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Washington, Thursday, September 17, 1959

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

CROSS REFERENCE: A list of current public laws approved by the President appears at the end of this issue immediately preceding the Cumulative Codification Guide.

Title 3—THE PRESIDENT

Executive Order 10837

AMENDING THE SELECTIVE SERVICE REGULATIONS

By virtue of the authority vested in me by the Universal Military Training and Service Act (62 Stat. 604), as amended, I hereby prescribe the following amendments of the Selective Service Regulations prescribed by Executive Orders No. 10232 of April 18, 1951, No. 10292 of September 25, 1951, No. 10328 of February 20, 1952, No. 10344 of April 17, 1952, No. 10594 of January 31, 1955, and No. 10714 of June 13, 1957, and constituting portions of Chapter XVI of Title 32 of the Code of Federal Regulations:

1. (a) Sections 1602.5 and 1602.11 of Part 1602, *Definitions*, are amended to read as follows:

§ 1602.5 *Governor.* The word "Governor" includes, where applicable, the Governor of each of the States of the United States, the Board of Commissioners of the District of Columbia, the Governor of Puerto Rico, the Governor of the Virgin Islands, the Governor of Guam, and the Governor of the Canal Zone.

§ 1602.11 *State.* The word "State" includes, where applicable, the several States of the United States, the City of New York, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and the Canal Zone.

(b) The following new section is added to Part 1602 immediately following § 1602.12:

§ 1602.13 *Continental United States.* The term "continental United States" means the District of Columbia and all of the several States of the United States except the States of Alaska and Hawaii.

2. Section 1604.21 of Part 1604, *Selective Service Officers*, is amended to read as follows:

§ 1604.21 *Area.* In the Canal Zone, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, the State of Hawaii, the State of Idaho, the State of Montana, the State of Wyoming, and each State of the United States constituting one Federal judicial district, each State Director of Selective Service shall establish one appeal board area which shall comprise the entire State or possession. In each State which is divided into two or more Federal judicial districts, except the State of New York and the City of New York, each State Director of Selective Service shall establish for each such district an appeal board area which shall comprise the entire district. The State Director of Selective Service for the State of New York shall establish for each Federal judicial district or portion thereof in that State located outside of the City of New York an appeal board area which shall comprise the entire district or portion thereof. The State Director of Selective Service for New York City shall establish for each of the Federal judicial districts located partly within the City of New York an appeal board area which shall comprise the entire portion of such district located within the City of New York.

3. Section 1621.16 of Part 1621, *Preparation for Classification*, is amended to read as follows:

§ 1621.16 *Permit to leave the United States.* Local boards are authorized to issue to a registrant a permit to depart from the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone to any place which is not within any of those areas, and should issue the permit unless it is found that the registrant's absence is likely to interfere with the performance of his obligations under the Universal Military Train-

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THE CONGRESS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

REpublic 7-7500 Extension 3261

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

ing and Service Act, as amended. Such permit shall be issued by the completion of a Permit of the Local Board for Registrant to Depart from the United States (SSS Form No. 300). Before determining whether a permit should be issued, the local board may require the registrant to complete and file his Classification Questionnaire (SSS Form No. 100) and such other forms and information as may be necessary to complete his classification and may order him for armed forces physical examination. The local board may thereupon classify the regis-

trant if it appears necessary to a determination of the advisability of issuing the permit. No registrant who is in a class available for military service or for civilian work in lieu of induction shall be issued a permit by the local board until after he has been given an armed forces physical examination unless the registrant's absence is to be for so short a period that it will not interfere with the performance of his selective service obligations.

4. Subparagraphs (2) and (4) of paragraph (c) of § 1626.2 of Part 1626, *Appeal to Appeal Board,* are amended to read as follows:

(2) Within 30 days after the date the local board mails to the registrant a Notice of Classification (SSS Form No. 110), if, on that date, it appears that the registrant is located in one and the local board which classified the registrant is located in another of the following: The continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone.

* * * * *

(4) Within 60 days after the date the local board mails to the registrant a Notice of Classification (SSS Form No. 110), if, on that date, it appears that the registrant is located outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, the Canal Zone, Canada, Cuba, and Mexico.

5. Paragraph (d) of § 1628.14 of Part 1628, *Physical Examination,* is amended to read as follows:

(d) The local board with which the registrant files such application shall enter its approval in Part 2 of Transfer for Armed Forces Physical Examination or Induction (SSS Form No. 230) whenever the registrant is located in one and the registrant's own local board is located in another of the following: The continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone. The local board shall mail the original and three copies of Transfer for Armed Forces Physical Examination or Induction (SSS Form No. 230) by air mail to the registrant's own local board, mail a copy to the registrant, and file the remaining copy.

6. Paragraph (d) of § 1632.9 of Part 1632, *Delivery and Induction,* is amended to read as follows:

(d) The local board with which the registrant files such application shall enter its approval in Part 2 of Transfer for Armed Forces Physical Examination or Induction (SSS Form No. 230) whenever the registrant is located in one and the registrant's own local board is located in another of the following: The continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone. The local board shall mail the original and three copies of Transfer for Armed Forces Physical Examination or Induction (SSS Form No. 230) by air mail to the registrant's own local board, mail a copy to the registrant, and file the remaining copy.

7. (a) Paragraph (a) of § 1655.2 of Part 1655, *Registration of United States Citizens Outside of the United States and Classification of Such Registrants,* is amended to read as follows:

(a) Unless he is a person excepted from registration by section 6(a) of the Universal Military Training and Service Act, as amended, every male citizen of the United States outside the continental United States, the State of Alaska, the State of Hawaii, Puerto ico, the Virgin Islands, Guam, and the Canal Zone who has not been registered and who on July 31, 1952, had attained or who thereafter shall have attained the eighteenth anniversary of the day of his birth and who on July 31, 1952, had not attained the twenty-sixth anniversary of the day of his birth, is required, on the day or days fixed by Proclamation of the President, to present himself for and submit to registration before—

(1) any diplomatic or consular officer of the United States who is a citizen of the United States, all of whom are hereby appointed chief registrars; or

(2) any other person who may be appointed by the Director of Selective Service as chief registrar; or

(3) any registrar appointed as provided in § 1655.3.

(b) Paragraph (a) of § 1655.4 of Part 1655 is amended to read as follows:

(a) Each person who presents himself for registration under the provisions of the regulations in this part shall be registered on a Registration Questionnaire—Foreign (SSS Form No. 50) which shall be completed by the registrar. Each such person who is registered shall designate for entry on line 2 of his Registration Questionnaire—Foreign (SSS Form No. 50) the address of his place of residence within the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone or, if he does not have a place of residence in any of such areas, he may nevertheless designate the address of a place in such areas as his place of residence. If any such person fails or refuses to designate for entry on line 2 of his Registration Questionnaire—Foreign (SSS Form No. 50) an address of a place within any of such areas, jurisdiction over him under the Universal Military Training and Service Act, as amended, shall vest in District of Columbia Local Board No. 100 (Foreign).

(c) Paragraph (b) of § 1655.5 of Part 1655 is amended to read as follows:

(b) District of Columbia Local Board No. 100 (Foreign) shall have jurisdiction for all purposes under the selective service law over any person who at the time of his registration under the provisions of the regulations in this part does not designate for entry on line 2 of his Registration Questionnaire—Foreign (SSS Form No. 50) an address of a place within the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, or the Canal Zone.

(d) Subparagraph (4) of paragraph (b) of § 1655.6 of Part 1655 is amended to read as follows:

(4) Mail the completed Registration Certificate (SSS Form No. 2) to the registrant at his present mailing address as given on line 3 of the Registration Questionnaire—Foreign (SSS Form No. 50); provided, that if such mailing address is outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, the Canal Zone, Canada, Cuba, and Mexico, such form shall be mailed to the Director of Selective Service for transmittal to the registrant.

8. Paragraph (b) of § 1660.31 of Part 1660, *Civilian Work in Lieu of Induction,* is amended to read as follows:

(b) When the civilian work to which a registrant is ordered by the local board in lieu of induction is to be performed at any place outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, the Virgin Islands, Guam, and the Canal Zone, and the registrant has reported for such work, the local board, after classifying the registrant in Class I–W, shall forward the registrant's Cover Sheet (SSS Form No. 101) and contents to the Director of Selective Service. It shall be the responsibility of the Director of Selective Service to see that the registrant performs the work to which he has been ordered by the local board for a period of twenty-four consecutive months, unless sooner released under the provisions of § 1660.21. When the registrant has satisfactorily completed this work, the Director of Selective Service shall return the registrant's cover sheet to the local board together with a letter stating that the registrant has satisfactorily completed his work. If the registrant should fail to perform such work, or should otherwise fail to perform his duties under the Universal Military Training and Service Act, as amended, during the time that his cover sheet is in the custody of the Director of Selective Service, the Director of Selective Service shall determine whether or not the registrant shall be reported to the Department of Justice for prosecution.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,

September 14, 1959.

[F.R. Doc. 59–7779; Filed, Sept. 15, 1959; 12:41 p.m.]

RULES AND REGULATIONS

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, subparagraph (4) of § 6.104(a) is added as set out below.

§ 6.104 Department of Defense.

(a) *Office of the Secretary.* * * *

(4) One Staff Assistant.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

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

[F.R. Doc. 59-7742; Filed, Sept. 16, 1959; 8:47 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Health, Education, and Welfare

Effective upon publication in the FEDERAL REGISTER, subparagraph (4) is added to § 6.14(c) as set out below.

§ 6.114 Department of Health, Education, and Welfare.

* * * * *

(c) *Office of Education.* * * *

(4) Ten positions at grade GS-13 and above the incumbents of which will engage in research and consultative services in highly specialized areas within the field of education which present current educational problems of national concern, e.g., the relationship of ROTC training to higher education, the status of a particular area of cooperative educational research, the assessment of the educational system of a particular foreign country, and other equally vital and important problem areas. Appointments made under this authority shall be limited to persons having a particular competency in the area concerned, and shall be restricted to positions concerned with current problem areas that are not a part of the continuing broad educational programs administered by the United States Office of Education. Employment under this provision shall not exceed two years for any individual appointee.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

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

[F.R. Doc. 59-7743; Filed, Sept. 16, 1959; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. T]

PART 220—CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

Short Sales

§ 220.115 Short sales made prior to recent amendments, but covered subsequent thereto.

(a) The Board of Governors of the Federal Reserve System has been requested to consider the following situation relative to § 220.3(g) as amended June 15, 1959.

(b) Certain securities have been held "long" in a margin account, at least since early 1958. Subsequently, at various times in 1958 and on January 13, 1959, short sales of this same stock were executed in the account. The total shares involved in the short sales did not exceed the shares held in the "long" position. It is now desired to close out the short position by covering purchases.

(c) The applicable provision of § 220.3(g) reads as follows

For the purposes of this part (Regulation T), if a security has maximum loan value in the account under paragraph (c)(1) of this section, a sale of the same security (even though not the same certificate) in the account shall be deemed to be a long sale and shall not be deemed to be or treated as a short sale.

Under this provision, a short sale at the present time against a "long" position in the same security must be treated as a "long" sale. The subsequent covering transaction would therefore be treated as any other regular purchase and could not be executed as a covering purchase requiring no further margin. However, where the short sale against the "long" position was executed prior to June 15, 1959, the effective date of the above noted amendment to § 220.3(g), the sale would not lose its character as a "short" sale. The covering transactions, even if effected after June 15, 1959, could be treated as such, and under the provisions of this part, could be completed without obtaining further margin.

(d) This interpretation is expressly limited to the facts here presented. Any variation or addition to the circumstances might well alter the result expressed herein.

(e) Attention is further directed to § 220.7(e) which provides that nothing in this part shall prevent an exchange or a creditor from "further restricting" or requiring "additional security" in the extension or maintenance of any credit.

(Sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w)

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-7725; Filed, Sept. 16, 1959; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 113; Amdt. 20-10; Supp. 10]

PART 20—PILOT AND INSTRUCTOR CERTIFICATES

Notation of Physical Deficiencies and Issuance of Waivers

Correction

In F.R. Doc. 59-7543, appearing at page 7307 in the issue of Friday, Sept. 11, 1959, the signature ending the document should read "JAMES T. PYLE."

