proposed to amend 46 CFR 10.10-21(a) and 10.10-23(a) to require that at least 1½ years of the required 2½ years' service will be in capacities necessitating actual presence in the main engineering spaces.

85. At present there is no provision permitting an original license as second assistant engineer to be issued after 5 years' service in the engine department, which is presently authorized with respect to an original license as second mate of ocean vessels and issued to a person after 5 years' service in the deck department. It is therefore, proposed to add requirements to 46 CFR 10.10-17(a) and 10.10-19(a), regarding minimum service required to qualify as second assistant engineer of steam and motor vessels, to permit the issuance of an original license as second assistant engineer of steam or motor vessels after a person has served 5 years in the engine department with 4½ years' service as a qualified member of the engine department. For second assistant engineer of steam vessels at least 2½ years of this 5 years' service must have been as fireman, oiler, water-tender, or junior engineer on steam vessels. For second assistant engineer of motor vessels 2½ years of this 5 years' service must have been as oiler or junior engineer on motor vessels.

86. The authority for regulations regarding registration of staff officers is in sec. 7, 53 Stat. 1147; 46 U.S.C. 247. The authority for regulations regarding licensing of merchant marine officers is in R.S. 4438, as amended, 4438a, as amended, 4441, as amended, 4447, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3(c), 68 Stat. 676; 46 U.S.C. 224, 224a, 229, 233, 367, 50 U.S.C. 198. The authority for regulations regarding Merchant Mariner's Documents is in sec. 13, 38 Stat. 1169, as amended, and sec. 7, 49 Stat. 1936; 46 U.S.C. 672, 689.

87. The act of May 10, 1956 requires the inspection and certification of certain small passenger-carrying vessels on and after June 1, 1958. The requirements for licensing operators of these small passenger-carrying vessels are set forth in Part 187 in Subchapter T—Small Passenger Vessels (Not More Than Sixty-Five Feet In Length) of 46 CFR.

88. It is proposed to reduce by one year the existing service requirements for eli-

gibility to obtain a license as ocean operator of passenger-carrying vessels, which are either mechanically propelled or sail propelled. It is also proposed to add alternatives to the service requirements for eligibility to obtain a license as ocean operator of passenger-carrying vessels, which are mechanically propelled, to allow some service as able seaman of ocean or coastwise steam and motor vessels, and to allow credit for deck department service in operation of ocean or coastwise motorboats or small motor vessels while holding a motorboat operator's license, or while operating a mechanically propelled passenger-carrying vessel on other than ocean or coastwise waters. It is felt these changes will aid Coast Guard administration. To accomplish these changes, it is proposed to revise 46 CFR 187.25-5(a) and 187.25-10(a), which describe the service requirements on mechanically propelled vessels and sail propelled vessels.

89. The requirements in 46 CFR Part 187 govern applicants for licenses to operate non-self-propelled vessels of less than 100 gross tons which carry more than 6 passengers. The present regulations specify requirements for license to operate non-self-propelled vessels on waters other than ocean and coastwise, but do not specify requirements to operate such vessels which may operate on ocean and coastwise waters, such as coastwise passenger barges over 65 feet in length and less than 100 gross tons which are now inspected under the Passenger Vessel Regulations. It is proposed to add requirements to 46 CFR 187.25-1(b), regarding documentary evidence of service, to provide for a license as operator of ocean or coastwise passenger non-self-propelled vessels. A new section designated 46 CFR 187.25-12 is proposed to describe the service requirements. A new section designated 46 CFR 187.25-22 is proposed regarding the examination to be taken by every applicant to obtain a license as operator of ocean non-self-propelled vessels. However, any applicant who submits satisfactory documentary evidence of service before January 1, 1960, will be given a license without professional examination but the license will be limited commensurate with his experience. No physical examination will be required if the applicant already holds a valid Coast Guard license.

90. The authority for the proposed regulations respecting the licensing of operators for passenger-carrying vessels carrying more than six passengers is section 3 of the act of May 10, 1956 (70 Stat. 151-154; 46 U.S.C. 390b).

#### ITEM XI—SUSPENSION OR REVOCATION PROCEEDINGS

91. It is proposed to revise the procedures and regulations governing suspension and revocation of licenses, certificates, or documents issued to individuals by the Coast Guard, which are in 46 CFR Part 137 and related regulations in 46 CFR Part 1, Subpart 4.05, and Subpart 187.30 to incorporate the following concepts:

a. Provide a complete separation in organization and procedures between the



prosecutive functions and the adjudicative functions.

b. Revise requirements to provide same procedures for all suspension or revocation proceedings, regardless of law under which authorized, but with specific variations where necessary to take care of special provisions of law which involve specific types of offenses.

c. Revise or add new requirements for certain subjects previously covered by interpretations or special instructions in order that general requirements will be in the regulations, while any necessary administrative instructions will be in a special directive series designated "Hearing Examiners' Circulars."

d. Revise and reorganize the requirements to bring them up to date and in agreement with current practices or procedures not previously published.

e. Provide means whereby all instructions to examiners in Commandant's decisions and orders on appeals and Hearing Examiners' Circulars, as well as copies of certain examiners' decisions, will be available at specified offices of the Coast Guard for public inspection and reading during regular office hours.

92. It is proposed to publish a description of organization and flow of functions in 46 CFR Part 1 with respect to Marine safety, giving particular attention to Coast Guard organization dealing with suspension or revocation proceedings. These changes will show the proposed separation between the prosecutive functions and the adjudicative functions. It is also proposed to delete the administrative procedures described in 46 CFR Subpart 4.05 and to transfer those descriptions required to be published by the Administrative Procedure Act to the revised 46 CFR Part 137.

93. The investigations conducted by Coast Guard investigating officers under 46 CFR Parts 136 and 137 are similar in character and performed, when required, by the same officers. While the definitions for investigating officer and examiner, respectively, are in 46 CFR 136.03-30 and 136.03-35, it is not intended to repeat them in 46 CFR Part 137, although these definitions may be revised. Certain provisions regarding the rights of a person charged who holds a license issued under the act of May 10, 1956, were set forth in Subchapter T—Small Passenger Vessels (Not More Than Sixty-Five Feet In Length) as 46 CFR 187.30-1 to 187.30-15, inclusive. It is proposed to revise these regulations to agree with the revision of 46 CFR Part 137.

94. The regulations governing all suspensions or revocations of licenses, certificates or documents issued to individuals by the Coast Guard will be in 46 CFR Part 137. These changes will provide the same procedures for all suspension or revocation proceedings, regardless of law under which prescribed, but with specific variations where necessary to take care of special provisions of law which involve specific types of offenses. Proposed changes include voluntary deposits and voluntary surrendering of licenses, certificates or documents in order to avoid hearings, as well as procedures followed in their reissuance.

95. For convenience and complete presentation of requirements, it is proposed to have subpenas and service of process in a new Subpart 137.15. In addition to requirements in present regulations and practices followed by the Coast Guard, it is proposed to include certain applicable portions of the Illustrative Rules on Subpenas as recommended by the President's Conference on Administrative Procedure. It is proposed to assign responsibility of service of a subpoena upon the person requesting such subpoena, although it need not be done in person but may be also accomplished by registered mail. New procedures describing how a witness may request a subpoena to be quashed or revoked are provided. The Coast Guard also intends to seek judicial enforcement of subpoenas issued by investigating officers or examiners when necessary.

96. The requirements governing hearings have been revised and include many subjects previously contained in Coast Guard instructions. In proposed 46 CFR 137.20-1 a brief description of the various steps usually followed in a hearing are set forth, as well as certain principles followed in order to assure fairness to all and an impartial hearing on the charges alleged.

97. Attention is invited to proposed 46 CFR 137.20-20 regarding official notice by the Coast Guard and its examiners. It is proposed to state in general terms the subjects which the Coast Guard and examiners shall officially notice, with or without a prior request or notice. This is based in part on present practices, but includes certain portions of the Illustrative Rules on the same subject which were recommended by the President's Conference on Administrative Procedure. It is proposed to state that official recognition will be given to Governmental organizations, the Coast Guard organization, federal court decisions, and the Commandant's decisions and orders in all appeal or review cases conducted under 46 CFR Part 137.

98. One of the elements in order to have jurisdiction in suspension or revocation proceedings is a determination of the fact that the person charged holds a valid license(s), certificate(s), or document(s), or a combination thereof or endorsements thereon, issued by the Coast Guard or predecessor authority. Therefore, it is proposed to specifically require a person charged to produce and present to the examiner all licenses, certificates or documents held at the opening of the hearing. If the person charged claims he does hold them as alleged by the Coast Guard then he shall submit a written statement to that effect which will be placed in the record, in which event the person will be given a warning that any willful misstatement may be prosecuted under the criminal statutes. See proposed 46 CFR 137.20-40.

99. Various types of documentary evidence have been the subjects of Coast Guard instructions. It is proposed to publish revised requirements with respect to evidence and testimony which may be presented in a suspension or revocation proceeding. Therefore, 46 CFR 137.20-105 to 137.20-135, inclusive, are proposed and deal with such subjects as documentary evidence, admissibility

and weight of entries from official log books, admissibility of reports of consuls, Coast Guard personnel as witnesses, admission by person charged during a Coast Guard investigation, impeachment of witnesses or person charged, admissibility of records of Coast Guard investigations, and related requirements. It is proposed to prohibit investigating officers from testifying about oral or written admissions made by persons charged during the course of investigations.

100. The Commandant is charged by law in title 46, U.S. Code, section 372, to produce a correct and uniform administration of the inspection laws, rules, and regulations, which include suspension or revocation proceedings. For the guidance of examiners and for the information of others, a new 46 CFR 137.20-165 sets forth a "Table of Average Orders," and special requirements applicable when the offenses involve misconduct by virtue of the possession, use, sale, or association with narcotic drugs are proposed. Examiners may deviate from this proposed table in rendering individual orders, but only when special circumstances warrant such action.

101. With respect to the examiners' decisions, it is proposed to revise present practices to require the examiner to render an oral decision and issue an order at the end of the open hearing and deliver such order of suspension or revocation to the person charged, whenever practicable. It has been determined that suspension or revocation proceedings are intended to aid and assist the Coast Guard in performing its statutory duty to promote safety of life and property at sea. These proceedings are to protect the integrity of licenses, certificates, and documents issued by the Coast Guard rather than proceedings seeking to discipline or penalize the holders of such licenses, certificates, or documents. The Coast Guard has also found it difficult at times to complete delivery of the examiner's written decision on the person charged when a time lag occurs between closing the hearing and completion of the written decision.

102. It is proposed to revise the requirements governing release of information from suspension or revocation proceedings. All examiners' final decisions rendered after July 1, 1957, will be available for public inspection at Coast Guard headquarters. Also, the examiners' final decisions rendered within a particular Coast Guard district on and after July 1, 1959, will be available for public inspection for a period of three years. This time will start from the date of the decision. In a like manner there will be made available for public inspection all current, valid administrative instructions contained in Hearing Examiners' Circulars.

103. It is also proposed to require that examiners' decisions may be modified only under certain prescribed procedures. However, when an examiner has revoked a license, certificate, or document for an offense under the provisions of Title 46, U.S. Code, section 239b, and it is based on a court conviction dealing with narcotics, the Commandant reserves unto



himself the right to determine whether or not such order of revocation shall be set aside.

104. It is proposed to add a new Subpart designated 46 CFR 137.25, which will describe the procedures to be followed when petitioning for a reopening of a hearing in a suspension or revocation proceeding. This is based on present practices and will assist Coast Guard administration of the marine safety laws.

105. The authority to prescribe regulations governing suspension or revocation of licenses, certificates, or documents issued to individuals by the Coast Guard is in R.S. 4405, as amended, 4450, as amended, 4462, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 2, 68 Stat. 484, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 239, 416, 367, 239b, 390b. These regulations also interpret or apply the Administrative Procedure Act, secs. 1-11, 60 Stat. 237-244, as amended, 5 U.S.C. 1001-1011, and secs. 632, 633, 63 Stat. 545, 14 U.S.C. 632, 633.

#### ITEM XII—FIXED STRUCTURES ON OUTER CONTINENTAL SHELF

106. The regulations in 33 CFR Parts 140 to 146, inclusive, regarding the artificial islands and fixed structures on the Outer Continental Shelf, were reviewed by the Panel of Advisors on Offshore Operations to the Commander, Eighth Coast Guard District, and this Panel recommended one change and one new requirement. It is proposed to require the owner or operator, or the agent of either of them, to designate by title the succession of persons who shall be considered as "person in charge" of a manned platform. It is also proposed to revise the emergency signals used. These proposals read as follows:

A. It is proposed to add a new section designated 33 CFR 146.01-2, as follows:

##### § 146.01-2 Person in charge.

The owner or operator, or the agent of either of them, shall designate by title and in order of succession the persons on the platform who shall be the "person in charge."

B. It is proposed to revise 33 CFR 146.05-10, as follows:

##### § 146.05-10 Emergency signals.

(a) The owner, or his agent, or the person in charge shall establish emergency signals to be used for calling the personnel to their emergency stations.