[Reg. Docket No. 119]

[Special Civil Air Reg. SR-435]

PART 60—AIR TRAFFIC RULES

Prohibition of Air Traffic Over and In Vicinity of Parade Routes

From September 15 through September 27, 1959, Soviet Chairman Nikita Khrushchev and other officials of the Soviet Union and their guests will travel extensively throughout the United States as guests of President Eisenhower. Competent agencies of the United States Government responsible for their personal safety have requested that certain measures be taken by the Federal Aviation Agency. In the course of their visit they will participate in reception ceremonies with other officials of the United States or State and local governments involving motor caravans to and from various points of interest in the United States. It appears that the public interest in such ceremonies may cause the assembly on the ground of a large number of persons, and numerous aircraft to maneuver in flight, along the routes and in the vicinity of the places at which the ceremonies will occur.

In order to provide adequate safeguards for the protection of aircraft and persons or property on the ground, it appears necessary to promulgate an air traffic rule governing the flight of all aircraft over and in the vicinity of such ceremonies. This regulation shall be applicable in each city or area visited by the Soviet delegation and the specific areas of airspace affected will be specified in detail in NOTAMS issued by the Regional offices concerned. Additionally, this information will be available from the local Federal Aviation Agency air traffic control facility.

Since these ceremonies will take place between September 15 and September 27, 1959, inclusive, this rule must be adopted without delay; it would be impracticable and contrary to the public interest to comply with the notice, procedures and effective date provisions of the Administrative Procedures Act.

In consideration of the foregoing, the following special air traffic rule is adopted:

No aircraft shall be flown within a distance of 1 statute mile horizontally, or 3,000 feet vertically, of any motorcade route along which Soviet Chairman Nikita Khrushchev and his official party are traveling, or a place at which the Chairman and his party are present.

The specific areas to which this regulation shall apply, and the times between September 15 and September 27, 1959, inclusive during which this regulation shall be effective for such areas, shall be designated in Notices to Airmen (NOTAMS) issued by the Federal Aviation Agency.

This regulation shall not apply to aircraft operated by Federal, State or local authorities while engaging in police or other law enforcement activities.

This regulation shall become effective upon the date of its publication in the FEDERAL REGISTER.

(Secs. 313(a), 307(c); 72 Stat. 752, 749, 49 U.S.C. 1354, 1343)

Issued in Washington, D.C., on September 15, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-7807; Filed, Sept. 16, 1959; 9:38 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER B—PERSONNEL

[Dept. Reg. 108.412]

PART 11—APPOINTMENT OF FOREIGN SERVICE OFFICERS

Part 11 is revised in its entirety as follows:

Sec.
11.1 Eligibility for appointment as Foreign Service officer.
11.2 Written examination for appointment to class 8.
11.3 Oral examination for appointment to class 8.
11.4 Physical examination for appointment to class 8.
11.5 Certification for appointment to class 8.
11.6 Termination of eligibility.
11.7 Travel expenses of candidates.
11.11 Lateral entry program.
11.12 Statutory quota on lateral entrants.
11.13 Requirements for lateral entry.
11.14 Application for lateral entry.
11.15 Examination for lateral entry.
11.16 Purposes of examination.
11.17 Nature of examination.
11.18 Certification for appointment.
11.21 Lateral entry of former Foreign Service officers.
11.22 Application by former Foreign Service officer.
11.23 Examination of former Foreign Service officer.
11.24 Nature of examination.
11.25 Certification for appointment.

AUTHORITY: §§ 11.1 to 11.25 issued under secs. 212, 303, 516, and 517, 60 Stat. 1001, 1002, 1008, as amended; 22 U.S.C. 827, 843, 911, and 912.

§ 11.1 Eligibility for appointment as Foreign Service officer.

No person shall be eligible for appointment as a Foreign Service officer unless he shall have demonstrated his loyalty to the Government of the United States and his attachment to the principles of the Constitution. The religion, race and political affiliations of a candidate will not be considered in designations, examinations or certifications.

§ 11.2 Written examination for appointment to class 8.

(a) The written examination will be given annually or semiannually, if required, in designated cities in the United States and its Territories and at Foreign Service posts abroad on dates established by the Board of Examiners for the Foreign Service.

(b) No person will be permitted to take a written examination for appointment as Foreign Service officer who has not been specifically designated by the Board of Examiners to take that particular examination. Prior to each written examination the Board will establish a closing date for the receipt of applications for designation to take the examination. No person who has not as of that closing date filed an application with the Board will be designated for the examination. Except as provided in paragraph (c) in this section, to be designated for the written examination a candidate, as of the closing date for the filing of applications, shall have been a citizen of the United States for at least 9 years and shall be at least 21 but under 31 years of age, except that an applicant who has been awarded a Bachelor's degree by a college or university, or is enrolled in the senior class at a college or university, may qualify as to age if at least 20 but under 31 years of age. However, the maximum age requirement is established at under 32 years as of the closing date for the receipt of applications for designation to take any written examination that may be given during the calendar year 1959.

(c) Foreign Service staff employees and Civil Service employees of the Department of State who are 32 years of age or more may apply if they are under 35 years of age and will have completed not less than 3 years of satisfactory service as of the closing date for receipt of applications.

(d) The written examination is designed to permit the Board to test the candidate's intelligence and the breadth and quality of his knowledge and understanding. It will consist of 4 parts: (1) A general ability test, (2) an English expression test, (3) a general background test, and (4) a test in a modern language (French, German, Russian, or Spanish).

(e) The several parts of the written examination, exclusive of the modern language test, will be weighted in accordance with the rules laid down by the Board of Examiners. The modern language test will be graded separately.

§ 11.2 Oral examination for appointment to class 8.

(a) The oral examination will be given throughout the year at Washington and periodically in selected cities in the United States and at selected Foreign Service posts abroad.

(b) A candidate who receives a grade of 70 or above on the modern language portion of the written examination will receive a bonus of 5 points to be added to the weighted average grade he receives on the first three parts of the written examination. If a candidate's weighted average grade on the first three parts of the written examination, with the addition of the aforementioned 5 bonus points (if he is entitled to them), is 70 or higher, he will be eligible to take the oral examination. Candidates eligible for the oral examination will be given an opportunity, and will be required, to take the oral examination within 9 months after the date of the written examination. If a candidate fails to present himself for the oral examination on an agreed date within the 9 month period, his candidacy will automatically terminate. Time spent on Government duty outside the United States and its Territories will not be counted.

(c) The oral examination will be given by a panel of deputy examiners selected by the Board of Examiners from a roster of Foreign Service officers and officers from the Department of State and other Government agencies. The examination will be conducted in the light of all available information concerning the candidate and will be designed to determine his competence to perform the work of a Foreign Service officer at home and abroad, his potential for growth in the Service, and his suitability to serve as a representative of the United States abroad.

(d) Candidates appearing for the oral examination will be graded "recommended", "deferred", or "not recommended". Candidates graded "deferred" may take another oral examination without repeating the written examination after the expiration of one year and before the expiration of 2 years. In exceptional cases, the interval between oral examinations may be reduced to 9 months.

§ 11.3 Physical examination for appointment to class 8.

(a) A candidate graded "recommended" on the oral examination will be eligible for the physical examination.

(b) The physical examination will be designed to determine the candidate's physical fitness to perform the duties of a Foreign Service officer and to determine the presence of any physical, nervous or mental disease or defect of such a nature as to make it unlikely that he would become a satisfactory officer.

(c) The physical examination will be conducted either by medical officers of the Armed Services, the Public Health Service, the Department or accredited colleges and universities, or, with the approval of the Board of Examiners, by private physicians.

(d) The Board of Examiners will determine on the basis of the report of the physician(s) who conducted the physical examination whether the candidate has met the standards set forth in paragraph (b) in this section.

§ 11.4 Certification for appointment to class 8.

No person will be certified as eligible for appointment as a Foreign Service officer of class 8 unless he is at least 21 years of age, has been a citizen of the United States for at least 10 years, and,

if married, is married to a citizen of the United States. Recommended candidates who meet these requirements, who pass their physical examinations, and who, on the basis of investigation are found to be loyal to the Government of the United States and personally suitable to represent it abroad, will have their names placed on the rank-order register and they will be certified for appointment, in accordance with the needs of the Service, in the order of their standing on the register. Postponement of entrance on duty for required active military service will be authorized. A candidate may be certified for appointment without first having passed the written examination in a modern language, but his appointment will be subject to the condition that he may neither be promoted to a higher class nor be retained in the Service unless he passes, within a specified period of time, either a written examination in French, German, Russian, or Spanish, or an oral examination in any modern foreign language acceptable to the Department.

§ 11.5 Termination of eligibility.

Candidates who have qualified and whose names have been sent to the President, but who have not been appointed because of lack of vacancies, will be dropped from the rank-order register 30 months after the date of the written examination: *Provided, however,* That time spent in required active military service subsequent to establishing eligibility for appointment will not be counted.

§ 11.6 Travel expenses of candidates.

The travel and other personal expenses of candidates incurred in connection with the written and oral examinations will not be borne by the Government.

§ 11.11 Lateral entry program.

Lateral appointments as Foreign Service officer above class 8 will be effected to permit the Department (a) to obtain the services of outstanding persons whose qualifications are such that they can be expected to make a valuable contribution to the effectiveness of the Foreign Service when such services are determined to be needed, (b) to obtain the services of persons who possess the requisite knowledge or experience to enable the Foreign Service to perform specialized work of a continuing nature, when such services cannot be obtained through officers in the Service, and (c) to provide an opportunity for Foreign Service staff and Departmental employees with the requisite abilities and qualifications to be appointed as Foreign Service officers whenever there is a manifest need therefor.

§ 11.12 Statutory quota on lateral entrants.

Under section 517 of the Foreign Service Act of 1946, as amended (60 Stat. 1008, as amended; 22 U.S.C. 912), a total of not more than 175 persons may be appointed who were not employed on March 1, 1955 in the Department of State, including its Foreign Service Reserve and Foreign Service staff personnel, and who have not also served in a position of responsibility in the Department of State, or the Foreign Service, or both, for a period of 3 years (4 years if under age 31). However, the limitation on the number of authorized appointments does not apply with respect to any person who, immediately preceding his appointment as a Foreign Service officer, shall have completed the required 3- or 4-year period of prior service as a Foreign Service Reserve officer under the administrative direction of the Secretary of State.

§ 11.13 Requirements for lateral entry.

(a) On the date of application, each applicant shall have been a citizen of the United States for at least 10 years and, if married, shall be married to a citizen of the United States.

(b) On the date of application, each applicant shall be at least 28 years of age and shall be at least as old as the average age (as of the preceding July 1) of the youngest 20 per cent of the class for which considered.

(c) On the date of application, the age and period of prior Federal Service of each applicant shall be such that it will be possible for him to have been employed by the United States Government for at least 15 years, including at least 7 years as a Foreign Service officer, by the time he reaches age 60.

(d) Each applicant shall have completed at least 3 years of service (4 years if under age 31) in a position of responsibility in a Federal Government agency or agencies. For this purpose, a position of responsibility is defined as a position under the administrative direction of the Secretary of State in the Foreign Service Reserve, Foreign Service staff, or the Departmental Service above FSR–8, FSS–12, or GS–8, respectively, or a position of equivalent level not under the administrative direction of the Secretary of State in another Federal Government agency, or an equivalent position in the Armed Forces of the United States, with duties and responsibilities in any case which were similar or reasonably related to those of a Foreign Service officer in terms of knowledge, skills, and abilities. Such prior service shall have been performed within an eight-year period next preceding the date of application, except that in the case of a Reserve officer whose appointment is not charged to the statutory quota set forth in § 11.12, the period of prior service shall have been performed continuously and immediately preceding his appointment as a Foreign Service officer.

(e) In support of the career principle of the Foreign Service, there will be no lateral entry above class 2 unless the applicant (1) has previously served as a Foreign Service officer of class 1 or as a career minister or (2) is serving, at the time of application, under an appointment by the Secretary of State as a Foreign Service Reserve officer of class 1 and has served continuously in that capacity for 2 years out of a 4 year period of service in the Foreign Service Reserve.

§ 11.14 Application for lateral entry.

Applications for lateral appointment will be accepted at any time. Applicants should complete one copy of Standard Form 57, Application for Federal Employment, and one copy of form DSP–34, Supplement to Standard Form 57, and forward them to the Board of Examiners for the Foreign Service, Department of State, Washington 25, D.C. Incomplete applications will be returned to the applicant.

§ 11.15 Examination for lateral entry.

The Board of Examiners for the Foreign Service may schedule examinations from time to time as the needs of the Service require. The Board of Examiners will consider all valid applications on file at the time an examination is scheduled and will then determine which applicants are to be examined. No applicant will be considered to have a right to examination in the absence of designation for such by the Board. If an applicant is not called for examination within 2 years from the date of his application, or if he is not certified to the Office of Personnel for appointment as a successful candidate following his examination, his candidacy will be considered terminated. He may, however, reapply by submitting a new application.

§ 11.16 Purposes of examination.

The Board of Examiners for the Foreign Service will examine applicants to determine (a) whether their personal and professional qualifications compare favorably with those of the officers in the class for which they are being considered, (b) whether they are suited to meet the needs for which examined, and (c) whether their appointment will serve to strengthen the Foreign Service. Every applicant shall satisfy the Board of Examiners of his competence and representational capacity, his willingness to work in any field, and his potential for growth in the Foreign Service. It is particularly important that the Board be convinced of the willingness of a specialist to continue to serve in his area of specialization.

§ 11.17 Nature of examination.

(a) The written examination will be based on the broad field of the applicant's competence and will be designed to enable the Board of Examiners to judge his ability to organize his thoughts and to express them clearly and concisely in correct English. An applicant may be requested to supplement the written examination by presenting to the Board samples of his written work, published or unpublished.

(b) The oral examination will be given by a panel of deputy examiners and will be conducted in the light of all available information concerning the applicant.

(c) The physical examination will be given, prior to certification for appointment, to those applicants who pass the oral and written examinations. The applicant's physical condition will be evaluated in relation to his age. No applicant will be appointed who is found to be disqualified for world-wide duty unless the Secretary of State shall determine that

an exception would be in the national interest.

(d) It is desirable that an applicant have a knowledge of a foreign language, and those possessing such knowledge will be given an opportunity to demonstrate it. Language qualifications will be one of the factors to be considered by the examiners.

§ 11.18 Certification for appointment.

After completion of the examination of designated candidates for a given field of competence or specialization and class level, successful candidates will be certified to the Office of Personnel for appointment. The number of candidates certified will not exceed the requirements of the Service in a given field or class. The certification of any candidate for appointment will be made only upon the completion of a satisfactory security investigation in his case. Determinations of duly constituted panels of deputy examiners are final, unless modified by specific action of the Board of Examiners for the Foreign Service.

§ 11.21 Lateral entry of former Foreign Service officers.

Notwithstanding the provisions in §§ 11.11 through 11.18, former Foreign Service officers who are not eligible for reappointment under section 520(a) of the Foreign Service Act of 1946, as amended (60 Stat. 1009; 22 U.S.C. 915(a)), may apply for lateral appointment as Foreign Service officer of class 7 through class 1, subject to the following requirements and exceptions:

(a) On the date of application, each applicant shall have been a citizen of the United States for at least 10 years and, if married, shall be married to a citizen of the United States.

(b) On the date of application, each applicant shall be at least 28 years of age but shall not have attained the age of 58 years.

(c) On the date of application, each applicant shall have rendered at least 3 years of prior service (4 years if under age 31) as a Foreign Service officer.

(d) No applicant will be considered who has previously been separated from the Foreign Service pursuant to sections 633, 635, 637, or 638 of the Foreign Service Act of 1946, as amended.

§ 11.22 Application by former Foreign Service officer.

Applicants should complete one copy of Standard Form 57, Application for Federal Employment, and one copy of form DSP-34, Supplement to Standard Form 57, and forward them to the Board of Examiners for the Foreign Service, Department of State, Washington 25, D.C.

§ 11.23 Examination.

The Board of Examiners for the Foreign Service will examine qualified applicants whenever the Deputy Under Secretary for Administration certifies that the lateral appointment of one or more former Foreign Service officers would be in the national interest.

§ 11.24 Nature of examination.

The examination will consist of three parts: written, oral, and physical. The written and oral examinations will be designed to determine whether the personal and professional qualifications of applicants compare favorably with those of the officers in the class for which they are being considered. The applicant's physical condition will be evaluated in relation to his age, but no applicant will be appointed who is found to be physically disqualified for duty overseas.

§ 11.25 Certification for appointment.

After completion of the examination, the Board of Examiners will certify the names of successful candidates to the Office of Personnel for appointment, and will specify the class for which each candidate is qualified on the basis of the examination. However, no candidate will be certified prior to the completion of a satisfactory security investigation in his case, and no candidate will be appointed in excess of the statutory quota imposed by section 517 of the Foreign Service Act of 1946, as amended.

Dated: August 12, 1959.

For the Secretary of State.

LANE DWINELL,
Assistant Secretary.

[F.R. Doc. 59-7744; Filed, Sept. 16, 1959; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER E—DETERMINATION OF SUGAR COMMERCIALLY RECOVERABLE

[Sugar Determination 831.4, Amdt. 1]

PART 831—BEET SUGAR AREA

Rate of Recoverability; 1959 Crop

Pursuant to the provisions of the Determination of Sugar Commercially Recoverable—Beet Sugar Area—§ 831.4 (24 F.R. 6991), Part 831 of this chapter is amended by adding the following new section.

§ 831.5 Rates of recoverability; 1959 crop.

The amounts of sugar, raw value, commercially recoverable from sugar beets of the 1959 crop shall be computed by multiplying the net weight thereof in tons at the time of delivery to a processor, by the rate of commercially recoverable sugar, which is applicable under the following provisions of this section.

(a) For sugar beets marketed within a settlement area under any type of agreement other than an "individual test" contract, the rate of commercially recoverable sugar with respect to each settlement area is established as follows:

Settlement areas by factories in States	1952-58 average sugar content	Rate of commercially recoverable sugar
IDAHO, OREGON, WASHINGTON	*Percent*	*Hundredweight*
Idaho Falls	16.49	3.087
Nyssa, Nampa, Quincy	15.53	2.907
Preston	16.16	3.025
Ruppert, Twin Falls	16.64	3.115
Toppenish, Moses Lake	15.37	2.877
UTAH		
Centerfield	16.20	3.033
Garland	16.10	3.014
Layton	16.20	3.033
Lewiston (Ogden)	15.95	2.986
West Jordan, Spanish Fork	15.37	2.877
COLORADO, NEBRASKA, SOUTH DAKOTA		
Delta	16.12	3.018
Sugar City	14.67	2.746
Grand Island	14.70	2.752
Belle Fourche	15.66	2.932
WYOMING, MONTANA		
Lovell	16.94	3.171
Worland	16.67	3.121
Billings	16.71	3.128
Hardin, Sheridan	16.54	3.096
Missoula	16.47	3.083
Sidney	16.32	3.055
MINNESOTA, IOWA		
East Grand Forks, Moorhead, Crookston	16.12	3.018
Chaska, Mason City	14.86	2.782
GREAT LAKES STATES		
Alma, Mt. Pleasant	15.27	2.859
Bay City	15.42	2.887
Blissfield, Findlay, Fremont	14.84	2.778
Caro	15.36	2.875
Carrollton	14.99	2.806
Croswell	15.57	2.915
Green Bay	15.35	2.874
Lansing	14.29	2.675
Ottawa	14.66	2.744
Sebewaing	15.48	2.898

(b) For sugar beets marketed under "individual test" contracts, the rate of commercially recoverable sugar shall be computed by multiplying the percentage of sugar content of such beets by 20 hundredweight, and then multiplying the result by 90.7 percent (the average extraction rate, as adjusted for shrink, effective for such beets). This computation can be shortened by the use of the factor of 0.1814. As an example, a percentage of sugar content of 16.37 when multiplied by 0.1814 would result in a rate of commercially recoverable sugar of 2.970 hundredweight (result rounded to three decimals).

STATEMENT OF BASES AND CONSIDERATIONS

The determination of sugar commercially recoverable for the Beet Sugar Area, as issued August 26, 1959, provides the method for determining and establishing amounts of sugar commercially recoverable from sugar beets of the 1959 crop, and it also provides that such rates shall become effective when public notice thereof is given in the FEDERAL REGISTER.

Pursuant to that determination, this amendment sets forth the specific rates of recoverability determined for the various settlement areas where the only tests available for ascertaining the sugar

content of the beets are cossette tests. Within these areas, the rates give effect to 1952–58 average percentages of sugar content and the 1953–57 national average extraction rate of beet sugar, raw value, of 93.6 percent.

In lieu of an extensive table of definitive rates applicable to sugar beets of various percentages of sugar content as marketed under individual test contracts, this amendment shows that the rate of recoverability for beets of any given percentage of sugar content so marketed may be computed by multiplying the percentage of sugar content of such beets by the factor of 0.1814. This factor gives effect to the average rate of extraction of sugar, raw value, of 90.7 percent, as applicable to individual test beets. The change from 90.8 percent, as effective for the 1958 crop, represents a correction in the application of the so-called average "shrink" in percentage of sugar content between the time of delivery and the time of processing for all beets of the crops of 1953–57 marketed under individual test contracts. Listings of the rates applicable to various percentages of such content (expressed in hundredths) are available for inspection at ASC County Offices in sugar beet producing counties.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. Interprets or applies sec. 302, 303, 304, 61 Stat. 930, as amended, 931; 7 U.S.C. Supp. 1132, 1133, 1134)

Issued this 11th day of September 1959.

TOM O. MURPHY,
Acting Director, Sugar Division.

[F.R. Doc. 59-7728; Filed, Sept. 16, 1959; 8:46 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

Subpart—Administrative Rules and Regulations

COMPUTATION OF VOLUME PERCENTAGES FOR 1959–60 CROP YEAR

The Raisin Administrative Committee has recommended an amendment of the administrative rules and regulations, as amended (Subpart-Administrative Rules and Regulations; 7 CFR 989.101–989.180; 24 F.R. 1981), to add thereto a new section setting forth the method to be used by the committee for computing any volume percentages which it recommends to the Secretary for natural (sun-dried) Thompson Seedless raisins for the 1959–60 crop year. The said committee and the rules and regulations are effective pursuant to, and for operations under, Marketing Agreement No. 109, as amended, and Order No. 89, as amended (7 CFR Part 989), regulating the handling of raisins produced from raisin variety grapes grown in California (hereinafter referred to as the "order"). The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Section 989.63(a) of the order provides, in part, that if the committee concludes that the supply and demand conditions for raisins make it advisable to designate the percentages of standard raisins acquired by handlers in any crop year which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, it shall recommend such percentages to the Secretary. However, a specific method for computing volume percentages for a crop year is not prescribed in the order or in the administrative rules and regulations. As required by § 989.63(b), the committee has considered and analyzed with respect to natural (sun-dried) Thompson Seedless raisins the same pertinent factors as set forth in § 989.54 relating to marketing policy. The prescribing of an appropriate method, as hereinafter set forth, to be used by the committee in computing any volume percentages which it recommends to be initially designated for natural (sun-dried) Thompson Seedless raisins for the 1959–60 crop year, will facilitate the early establishment of such percentages, permit sales of such raisins to be maximized, and hence tend to effectuate the declared policy of the act.

Therefore, it is hereby ordered, That the administrative rules and regulations (Subpart-Administrative Rules and Regulations; 7 CFR 989.101–989.180; 24 F.R. 1981) be, and the same hereby are, amended by adding a new § 989.163, immediately preceding § 989.166, as follows:

§ 989.163 Computation of volume percentages for the 1959–60 crop year.

(a) *Committee recommendation.* If the committee concludes that the supply and demand conditions for natural (sun-dried) Thompson Seedless raisins make it advisable to designate the percentages of standard raisins for such varietal type acquired by handlers in the crop year that began September 1, 1959, which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, the committee shall compute, in accordance with the provisions of paragraph (b) of this section, such percentages which it recommends for initial designation by the Secretary.