(b) The emergency signal shall be an intermittent signal on the general alarm system for not less than 15 seconds. The abandon platform signal shall be a continuous signal on the general alarm system.

107. The authority to prescribe regulations governing the artificial islands and fixed structures on the Outer Continental Shelf is sec. 633, 63 Stat. 545, and sec. 4, 67 Stat. 462; 14 U.S.C. 633, 43 U.S.C. 1333.

Dated: April 2, 1959.

[SEAL] A. C. RICHMOND,  
Vice Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 59-2999; Filed, Apr. 8, 1959; 8:51 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 514 ]

### TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

#### Air Carrier Aircraft Headsets and Speakers and Microphones

Pursuant to the authority delegated to me by the Administrator, notice is hereby given that the Federal Aviation Agency has under consideration a proposal to adopt a Technical Standard Order which will establish minimum performance standards for aircraft headsets and speakers and aircraft microphones to be used on civil aircraft of the United States engaged in air carrier operations.

Interested persons may participate in the making of the proposed rule by submitting such data, views, or comments as they desire in writing within thirty days after publication of this notice in the FEDERAL REGISTER. Communications should be submitted in duplicate to the Bureau of Flight Standards, Federal Aviation Agency, Washington 25, D.C.

Such communications will be available for examination by interested persons at the Public Docket Room of the Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C., after the time for submitting such communications has expired.

It is hereby proposed that Subpart B of this part be amended by adding §§ 514.56 and 514.57 to read as follows:

##### § 514.56 Aircraft headsets and speakers (for air carrier aircraft)—TSO-C57.

(a) *Applicability*—(1) *Minimum performance standards*. Minimum performance standards are hereby established for aircraft headsets and speakers which are to be used on civil aircraft of the United States engaged in air carrier operations. New models of aircraft headsets and speakers manufactured for use on civil aircraft on or after the effective date of this section shall meet the minimum performance standards as set forth in Radio Technical Commission for Aeronautics' Paper entitled "Minimum Performance Standards—Aircraft Headsets and Speakers" (Paper 257-58/DO-90 dated November 18, 1958),<sup>1</sup> with the exception listed in subparagraph (2) of this paragraph. Aircraft headsets and speakers approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

(2) *Exception*. The exception applies to section 3.0, Minimum Performance Standards Under Environmental Test Conditions. Radio Technical Commission for Aeronautics' Paper 100-54/DO-60 dated April 13, 1954,<sup>2</sup> which is incorporated by reference in and thus is a part of Paper 257-58/DO-90, outlines environmental test procedures for equip-

<sup>1</sup> Copies of these papers may be obtained from the RTCA Secretariat, Room 1072, T-5 Building, 16th and Constitution Avenue NW., Washington 25, D.C. Paper 257-58/DO-90 at 25 cents per copy, 100-54/DO-60 at 20 cents per copy.

ment designed to operate under three different environmental conditions as specified therein under Procedures A, B, and C. Only aircraft headsets and speakers which meet the operating requirements as outlined under Procedure A or Procedure B of Paper 100-54/DO-60 are eligible under this section.

(b) *Marking*. In addition to the information required in § 514.3, equipment which has been designed to operate over the environmental conditions as outlined in Procedure A of RTCA Paper 100-54/DO-60 shall be marked as Category A equipment. Equipment which has been designed to operate under the temperature conditions as outlined in Procedure B of this same paper shall be marked as Category B equipment.

(c) *Data requirements*. One copy each of the manufacturer's operating instructions, schematic diagrams, and installation procedures shall be furnished the Chief, Engineering and Manufacturing Division, Federal Aviation Agency, Washington 25, D.C., with the statement of conformance.

##### § 514.57 Aircraft microphones (for air carrier aircraft)—TSO-C58.

(a) *Applicability*—(1) *Minimum performance standards*. Minimum performance standards are hereby established for aircraft microphones which are to be used on civil aircraft of the United States engaged in air carrier operations. New models of aircraft microphones manufactured for use on civil aircraft on or after the effective date of this section shall meet the minimum performance standards as set forth in Radio Technical Commission for Aeronautics' Paper entitled "Minimum Performance Standards—Aircraft Microphones" (Paper 258-58/DO-91 dated November 18, 1958),<sup>2</sup> with the exception listed in subparagraph (2) of this paragraph. Aircraft microphones approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

(2) *Exception*. The exception applies to section 3.0, Minimum Performance Standards Under Environmental Test Conditions. Radio Technical Commission for Aeronautics' Paper 100-54/DO-60 dated April 13, 1954,<sup>2</sup> which is incorporated by reference in and thus is a part of Paper 258-58/DO-91, outlines environmental test procedures for equipment designed to operate over three different environmental conditions as specified therein under Procedures A, B, and C. Only aircraft microphones which meet the operating requirements as outlined under Procedure A or Procedure B of Paper 100-54/DO-60 are eligible under this section.

(b) *Marking*. In addition to the information required in § 514.3, equipment which has been designed to operate over the environmental conditions as outlined

<sup>1</sup> Copies of this paper may be obtained from the RTCA Secretariat, Room 1072, T-5 Building, 16th and Constitution Avenue NW., Washington 25, D.C., for 25 cents each.

<sup>2</sup> Copies of this paper may be obtained from the RTCA Secretariat, Room 1072, T-5 Building, 16th and Constitution Avenue NW., Washington 25, D.C., for 20 cents each.



in Procedure A of RTCA Paper 100-54/DO-60 shall be marked as Category A equipment. Equipment which has been designed to operate over the environmental conditions as outlined in Procedure B of this same paper shall be marked as Category B equipment.

(c) *Data requirements.* One copy each of the manufacturer's operating instructions, schematic diagrams, and installation procedures shall be furnished the Chief, Engineering and Manufacturing Division, Federal Aviation Agency,

Washington 25, D.C., with the statement of conformance.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply sec. 601, 72 Stat. 775; 49 U.S.C. 1421)

Issued in Washington, D.C., on April 2, 1959.

WILLIAM B. DAVIS  
Director,  
Bureau of Flight Standards.

[F.R. Doc. 59-2965; Filed, Apr. 8, 1959; 8:46 a.m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

[T. D. 54928]

#### TUNA FISH

#### Tariff-Rate Quota

APRIL 6, 1959.

Pursuant to Presidential Proclamation No. 3128 of March 16, 1956 (T.D. 54051), it has been determined that 52,372,574 pounds of tuna may be entered for consumption or withdrawn from warehouse for consumption during the calendar year 1959 at the rate of 12½ per centum ad valorem under paragraph 718(b), Tariff Act of 1930, as modified. Any tuna classifiable under paragraph 718(b) of the tariff act which is entered, or withdrawn, for consumption during the current calendar year in excess of this quota will be dutiable at the full rate of 25 per centum ad valorem.

The above quota is based on the United States pack of canned tuna during the calendar year 1958, as reported by the United States Fish and Wildlife Service.

[SEAL] RALPH KELLY,  
Commissioner of Customs.

[F.R. Doc. 59-3001; Filed, Apr. 8, 1959; 8:52 a.m.]

### DEPARTMENT OF AGRICULTURE

#### Agricultural Marketing Service

#### ACKLEY SALES PAVILION ET AL.

#### Proposed Posting of Stockyards

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the act.

Ackley Sales Pavilion, Ackley, Iowa.  
Allerton Sale Co., Allerton, Iowa.  
Bassett Livestock Auction, Kanawha, Iowa.  
Bonaparte Community Sale, Bonaparte, Iowa.  
Boone Sales Co., Boone, Iowa.  
Carson Sale Barn, Carson, Iowa.  
Coon Rapids Sale, Coon Rapids, Iowa.  
Corning Auction Co., Inc., Corning, Iowa.  
Davis County Sale Co., Bloomfield, Iowa.

DeWitt Sale Barn, DeWitt, Iowa.  
Donnellson Community Exchange, Donnellson, Iowa.  
Dows Sales Pavilion, Dows, Iowa.  
Eastern Iowa Livestock Comm. Co., Inc., Mechanicsville, Iowa.  
Eldridge Sales Co., Eldridge, Iowa.  
Emmetsburg Sales Co., Inc., Emmetsburg, Iowa.  
Fairfield Livestock Commission Co., Fairfield, Iowa.  
Hampton Sales Co., Hampton, Iowa.  
Iowa-Nebraska Sale Yards, Council Bluffs, Iowa.  
Jefferson Livestock Market, Jefferson, Iowa.  
Livestock Auction Co., Denison, Iowa.  
Marengo Sale Barn, Marengo, Iowa.  
Maquoketa Sales Co., Maquoketa, Iowa.  
Midway Sales Co., Columbus Junction, Iowa.  
New Sharon Sales Co., Inc., New Sharon, Iowa.  
Nishna Valley Sales Co., Shenandoah, Iowa.  
Northside Sales Co., Sibley, Iowa.  
Ogden Sale Barn, Ogden, Iowa.  
Ollie Livestock Exchange, Ollie, Iowa.  
Orient Sales Co., Inc., Orient, Iowa.  
Oskaloosa Sales Co., Oskaloosa, Iowa.  
Ottumwa Livestock Commission, Ottumwa, Iowa.  
Paullina Sale Co., Paullina, Iowa.  
Perry Sale Pavilion, Perry, Iowa.  
Postville Sales Commission, Postville, Iowa.  
Producers Livestock Marketing Association, Creston, Iowa.  
Sac County Auction Co., Sac City, Iowa.  
Spencer Dairy Cattle Exchange, Spencer, Iowa.  
St. Ansgar Sales Pavilion, St. Ansgar, Iowa.  
Tama Livestock Auction, Tama, Iowa.  
Tripoli Sales Co., Tripoli, Iowa.  
Ute Sale Barn, Ute, Iowa.  
Walker Sales Co., Walker, Iowa.  
Witthauer's Livestock Auction, Council Bluffs, Iowa.  
Winneshiek Cooperative Association, Decorah, Iowa.  
Adrian Livestock Co., Adrian, Mich.  
Hillsdale Sale Barn, Hillsdale, Mich.  
Bowling Green Auction Co., Inc., Bowling Green, Mo.  
Columbia Livestock Auction, Columbia, Mo.  
Kennett Sales Company, Inc., Kennett, Mo.  
Beulah Livestock Sales, Beulah, N. Dak.  
Edgeley Livestock Sales Co., Edgeley, N. Dak.  
Hankinson Sale Barn, Hankinson, N. Dak.  
Harrington Livestock Sales, Inc., Mayville, N. Dak.  
Harrington Brothers, Minot, N. Dak.  
Harvey Livestock Sales, Harvey, N. Dak.  
Kamrath Sales Pavilion, Mott, N. Dak.  
Linton Livestock Sales Co., Linton, N. Dak.  
Missouri Slope Livestock Auction, Inc., Bismarck, N. Dak.  
Park River Live Stock Sale Ring, Park River, N. Dak.  
Schnell Dickinson Livestock Sales Co., Dickinson, N. Dak.

Turtle Lake Livestock Auction, Turtle Lake, N. Dak.  
Western Livestock Co., Inc., Dickinson, N. Dak.  
Wishek Livestock Market, Wishek, N. Dak.  
Avon Livestock Sale, Avon, S. Dak.  
Bowdle Live Stock Commission Co., Bowdle, S. Dak.  
Britton Sales Pavilion, Britton, S. Dak.  
Burke Livestock Auction, Burke, S. Dak.  
Centerville Livestock Sales, Centerville, S. Dak.  
Clark Sale Barn, Clark, S. Dak.  
Clear Lake Sales Co., Clear Lake, S. Dak. (Deuel County).  
Eureka Livestock Sales Co., Inc., Eureka, S. Dak.  
Faulkton Livestock Sales Co., Faulkton, S. Dak.  
Leola Livestock Sales Co., Leola, S. Dak.  
Madison Livestock Auction Co., Madison, S. Dak.  
Moore's Livestock Sales Barn, DeSmet, S. Dak.  
Murdo Sale Co., Murdo, S. Dak.  
Redfield Livestock Sales Co., Redfield, S. Dak.  
Selby Livestock Sales Co., Selby, S. Dak.  
Wall Commission Co., Wall, S. Dak.  
Webster Livestock Exchange, Webster, S. Dak.  
Willow Lake Sales Co., Willow Lake, S. Dak.  
Athens Livestock Auction Co., Athens, Tenn.  
Boyce Livestock Co., Unionville, Tenn.  
Clarksville Live Stock Co., Inc., Clarksville, Tenn.  
Cleveland Livestock Auction Co., Cleveland, Tenn.  
Clinton Livestock Auction Co., Inc., Clinton, Tenn.  
Collierville Auction Co., Collierville, Tenn.  
Coffee County Livestock Market, Manchester, Tenn.  
Cookeville Live Stock Co., Inc., Cookeville, Tenn.  
Cumberland City Stockyard, Cumberland City, Tenn.  
DeKalb County Livestock Co., Alexandria, Tenn.  
Dayton Livestock Auction Co., Dayton, Tenn.  
Farmers Auction Co., Fayetteville, Tenn.  
Farmers Commission Co., Carthage, Tenn.  
Farmers Livestock Market of Camden, Inc., Camden, Tenn.  
Farmers Stock Yard, Newport, Tenn.  
Fayetteville Stockyard, Fayetteville, Tenn.  
Franklin Auction Barn, Inc., Franklin, Tenn.  
Gallatin Livestock Market, Inc., Gallatin, Tenn.  
Giles County Stock Yard, Pulaski, Tenn.  
Hall's Stockyards, Inc., Crossville, Tenn.  
Hardin County Stock Yards, Savannah, Tenn.  
Henderson Sales Co., Henderson, Tenn.  
Jackson County Commission Co., Gainesboro, Tenn.  
Jamestown Stockyards, Jamestown, Tenn.  
Johnson City Livestock Market, Johnson City, Tenn.  
Kingsport Live Stock Auction Corp., Kingsport, Tenn.  
Lawrence County Stock Yards, Lawrenceburg, Tenn.  
Lewis County Stockyards, Hohenwald, Tenn.  
Lexington Livestock Co., Inc., Lexington, Tenn.  
M. H. Davis Livestock Market, Hartsville, Tenn.  
Macon County Livestock Market, LaFayette, Tenn.  
Madisonville Livestock Auction Co., Madisonville, Tenn.  
Morristown Stock Yards, Inc., Morristown, Tenn.  
Murfreesboro Livestock Market, Murfreesboro, Tenn.  
Newbern Sales Co., Newbern, Tenn.  
Newport Livestock Auction Co., Newport, Tenn.  
New Tazewell Livestock Market, New Tazewell, Tenn.  
Nichols Bros. Sales Barn, Thompson Station, Tenn.