(b) *Method of computation*—(1) *Free tonnage percentage.* The three-year (1954–55, 1955–56, and 1956–57 crop years) average of the free tonnage shipments of natural (sun-dried) Thompson Seedless raisins to Western Hemisphere markets, expressed in natural condition tons, shall be divided by the estimated 1959 production of such raisins, expressed in natural condition tons, as reported by the California Office of the Agricultural Estimates Division, Agricultural Marketing Service, United States Department of Agriculture, and the quotient of such division shall be multiplied by 100 and rounded to the nearest whole number to obtain the free tonnage percentage. In computing the aforesaid average of free tonnage shipments, there shall be included shipments to the United States Government and an estimated average of 3,000 tons (natural condition weight) per year for shipments to Western Hemisphere markets other than those in the United States and Canada. For the purpose of this subparagraph, "Western Hemisphere" shall include Greenland and the area east of the International Date Line and west of 30 degrees W. longitude.

(2) *Reserve tonnage percentage.* The reserve tonnage percentage shall be 12½ percent.

(3) *Surplus tonnage percentage.* The surplus tonnage percentage shall be the remainder obtained by subtracting the total of the free tonnage percentage and the reserve tonnage percentage from 100 percent.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure, and that good cause exists for not postponing the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011), in that: (1) Acquisition of standard natural (sun-dried) Thompson Seedless raisins by handlers during the 1959–60 crop year has begun, and an official estimate of the 1959 production of such raisins will be available in the very near future for use in determining the volume percentages, if any, which should be applied to such acquisitions; (2) it is necessary that this amendment become effective promptly to avoid any uncertainty and attendant delay by the committee in recommending any 1959–60 volume percentages, and to facilitate the early designation of any such percentages so that surplus tonnage raisins will be available as soon as possible to meet current export demand; (3) handlers and producers are aware of the proposed amendatory action and that it was unanimously recommended by the committee; and (4) such persons and the committee need no additional notice in order to utilize or comply with this amendatory action. In these circumstances, this amendment should become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 1–19, 48 Stat. 31, as amended, 7 U.S.C. 601–674)

Dated September 11, 1959, to become effective upon publication in the FEDERAL REGISTER.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-7739; Filed, Sept. 16, 1959; 8:47 a.m.]

Title 29—LABOR

Chapter I—National Labor Relations Board

PART 101—STATEMENTS OF PROCEDURE, SERIES 7

PART 102—RULES AND REGULATIONS, SERIES 7

Miscellaneous Amendments

By virtue of the authority vested in it by the National Labor Relations Act, ap-

proved July 5, 1935,[1] the National Labor Relations Board hereby issues the following further amendments to its Statements of Procedure and to its rules and regulations, Series 7, as amended, which it finds necessary to carry out the provisions of said Act, such amendments to be effective September 14, 1959.

National Labor Relations Board Statements of Procedure and rules and regulations, Series 7, as amended, and as hereby further amended, shall be in force and effect until further amended, or rescinded by the Board.

Dated, Washington, D.C., September 14, 1959.

By direction of the Board:

[SEAL] FRANK M. KLEILER,
Executive Secretary.

1. In § 101.2 *Initiation of unfair labor practice cases,* delete therefrom the last sentence which reads as follows: "Any person may file a charge, but no complaint will be issued upon a charge filed by a labor organization unless that labor organization is in compliance with section 9 (f), (g), and (h) of the act. (See § 101.3.)" and substitute the following sentence: "Any person may file a charge."

2. Section 101.3 *Compliance with section 9 (f), (g), and (h) of the act,* delete in its entirety.

3. In § 101.17 *Initiation of representation case,* delete therefrom the sixth sentence which reads as follows: "If the petition is filed by a labor organization, no investigation will be made of any question of representation raised by such labor organization unless such labor organization is in compliance with section 9 (f), (g), and (h) of the act. (See § 101.3.)"

4. In § 101.28 *Investigation of charges; withdrawal of charges; dismissal of charges and appeals to Board,* delete the first sentence which reads as follows: "These matters are handled as described in §§ 101.3 to 101.7, inclusive." and substitute the following sentence: "These matters are handled as described in §§ 101.4 to 101.7 inclusive."

5. In § 102.9 *Who may file; withdrawal and dismissal,* delete from the first sentence the following language: "provided that if such charge is filed by a labor organization, no complaint will be issued pursuant thereto, unless such labor organization is in compliance with the requirements of section 9 (f), (g), and (h) of the act, within the meaning of § 102.13."

6. Section 102.13 *Compliance with section 9 (f), (g), and (h) of the act,* delete in its entirety.

7. In § 102.60 *Petition for certification or decertification; who may file; where to file; withdrawal,* delete therefrom the third sentence which reads as follows: "When any such petition is filed by a labor organization, no investigation shall be made of any question of representation raised by such labor organization unless such labor organization is in compliance with the requirements of section 9 (f), (g), and (h) of the act, within the meaning of § 102.13."

(Sec. 6, 49 Stat. 452, as amended; 29 U.S.C. 156)

The above amendments shall be effective September 14, 1959.

[F.R. Doc. 59-7775; Filed, Sept. 16, 1959; 8:48 a.m.]

[1] 49 Stat. 449; 29 U.S.C. 151–166, as amended by act of June 23, 1947 (61 Stat. 136; 29 U.S.C. Supp. 151–167), act of Oct. 22, 1951 (65 Stat. 601; 29 U.S.C. 158, 159, 168) and act of Sept. 1959 (Pub. Law 86-257).

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER B—CLAIMS AND ACCOUNTS

PART 538—ALLOTMENTS OF PAY

Class Q Allotments

Section 538.13 is revised to read as follows:

§ 538.13 Class Q allotments.

(a) *General.* Except as provided for in paragraphs (d) and (e) of this section and other pertinent regulations, before an enlisted member is entitled to credit for basic allowance for quarters for dependents, he must have in effect an allotment of pay to be known as class Q to his dependent(s) (as required by the Dependents Assistance Act of 1950, as amended) in an amount at least equal to the applicable rate for basic allowance for quarters, plus:

(1) $40, if member is in grade E–1, E–2, or E–3;

(2) $60, if member is in grade E–4, or E–5; or

(3) $80, if member is in grade E–6, E–7, E–8 or E–9.

(b) *Initiating or increasing.* The allotment required for any month will be based upon the lowest rate of basic allowance for quarters to which the member is entitled and the lowest grade in which the member is serving during such month; however, no change in allotment will be made for such month to meet this requirement. If a member is promoted or acquires a dependent after the first day of the month, he will be credited with the applicable amount for basic allowance for quarters for such period, but no change in allotment is required for that month; however, if the change results in an increase in the amount of the class Q allotment requirement, a new class Q allotment will be required, effective the first day of the following month in an applicable amount. If a member acquires a dependent on the first day of the month, or is promoted effective on the first day of the month, or both, the applicable increase in the minimum amount required to be allotted must be effective for such month instead of the first of the succeeding month. If an enlisted member desires to allot more than the amount required herein to the same payee or payees, he will do so by increasing his class Q allotment to the amount he desires, not to exceed his basic pay. The applicable rate of basic allowance for quarters will not be affected.

(c) *Discontinuing or decreasing.* If a member is demoted, loses a dependent, or is assigned quarters, the class Q allotment forms necessary to reduce or discontinue the allotment will be made effective at the end of the preceding month, provided that such forms can be submitted to reach Allotment Services by the 20th day of the month. If this is not practicable, the forms will be made effective at the end of the month in which the change in status occurs. A retroactive discontinuance or reduction will not be processed if payment of the allotment has been made to the allottee. Any necessary adjustment will be made on the military pay record. The total class Q allotment of an enlisted member must not be less than the amount of the class Q allotment required by the Dependents Assistance Act of 1950 to be established, except as stated in paragraph (f)(2)(i) of this section, but may exceed that figure. The allotment may be not reduced to an amount less than that required even though such allotment when converted to foreign currency exceeds the actual requirements.

(d) *Allotment pending approval of dependency or relationship for entire claim*—(1) *General.* When an enlisted member claims credit for basic allowance for quarters for dependents and determination of dependency or relationship for all dependents is to be made by the Finance Center, U.S. Army, the member must have in effect a class Q allotment in an amount not less than the member's required contribution pending approval of dependency or relationship. Credit for basic allowance for quarters will not be entered on the military pay record until determination of dependency or relationship is made. Appropriate adjustment instructions will be furnished by the Commanding General, Finance Center, U.S. Army. If more than one category of dependent is involved (for example, wife and parent) the apportionment of the allotments should be made by the enlisted member. In determining dependency of a parent, the total amount to be allotted will be considered instead of the amount actually allotted pending dependency determination.

(2) *Determination of dependent parent.* (i) If dependency of parent is approved, the applicable amount of basic allowance for quarters will be credited from the effective date indicated by the member and allotment deductions made in accordance with instructions furnished by the Commanding General, Finance Center, U.S. Army. A signed statement authorizing the applicable increase of the class Q allotment will be entered on the reverse of DD Form 137 substantially as follows:

Upon approval I hereby authorize an increase of my present class Q allotment of $_____ to $_____ (BAQ plus $40, $60, or $80).

_____
(Signature)

Example. An enlisted member in pay grade E–6 applies for basic allowance for quarters for his parent. Credit for basic allowance for quarters is not entered on the military pay record; however, DA Form 1341 (Allotment Authorization) authorizing an allotment for the parent must be submitted in an amount not less than $80. The reverse of

DD Form 137 will be annotated as follows:

Upon approval I hereby authorize an increase of my present class Q allotment of $30 to $157.10.

(Signature)

(ii) If the dependency of the parent is disapproved, the member will be informed of the disapproval and advised that the allotment currently in effect ($80) will continue unless he takes action to change or discontinue the allotment. If the member desires to change the allotment after notice of disapproval, he will do so by discontinuing the class Q allotment and initiating a class E allotment.

(3) *Determination of wife and child relationship and parent dependency.* If the relationship of the wife and child is established and the dependency of the parent is disapproved, or vice versa, the Commanding General, Finance Center, U.S. Army, will increase the allotment to the eligible dependent to the minimum amount required by the Dependents Assistance Act of 1950 as amended, and discontinue the allotment to the ineligible dependent. The finance and accounting officer will be advised of proper entries to be made on the military pay record. The finance and accounting officer will notify the personnel officer of the action taken. The personnel officer will advise the member to initiate a class E allotment if he desires to continue support to the ineligible dependent. If the entire claim is disapproved, the allotment authorizations will continue in effect until the member takes action to change or discontinue the allotments, but credit for basic allowance for quarters will not be allowed.

Example. An enlisted member in pay grade E–6 applies for basic allowance for quarters for wife, child, and parent and states that he wants to allot $110 for his wife and child and $66.90 for his parent. Relationship of wife and child is in doubt. Credit for basic allowance for quarters will not be entered on the military pay record until determination of dependency or relationship is established by the Commanding General, Finance Center, U.S. Army. Class Q allotment authorizations for the wife and the parent will be prepared and apportioned by the enlisted member in a total amount of not less than $80. The reverse of DD Form 137 will be annotated as follows:

Upon approval I hereby authorize an increase of my present class Q allotments to $176.90 payable as follows:

Mrs. Jane Doe from $50 to $110.

Mrs. Mary Blank from $30 to $66.90.

(Signature)

(e) *Allotment pending approval of dependency or relationship for part of claim*—(1) *General.* When an enlisted member claims credit for basic allowance for quarters for dependents and determination of dependency or relationship for any part of the claim is to be made by the Commanding General, Finance Center, U.S. Army, the member must have in effect a class Q allotment in an amount not less than the applicable rate of basic allowance for quarters for which determination of dependency has been made by the finance and accounting officer, plus the amount of the member's required contribution. Credit for basic allowance for quarters will be entered on the military pay record for that portion of the approved claim and allotment deductions made in accordance with the allotment authorization. A signed statement will be entered on the reverse of DD Form 137 on which determination of the dependency has been made authorizing an increase to the existing allotment to an amount not less than the minimum required to be allotted in the event of approval and indicating the apportionment desired. In determining the dependency of a parent, the total amount to be allotted will be considered instead of the amount actually allotted pending dependency determination.