Paris Live Stock Commission Co., Paris, Tenn.  
 Peoples Stockyards, Cookeville, Tenn.  
 Pulaski Stockyard, Pulaski, Tenn.  
 Rogersville Livestock Market, Rogersville, Tenn.  
 Sam O'Neil Livestock Commission Co., Chattanooga, Tenn.  
 Scotts Hill Auction Co., Scotts Hill, Tenn.  
 Shelbyville Livestock Auction Market, Shelbyville, Tenn.  
 Smith County Commission Co., Carthage, Tenn.  
 Smithville Stockyards, Smithville, Tenn.  
 Southwestern Sale Co., Huntingdon, Tenn.  
 Sparta Live Stock Market, Sparta, Tenn.  
 Trenton Sales Co., Trenton, Tenn.  
 Tri-County Stockyards, McKenzie, Tenn.  
 Trousdale County Livestock Market, Hartsville, Tenn.  
 Warren County Live Stock Co., McMinnville, Tenn.  
 West Tennessee Auction Co., Martin, Tenn.  
 White County Livestock Market, Sparta, Tenn.  
 Wilson County Livestock Market, Lebanon, Tenn.  
 Wilson Livestock Market, Lewisburg, Tenn.  
 Viola Stockyards, Inc., Viola, Tenn.  
 Breckenridge Live Stock Commission Co., Breckenridge, Tex.  
 Bancroft Livestock Exchange, Bancroft, Wis.  
 Belmont Livestock Market, Inc., Belmont, Wis.  
 Boscobel Sales Barn, Boscobel, Wis.  
 Central Wisconsin Livestock Auction, Tomah, Wis.  
 Clear Lake Livestock Market, Clear Lake, Wis.  
 Clearwater Farms, Inc., Plainfield, Wis.  
 Downsview Sales & Commission, Downsview, Wis.  
 Drees Livestock Co., Peshtigo, Wis.  
 Equity Co-operative Livestock Sales Assn., Milwaukee, Wis.  
 Equity Livestock Auction Market, Altoona, Wis.  
 Equity Livestock Auction Market, Bonduel, Wis.  
 Equity Livestock Auction Market, Reedsville, Wis.  
 Equity Livestock Auction Market, Richland Center, Wis.  
 Equity Livestock Auction Market, Ripon, Wis.  
 Farmer's Livestock Exchange, Reeseville, Wis.  
 H. A. Meyer Cattle Co., Plymouth, Wis.  
 Janesville Livestock Exchange, Inc., Janesville, Wis.  
 Kuehne Livestock Auction, Seymour, Wis.  
 Madison Livestock Sales, Inc., Madison, Wis.  
 Mattes Livestock Market, Inc., Thorp, Wis.  
 Mauston Livestock Sales, Mauston, Wis.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of April 1959.

[SEAL] DAVID M. PETTUS,  
 Director, Livestock Division,  
 Agricultural Marketing Service.

[F.R. Doc. 59-3009; Filed, Apr. 8, 1959; 8:53 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Small Tract Classification No. 1; Cancellation

MARCH 25, 1959.

Effective March 25, 1959, Small Tract Classification Order No. 1, Fairbanks Land District, Alaska, embracing the following described public lands is canceled:

BIRCH LAKE, ALASKA

Commencing at section corner 11/12/13/14, T. 7 S., R. 5 E., F. M.; thence, N. 89°59' E. along the section line between sections 12 and 13 approximately 503.91 feet to meander corner no. 2 on the shore of Birch Lake; thence, N. 19°00' E. along the lake shore approximately 145.20 feet to meander corner no. 3; thence, N. 11°00' E. along the lake shore approximately 92.40 feet to meander corner no. 4; thence, N. 13°30' E. along the lake shore approximately 191.40 feet to meander corner no. 5; thence, N. 15°00' E. along the lake shore approximately 132.00 feet to meander corner no. 6; thence, N. 15°30' E. along the lake shore approximately 94.18 feet to meander corner no. 7; thence, S. 89°59' W. approximately 678.71 feet to corner no. 8; the section line between sections 11 and 12; thence, S. 0°04' E. approximately 660.00 feet to the point of beginning, containing approximately 9.01 acres.

The above described lands comprise the southern portion of Lot 5, Section 12, T. 7 S., R. 5 E., F. M.

RICHARD L. QUINTUS,  
 Operations Supervisor, Fairbanks.

[F.R. Doc. 59-2979; Filed, Apr. 8, 1959; 8:48 a.m.]

ALASKA

Alaska Public Sale Act, Classification No. 13; Partial Cancellation

APRIL 2, 1959.

1. Pursuant to the authority delegated to me under section 2.5 of Order No. 541 of April 21, 1954, Bureau of Land Management, as amended, that portion of Alaska Public Sale Classification No. 13, of December 29, 1953, which classified the following lands for disposal under the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a-364e) for industrial and commercial purposes is hereby rescinded:

FAIRBANKS, ALASKA

U.S. Survey 3148. Lots 109-186 inclusive

Containing 46.06 acres.

2. The above described lands lie within a withdrawal effected by Public Land Order No. 798, of January 25, 1952, which reserved these and other lands temporarily for classification.

3. This order will take effect immediately.

RICHARD L. QUINTUS,  
 Operations Supervisor, Fairbanks.

[F.R. Doc. 59-2980; Filed, Apr. 8, 1959; 8:49 a.m.]

SOUTH DAKOTA

Notice of Amendment of Proposed Withdrawal and Reservation of Lands

MARCH 31, 1959.

A notice of a proposed withdrawal was published in the FEDERAL REGISTER on October 18, 1954, subsequent to the filing of an application by the Fish and Wildlife Service in behalf of the South Dakota Department of Game, Fish and Parks, Serial Case No. BLM-54152. The application was for the withdrawal of lands from all forms of appropriation except the mineral leasing laws, as provided by 43 CFR 192.9(c). The application was filed under the provisions of the Act of March 10, 1934 (48 Stat. 401), as amended by the Act of August 14, 1946 (60 Stat. 1080). This notice amends the application to include only the lands described below, and all other lands included in the original application are to be deleted from the proposed withdrawal. The applicant desires the land for use by the South Dakota Department of Game, Fish and Parks as wildlife refuge, public shooting ground or game management units.

The management, use and disposal of the range, forest, and leasable mineral resources will continue under the administration of the Bureau of Land Management in accordance with applicable laws and regulations. The State of South Dakota, Department of Game, Fish and Parks, will be responsible for the protection, development, and management of the wildlife resources.

A cooperative agreement and joint management plan for the administration of the area will be prepared by the Bureau of Sport Fisheries and Wildlife, South Dakota Department of Game, Fish and Parks, and the Bureau of Land Management.

This proposed withdrawal will be subject to the Black Hills National Cemetery withdrawal, as authorized by Public Land Order No. 461, dated April 1, 1948.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Mont.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BLACK HILLS MERIDIAN

T. 5 N., R. 5 E.,  
 Sec. 10, lots 5, 6 and 9;  
 Sec. 11, lots 2 and 3, SW¼;  
 Sec. 13, lots 9 and 10, S½NW¼, SW¼;  
 Sec. 14, lot 1, W½NE¼, SE¼NE¼, NW¼, S½;  
 Sec. 15, lots 8, 9, 10, SE¼SE¼;  
 Sec. 22, lots 5, 6, 7 and 8;



Sec. 23, all;  
 Sec. 24, W $\frac{1}{2}$ ;  
 Sec. 25, lots 5, 6, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 26, lots 5, 6, 7, and 8, N $\frac{1}{2}$ N $\frac{1}{2}$ .  
 T. 6 N., R. 5 E.,  
 Sec. 25, lots 7, 8, 9, 10 and 11, SW $\frac{1}{4}$ .

Total acres: 3,419.06.

R. D. NIELSON,  
*State Supervisor.*

[F.R. Doc. 59-2981; Filed, Apr. 8, 1959;  
 8:49 a.m.]

[II-3]

## UTAH

### Small Tract Classification; Amendment

APRIL 1, 1959.

Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F.R. 2473), I hereby amend FEDERAL REGISTER Document 59-1591, appearing on pages 1380-81, of the issue of February 25, 1959, as follows:

1. Paragraph 5, listing the sites offered and the lots embraced in each site, is amended to exclude sites 64 to 101, incl., and the sites to be offered for sale on May 28, 1959, will be limited to sites numbered 1 to 63, incl.

2. Paragraph 12 is amended to read only as follows and nothing more:

12. A telephone line has been constructed across the front, or northeast side, of sites numbered 24 to 38, incl., and those sites are subject to that right-of-way.

VAL B. RICHMAN,  
*State Supervisor.*

[F.R. Doc. 59-2982; Filed, Apr. 8, 1959;  
 8:49 a.m.]

## COLORADO

### Amendment of Notice of Proposed Withdrawal and Reservation of Lands

APRIL 1, 1959.

Effective immediately, Notice of Proposed Withdrawal and Reservation of Lands pertaining to application for withdrawal, Colorado 025884 of the U.S. Forest Service, Federal Register Document 59-1712, appearing in the issue of February 27, 1959, at page 1477, is corrected as follows:

The land description following Lodgepole Recreation Area, T. 15 S., R. 83 W., Sec. 9, should include Lot 4.

The land description following Lottis Creek Recreation Area, T. 15 S., R. 83 W., Sec. 2, NW $\frac{1}{4}$ SE $\frac{1}{4}$  is corrected to read SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

J. ELLIOTT HALL,  
*Lands and Minerals Officer.*

[F.R. Doc. 59-2983; Filed, Apr. 8, 1959;  
 8:49 a.m.]

[Classification 552]

## CALIFORNIA

### Small Tract Classification; Amendment

MARCH 31, 1959.

Effective March 31, Column 4 of Paragraph 4 of Federal Register Document

58-10576, appearing on pages 10192 and 10193, of the issue for December 24, 1958, is hereby revised as follows:

Advance rental of \$45.00 will be charged for those tracts appraised at \$325.00. The advance rental for tracts appraised at \$375.00 will be \$60.00.

R. G. SPORLEDER,  
*Officer in Charge, Northern  
 Field Group, Sacramento 14,  
 California.*

[F.R. Doc. 59-2984; Filed, Apr. 8, 1959;  
 8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Bureau of Foreign Commerce

[File 23-611]

### N. V. HANDELMAATSCHAPPIJ DELFT AND ADRIANOS A. C. ALSEMGEEST

#### Order Denying Export Privileges for an Indefinite Period

In the matter of N. V. Handelmaatschappij Delft and Adrianos A. C. Alsemgeest, Rotterdamse Weg 3, Delft, Netherlands, File 23-611, respondents.

The Investigation Staff of the Bureau of Foreign Commerce, United States Department of Commerce, is conducting an investigation of the transshipment to Communist China of 669 bags of gilsonite valued at about \$1,900 and exported from the United States for ultimate delivery to and use in the Netherlands, pursuant to General License established for that purpose. The Director of the Investigation Staff has applied for an order denying to the respondents, N. V. Handelmaatschappij Delft and Adrianos A. C. Alsemgeest all export privileges for an indefinite period because of their failure and refusal to respond to written interrogatories duly served on them. The application was made pursuant to § 382.15 of the export regulations (15 CFR, Ch. III, Subch. B) and, in accordance with the practice thereunder, was referred to the Compliance Commissioner of the Bureau of Foreign Commerce who, after considering evidence in support thereof, has recommended that it be granted.

Now, upon receipt of the Compliance Commissioner's recommendation, after reviewing and considering the evidence submitted in support of the application, from which evidence it appears (1) that an investigation is being conducted as noted above and that it is impracticable to issue subpoenas to the respondents, and (2) that relevant and material interrogatories were duly served on the respondents to which they have failed, omitted, and refused to respond without reasonable cause and without adequate explanation and, having concluded further (a) that this order is reasonable and necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended, and (b) that it is advisable that persons in the United States and in other parts of the world be informed by publication of this order of the provisions hereafter set forth so that the respondents may be prevented from re-

ceiving and transshipping commodities exported from the United States so long as it is effective:

*It is hereby ordered:*

I. All outstanding validated export licenses in which the respondents, N. V. Handelmaatschappij Delft and Adrianos A. C. Alsemgeest, appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

II. The respondents, their successors or assigns, officers, representatives, agents, and employees, are hereby denied all privileges of participating directly or indirectly in any manner, form, or capacity in any past, present, or future exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation shall include and prohibit said respondents and such other persons' participation (a) as parties or as representatives of a party to any validated export license application; (b) in the obtaining or using of any validated or general export license or other export control document; (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported from the United States; and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.

III. This denial of export privileges shall apply not only to the respondents, but also to any person, firm, corporation, or business organization with which they now or hereafter may be related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States or services connected therewith.

IV. This order shall remain in effect until the respondents satisfactorily answer or furnish written information or documents in response to the interrogatories heretofore served on them or give adequate reason for their failure or refusal to respond, except insofar as it may be amended or modified hereafter in accordance with the export regulations.

V. No person, firm, corporation, or other business organization, within the United States or elsewhere (whether or not engaged in trade relating to exports from the United States) shall, on behalf of or in any association with the respondents or any related party, without prior disclosure of the facts to and specific authorization from the Bureau of Foreign Commerce, directly or indirectly in any manner, form, or capacity (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation of commodities from the United States, or (b) order, receive, buy, sell, deliver, use, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States, or in a re-exportation of any commodity exported from the United States, or do any of the foregoing acts with respect to any exportation in



which any respondent or any related party may have any interest or obtain any benefit of any kind or nature, direct or indirect.

VI. In accordance with the provisions of § 382.11(c) of the export regulations, each of the respondents may move, at any time prior to the cancellation or termination hereof, to vacate or modify this indefinite denial order by filing an appropriate application therefor, supported by evidence, with the Compliance Commissioner, and he or it may request oral hearing thereon, which, if requested, will be held before the Compliance Commissioner at Washington, D.C. at the earliest convenient date.

Dated: April 6, 1959.

FRANK W. SHEAFFER,  
*Acting Director,*  
*Office of Export Supply.*

[F.R. Doc. 59-2913; Filed, Apr. 8, 1959;  
8:45 a.m.]

**Maritime Administration**

**TRADE ROUTE NO. 10; U.S. NORTH ATLANTIC/MEDITERRANEAN**

**Notice of Adoption of Conclusions and Determinations Regarding Essentiality and United States Flag Freight Service Requirements**

Notice is hereby given that the Maritime Administrator has adopted as final his tentative conclusions and determinations regarding the essentiality and United States flag freight service requirements of Trade Route No. 10 as published in the FEDERAL REGISTER issue of January 21, 1959 (24 F.R. 483).

Dated: April 6, 1959.

By order of the Maritime Administrator.

[SEAL] JAMES L. PIMPER,  
*Secretary.*

[F.R. Doc. 59-2957; Filed, Apr. 8, 1959;  
8:45 a.m.]

**TRADE ROUTE NO. 32; GREAT LAKES/WESTERN EUROPE**

**Notice of Adoption of Conclusions and Determinations Regarding Essentiality and United States Flag Service Requirements**

Notice is hereby given that the Maritime Administrator has adopted as final his tentative conclusions and determinations regarding the essentiality and United States flag service requirements of Trade Route No. 32 as published in the FEDERAL REGISTER issue of March 18, 1959 (24 F.R. 1992-3).

Dated: April 6, 1959.

By order of the Maritime Administrator.

[SEAL] JAMES L. PIMPER,  
*Secretary.*

[F.R. Doc. 59-2958; Filed, Apr. 8, 1959;  
8:45 a.m.]

**TRADE ROUTE NO. 34; GREAT LAKES/MEDITERRANEAN**

**Notice of Adoption of Conclusions and Determinations Regarding Essentiality and United States Flag Service Requirements**

Notice is hereby given that the Maritime Administrator has adopted as final his tentative conclusions and determinations regarding the essentiality and United States flag service requirements of Trade Route No. 34 as published in the FEDERAL REGISTER issue of March 18, 1959 (24 F.R. 1993).

Dated: April 6, 1959.

By order of the Maritime Administrator.

[SEAL] JAMES L. PIMPER,  
*Secretary.*

[F.R. Doc. 59-2959; Filed, Apr. 8, 1959;  
8:45 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket No. 12651 etc.; FCC 59-276]

**JAMES E. WALLEY ET AL.**

**Order Designating Applications for Consolidated Hearing on Stated Issues**

In re applications of James E. Walley, Oroville, California, Docket No. 12651, File No. BP-11655; Requests: 1340 kc, 250 w, U. Robert L. Stoddard tr/as Sierra Broadcasting Company (KATO), Reno, Nevada, Docket No. 12819, File No. BP-12299; Has: 1340 kc, 250 w, U. Requests: 1340 kc, 250 w, 1 kw-LS, U. Finley Broadcasting Company (KSRO), Santa Rosa, California, Docket No. 12820, File No. BP-12313; Has: 1350 kc, 1 kw, DA-1 U. Requests: 1350 kc, 5 kw, DA-N, U. Gene V. Mitchell and Robert T. McVay d/b as Sanval Broadcasters, Oroville, California, Docket No. 12821, File No. BP-12381; Requests: 1340 kc, 250 w, U. For construction permits for standard broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 1st day of April 1959;

The Commission having under consideration the above captioned and described applications; and

It appearing, that, the instant proposals of Sanval Broadcasters and James E. Walley involve mutually destructive interference and each involves mutual interference with both instant proposals of Sierra Broadcasting Company and Finley Broadcasting Company; and

It further appearing, that the Commission, by Order adopted on November 5, 1958, designated for hearing the instant application of James E. Walley; that the applications of Sierra Broadcasting Company, Finley Broadcasting Company, and Sanval Broadcasters were filed on August 18, 1958, August 29, 1958, and September 16, 1958, respectively, and are, therefore, entitled, pursuant to

§ 1.106 of the Commission rules, to be consolidated in the said hearing proceeding; and

It further appearing, that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal; and

It further appearing, that the proposed operation of KSRO would cause objectionable interference to Stations KFIV, Modesto, California, KEEN, San Jose, California, and KOMY, Watsonville, California; and

It further appearing, that the proposal of Sanval Broadcasters would receive from the proposal of Sierra Broadcasting Company interference which would affect more than 10 percent of the population within the former's normally protected contour, in contravention of § 3.28(c) of the Commission rules; that Sanval Broadcasters requests a waiver of said section on the ground that its proposal would be the first local facility in Oroville, California; that its proposal would cause objectionable interference to Station KCRA, Sacramento, California, and to the existing operation of Station KATO; that the applicant, by an amendment filed on February 13, 1959, contends that measurements made on Station KWRN, Reno, Nevada, establish that no interference would result between its proposal and either the existing or proposed operations of Station KATO, but that the applicant has apparently utilized the effective conductivity at the end of the measured portion of each radial path as the conductivity for the remainder of the path and has also apparently utilized this conductivity to establish that no interference would obtain in the reverse direction, i.e., from the proposed operation toward KATO, which procedures are not deemed valid methods of exploitation of measurement data, since it has been shown in many previous instances that across heterogeneous paths the conductivity established in one direction is not necessarily the same as the conductivity that would be established from the opposite direction, so that measured conductivities may only be used to the extent of same, and may not be assumed to reflect the conductivity for the remainder of the path, nor to establish the effective conductivity in the opposite direction; and

It further appearing, that, in the event of favorable action on the proposal of KATO in the hearing ordered below, final action must be withheld pending necessary coordination with other North American countries of operation by Class IV stations with a maximum daytime power of 1 kilowatt, pursuant to the Commission's Report and Order of May 28, 1958, in Docket No. 12064.

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applicants were advised by letter dated January 16, 1959 of the foregoing; and

It further appearing, that replies were filed by all the applicants; and that the licensee of KCRA requested an opportunity to appear at a hearing on these applications; and



It further appearing, that, in view of the foregoing, the Commission is of the opinion that a hearing on the instant applications is necessary:

*It is ordered.* That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, in Docket No. 12651, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operations of James E. Walley and Sanval Broadcasters and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Stations KATO, Reno, Nevada, and KSRO, Santa Rosa, California, and the availability of other primary service to such areas and populations.

3. To determine whether the proposed operations of James E. Walley and Sanval Broadcasters would cause objectionable interference to Stations KCRA, Sacramento, California, and KATO, Reno, Nevada, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the proposed operation of Station KSRO would cause objectionable interference to Stations KFIV, Modesto, California, KEEN, San Jose, California, and KOMY, Watsonville, California, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine the nature and extent of the interference, if any, that each of the operations proposed in the above-entitled applications would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the proposal of Sanval Broadcasters would receive from the proposal of Sierra Broadcasting Company interference which would affect more than 10 percent of the population in its normally protected primary service area in contravention of the provisions of § 3.28(c) of the Commission rules; and, if so, whether circumstances exist which would warrant a waiver of the said section.

7. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

8. To determine on a comparative basis, in the event that, pursuant to the foregoing issue, Oroville, California, is

considered to have the greater need for a new facility, which of the two proposals of James E. Walley and Sanval Broadcasters would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the two applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

(b) The proposal of each with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the said applications.

9. To determine in the light of the evidence adduced pursuant to the foregoing issues, which, if any, of the instant applications should be granted.

*It is further ordered.* That KCRA, Inc., Modesto Broadcasting Company, United Broadcasting Company, and Francis T. Crennan, licensees respectively of Stations KCRA, KFIV, KEEN, and KOMY, are made parties to the proceeding.

*It is further ordered.* That, in the event of favorable action on the proposal of KATO in the hearing ordered above, final action thereon will be withheld pending necessary coordination with other North American countries of operation by Class IV stations with a maximum daytime power of 1 kilowatt, pursuant to the Commission's Report and Order of May 28, 1958, in Docket No. 12064.

*It is further ordered.* That this Order shall supersede, with respect to the issues only, the Commission's Order of November 5, 1958, designating for hearing the first above-captioned application.

*It is further ordered.* That, to avail themselves of the opportunity to be heard, the applicants, and parties respondent herein, except James E. Walley and KCRA, Inc., pursuant to § 1.140 of the Commission's rules, by attorney or appropriate corporate officer, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

*It is further ordered.* That the issues in this proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: April 6, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-3004; Filed, Apr. 8, 1959;  
8:52 a.m.]

[Docket Nos. 12720, 12721; FCC 59M-429]

## VALLEY BROADCASTING CO. AND MINERS BROADCASTING SERVICE, INC.

### Order Scheduling Prehearing Conference

In re applications of Valley Broadcasting Company, Leighton, Pennsylvania; Docket No. 12720, File No. BP-11651; Miners Broadcasting Service, Inc., Kingston, Pennsylvania; Docket No. 12721, File No. BP-11795; for construction permits.

The Hearing Examiner having under consideration oral joint request of the parties herein for a prehearing conference;

*It is ordered.* This 2d day of April 1959, that the request is granted, and a prehearing conference is scheduled herein for April 9, 1959, at 9:00 a.m.

Released: April 3, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-3005; Filed, Apr. 8, 1959;  
8:52 a.m.]

[Docket Nos. 12817, 12818; FCC 59-275]

## WSC BROADCASTING CO. AND PARADISE BROADCASTERS

### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of WSC Broadcasting Company, Chico, California; Docket No. 12817, File No. BP-11718; (Requests: 930kc, 500w, Day). Douglas F. Mariska & Howard T. Churchill, d/b as Paradise Broadcasters, Paradise, California; Docket No. 12818, File No. BP-12094; (Requests: 930kc, 500w, Day). For Construction Permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 1st day of April 1959;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, both applicants are legally, financially, technically and otherwise qualified to operate their proposed stations but that the simultaneous operation of both proposals would result in mutually destructive interference; and

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the applicants were advised by letter dated November 18, 1958 of the aforementioned deficiencies and that the Commission was unable to conclude at this time that a grant of either of the applications would be in the public interest; and

It further appearing, that both applicants filed timely replies to the Commis-



sion's letter and agreed to accept the slight interference received from the proposed operation of Station KAGI, Grants Pass, Oregon, File No. BMP-8282; and

It further appearing, that the transmitter site proposed by WSC Broadcasting Company is approximately one-half mile from the transmitter site of Station KHSL, Chico, California, and, therefore, a grant of said application should contain the condition that the permittee shall install suitable filter networks to prevent objectionable reradiation or cross modulation with Station KHSL; and

It further appearing, that, Paradise and Chico are separate communities approximately eleven miles apart; that each proposal would provide a 5 mv/m contour over the residential section of the city of the other; that each of said proposals serves substantially the same areas and populations; and that question obtains as to whether considerations relative to section 307(b) of the Communications Act of 1934, as amended, should be determinative here; and

It further appearing, that the commission, after consideration of the above, is of the opinion that a hearing is necessary;

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

1. To determine the areas and populations which would receive primary service from each of the instant proposals, and the availability of other primary service to such areas and populations.