Example. An enlisted member in pay grade E–6 applies for basic allowance for quarters for wife, child, and parent and states that he wants to allot $76.90 to his parent and $100 to his wife, if approved. Credit for basic allowance for quarters in the amount of $77.10 (wife and child) is entered on the military pay record on the basis of the determination of the finance and accounting officer. An allotment for $100 is initiated for the wife and one for $57.10 is initiated for the parent on DA Form 1341 ($76.90 minus $19.80 which is basic allowance for quarters applicable to parent on basis of $96.90 minus $77.10). The reverse of DD Form 137 will be annotated as follows:

Upon approval I hereby authorize an increase of my present class Q allotments of $157.10 to $176.90 payable as follows:

Mrs. Jane Doe, $100.

Mrs. Mary Blank from $57.10 to $76.90.

(Signature)

(2) *Approval of parent dependency.* If the dependency of the parent is approved, the instructions for the adjustment entries on the military pay record for basic allowance for quarters and class Q allotments will be furnished the finance and accounting officer by the Finance Center, U.S. Army.

(3) *Disapproval of parent dependency.* If the dependency of the parent is disapproved, the Commanding General, Finance Center, U.S. Army, will increase the existing allotment to the wife to the minimum amount required by the Dependents Assistance Act of 1950, as amended, and discontinue the allotment to the parent. The finance and accounting officer will be advised of the disapproval and will notify the personnel officer of the action taken. The personnel officer will advise the member to initiate a class E allotment if he desires to continue support to the ineligible dependent.

(4) *Member to be separated.* Should the finance and accounting officer receive information that an enlisted member, whose determination for dependency is pending, is to be separated and does not intend to reenlist, request for the dependency status will be made immediately to the Finance Center, U.S. Army, furnishing information that the member is to be separated. If less than 20 days' advance notice is received, the request will be made by radiogram.

(f) *Court order or written agreement*—(1) *Support of child*—(i) *Amount specified.* (*a*) Where a divorce decree, court order, or separation, antenuptial or postnuptial agreement specifies a dollar amount which is less than the amount of the applicable rate of basic allowance for quarters for the child's support, custody of whom is given the divorced wife, the minimum allotment required must equal the amount of the applicable rate of basic allowance for quarters.

(*b*) Where a divorce decree, court order, or separation, antenuptial or postnuptial agreement specifies a dollar amount which is more than the applicable rate of basic allowance for quarters for the child's support, custody of whom is given the divorced wife, a class Q allotment will be required in the amount of the basic allowance for quarters plus an amount contributed by the member to equal the amount specified in the decree.

(*c*) Where the parties enter into a valid written agreement as to the actual amount required for the support of the child, the allotment may be modified to the applicable amount of basic allowance for quarters or the amount fixed by such agreement, whichever is greater.

(*d*) The member will not be required (in any case) to authorize an allotment that exceeds the basic allowance for quarters plus the member's required contribution for his grade.

(ii) *Amount not specified.* (*a*) Where a divorce decree, court order, or separation, antenuptial or postnuptial agreement does not specify a dollar amount, but the decree is otherwise clear that support is intended, the minimum allotment required must equal the amount of the applicable rate of basic allowance for quarters.

(*b*) Where a divorce, decree, court order or separation, antenuptial or postnuptial agreement does not specify a dollar amount but the language is specific that the support requirement is to consist of the amount of basic allowance for quarters plus the member's required contribution, or if it is otherwise clear that such was the intention of the court, a class Q allotment in such full amount is required.

(iii) *Agreement silent.* Where a divorce decree, court order, or separation, antenuptial or postnuptial agreement is silent as to the care and support of a child or children, the amount of the class Q allotment will be not less than the amount of the basic allowance for quarters.

(iv) *Member relieved or lump-sum settlement specified.* Where a divorce decree or court order has expressly relieved the member of all responsibility or provided a lump-sum settlement for the care and support of the child, no class Q allotment will be required, and credit for basic allowance for quarters will be terminated. Where a separation, antenuptial, or postnuptial agreement has relieved the member of all responsibility or provided a lump-sum settlement for the care and support of the child, no class Q allotment will be required, and credit for basic allowance for quarters will be terminated. However, in separate agreements, if the custodian of said child indicated that the child has no adequate means of support or the settlement was grossly inadequate, the Commanding General, Finance Center, U.S. Army, may authorize a class Q allotment in an amount not less than

the basic allowance for quarters, but not to exceed, unless authorized by the member, an amount equal to his required contribution, plus appropriate rate of basic allowance for quarters.

(2) *Support for wife*—(i) *Amount specified.* When support for the wife is limited by interlocutory divorce decree, court order, or separation, antenuptial or postnuptial agreement, the amount required to be allotted must equal the sum specified in the decree, order, or written agreement or the amount of the applicable basic allowance for quarters, whichever is greater. In no event will the member be required to allot more than the basic allowance for quarters plus the member's required contribution for his grade. On and after the date the divorce decree becomes final and irrespective of an award of alimony, the member is not entitled to basic allowance for quarters because of a dependent wife.

(ii) *Member relieved or lump-sum settlement specified.* Where a divorce decree, court order, or any other valid agreement expressly absolves the service member from responsibility or provides a lump sum settlement for the care and support of a wife, no class Q allotment will be required, and credit for basic allowance for quarters will be terminated.

(iii) *Agreement silent.* Where a divorce decree (interlocutory, nisi or a mensa et thoro), or separation agreement is silent as to the obligation of the husband to support the wife, the payment of the class Q allotment on behalf of the wife may be discontinued upon application of the member, and credit for basic allowance for quarters will be terminated.

(3) *Support of wife in an institution.* When support of a wife for maintenance in an institution is fixed at a sum less than the amount required to be allotted on her behalf, the allotment may not be less than the minimum amount required by the Dependents Assistance Act of 1950. The enlisted member may make the allotment payable to a bank for credit to his account, for the support of dependents, against which he may draw and pay the institution the required amount as long as she remains in said institution, or he may make the allotment payable in his favor as custodian of said dependent.

(g) *Payment of Class Q Allotment*—(1) *General.* The dependent payee and the amount payable to any particular payee will be as designated on DA Form 1341 (Allotment Authorization—To Start, Stop, and Change Allotments). The allotment(s) must be made payable to the dependent or dependents listed on the DD Form 137 and because of whose dependency the service member will be entitled to increased basic allowance for quarters for dependents. A class Q allotment will not be made payable to a person who is mentally incompetent, or to a minor unless the minor is of sufficient age and understanding to manage his own affairs, but in no event will a minor under 16 years of age be made payee. A class Q allotment may be made payable to a duly appointed guardian of a mentally incompetent or minor, upon receipt of the court certificate evidencing the guardianship appointment. In the case of a minor child of a mentally incompetent member, which child is in the custody of some other person who has not been appointed as legal guardian, etc., the class Q allotment payee may be the actual custodian. If the minor or mentally incompetent is confined in an institution, the allotter may register the class Q allotment in favor of the institution; DA Form 1341 will designate such payee by name and state that the amount is for the use and benefit of the named minor or mental incompetent. The "pay to the order of" line on the check will be so worded. Class Q allotment checks will not be made payable to any person or institution not specifically authorized by this paragraph.

(2) *Categories of dependents.* Separate allotments will be made to or on behalf of each of the following categories of dependents but will not be required to be made to each dependent in the same category: Wife or children, child or children of a former wife divorced who are not in custody of enlisted member claiming credit, and parent or parents. If a guardian, custodian, committee, etc., has been appointed for one or more of the dependents of the service member, the allotment may be made payable to the guardian, custodian, committee, etc.

(3) *When payable to a bank or enlisted member as payee.* Class Q allotment checks may be made payable to a bank for credit to the account of the dependent, provided consent to such method of payment is first obtained from the dependent or from the person acting in his behalf. The consent of the dependent, or the person acting in his behalf, will be furnished by written authorization to the commanding officer of the unit to which the member is assigned. In addition, an enlisted member who has a child in his own custody may designate himself as the class Q allotment payee or may designate a bank as payee where the amount is to be credited to his account. A class Q allotment to the service member as payee, or to a bank when the amount is credited to his account, will be used only where it is absolutely necessary and there is no other feasible method for providing the distribution of the class Q allotment.

(h) *Months allotment not required*—(1) *Member enters active military service.* A class Q allotment is not required for the calendar month in which the member enters the active military service in a pay status. The allotment will be made effective from the first day of the following month.

(2) *Member is released from active service.* A class Q allotment is not required for the calendar month in which the member is released from the active military service or is discharged if not immediately reenlisted. The allotment will be discontinued the end of the month preceding separation if there is sufficient time for the allotment discontinuance notice to reach the Finance Center, U.S. Army, by the 23d of the month. If there is sufficient time for the allotment discontinuance form to reach the Finance Center by the 23d of the month, the class Q allotment will be discontinued at the end of the month in which separation occurs.

(3) *Assigned or terminated government quarters.* A class Q allotment is not required for the calendar month in which the member is assigned government quarters for himself and his dependents or assignment of such quarters is terminated. When assignment of quarters is terminated, credit for basic allowance for quarters will accrue from the day following the date assignment is terminated. Allotment documents must be effective from the first day of the month following the month in which assignment of quarters is terminated before credit for basic allowance for quarters can be continued for that month and succeeding months.

(4) *Dependency ceases.* A class Q allotment is not required for the calendar month in which dependency ceases.

(5) *Dependency commences.* A class Q allotment is not required for the calendar month in which dependency commences if the allotment is effective from the first day of the following month.

(6) *Member deceased.* A class Q allotment is not required for the calendar month in which the member dies.

(7) *Prior to November 1950.* A class Q allotment is not required for calendar months prior to November 1950.

(i) *Apportionment of allotment for two or more payees*—(1) *Member makes apportionment.* If the member has made the apportionment, such apportionment will govern in the absence of a valid and reasonable objection by any allottee.

(2) *Member cannot or will not make apportionment.* If the member cannot or will not make the apportionment, the prospective allottees may agree to an apportionment among themselves.

(3) *Other cases.* In all other cases, lawful wives and children will be given maximum consideration equally to a minimum of 80 percent of the total amount available, with the wife receiving twice as much as any one child and the other dependents having the remaining amount apportioned equally among them.

(j) *Authorization, discontinuance, or change*—(1) *Forms used*—(i) *DA Form 1341.* DA Form 1341 will be used to authorize, increase, decrease, or discontinue the class Q allotment except as stated in subdivision (ii) of this subparagraph. Form 1341 will be prepared and processed in the same manner as for other types of allotments except that when DA Form 1341 is used to discontinue allotments the duplicate will be forwarded to the allottee by the certifying officer and the third copy will be retained by the personnel officer for a period of 90 days. After the 90 day period has expired the third copy will be forwarded to the allotter. The form will be marked plainly "class Q" in block 1.

(ii) *DA Form 955.* DA Form 955 (Allotment Discontinuance—Notice Upon Discharge or Release from Active Duty or Death) will be used to discontinue the class Q allotment in case of dis-

charge, release from active duty, or death.

(2) *Change due to promotion or demotion.* (i) When a member is promoted or demoted to a grade which results in an increase or decrease in the amount of the class Q allotment requirement, and his allotment is registered in one of the normal amounts (i.e., $91.30, $117.10, $136.90, $137.10, $156.90, $157.10, or $176.90) and there has been no apportionment among the allottees, the allotment will be increased or decreased as provided in subdivisions (ii), (iii), and (iv) of this subparagraph.

(ii) The personnel officer, at the time of submission of the Military Pay Order or Special Order effecting the increase or decrease in basic pay, will prepare DA Form 1341 to accomplish the allotment change. In item 20, the space for the signature of the allotter, will be entered "Administrative Increase—Promotion" or "Administrative Decrease—Demotion." If the address of the allottee is not available, the following statement will be entered in block 9 immediately below the name of the allottee: "Current address of allottee on file in FCUSA."