2. To determine whether considerations with respect to section 307(b) of the Communications Act of 1934, as amended, are applicable to the above-entitled proceeding, and if so, whether a choice between the applications herein can be reasonably based thereon, and, if so, whether a grant to one or the other of the applicants would provide the more fair, efficient and equitable distribution of radio service.

3. To determine, in the event it is concluded that a choice between the two applications cannot be made on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest in the light of the evidence adduced with respect to the significant differences between the applicants as to:

(a) The background and experience of the principals of each applicant to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

*It is further ordered.* That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

*It is further ordered.* That the issues in this proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue:

To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

*It is further ordered.* That, in the event of a grant of either the application of WSC Broadcasting Company or Paradise Broadcasters, the respective construction permit shall contain a condition that the permittee accept any interference which may result in the event of a subsequent grant of the application of Southern Oregon Broadcasting Company, File No. BMP-8282, to increase the daytime power of Station KAGI, Grants Pass, Oregon, from 1 to 5 kilowatts.

*It is further ordered.* That, in the event of a grant of the application of WSC Broadcasting Company, the construction permit shall contain the condition that the permittee is responsible for the installation of suitable filter networks to prevent objectionable reradiation effects or cross modulation with Station KHSL, Chico, California.

*It is further ordered.* That, in the event of favorable action on the application of Paradise Broadcasters, the construction permit shall contain a condition that program tests will not be authorized until Station KOLO is authorized program tests on its non-directional operation specified in BP-12076 and will not be granted a license to cover construction permit until KOLO has been granted a license to cover construction permit for said non-directional operation.

Released: April 6, 1959.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 59-3006; Filed, Apr. 8, 1959; 8:52 a.m.]

**ATOMIC ENERGY COMMISSION**

[Docket No. 27-18]

**U.S. NAVAL RADIOLOGICAL DEFENSE LABORATORY**

**Notice of Application for Byproduct Material License**

Please take notice that an application for a license to dispose of waste byproduct material in the Pacific Ocean has

been filed by the U.S. Naval Radiological Defense Laboratory, San Francisco, California.

The application specifies a maximum possession limit of 150 curies of any byproduct material as defined by the Atomic Energy Act of 1954, as amended.

The applicant proposes to dispose of the waste in the Pacific Ocean at a point designated as parallel of Latitude 37°41' N. and meridian of Longitude 123°25' W. at a minimum depth of 1,000 fathoms. The material will be packaged and stored at U.S. Naval Radiological Defense Laboratory, San Francisco Naval Shipyard, San Francisco 24, California.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

U.S. Naval Radiological Defense Laboratory currently disposes of waste byproduct material in the Pacific Ocean. A copy of their present license and application is on file in the Public Document Room.

Dated at Germantown, Md., this 2d day of April, 1959.

For the Atomic Energy Commission.

H. L. PRICE, Director, Division of Licensing and Regulation.

[F.R. Doc. 59-2960; Filed, Apr. 8, 1959; 8:46 a.m.]

[Docket No. 27-17]

**NATIONAL INSTITUTES OF HEALTH  
Notice of Application for Byproduct Material License**

Please take notice that an application for a license to dispose of waste byproduct material in the Atlantic Ocean has been filed by the National Institutes of Health, Bethesda 14, Maryland.

The application specifies a maximum possession limit of 50 curies total of any byproduct material as defined by the Atomic Energy Act of 1954, as amended.

The applicant proposed to dispose of the waste in the Atlantic Ocean at a point designated as parallel of Latitude 36°56' N and meridian of Longitude 74°23' W at a minimum depth of 1,000 fathoms. The material will be packaged and stored at National Institutes of Health, Building 21, Bethesda, Maryland.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

National Institutes of Health currently disposes of waste byproduct material in the Atlantic Ocean. A copy of their present license and application is on file in the Public Document Room.

Dated at Germantown, Md., this 2d day of April 1959.

For the Atomic Energy Commission.

H. L. PRICE, Director, Division of Licensing and Regulation.

[F.R. Doc. 59-2961; Filed, Apr. 8, 1959; 8:46 a.m.]



**CIVIL AERONAUTICS BOARD**

[Docket No. 6908]

**GREAT LAKES ENFORCEMENT CASE****Notice of Postponement of Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-entitled proceeding now assigned for April 15 has been postponed to May 6, 1959, 10:00 a.m., e.d.s.t., Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., April 3, 1959.

[SEAL]

FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 59-3007; Filed, Apr. 8, 1959;  
8:53 a.m.]

[Docket No. 9214 etc.]

**NEW YORK-SAN FRANCISCO NON-STOP SERVICE CASE****Notice of Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-entitled proceeding is assigned to be held on April 29, 1959, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., April 3, 1959.

[SEAL]

FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 59-3008; Filed, Apr. 8, 1959;  
8:53 a.m.]

**FEDERAL POWER COMMISSION**

[Docket No. G-17149]

**EDWIN L. COX****Order for Hearing and Suspending Proposed Change in Rate; Amendment**

APRIL 1, 1959.

In Federal Register Document 58-10224 (23 F.R. 2619), change the designated effective date of the above-mentioned order to read December 8, 1958, rather than December 7, 1958.

[SEAL]

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-2967; Filed, Apr. 8, 1959;  
8:47 a.m.]

[Docket No. G-17568]

**SOUTH GEORGIA NATURAL GAS CO.****Notice of Application and Date of Hearing**

APRIL 3, 1959.

Take notice that South Georgia Natural Gas Company, a Georgia corpora-

tion with a principal place of business in Thomasville, Georgia, filed on January 19, 1959, an application in Docket No. G-17568, pursuant to section 7 of the Natural Gas Act for (1) a determination that the service proposed to be rendered to the City of Thomasville, Georgia, is not subject to the jurisdiction of the Federal Power Commission or (2) in the alternative for a certificate of public convenience and necessity authorizing the operation of facilities subject to the jurisdiction of the Commission for the sale of natural gas to the City of Thomasville, Georgia, on an interruptible basis, for use by the City in its electric generating plant, all as more fully stated in an application on file with the Commission, and open to public inspection.

Applicant proposes to sell natural gas to the City of Thomasville under the terms of an agreement dated September 8, 1958, for use by the City in its electric generating plant on an interruptible basis at a rate of 34.5 cents per Mcf; which gas is to be used solely by the City in its Power Plant and not resold for public consumption.

The application recites that the Commission in an order effective September 2, 1954, in the Matter of South Georgia Natural Gas Company, Docket No. G-1915, authorized the construction and operation of facilities, which among other things provided for service to the City of Thomasville, Georgia, which city owns and operates a natural gas distribution system and an electric generating plant. Natural gas for the City's Power Plant was purchased from the Applicant on an interruptible basis under Applicant's Schedule I-1 of Applicant's FPC Gas Tariff at a price of 36 cents per Mcf. The City discontinued the use of gas in its Power Plant and entered into an agreement with the Applicant dated September 8, 1958, under the terms of which the City has agreed to purchase natural gas for direct consumption only in the City's Power Plant on an interruptible basis at 34.5 cents per Mcf.

Applicant states that under the Natural Gas Act, as interpreted by the United States Court of Appeals in the case of City of Hastings v. F.P.C., 221 F.2d 31 (C.A.D.C.) certiorari denied, 349 U.S. 920, the service Applicant proposes to render the City is not a jurisdictional sale of natural gas; does not require authorization by the Commission, and is therefore not subject to the jurisdiction of the Commission.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 25, 1959, at 10:00 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application.

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 pro-

cedure (18 CFR 1.8 or 1.10) on or before May 1, 1959.

[SEAL]

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-2968; Filed, Apr. 8, 1959;  
8:47 a.m.]

[Docket No. G-17892]

**PERMIAN BASIN PIPELINE CO.****Notice of Application and Date of Hearing**

APRIL 3, 1959.

Take notice that on February 24, 1959, Permian Basin Pipeline Company (Applicant), filed in Docket No. G-17892 an application as supplemented on March 9, 1959, pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a measuring and regulating station located on its 26-inch main line in Gaines County, Texas, between its Hobbs Compressor Station and Plains Measuring Station, subject to the jurisdiction of the Commission, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states this facility is to be used for the long term delivery and sale of additional volumes of natural gas to Pioneer Natural Gas Company for resale to the North Hobbs Farmer's Cooperative Association for use as fuel for the operation of irrigation pumps. Pioneer is an existing customer of Permian purchasing gas at several locations in Texas. The proposed tap for the Hobbs Cooperative will handle a mixture of gas produced in New Mexico and Texas.

The estimated cost of Permian's proposed facilities is \$1,600 of which Pioneer will contribute \$500. Permian proposes to finance construction of the facilities out of cash on hand.

The estimated gas requirements of the Hobbs Cooperative is as follows:

	Years of service	
	First year	Third year
Annual (Mcf).....	13,400	57,000
Peak day (Mcf).....	134	576

By contract dated February 13, 1959, Permian agreed to sell to Pioneer for resale to the Cooperative up to a maximum of 1,000 Mcf per day of firm gas during April through September and up to 1,000 Mcf per day of interruptible gas during October through March each year for the period ending October 1, 1974.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 13,



1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

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 April 27, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-2969; Filed, Apr. 8, 1959; 8:47 a.m.]

[Docket No. G-18091 etc.]

**WILLIAM HERBERT HUNT TRUST  
ESTATE ET AL.**

**Order for Hearing and Suspending  
Proposed Changes in Rates;  
Amendment**

APRIL 1, 1959.

In the matters of William Herbert Hunt Trust Estate, Docket No. G-18091; H. L. Hunt, Docket No. G-18092; Hassie Hunt Trust, Docket No. G-18093.

In Federal Register Document 59-2574 (24 F.R. 2412), after Rate Schedule Designation; change: "Supplement No. 2 to Hassie Hunt Trust's FPC Gas Rate Schedule No. 12" to "Supplement No. 12 to Hassie Hunt Trust's FPC Gas Rate Schedule No. 2."

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-2970; Filed, Apr. 8, 1959; 8:47 a.m.]

[Project No. 2114]

**PUBLIC UTILITY DISTRICT NO. 2 OF  
GRANT COUNTY, WASHINGTON**

**Notice of Application for Amendment  
of License**

APRIL 3, 1959.

Public notice is hereby given that Public Utility District No. 2 of Grant County, Washington, of Ephrata, Washington, has filed application under the Federal Power Act (16 U.S.C. 791a-825r) amending its pending application for amendment of the license for water-power Project No. 2114, now under construction on the Columbia River in Chelan, Douglas, Kittitas, Grant, Yakima, and Benton Counties, Washington, to provide for certain changes in

the proposed Wanapum Development of the project, so that the development shall consist of a concrete ogee spillway section containing 12 tainter gates; rock-fill embankments connecting spillway and powerhouse to high ground at each abutment; fish ladders and associated facilities; design provisions for construction of future navigation locks; a reservoir with normal operating pool level at elevation 570; a powerhouse integral with the dam, to contain 10 vertical shaft, Kaplan turbines (with skeleton bays provided for six additional similar units) to be rated for 120,000 hp each at 80 feet net head, connected to generators rated at 87,500 kva (0.95 pf) each (total of 830,000 kw with 10 units); substation and switching facilities; and transmission lines as required.

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 of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is May 3, 1959. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-2971; Filed, Apr. 8, 1959; 8:47 a.m.]

**OFFICE OF CIVIL AND DEFENSE  
MOBILIZATION**

[OCDM (DPA) Request 6(b)]

**ARMY ORDNANCE INTEGRATION  
COMMITTEE ON SMALL ARMS  
AMMUNITION**

**Request To Participate**

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the voluntary plan entitled, "Plan and Regulations of the Ordnance Corps Governing the Integration Committee on Small Arms Ammunition," was approved by the Attorney General, after consultation with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Director of the Office of Defense Mobilization. This voluntary plan has been amended to extend its scope to include 20 MM items and to provide current information with respect to the present need for the Committee.

This amended voluntary plan was approved by the Director of the Office of Defense Mobilization and was found to be in the public interest as contributing to the national defense.