(iii) The Military Pay Order or Special Order and DA Form 1341, in triplicate, will be submitted to the finance and accounting officer with DD Form 379 (Transmittal Letter for Allotment Forms).

(iv) The finance and accounting officer will process the allotment documents in the usual manner. One copy of the Military Pay Order or Special Order and the duplicate and triplicate copy of DA Form 1341 will be returned to the personnel officer showing the promotion or demotion has been entered on DD Form 113 (Military Pay Record). The triplicate of DA Form 1341 will be forwarded to the member which will indicate that his class Q allotment has been increased or decreased in accordance with his promotion or demotion.

(v) Where a class Q allotment is registered in an amount other than the normal amount or an apportionment among allottees has been made, the DA Form 1341 must be signed by the member.

(3) *Termination or reduction below minimum required.* A request for termination or reduction of an allotment below the minimum required by the Dependents Assistance Act of 1950, as amended, on behalf of a wife or child must be substantiated by such evidence of a certified photostat or true copy of the commitment order or statement of an official of the institution showing date of conviction and provision of the sentence or final divorce, court order, reduction in grade, or death, as may be deemed sufficient by the personnel officer terminating dependency or relationship unless discontinuance is necessary because of separation from the service. The evidence will not be submitted with DA Form 1341, but the specific reason for discontinuance will be indicated thereon.

(4) *Termination or reduction for doubtful cases.* In cases which involve a written separation agreement, interlocutory decree of divorce, a divorce granted by a foreign country, infidelity or desertion of the wife, or any other case where doubt exists as to the propriety of permitting discontinuance or reduction of a class Q allotment, complete factual and documentary evidence will be referred to the Allotment Operations, Finance Center, U.S. Army, for determination prior to discontinuance action. In those cases involving infidelity or desertion of the wife, the member will be required to furnish conclusive and irrefutable evidence of the infidelity or desertion on the part of the wife, for submission to the Allotment Operations. If the allotment established is predicated on the dependency of wife and children, discontinuance action will apply for the wife only, and the member will be required to establish an allotment on behalf of the children unless legally absolved from such responsibility.

(5) *Termination upon occupancy of Government quarters.* Entitlement to basic allowance for quarters will cease when a member is assigned quarters for himself and dependents, but existing class Q allotment will not be discontinued unless the member so desires. If the member does not desire discontinuance, his allotment will remain in effect. The finance and accounting officer will terminate credit for basic allowance for quarters but will continue to deduct the full amount of the member's class Q allotment.

(6) *Courts-martial order.* When the sentence of a courts-martial provides for forfeiture of all pay and allowances, the entire class Q allotment will be discontinued effective with the end of the month in which the sentence is approved by convening authority. This may be done only if the sentence includes confinement not suspended, unless the forfeitures are deferred by the convening authority in his action thereon, whether or not discharged is suspended, and the enlisted member has accrued sufficient credit, including credit for basic allowances for quarters for the fractional part of the month up to and including the date the sentence was approved by the convening authority, to satisfy the entire class Q allotment for that month. If, as of the date the sentence was approved by the convening authority, the enlisted member has not accrued sufficient credit to satisfy the entire class Q allotment, such allotment will be discontinued the last day of the month prior to the month in which the sentence was approved by the convening authority.

(7) *Change of address.* When it becomes necessary for an allotter to furnish the allottee's change of address, such change will be effected by initiating DA Form 1341, transmitted through the finance and accounting officer for proper certification. All pertinent items on DA Form 1341 will be completed and the allottee's name and new address will be shown in block 9. Block 18 will be completed to show "Change of Address."

(k) *Members absent without leave—*(1) *Continuation of allotment.* Payment of class Q allotment to the dependent in the full amount will be continued for 2 months following the month in which the absent without leave status commenced. However, if the class Q allotment exceeds the minimum prescribed by the Dependents Assistance Act of 1950, the class Q allotment will be reduced to the minimum amount required by law. At the expiration of such 2 months of absence, the class Q allotment in the full amount will be discontinued. When the enlisted member returns to a duty status, upon presentation of a new allotment authorization the new class Q allotment will be established in the amount required by law with an effective date as of the first day of the month following the month of return to a duty status.

(2) *Allotments to parents whose dependency was disapproved.* If a class Q allotment is in existence to a dependent parent, whose dependency has been disapproved under the Dependents Assistance Act of 1950, as amended (operating in the same manner as a class E allotment), the class Q allotment of the absentee will be discontinued immediately for such dependent parent. If the absentee returns to a duty status after such class Q allotment has been discontinued, he may not again initiate a class Q allotment to such parent, but instead he will use a class E allotment if he desires to make an allotment to this parent.

(3) *Determination of dependency pending.* If a determination of dependency is pending at the time the member enters an absent without leave status, the allotment will be treated as a voluntary allotment and discontinued effective the last day of the month preceding the month in which the absent without leave status commenced. It is incumbent upon the finance and accounting officer to advise the Commanding General, Finance Center, U.S. Army, immediately of the absent without leave status of the member. No further action will be taken on the determination of the dependency until such time as the member returns to a duty status and initiates a new request for class Q allotment, after which a determination of dependency will be made.

(4) *Member acquired dependent while absent without leave.* If an enlisted member acquires a dependent while absent without leave, the earliest effective date of the class Q allotment will be the first of the month following the month in which the member is returned to a pay status, provided the member is returned to a pay status after the first day of the month. If the member is returned to a pay status on the first day of the month, the class Q allotment may be authorized to be effective the first of that month.

(l) *Members absent in hands of civil authorities.* Payment of class Q allotment will be made for a period ending with the last day of the second month following the month in which the absence commenced. If the service member is acquitted subsequent to the second month following date of absence the class Q allotment will, upon presentation of a new allotment authorization, be effective from the first day of the month following the month of last payment. If

service member is not acquitted but upon release from custody of civil authorities returns to a duty status after the termination of entitlement to basic allowances for quarters, the class Q allotment authorization upon presentation of a new allotment authorization, will be registered as of the first day of a month but not earlier than the first day of the month following the month of return to a duty status.

(m) *Members absent because of disease*—(1) *Continuation of allotment.* When a member is absent from his regular duties resulting from the effects of a disease, as distinguished from injury, which causes loss of pay, the class Q allotment will continue in the full amount for 2 months following the month in which the absence commenced or until separation, whichever is earlier.

(2) *Discontinuance of allotment.* Class Q allotments will be discontinued after 2 months following the month in which the absence commenced.

(3) *Establishing new allotment in reduced amount.* A new class Q allotment will be established for only the amount of the basic allowance for quarters authorized for the member. This will be accomplished on the same DA Form 1341 as the discontinuance under subparagraph (2) of this paragraph. DA Form 1341 discontinuing the old allotment and establishing the new allotment must be submitted in sufficient time to reach the Allotment Operations not later than the 10th day of the third month following the month in which the absence commenced. The reduced allotment will continue until the enlisted member is separated from the service or restored to a pay status.

(n) *Member in excess leave status.* Payment of the class Q allotment to the dependent will be continued in the full amount for 2 months following the month in which excess leave commences. The allotment will be discontinued and established in the reduced amount in the same manner as prescribed for members absent because of disease in paragraph (m) of this section.

(o) *Collection of overpaid allotments.* When overpayment of the member results because of the continuation of class Q allotments beyond the 2 month period specified in paragraphs (k), (l), (m), and (n) of this section, collection will be effected when the member returns to military control, from excess leave status, or is restored to pay status.

(p) *Request for allotment by or on behalf of dependents*—(1) *General.* The claiming of basic allowance for quarters for an enlisted member's dependents ordinarily should be resolved by the member. The Commanding General, Finance Center, U.S. Army, however, may authorize and direct the payment of the basic allowance for quarters for dependents and the establishment and payment of the class Q allotment in conformity with this section for any enlisted member who does not claim such allowance.

(2) *Wife or child.* (i) Upon application by or on behalf of a wife or child, the enlisted member will be advised by his immediate commanding officer that an application has been received by or on behalf of such wife or child, and the enlisted member will be requested to initiate a class Q allotment to provide for the support of his wife or child. The enlisted member also will be advised that the Secretary of the Army has the authority to make such allotment for the support of his dependents if he does not do so. The commanding officer will notify the Commanding General, Finance Center, U.S. Army, of the circumstances giving information such as a statement that the enlisted member refuses to initiate the required class Q allotment, a statement of the reason given by the enlisted member for not authorizing the allotment, or any pertinent information regarding the situation, such as the service member's inaccessibility.

(ii) Upon determination by the Commanding General, Finance Center, U.S. Army, that such dependency does in fact exist, he will authorize payment of a class Q allotment to or on behalf of the wife or child in the amount of the basic allowance for quarters to which the enlisted member is entitled from the date on which the claim was received by the Finance Center, U.S. Army, or from the date in the month upon which the dependency status began, whichever is later. The class Q allotment will be initiated in the full amount to include the enlisted member's mandatory contribution, effective the first day of the current month. The finance and accounting officer will be notified of the credit for basic allowance for quarters and the proper allotment deductions. A copy of the notification will be furnished the commanding officer of the enlisted member for the information of the enlisted member.

(iii) The existence of a lawful wife or a legitimate child is sufficient evidence for entitlement to a class Q allotment if such allotment is claimed by or on behalf of such wife or child, irrespective of the enlisted member's protest, unless such protest is supported by evidence of a court order or written agreement providing otherwise. Letter of protest, signed by the enlisted member, together with supporting evidence, will be submitted to the Allotment Operations, Finance Center, U.S. Army. The Commanding General, Finance Center, U.S. Army, then will take such actions as may be necessary to modify or stop the class Q allotment.

(3) *Parent.* In the absence of a court order or decree requiring the support of a parent, no action will be taken to establish an allotment for a parent without the application of the enlisted member. Claims by or on behalf of a parent will be referred in every case to the commanding officer of the enlisted member concerned. If the parent submits a court order or decree requiring the support of such parent and the enlisted member did provide over 50 percent of the parent's support, a class Q allotment may be authorized under the same procedure as in subparagraph (1) of this paragraph. Any amount designated by the court which would provide less than half of the parent's support will not cause the authorization of a class Q allotment unless specifically requested by the enlisted member and other conditions of entitlement exist.

(4) *Change of status.* The finance and accounting officer will enter the credit for basic allowance for quarters and make deductions for the class Q allotment as may be required by letter from the Finance Center, U.S. Army. Changes in dependency status will not be made except on authorization of the Commanding General, Finance Center, U.S. Army. Changes in credit for basic allowance for quarters or allotment deduction (not involving dependency) because of grade changes will be made by the finance and accounting officer.

(5) *Missing.* The procedure prescribed in this paragraph does not apply to dependents of enlisted members who are missing, missing in action, interned in a foreign country, captured by a hostile force, etc.

(6) *Allotment in effect to be modified.* Upon application of or on behalf of any dependent of an enlisted member who has in effect a class Q allotment, the Commanding General, Finance Center, U.S. Army, will modify such class Q allotments as may be necessary under this section.

(q) *Delay in initiating*—(1) *General.* A class Q allotment will be made retroactive for such period as the member may elect to claim the allowance for his dependents provided the claim is supported by the member's required contribution for the entire period. If the member does not have the required contribution in cash or sufficient pay has not accrued to establish such an allotment, the member will be permitted to authorize an allotment of pay retroactively for a period not to exceed 3 months, provided the member's obligated service is sufficient to permit liquidation of this indebtedness. For example, if a member has sufficient funds accrued to establish an allotment retroactively for 1 month, the member may be advanced pay in an amount sufficient to establish an allotment for 2 additional months. A retroactive class Q allotment established by creation of indebtedness will not be authorized more than one time, and thereafter requests for such allotments will be required to be supported by the necessary contribution of the member.

(2) *Exigencies of the service.* If the delay in initiating a class Q allotment as required by this section was caused by the exigencies of the service, the commanding officer may waive the class Q allotment requirement for such retroactive period. The waiver will be placed on the reverse of the certificate establishing the dependency status or will be attached to such certificate in substantially the following form:

Class Q allotment waived for (name of enlisted member) for the period _____ to _____ both dates inclusive, because of (reason).

If the class Q allotment is waived because of the exigencies of the service, no deduction for class Q allotment will be made for the waived period. The commencement date of the class Q allotment will be the first day of the month following the waived period. Credit for basic allowance for quarters for the waived period will be entered on the enlisted member's military pay record. The term "exigencies of the service" will be construed to mean service-imposed conditions, which, in the opinion of the commanding officer concerned, made the delay in registering or increasing the allotment unavoidable. Each request for waiver for such reason will be carefully reviewed by the commanding officer to insure that cause of delay was beyond control of the enlisted member and was in fact attributable to exigencies of the service. Even though such delay is caused by exigencies of the service, the commanding officer ordinarily should not waive the allotment requirement for the entire retroactive period if a retroactive allotment for all or part of such period will not cause financial hardship to the enlisted member concerned.

(3) *Death of the member prior to initiating class Q allotment.* (i) In the case of death of a member the commanding officer of such member will waive the class Q allotment requirement for any period subsequent to 31 October 1950 where the member did not have reasonable opportunity to establish the allotment. The same factors as are to be taken into consideration in determining reasonable opportunity for claiming basic allowance for quarters for dependents will be considered in waiving the class Q allotment requirement. In any case where all information relative to the member's pay status has been forwarded to the Finance Center, U.S. Army, action will be taken as prescribed in this paragraph relative to waiver of allotment.

(ii) When it is found that the member had reasonable opportunity to establish a class Q allotment prior to his death but did not do so, and credit for basic allowance for quarters is made, the commanding officer of the member will take the action necessary to waive the allotment for the period involved.

(iii) Waivers of class Q allotments under this paragraph will be submitted to the finance and accounting officer on a military pay order in substantially the following form:

Class Q allotment(s) waived for (name of enlisted member) for the period _____ to _____, both dates inclusive, because the enlisted member died prior to establishing the class Q allotment(s).

[Sec. III, Chap. 5, AR 37-104, Dec. 2, 1957] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply 64 Stat. 795, as amended; 37 U.S.C. 252(h))

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-7720; Filed, Sept. 16, 1959; 8:45 a.m.]

Chapter XVI—Selective Service System

PART 1602—DEFINITIONS

PART 1604—SELECTIVE SERVICE OFFICERS

PART 1621—PREPARATION FOR CLASSIFICATION

PART 1626—APPEAL TO APPEAL BOARD

PART 1628—PHYSICAL EXAMINATION

PART 1632—DELIVERY AND INDUCTION

PART 1655—REGISTRATION OF UNITED STATES CITIZENS OUTSIDE OF THE UNITED STATES AND CLASSIFICATION OF SUCH REGISTRANTS

PART 1660—CIVILIAN WORK IN LIEU OF INDUCTION

Amending Selective Service Regulations

CROSS REFERENCE: For a document affecting the regulations of the above mentioned parts, see Title 3, Executive Order 10337, *supra.*

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Saar Now a Part of Germany

In § 168.5 *Individual country regulations,* as published in FEDERAL REGISTER of March 20, 1959, at pages 2119-2195, as Federal Register Document 59-2388, make the following changes as a result of the reunification of the Saar Territory with Germany:

1. Amend the country heading of "France (including the Saar Territory and Monaco)" to read "France (including Monaco)."

2. Amend the country heading of "Germany" to read "Germany (including Saar)."

3. In "Places not included in alphabetical list of countries", the "Saar Territory (France)", as it appears in Alphabetical order therein, is amended to read "Saar Territory (Germany)."

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 59-7735; Filed, Sept. 16, 1959; 8:47 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 59-38]

PART 172—NUMBERING REQUIREMENTS UNDER ACT OF JUNE 7, 1918

Subpart 172.25—Termination Requirements

NORTH CAROLINA SYSTEM OF NUMBERING APPROVED

Acting under the authority delegated by Treasury Department Order 167-32, dated September 23, 1958 (23 F.R. 7605), the Commandant, United States Coast Guard, on August 27, 1959, approved the North Carolina system for the numbering of motorboats, which was established pursuant to the Federal Boating Act of 1958.

As provided in this approval, the North Carolina system shall be operative on and after Friday, January 1, 1960. On that date the authority to number motorboats principally used in the State of North Carolina will pass to that State and simultaneously the Coast Guard will discontinue numbering such motorboats. Those motorboats presently numbered should continue to display the Coast Guard number until renumbered by North Carolina. On and after January 1, 1960, all reports of "boating accidents" which involve motorboats numbered in North Carolina will be required to be reported to the Wildlife Resources Commission, Raleigh, North Carolina, pursuant to the North Carolina Boating Safety Act of 1959 (N.C.S.L. 1959 C. 1064).

Because § 172.25-15(a)(5), as set forth in this document, is an informative rule about official actions performed by the Commandant, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-17, dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rule below, the following § 172.25-15(a)(5) is prescribed and shall be in effect on and after the date set forth therein:

§ 172.25-15 Effective dates for approved State systems of numbering.

(a) * * *

(5) North Carolina—January 1, 1960.

(Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: September 9, 1959.

[SEAL] A. C. RICHMOND,
Vice Admiral,
U.S. Coast Guard, Commandant.

[F.R. Doc. 59-7732; Filed, Sept. 16, 1959; 8:46 a.m.]

[CGFR 59-39]

PART 172—NUMBERING REQUIREMENTS UNDER ACT OF JUNE 7, 1918

Subpart 172.25—Termination Requirements

SOUTH CAROLINA SYSTEM OF NUMBERING APPROVED

Acting under the authority delegated by Treasury Department Order 167-32, dated September 23, 1958 (23 F.R. 7605), the Commandant, United States Coast Guard, on August 27, 1959, approved the South Carolina system for the numbering of motorboats, which was established pursuant to the Federal Boating Act of 1958.

As provided in this approval, the South Carolina system shall be operative on and after Friday, January 1, 1960. On that date the authority to number motorboats principally used in the State of South Carolina will pass to that State and simultaneously the Coast Guard will discontinue numbering such motorboats. Those motorboats presently numbered should continue to display the Coast Guard number until renumbered by South Carolina. On and after January 1, 1960, all reports of "boating accidents" which involve motorboats numbered in South Carolina will be required to be reported to the Division of Boating, South Carolina Wildlife Resources Department, Columbia, South Carolina, pursuant to the requirements of the South Carolina boating law (S.C. Act No. 253 of 1959).

Because § 172.25-15(a)(6), as set forth in this document, is an informative rule about official actions performed by the Commandant, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-17, dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rule below, the following § 172.25-15 (a)(6) is prescribed and shall be in effect on and after the date set forth therein:

§ 172.25-15 Effective dates for approved State systems of numbering.

(a) * * *

(6) South Carolina—January 1, 1960.

(Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: September 9, 1959.

[SEAL] A. C. RICHMOND,
Vice Admiral,
U.S. Coast Guard, Commandant.

[F.R. Doc. 59-7733; Filed, Sept. 16, 1959; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11986; FCC 59-942]

PART 3—RADIO BROADCAST SERVICES

Television Reference Test Signal

In the matter of amendment of Part 3 of the Commission's rules and regulations concerning television broadcast stations to authorize or require a television reference test signal; Docket No. 11986.

1. The Commission has before it for consideration its Notice of Proposed Rule Making (FCC 57-341, Mimeo No. 42913) issued in this proceeding on April 5, 1957. That Notice pointed out that numerous methods have been suggested for the simultaneous transmission of test signals with the video signal without significantly affecting the picture information. Such test signals serve to facilitate the continuous monitoring of the quality of an entire television broadcasting transmission system. By Public Notice (FCC 56-986, Mimeo No. 36626) issued October 11, 1956, the Commission provided blanket authorization to all television broadcast stations to transmit test signals during periods of regular programming for the purpose of developing and testing the feasibility of such signals and to facilitate the collection of data and preparation of comments to be filed in the instant rule making proceeding. This temporary authorization has been extended from time to time, the last extension expiring on October 3, 1959.

2. All interested parties were invited to submit comments in this proceeding on the desirability of the adoption of test signals to be employed by television broadcast stations. We requested that comments be directed to such subjects as appropriate standards, time of transmission, effect on normal picture quality, and whether such transmissions should be required of all stations or should be authorized on a permissive basis. Comments in favor of amending the rules to provide for the use of television test signals within the vertical blanking interval were filed by the American Broadcasting Company (ABC), Columbia Broadcasting System, Inc. (CBS), Electronic Industries Association (EIA), Lake Huron Broadcasting Corporation (WKNX-TV), and National Broadcasting Company, Inc. (NBC). Comments in opposition were filed by Eugene Edward Ostrow.

3. EIA, as a result of the Notice, established a special subcommittee (BTS-5) of its Broadcast Television Systems Committee (BTS) for the purpose of reviewing the matter of television reference test signals.

The special subcommittee charged with the evaluation of television test signals included the following organizations, non-members as well as members, of the BTS committee of EIA:

American Broadcasting Company.
Bell Telephone Laboratories.
Columbia Broadcasting System.
General Electric Company.
National Broadcasting Company.
Philco Corporation.
Radio Corporation of America.
Skiatron Electronics and Television Corporation.
Telechrome Manufacturing Corporation.
Telemeter Magnetics and Electric Corporation.
Westinghouse Electric Corporation.
Zenith Radio Corporation.

EIA submits that its subcommittee members, particularly those representing television networks, conducted extensive coordinated field tests for the purpose of gathering data and knowledge to be used in filing comments in these proceedings. A number of meetings were held at which the results of the field tests were analyzed in order to determine the extent to which the reference and test signals could be standardized at the present. The recommendations of the EIA are as follows:

I. The Commission should extend indefinitely the temporary authorization for broadcast transmission of reference and test signals during the vertical blanking interval on a permissive basis, subject to restrictions outlined in Item II., below. It is understood that reference signals are intended primarily for operational monitoring and control of program transmission, and normally include a pulse at reference white level. Test signals may employ any waveform and are intended for detailed analysis of specific system performance characteristics.

II. Reference or test signals may be transmitted during the period commencing with the last 12 microseconds of line 17 and extending through line 20, subject to the following conditions:

a. No portion of the reference or test signals should extend beyond the amplitude range bounded by reference white and blanking levels, with the exception that negative excursions of color sub-carrier signals may extend into the synchonizing region but in no case beyond peak-of-sync level.

b. No portion of the reference or test signals should encroach upon that portion of any horizontal period normally devoted to blanking.

c. A guard interval of at least ½ line duration at blanking level shall separate reference or test signals from the start of the picture signal.

d. The picture signal must commence not later than line 22.

4. ABC, in support of the proposed rule, states that it has conducted extensive tests and transmissions of vertical interval reference and test signals and claims that results indicate this technique is a valuable aid in maintaining video levels and quality, especially in connection with network transmission. In addition, ABC endorses the recommendations of EIA and indicates that these recommendations would provide for the continued development of the technique, asserting that any more restrictive specifications would be unnec-

essary at this time and not in the public interest.

5. CBS states that it has transmitted reference and test signals regularly over its network facilities for a period of several months and has found these signals particularly useful for maintaining transmission levels at those stations that receive programs from remote locations by means of cable or microwave relay. Similarly, it has found test signals useful in monitoring various transmission characteristics. CBS, in general, endorses the recommendations filed by EIA and suggests that a rule be provided to authorize the use of television reference and test signals on a permissive basis.

6. WKNX–TV states experiments by the networks have demonstrated reference and test signals can be very beneficial as a continuous reference in adjusting video equipment. It claims it has found test signals transmitted by CBS especially helpful in setting up frequency and linearity correction on its three station microwave link and recommends that provisions be made for the continued authorization of the transmissions of such signals.

7. NBC submits an outline of extensive tests of television reference test signals it has conducted since 1956, including details of its participation with other elements of the industry, principally the EIA. It indicates it has received many favorable comments pertaining to the desirability of a reference test signal for equipment adjustment from its network affiliated stations. NBC, in light of its experience, believes that such signals provide an important operational tool and recommends that employment of the signals by stations be authorized on a permissive basis in accordance with the suggestions of EIA.