**CONTENTS OF REQUEST**

You are requested to participate in the activities of an integration committee in accordance with the enclosed amended "Plan and Regulations of the Ordnance Corps Governing the Integration Committee on Small Arms Ammunition."

The Attorney General has approved this request after consultation with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission and my representatives,

pursuant to section 708 of the Defense Production Act of 1950, as amended.

I have approved the voluntary plan, as amended, and have found it to be in the public interest as contributing to the national defense. You will become a participant therein upon notifying me in writing of your acceptance of this request. Will you kindly also send two copies of your acceptance to the Industrial Operations Branch, Procurement Division, Office of the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the activities of the Integration Committee on Small Arms Ammunition and your participation therein are within the limits set forth in the voluntary plan, as amended.

Your cooperation in this matter will be appreciated.

Sincerely yours,  
GORDON GRAY,  
Director,  
Office of Defense Mobilization.

The following supersedes the list of acceptances published in 21 F.R. 10018, December 18, 1956.

**ACCEPTANCES**

The American Brass Co., Waterbury, Conn.; American Safety Razor Corporation, New York, N.Y.; Bridgeport Brass Co., Bridgeport, Conn.; Chase Brass & Copper Company, Waterbury, Conn.; Federal Cartridge Corp., Minneapolis, Minn.; The International Silver Co., Meriden, Conn.; McQuay-Norris Manufacturing Co., St. Louis, Mo.; The Plume & Atwood Manufacturing Co., Thomaston, Conn.; Remington Arms Company, Inc., Bridgeport, Conn.; Revere Copper and Brass Inc., New York, N.Y.; Scovill Manufacturing Co., Waterbury, Conn.; United States Defense Corp., St. Louis, Mo.

(Sec. 708, 64 Stat. 818, as amended, 50 U.S.C. App. Sup. 2158; Executive Order 10480, August 14, 1953, 18 F.R. 4939; Reorganization Plan No. 1 of 1958, 23 F.R. 4991, as amended; Executive Order 10773, July 1, 1958, 23 F.R. 5061; Executive Order 10782, September 6, 1958, 23 F.R. 6971.)

Dated: March 26, 1959.

LEO A. HOEGH,  
Administrator,  
Federal Civil Defense  
Administration.

[F.R. Doc. 59-2962; Filed, Apr. 8, 1959; 8:46 a.m.]

**FEDERAL DISASTER ASSISTANCE**

**Notice of Minimum State and Local  
Expenditures**

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; and in furtherance of the requirements of section 1710.15 of the Federal Civil Defense Administration (now Office of Civil and Defense Mobi-



lization) Federal Disaster Assistance Regulations (23 F.R. 3636), reading in part as follows:

(a) Effective July 1, 1959, Federal assistance under Public Law 875 in any State will be available only after the Governor of that State certifies that the total of State and local expenditures and obligations (or resources utilized) by the government of such State, local government thereof, or other agencies (over and above their normal expenditures) for disaster relief purposes exceeds an amount published annually by the Administrator as the minimum for that State in that disaster and for all disasters during the twelve-month period immediately preceding the request for assistance under Public Law 875.

The following annual schedule of minimum State and local expenditures and obligations shall be effective July 1, 1959:

<b>\$250,000 MINIMUM</b>	
Alaska.	Puerto Rico.
Hawaii.	South Dakota.
Idaho.	Vermont.
Nevada.	Virgin Islands.
New Hampshire.	Wyoming.
North Dakota.	

<b>\$500,000 MINIMUM</b>	
Arizona.	Mississippi.
Arkansas.	Montana.
Delaware.	New Mexico.
District of Columbia.	Rhode Island.
Maine.	Utah.

<b>\$1,000,000 MINIMUM</b>	
Alabama.	Oklahoma.
Colorado.	Oregon.
Kansas.	South Carolina.
Kentucky.	West Virginia.
Nebraska.	

<b>\$1,500,000 MINIMUM</b>	
Connecticut.	Minnesota.
Florida.	North Carolina.
Georgia.	Tennessee.
Iowa.	Virginia.
Louisiana.	Washington.
Maryland.	

<b>\$2,000,000 MINIMUM</b>	
Indiana.	Missouri.
Massachusetts.	Wisconsin.

<b>\$2,500,000 MINIMUM</b>	
Michigan.	Ohio.
New Jersey.	Texas.

<b>\$3,000,000 MINIMUM</b>	
California.	New York.
Illinois.	Pennsylvania.

Expenditures and obligations (or resources utilized) for disaster relief purposes, as used herein, are those which are over and above normal expenditures. Expenditures for usual recurring emergency costs in fire fighting; snow removal; street, road, and bridge maintenance; mosquito control, etc., from regular appropriations for these purposes, are considered to be normal expenditures.

Dated: March 11, 1959.

LEO A. HOEGH,  
Director.

[F.R. Doc. 59-2963; Filed, Apr. 8, 1959;  
8:46 a.m.]

## JAMES F. BROWNLEE

### Statement of Business Interests

The following statement lists the names of concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

Sold shares Britalta Petroleum Ltd., June 16, 1958.

Contributed shares General Electric Co. to Middlesex School, Concord, Mass., December 22, 1958.

Contributed shares General Foods Corp. to Harvard College, December 10, 1958.

Sold shares Montgomery Ward Co., December 3, 1958.

Sold shares F. W. Woolworth & Co., December 3, 1958.

Redeemed note of the Seaplant Corp.

Purchased 200 shares Great Northern Paper Co.

This amends statement published September 10, 1958 (23 F.R. 7014).

Dated: February 1, 1959.

JAMES F. BROWNLEE.

[F.R. Doc. 59-2964; Filed, Apr. 8, 1959;  
8:46 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4061 etc.]

### SHELDON ENTERPRISES, INC., ET AL.

#### Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

APRIL 3, 1959.

In the matter of Sheldon Enterprises, Inc., File No. 24NY-4061; Avalon Investors Corp., File No. 24NY-4070; Summit Finance, Inc., File No. 24NY-4130; Micro-Mechanisms, File No. 24NY-4220; Economart Inc., File No. 24NY-4230; Ferris Records, Inc., File No. 24NY-4268; Atlantic County Development Corporation, File No. 24NY-4271.

I. Sheldon Enterprises, Inc., 195 Broadway, Paterson, N.J.; Avalon Investors Corp., 2686 Hempstead Turnpike, Levittown, N.Y.; Summit Finance, Inc., 447 Springfield Avenue, Summit, N.J.; Micro-Mechanisms, 2 East Northfield Road, Livingston, N.J.; Economart Inc., 91-08 Sutphin Boulevard, Jamaica, N.Y.; Ferris Records, Inc., 1650 Broadway, New York, N.Y.; Atlantic County Development Corporation, 3210 Brigantine Boulevard, Brigantine, N.J., each filed with the Commission a Notification on Form 1-A relating to a proposed public offering of securities for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder; and

II. The Commission has reasonable cause to believe that the terms and conditions of said Regulation A have not been complied with in that each issuer has failed to file on Form 2-A reports of sales as required by Rule 224 of Regula-

tion A despite requests by the Commission's staff for such reports.

III. It is ordered, Pursuant to Rule 223(a) of the general rules and regulations under the Securities Act of 1933 that the exemption under Regulation A be and hereby is temporarily suspended in each instance.

Notice is hereby given that any person having any interest in any of the matters may file with the Secretary of the Commission a written request for a hearing; that, within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 59-2990; Filed, Apr. 8, 1959;  
8:50 a.m.]

[File No. 24NY-4433]

### SECURITY ELECTRONICS CORP.

#### Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

APRIL 3, 1959.

I. Security Electronics Corporation (issuer), 589 Fifth Avenue, New York, New York, filed with the Commission on January 11, 1957, a notification and offering circular for 263,750 shares of its \$0.05 par value common stock at \$1.00 per share for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder; and

II. The Commission has reason to believe that the terms and conditions of Regulation A have not been complied with in that the issuer has failed to file a report of sales on Form 2-A as required by Rule 260 despite requests from the staff.

III. It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing, within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for



the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for such hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 59-2991; Filed, Apr. 8, 1959;  
8:50 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 12]

### APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OR PERMIT

APRIL 3, 1959.

The following applications and certain other procedural matters relating thereto are filed under the "grandfather" clause of section 7(c) of the Transportation Act of 1958. These matters are governed by Special Rule § 1.243 published in the FEDERAL REGISTER issue of January 8, 1959, page 205, which provide, among other things, that this publication constitutes the only notice to interested persons of filing that will be given; that appropriate protests to an application (consisting of an original and six copies each) must be filed with the Commission at Washington, D.C., within 30 days from the date of this publication in the FEDERAL REGISTER; that failure to so file seasonably will be construed as a waiver of opposition and participation in such proceeding, regardless of whether or not an oral hearing is held in the matter; and that a copy of the protest also shall be served upon applicant's representative (or applicant, if no practitioner representing him is named in the notice of filing).

These notices reflect the operations described in the applications as filed on or before the statutory date of December 10, 1958.

No. MC 3281 (Sub No. 3), filed December 9, 1958. Applicant: JACK F. POWELL AND C. K. POWELL, doing business as POWELL TRUCK LINE, Searcy, Ark. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen berries* and *frozen vegetables*, from Searcy, Fort Smith, Little Rock, Bald Knob, and McRae, Ark., and Memphis, Tenn., to points in Arkansas, Massachusetts, New Jersey, New York, Ohio, Louisiana, Missouri, Indiana, Pennsylvania, Oklahoma, Kansas, Illinois, Michigan, Tennessee, North

Carolina, South Carolina, Georgia, Texas, Florida, Maryland, Kentucky, Virginia, Connecticut, Colorado, Wisconsin, and Alabama.

No. MC 26249 (Sub No. 1) filed December 5, 1958. Applicant: MORRIS STEINMAN, doing business as M & S TRUCKING CO., 203 South Second Street, Philadelphia 6, Pa. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New York, N.Y., Weehawken and Hoboken, N.J., Philadelphia, Pa., and Baltimore, Md., to Harrisburg and Philadelphia, Pa., and New York, N.Y.

No. MC 32050 (Sub No. 1), filed November 24, 1958. Applicant: JOSEPH MITCHELL & SON, INC., 4115 Marx Avenue, Baltimore 6, Md. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, between points in Maryland, New York, New Jersey, Pennsylvania, Virginia, Delaware, Massachusetts, West Virginia, South Carolina, and the District of Columbia.

No. MC 43654 (Sub No. 39), filed December 5, 1958. Applicant: DIXIE OHIO EXPRESS, INC., 237 Fountain Street, Akron, Ohio. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, *frozen berries* and *frozen vegetables*, from Dayton, Tenn., to Birmingham, Ala., and Cleveland, Ohio.

NOTE: Applicant indicates it solicited such traffic at all points within its authorized operations, and held out to the general public a willingness to transport such traffic to all points on its presently authorized regular and irregular route territory. E. C. McCormick, Jr., who owns two-thirds of the common voting stock of applicant, owns controlling interest in Freight, Inc., a motor common carrier; therefore, common control may be involved.

No. MC 106691 (Sub No. 6), filed December 9, 1958. Applicant: LLOYD W. BIESECKER, doing business as TRENTON TERMINAL & TRANSFER COMPANY, 470 Brunswick Avenue, Trenton 8, N.J. Applicant's representative: Jacob Polin, 314 Old Lancaster Road, Merion, Pa. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Baltimore, Md., New York, N.Y., Philadelphia, Pa., Weehawken, N.J., Norfolk and Richmond, Va., and Charleston, S.C., to points in Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Washington, D.C.

No. MC 108654 (Sub No. 1), filed December 8, 1958. Applicant: NED KOFFORD, P.O. Box 156, Orem, Utah. Applicant's attorney: Bartly G. McDonough, 10 Executive Building, 455 East Fourth South, Salt Lake City 11, Utah. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *comon carrier*, by

motor vehicle, over irregular routes, transporting: *Frozen berries* and *frozen vegetables* in straight and in mixed loads with *certain exempt commodities*, from Provo, Utah, to Los Angeles, and San Francisco, Calif.

No. MC 110098 (Sub No. 24), filed October 21, 1958. Applicant: ZERO REFRIGERATED LINES, a corporation, 1500 South Zarzamora, San Antonio, Texas. Applicant's attorney: Charles D. Mathews, P.O. Box 858, 1020 Brown Building, Austin, Texas. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, *frozen berries*, *frozen vegetables*, and *bananas*, in straight and in mixed loads with *certain exempt commodities*, (1) between points in California, Arkansas, Arizona, Colorado, Illinois, Iowa, Minnesota, Missouri, Mississippi, Nebraska, New Mexico, Oklahoma, Oregon, Tennessee, Washington, and Wisconsin; (2) between points in Texas and Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin; (3) between points in Oregon and Washington on the one hand, and, on the other, points in Arizona, Iowa, Illinois, Kansas, Minnesota and Wisconsin; (4) between points in Idaho and Utah, on the one hand, and, on the other, points in Oklahoma and Texas; (5) between points in Louisiana, Arizona, Arkansas, Illinois, Iowa, Kansas, New Mexico, Oklahoma, Texas, and Utah; and (6) between points in Minnesota and Oklahoma; (7) from points in California to points in Texas, Arizona, Oklahoma, New Mexico, Washington, Oregon, Mississippi, Missouri, Illinois, Iowa, Wisconsin, Colorado, Louisiana, Alabama, Arkansas, Nebraska, and Minnesota; (8) from points in Texas to points in Louisiana, Illinois, Wisconsin, Michigan, Missouri, Arkansas, Ohio, Minnesota, Iowa, Kansas, Nebraska, Colorado, and Oregon; (9) from points in Oregon to points in Arizona, Texas, and California; (10) from points in Washington to points in Texas and California, Iowa, Minnesota, Oklahoma; (11) from points in Idaho to points in Texas; (12) from points in Louisiana to points in Kansas, Texas, and Arizona; (13) from points in Utah to points in Oklahoma and Texas; and (14) from points in Minnesota to points in Oklahoma and Texas.

No. MC 111921 (Sub No. 1), filed December 8, 1958. Applicant: R. E. HOLLEMAN, doing business as HOLLEMAN TRUCK LINE, Smithfield, Va. Applicant's attorney: Henry E. Ketner, State Planters Bank Building, Richmond 19, Va. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, *frozen berries*, *cocoa beans* and *bananas*, from Norfolk, Va., Elizabeth City, N.C., and Palatka and Tampa, Fla., to Baltimore, Md., Montgomery, Ala., Youngstown, Ohio, Chicago, Ill., New York and Champaign, N.Y., Boston, Mass., Philadelphia, Pa., Richmond, Va., Muncie, Ind., and Tampa, Fla.



No. MC 112014 (Sub No. 2) filed December 8, 1958. Applicant: SKAGIT VALLEY TRUCKING CO., INC., P.O. Box 437, Mount Vernon, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries and frozen vegetables*, in straight and mixed loads with *certain exempt commodities*, between points in Oregon and Washington.

Note: Applicant states that fish and seafood were transported in mixed shipments with the above commodities.

No. MC 117780, filed October 31, 1958. Applicant: G. E. McANELLY, doing business as, M & M DISTRIBUTING CO., 2075 Liberty Street, Beaumont, Tex. Applicant's attorney: John H. Benckenstein, P.O. Box 551, Beaumont, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., Beaumont, Galveston and Brownsville, Tex., to Houston, El Campo, Corpus Christi, Waco, San Antonio, Lubbock, and El Paso, Tex., Denver, Colo., Albuquerque, N. Mex., Phoenix, Ariz., and Los Angeles, Hayward, and Oakland, Calif.

No. MC 117919, filed November 28, 1958. Applicant: EDWARD J. CORCORAN, doing business as SILVER DOLLAR EXPRESS, 300 Railroad Hill Street, Waterbury, Conn. Applicant's attorney: Sidney L. Goldstein, 109 Church Street, New Haven, Conn. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables and bananas*, from New York, N.Y., Hoboken, Weehawken, Jersey City, and Bridgeton, N.J., Philadelphia, Pa., Baltimore, Md., Norfolk, Va., and Boston, Mass., to points in Connecticut and Massachusetts. Applicant states *fresh fruits, vegetables and berries* have been transported in mixed shipments with the above, and seeks authority to continue the operation.

No. MC 117927, filed December 1, 1958. Applicant: ARTHUR B. CHANTRY, Box 23, Spokane, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables and bananas*, from points in Washington, California, and Oregon, to points in California, Washington, Montana, and Idaho and Ports of entry on the boundary between the United States and Canada in Washington, Idaho, and Montana.

No. MC 117964, filed December 1, 1958. Applicant: CUNNINGHAM TRANSPORTS, INC., 701 Broadway, Houston, Tex. Applicant's attorney: Albert G. Walker, 202 Capital National Bank Building, Austin 16, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Coffee beans*, between New Orleans, La., and Houston, Texas, on the one hand, and, on the other, Amarillo, Texas.

No. MC 117974, filed December 3, 1958. Applicant: J. W. GRIFFIN, 1402 Laird, Houston, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., and Galveston and Brownsville, Tex., to points in Texas, Oklahoma, Kansas, Nebraska, and Louisiana.

No. MC 118023, filed December 5, 1958. Applicant: H. MAPELLI AND SONS, INC., 1525 Blake Street, Denver 2, Colo. Applicant's attorney: John H. Lewis, The 1650 Grant Street Building, Denver 3, Colo. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, and certain exempt commodities*, in mixed and in straight shipment, (1) from points in California, Oregon and Washington to Denver, Greeley, and Pueblo, Colo., Laramie, Wyo., Omaha, Nebr., and Salt Lake City, Utah; (2) from points in Utah to Denver, Greeley, and Pueblo, Colo., and (3) from Loveland, Colo., to Los Angeles, Calif.

No. MC 118056, filed December 8, 1958. Applicant: ANGELO DEL SORDO, doing business as DEL'S TRANSPORTATION COMPANY, 52 Weaver Street, New Bedford, Mass. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *Bananas*, from New York, N.Y., Philadelphia, Pa., Weehawken, N.J., and Baltimore, Md., to Providence, R.I., and Brockton and New Bedford, Mass.

No. MC 118063, filed December 9, 1958. Applicant: CANADIAN TRADING COMPANY, INC., 169-38 Pidgeon Meadow Road, Flushing, N.Y. Applicant's attorney: M. Michael Stern, 280 Broadway, New York 7, N.Y. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Bananas*, (1) between New York, N.Y., and the Port of Entry on the boundary between the United States and Canada at or near Omar, N.Y.: from New York via the New York Thru-Way to Syracuse, N.Y., thence north on U.S. Highway 11 to Watertown, N.Y., thence north on N.Y. Highway 12 to junction N.Y. Highway 180, thence over N.Y. Highway 180 to the U.S.-Canadian boundary; (2) between New York, N.Y. and the Port of Entry at Niagara Falls, N.Y.: from New York over the New York State Thru-Way to New York Highway 98, thence over N.Y. Highway 98 to junction N.Y. Highway 5 thence over N.Y. Highway 5 to junction N.Y. Highway 324, and thence over 324 to Niagara Falls; (3) between New York, N.Y., and Port of Entry on the U.S.-Canadian Boundary at or near Champlain, N.Y.: from New York over New York State Thru-Way to

Albany, N.Y., and thence over U.S. Highway 9 to Champlain; (4) between New York, N.Y., and Boston, Mass.: from New York over New England Thru-way to the Connecticut Turnpike, thence over said turnpike to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Connecticut Highway 15, thence over Connecticut Highway 15 to the Connecticut-Massachusetts State line, thence to junction U.S. Highway 20, thence over U.S. 20 to junction Massachusetts Highway 9, and thence over Massachusetts Highway 9 to Boston; and (5) between New York, N.Y., and Springfield, Mass.: from New York to the New England Thru-Way, to the Connecticut Turnpike, thence over said turnpike to junction U.S. Highway 5, thence over U.S. Highway 5 to Springfield.

Note: Applicant also indicates Jersey City and Weehawken, N.J., and Brooklyn, N.Y., as origin points.

No. MC 118074, filed December 9, 1958. Applicant: SAM CURATOLA, doing business as COWBOY TRUCKING CO., 900 Remsen Avenue, Brooklyn 36, N.Y. Applicant's attorney: Edward M. Alfano, 36 West 44th Street, New York 38, N.Y. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in the New York, N.Y., Commercial Zone as defined by the Commission and Baltimore, Md., to (a) points in Pennsylvania, New Jersey, Massachusetts, New York, Ohio, Maryland, Kentucky, and Michigan, and (b) moving in foreign commerce, to ports of entry on the international boundary line between the United States and Canada at or near Champlain, Niagara Falls, and Rouses Point, N.Y.

No. MC 118097, filed December 8, 1958. Applicant: HAROLD QUERNER, doing business as FOODS EXPRESS, 121 Moss Drive, San Antonio, Tex. Applicant's attorney: T. S. Christopher, Continental Life Building, Fort Worth 2, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, hemp, wool imported from any foreign country, wool tops and noils, and wool waste* (carded, spun, woven or knitted), between points in the United States, excluding Alaska. Applicant indicates it also seeks authority to continue the transportation of numerous exempt commodities in mixed shipments with the above-described commodities.

No. MC 118130 (Republication), filed December 9, 1958, published issue of March 26, 1959, page 2381. Applicant: BENJAMIN M. HAMRICK, doing business as BEN HAMRICK, 1908 Jones Street, Fort Worth 2, Tex. Previous publication of the notice of filing of the subject application showed the docket number assigned as MC 18130 in error.

No. MC 118158 (REPUBLICATION), filed December 4, 1958, published issue of April 2, 1959. Applicant: LOU'S TRANSFER & STORAGE CO., INC., 19



East Camden Street, Baltimore 2, Md. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Baltimore, Md., and Philadelphia, Pa., to Frederick, Hagerstown, and Baltimore, Md., Richmond, Roanoke, Lynchburg, Martinsville, and Newport News, Va., Washington, D.C., Pittsburgh and Harrisburg, Pa., and Trenton, N.J.

**NOTE:** The purpose of this publication is to strike that portion of the previous publication reading: Louis Fullano, doing business as. The subject applicant is a corporation and Mr. Louis Fullano is the Manager.

No. MC 118160, filed December 8, 1958. Applicant: RICHARD LUCAS, Farmersburg, Ind. Applicant's representative: W. L. Jordan, 201 National Building, Terre Haute, Ind. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and bananas*, from New Orleans, La., Mobile, Ala., Charleston, S.C., Lakeland, Miami, Tampa, and Winterhaven, Fla., and Terre Haute, Ind., to points in Indiana, Illinois, Michigan, Missouri, Ohio, Wisconsin, and Minnesota.

No. MC 118195, filed December 7, 1958. Applicant: PAUL H. RAMSEY, 1500 South Zarzamora Street, San Antonio, Tex. Applicant's attorney: Robert L. Strickland, 715 Frost National Bank Building, San Antonio 5, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables and bananas*, in straight and in mixed loads with *certain exempt commodities*, between points in Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

**NOTE:** Applicant states that other exempt commodities were transported in mixed shipments with the above specified commodities.

No. MC 118227, filed December 8, 1958. Applicant: CLARENCE TASCA, 284 Water Street, Fitchburg, Mass. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Weehawken, N.J., and New York, N.Y., to Fitchburg and Southbridge, Mass.

No. MC 118240, filed December 9, 1958. Applicant: CLIFFORD C. WADE AND EDWARD BURNETT, a partnership, doing business as WADE AND BURNETT, 510 East Lenox Avenue, Yakima, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries and frozen vegetables*, between points in Oregon and Washington.

No. MC 118253, filed December 10, 1958. Applicant: S. F. DOUGLAS, doing business as S. F. DOUGLAS TRUCK LINE,

2330 West County Road C, St. Paul 13, Minn. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee beans*, from New York, N.Y. (Port area of Greater New York, including New Jersey), and New Orleans, La., to points in Minnesota.

No. MC 118265, filed December 9, 1958. Applicant: RAY L. COMPTON AND MILTON COMPTON, doing business as MILTON COMPTON, PRODUCE EXPRESS, 1508 Franklin Avenue, Houston, Tex. Applicant's attorney: Joe G. Fender, Melrose Building, Houston 2, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas and coffee beans*, from points in Alabama, Mississippi, Louisiana and Texas to points in California, Washington, Oregon, Utah, Arizona, Colorado, Idaho, Wyoming, Montana, New Mexico, Mississippi, Alabama, Louisiana, and Texas; (2) *Frozen fruits, frozen berries and frozen vegetables*, from points in California, Texas, Washington, and Arizona to points in California, Texas, Washington, Arizona, Colorado, Idaho, Wyoming, Montana, and New Mexico.

No. MC 118274, filed December 10, 1958. Applicant: A B C TRANSPORT, INC., 2605 Hillsboro Avenue, Tampa, Fla. Applicant's representative: Russell B. Burnett, 49 Weybosset Street, Providence 3, R.I. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen berries, cocoa beans, coffee beans, wool imported from any foreign country, and wool tops and noils*, from points in Maine, Massachusetts, Rhode Island, and New York, to points in the United States.

No. MC 118299, filed December 9, 1958. Applicant: D. K. BRADSHAW AND D. D. BRADSHAW, doing business as BRADSHAW TRUCKING, P.O. Box 455, Shelbina, Mo. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Mobile, Ala., and New Orleans, La., to points in Alabama, Illinois, Indiana, Kentucky, Missouri, Tennessee, and Texas.

No. MC 118329, filed December 10, 1958. Applicant: EL-EM SEA FOOD TRANSPORT, INC., Rear 1082 Davol Street, Fall River, Mass. Applicant's representative: Russell B. Burnett, 49 Weybosset Street, Providence 3, R.I. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables*, from points in Massachusetts to points in Alabama, Florida, Georgia, Illinois, Maryland, Maine, Michigan, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, New Jersey, and Wisconsin.

No. MC 118341, filed December 10, 1958. Applicant: H & R DISTRIBUTORS, INC., 124 Highland Drive, P.O. Box 502, Brownsville, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, bananas*, and *certain exempt commodities*, in mixed and in straight shipment, between points in Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, and Wisconsin.

No. MC 118357, filed December 10, 1958. Applicant: REFRIGERATED VANLINES, INC., 902 White Henry Stuart Building, Seattle 1, Wash. Applicant's attorney: Elton B. Jones, White-Henry-Stuart Building, Seattle 1, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee beans, and frozen fruits, berries and vegetables*, in straight and in mixed loads with *certain exempt commodities*, between points in Washington, Oregon, California, Idaho, Colorado, New Mexico, and Texas, including ports of entry in Washington and Idaho on the United States-Canadian International Boundary.

No. MC 118378, filed December 10, 1958. Applicant: GEORGE JOSEPH, doing business as JOSEPH BROKER-AGE CO., 704 North 22d Street, Birmingham, Ala. Applicant's attorney: Robert H. Newman, 704 North 22d Street, Birmingham 3, Ala. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables and bananas*, between points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Kentucky, Ohio, Minnesota, Iowa, Missouri, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, New Mexico, Arizona, Nevada, and California.

No. MC 118379, filed December 10, 1958. Applicant: W. D. JONES, doing business as JONES TRUCKING CO., 603 Whitaker Road, Garner, N.C. Applicant's representative: Ralph L. Smith, Agent, Motor Carriers Traffic Ass'n, Inc., 1308 West Lee Street, Greensboro, N.C. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *bananas*, from points in Florida, and Charleston, S.C., Mobile, Ala., New York, N.Y., Norfolk, Va., and Philadelphia, Pa., (2) *Frozen fruits, and frozen vegetables*, from points in Florida, to points in Alabama, Florida, Georgia, Delaware, District of Columbia, Kentucky, Illinois, Indiana, New Jersey, New York, North Carolina, Maryland,



Ohio, Pennsylvania, South Carolina, Virginia, Tennessee, and West Virginia.

No. MC 118402, filed December 10, 1958. Applicant: JOHN CAPECELATRO AND RALPH CAPECELATRO, doing business as HILLSIDE FARMS CO., Indian River Road, Orange, Conn. Applicant's attorney: Hugh M. Joseloff, 410 Asylum Street, Hartford, Conn. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New York, N.Y., Baltimore, Md., Philadelphia, Pa., Boston, Mass., New Haven, Conn., and Weehawken and Jersey City, N.J., to Portland, Maine, Boston, Springfield and Brockton, Mass., Albany, N.Y., Providence, R.I., Waterbury, Hartford, Willimantic, New Haven, and New Britain, Conn.

No. MC 118403, filed December 9, 1958. Applicant: JAMES HOLLAND, doing business as CITY PRODUCE, 4012 Walnut Street, P.O. Box 494, Greenville, Tex. Applicant's attorney: Rollo E. Kidwell, 305 Empire Bank Building, Dallas 1, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, between Galveston, Tex., and points in Louisiana on the one hand, and, on the other, points in Texas. Applicant states that *coconuts* were transported in mixed shipments with bananas, and also seeks authority to continue the operation.

No. MC 118407, filed December 9, 1958. Applicant: NATE'S TRUCK LINE, INC., 3100 Arkins Center, Denver, Colo. Applicant's attorney: Earl H. Johnson, 1509 Mile High Center, Denver, Colo. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, and coffee beans, and certain exempt commodities* in mixed shipments, and in straight shipments, from points in Illinois, Wisconsin, and Michigan to points in Colorado, Nebraska, and Iowa.

No. MC 118415, filed December 9, 1958. Applicant: WILLIAM E. HUSBY, doing business as HUSBY TRUCKING SERVICE, Route No. 1, Box 124, Menomonie, Wis. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cocoa beans, coffee beans, tea, bananas, and frozen fruits, berries, and vegetables*, from points in Washington, Oregon, and California, to points in North Dakota, South Dakota, Minnesota, Illinois, Iowa, and Wisconsin; and from points in New York, New Jersey, Pennsylvania, Massachusetts, Florida, and Louisiana, to points in North Dakota, South Dakota, Minnesota, Illinois, Iowa, and Wisconsin.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 59-2936; Filed, Apr. 8, 1959; 8:45 a.m.]

## MOTOR CARRIER TRANSFER PROCEEDINGS

[Notice 107]

APRIL 6, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61926. By order of March 31, 1959, the Transfer Board approved the transfer to Robinson Transfer Company, Inc., La Crosse, Wis., of Permit No. MC 103493, issued October 15, 1958, to Ellsworth M. Robinson, doing business as Robinson Transfer Co., La Crosse, Wis., authorizing the transportation of: Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business, from La Crosse, Wis., to points in Allamakee, Chickasaw, Clayton, Fayette, Howard, and Winnesiek Counties, Iowa, and Dodge, Fillmore, Houston, Mower, Olmsted, Wabasha, and Winona Counties, Minn., and empty containers for such commodities, and canned goods on return; and food, food products, beer, and store supplies and store equipment, from La Crosse, Wis., to points in Buffalo, Chippewa, Clark, Eau Claire, Pepin, Pierce, and Trempealeau Counties, Wis., and empty containers used in transporting the above specified commodities on return. Claude J. Jasper, One West Main Street, Madison 3, Wis., for applicants.

No. MC-FC 61951. By order of March 31, 1959, the Transfer Board approved the transfer to Bourcier Bros., Inc., doing business as Bourcier Brothers, Woonsocket, R.I., of Certificate in No. MC 60402, issued December 13, 1957, to Normand H. Bourcier, doing business as Bourcier Brothers, Woonsocket, R.I., authorizing the transportation of: *Household goods*, between points in Rhode Island and specified points in Massachusetts, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and the District of Columbia, and *Electric refrigerators, ranges, washing machines, ironers, household appliances, stoves, and pianos*, between Woonsocket, R.I., on the one hand, and, on the other, points in Massachusetts within 20 miles of Woonsocket. Fernand J. St. Germain, 54 Custom House Street, Providence, R.I., for applicants.

No. MC-FC 61996. By order of March 31, 1959, the Transfer Board approved

the transfer to Pompe J. Cuccaro and Anthony J. Cuccaro, doing business as Meriden Transfer and Storage Co., Camp and North Streets, Meriden, Conn., of Certificate No. MC 110424, issued September 11, 1950, to Pompe J. Cuccaro, doing business as Cuccaro Service, Camp and North Sts., Meriden, Conn., authorizing the transportation of: *Household goods*, as defined, between points in Connecticut, and between Meriden, Conn., on the one hand, and, on the other, points in New Hampshire, Massachusetts, Rhode Island, New York, Pennsylvania, and New Jersey.

No. MC-FC 62022. By order of March 31, 1959, the Transfer Board approved the transfer to Atomic Carriers Corp., Oceanside, N.J., of Certificate in No. MC 110818, issued December 15, 1955, to Affiliated Lumber Carriers, Inc., Westbury, N.Y., authorizing the transportation of: *Lumber*, between points in the New York, N.Y., Commercial Zone, on the one hand, and, on the other, certain specified points in New York and New Jersey, and, from certain specified points in the New York, N.Y., Commercial Zone, to certain points in Connecticut, New Jersey, New York, Pennsylvania, and Maryland. William D. Traub, 10 East 40th Street, New York 16, N.Y., for applicants.

No. MC-FC 62045. By order of March 31, 1959, the Transfer Board approved and authorized the transfer to Donald Francis Santos, doing business as Fall River & New Bedford Express Agency, 55 Davis Street, New Bedford, Massachusetts, of a certificate in No. MC 75820, issued October 20, 1950, to Edward Joseph Lyons, doing business as Fall River & New Bedford Express Agency, 55 Davis Street, New Bedford, Massachusetts, authorizing the transportation of general commodities, not including household goods, as defined by the Commission, commodities in bulk, and specified commodities, over irregular routes, between New Bedford, Mass., on the one hand, and, on the other, points in Massachusetts within 15 miles of New Bedford.

No. MC-FC 62060. By order of March 31, 1959, the Transfer Board approved and authorized the transfer to Dennis Carruthers, doing business as Truck Equipment and Supply, Torrington, Wyoming, of a portion of permits in Nos. MC 100684 and MC 100684 Sub 2, issued January 8, 1954, and October 4, 1954, respectively, to Clifford A. Mangus, doing business as Mangus Company, Lusk, Wyoming, authorizing the transportation, over regular routes, of cement and plaster, in truckloads, minimum 15,000 pounds, from Laporte, Colo., to Lance Creek, Wyo., with certain restrictions, building materials, in truckloads, minimum 4,000 pounds, from Scottsbluff, Nebr., to Torrington, Wyo., serving no intermediate points, and the transportation over irregular routes, of fence posts, from Deadwood, S. Dak., to Lusk, Wyo., and cement, except cement in bulk, from Boettcher, Colo., to Lusk and Newcastle, Wyo. Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyoming.

No. MC-FC 62094. By order of March 31, 1959, the Transfer Board approved and authorized the transfer to Walton Bulifant, Philadelphia, Pennsylvania, of



a portion of Certificate No. MC 79147 issued June 15, 1953, to Samuel M. Taylor, doing business as Taylor Trucking Co., Philadelphia, Pennsylvania, authorizing the transportation of paper, over irregular routes, from Philadelphia, Pa., to New York, N.Y., and points in New Jersey, and restricted as to service from, to and between specified points. Jacob Polin, 314 Old Lancaster Road, Merion, Pa. (P.O. Box 317, Bala-Cynwyd.)

[SEAL] HAROLD D. McCoy,  
Secretary.  
[F.R. Doc. 59-2996; Filed, Apr. 8, 1959;  
8:51 a.m.]

**FOURTH SECTION APPLICATIONS FOR RELIEF**

APRIL 6, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

**LONG-AND-SHORT HAUL**

FSA No. 35342: *Substituted service—P.R.R. for Midwest Haulers, Inc.* Filed by Midwest Haulers, Inc., Agent (No. 12), for The Pennsylvania Railroad Company and interested motor carriers. Rates on property loaded in trailers and transported on railroad flat cars between Columbus, Ohio, on the one hand, and Kearny, N.J., Harrisburg, Pa., or Philadelphia, Pa., on the other, on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 38 to Midwest Haulers, Inc., tariff MF-I.C.C. 21.

FSA No. 35343: *Soda ash—Saltville, Va., to Nashville, Tenn.* Filed by O. W. South, Jr., Agent (SFA No. A3787), for interested rail carriers. Rates on soda ash (other than modified soda ash), in bulk, carloads from Saltville, Va., to Nashville, Tenn.

Grounds for relief: Market competition in connection with like property from Baton Rouge and North Baton Rouge, La.

FSA No. 35344: *Zinc alloy—Southwestern points to official territory.* Filed by Southwestern Freight Bureau, Agent (No. B-7522), for interested rail carriers. Rates on zinc alloy, in ingots, pigs, or slabs, carloads, as described in the application from specified points in Arkansas, Oklahoma, and Texas to points in official territory described in the application.

Grounds for relief: Competition with zinc slab on which proposed rates are now applied from and to same points. Market competition with other producing points to same destinations.

Tariff: Supplement 216 to Southwestern Freight Bureau tariff I.C.C. 4045.

FSA No. 35345: *Iron and steel articles to Louisiana and Texas points.* Filed by Southwestern Freight Bureau, Agent (No. B-7518), for interested rail carriers. Rates on iron and steel articles, carloads from specified points in Alabama, Colorado, Illinois, Minnesota, Missouri, Oklahoma, and Wisconsin to specified points in Louisiana and Texas City, Tex.

Grounds for relief: Commercial competition with nearby Beaumont, Houston, and Texas City, Tex.

Tariff: Supplement 34 to Southwestern Freight Bureau tariff I.C.C. 4308.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.  
[F.R. Doc. 59-2995; Filed, Apr. 8, 1959;  
8:51 a.m.]

[Notice 80]

**MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICE**

APRIL 3, 1959.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's special rules revised, 1957 (49 CFR 211.1(c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

**MOTOR CARRIERS OF PROPERTY**

No. MC 107500 (Deviation No. 2), BURLINGTON TRUCK LINES, INC., 547 West Jackson Boulevard, Chicago, Ill., filed March 30, 1959. Attorney for said carrier, James M. Adams, 547 West Jackson Boulevard, Chicago, Ill. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Des Moines, Iowa, and junction Interstate Highway 35 and U.S. Highway 69, near Osceola, Iowa, as follows: from Des Moines over Iowa Highway 28 to junction Iowa Highway 123, thence over Iowa Highway 123 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 69 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Kansas City, Mo., and Des Moines, Iowa, over U.S. Highway 69.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.  
[F.R. Doc. 59-2934; Filed, Apr. 7, 1959;  
8:50 a.m.]

**CUMULATIVE CODIFICATION GUIDE—APRIL**

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