8. Eugene Edward Ostrow opposes allocation of transmission time near the trailing edge of the vertical blanking period for the use of reference test signals on the grounds that to do so would wastefully assign this transmission time which should be held for varied uses of wider scope and thus enable the provision of even higher quality transmission in the future. Details of a method utilizing a "peripheral beam" developed by Ostrow for automatic cueing, control of modulation levels, check and regulation of linear distortion and shading are included with his comments, which could be utilized in the horizontal blanking intervals in preference to confining such use to the vertical blanking interval being considered here. Ostrow urges that the time of the vertical blanking interval be retained in its present form for more beneficial future use. The rules adopted herein place the use of test signals on a permissive basis and hence do not preclude any use of these lines for other purposes.

9. The data and comments filed in this proceeding show that test and reference signals can provide a valuable tool for use by television broadcast stations in aligning and adjusting various components of the transmission system so as to more faithfully transmit the scenes viewed by the TV camera and will facilitate evaluation of the performance of the overall transmission system. Although there was no showing that these signals were intended for use by the general public or that any such use would be made, it was shown that the test signals could be transmitted simultaneously with regular program transmissions without significantly degrading the quality of the program transmission. Since deletion of the signals after they have passed through the entire transmission system might pose difficult technical problems, we find no reason to require such deletion at this time. Furthermore, subsequent developments may lead to the use of test signals as well as cue and control signals which require transmission to perform their functions. Where this can be done without degradation of the picture signals and without creating spurious emissions, we are not disposed to prohibit it by unnecessary restrictions.

10. There was general agreement among the parties commenting in this proceeding that the transmission of test signals should be permissive and not mandatory. It was also agreed that the kinds of test and reference signals which might be used should not be specified nor should test signal standards be established at this time. Although the Commission might find certain of the test signals useful in its monitoring activities, we do not believe that such a requirement should be imposed on all television broadcast stations at this time. The rules adopted herein merely prescribe the area within the vertical interval during which test signals may be transmitted and set forth certain conditions designed to prevent degradation of the program content and minimize potential interference to other stations.

11. *Accordingly, it is ordered,* That effective October 4, 1959, §§ 3.682(a) and 3.699 of the Commission rules governing television broadcast stations are amended as set forth below.

12. Authority for the adoption of the amendments herein is contained in sections 4(i), 301, 303 (c), (d), (f), and (r) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082; 47 U.S.C. 301, 303)

Adopted: September 9, 1959.

Released: September 11, 1959.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, *Secretary.*

1. Amend § 3.682(a) by adding subparagraph (21) as follows:

§ 3.682 Transmission standards and changes.

(a) *Transmission standards.* * * *

(21) The interval beginning with the last 12 microseconds of line 17 and continuing through line 20 of the vertical blanking interval of each field may be used for the transmission of test signals subject to the conditions set forth below. Test signals may include signals used to supply reference modulation levels so that variations in light intensity of the scene viewed by the camera will be faithfully transmitted; signals designed to check the performance of the overall transmission system or its individual components; and, cue and control signals related to the operation of the television broadcast station. Figures 6 and 7 of § 3.699 identify the numbered lines referred to in this subparagraph.

(i) Modulation of the television transmitter by such test signals shall be confined to the area between the reference white level and the blanking level except where such test signals are composed of chrominance subcarrier frequencies, in which case their negative excursions may extend into the synchronizing peak amplitude. In no case may the modulation excursions produced by test signals extend beyond peak-of-sync level.

(ii) The use of test signals shall not result in significant degradation of the program transmissions of the television broadcast station nor create emission components in excess of those permitted for normal program transmissions.

(iii) Test signals may not be transmitted during that portion of each line devoted to horizontal blanking.

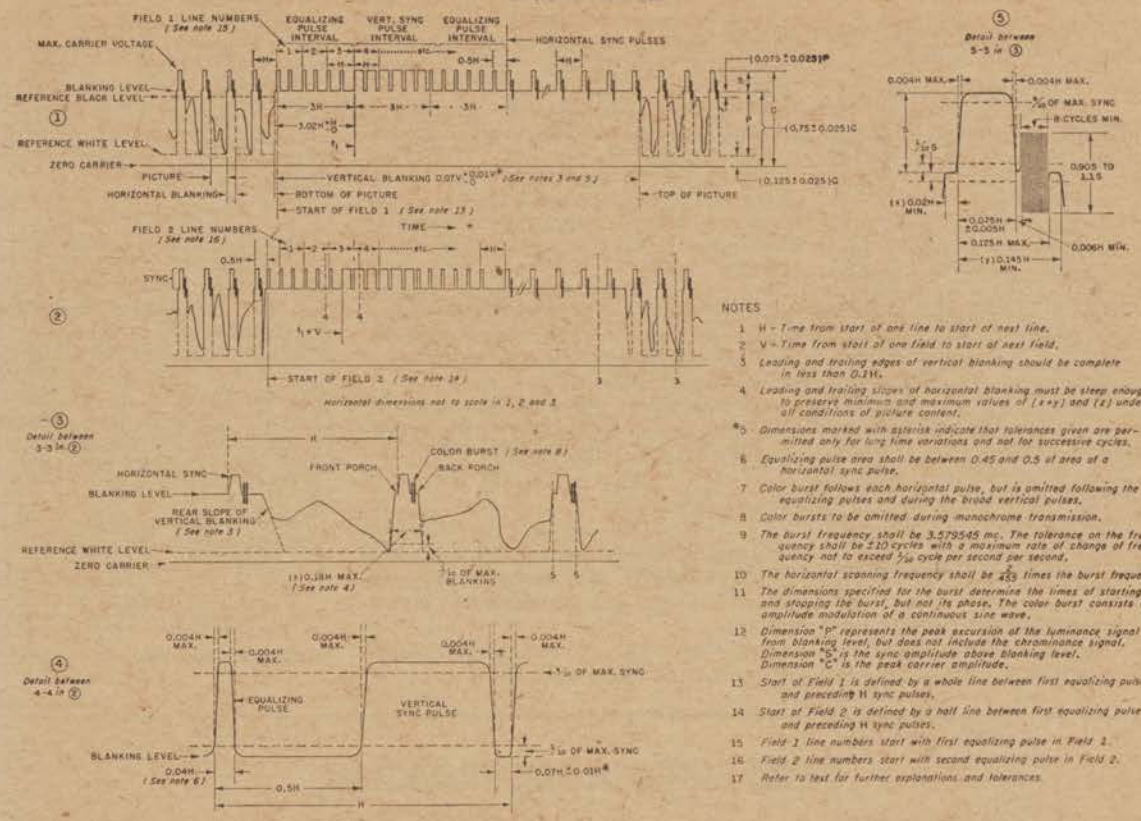
(iv) A guard interval of no less than one-half line shall be maintained at all times between the last test signal and the beginning of the first picture scanning line.

§ 3.699 [Amendment]

2. Delete present Figures 6 and 7 and substitute the attached new Figures 6 and 7.

TELEVISION SYNCHRONIZING WAVEFORM

FOR COLOR TRANSMISSION



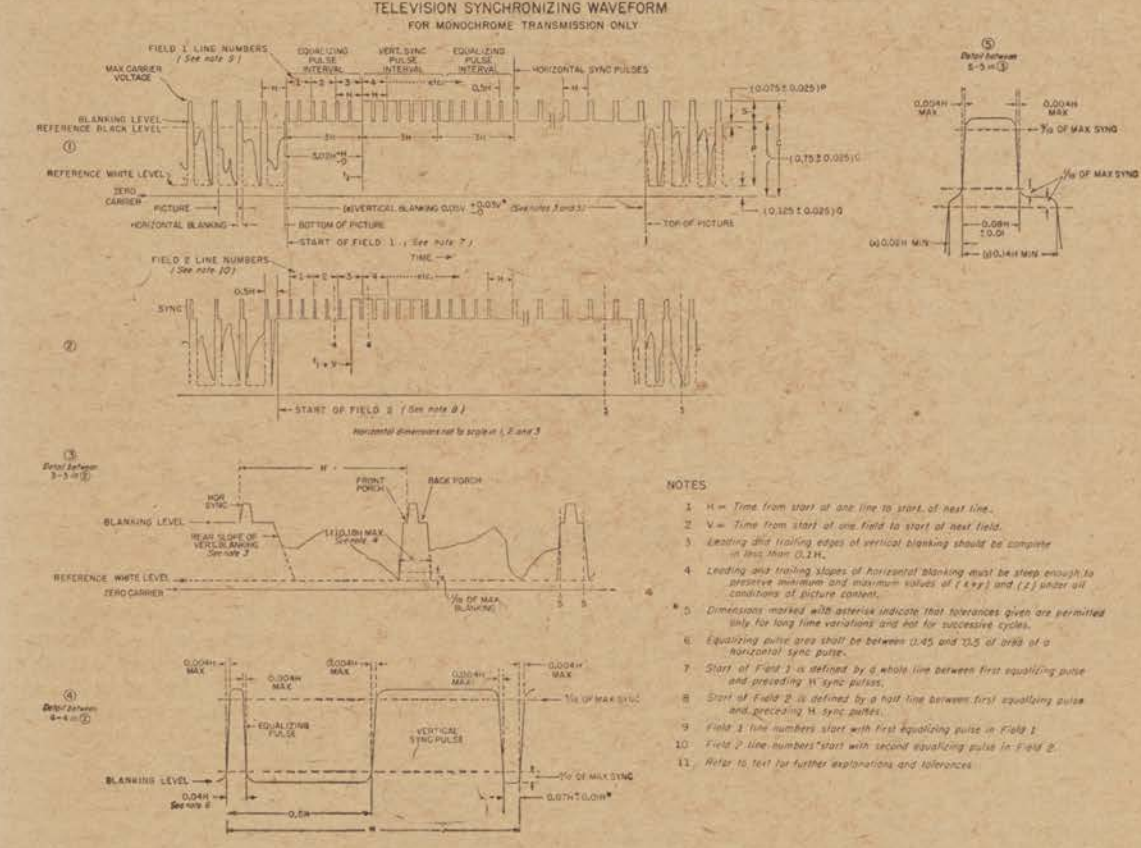
NOTES

1. H = Time from start of one line to start of next line.
2. V = Time from start of one field to start of next field.
3. Leading and trailing edges of vertical blanking should be complete in less than 0.2H.
4. Leading and trailing slopes of horizontal blanking must be steep enough to preserve minimum and maximum values of (x+y) and (z) under all conditions of picture content.
5. Dimensions marked with asterisk indicate that tolerances given are permitted only for long time variations and not for successive cycles.
6. Equalizing pulse area shall be between 0.45 and 0.5 of area of a horizontal sync pulse.
7. Color burst follows each horizontal pulse, but is omitted following the equalizing pulses and during the broad vertical pulses.
8. Color bursts to be omitted during monochrome transmission.
9. The burst frequency shall be 3.579545 mc. The tolerance on the frequency shall be ±10 cycles with a maximum rate of change of frequency not to exceed 1/10 cycle per second per second.
10. The horizontal scanning frequency shall be 2/455 times the burst frequency.
11. The dimensions specified for the burst determine the times of starting and stopping the burst, but not its phase. The color burst consists of amplitude modulation of a continuous sine wave.
12. Dimension "P" represents the peak excursion of the luminance signal from blanking level, but does not include the chrominance signal. Dimension "S" is the sync amplitude above blanking level. Dimension "C" is the peak carrier amplitude.
13. Start of Field 1 is defined by a whole line between first equalizing pulse and preceding H sync pulses.
14. Start of Field 2 is defined by a half line between first equalizing pulse and preceding H sync pulses.
15. Field 1 line numbers start with first equalizing pulse in Field 1.
16. Field 2 line numbers start with second equalizing pulse in Field 2.
17. Refer to text for further explanations and tolerances.

FIGURE 6

TELEVISION SYNCHRONIZING WAVEFORM

FOR MONOCHROME TRANSMISSION ONLY



NOTES

1. H = Time from start of one line to start of next line.
2. V = Time from start of one field to start of next field.
3. Leading and trailing edges of vertical blanking should be complete in less than 0.2H.
4. Leading and trailing slopes of horizontal blanking must be steep enough to preserve minimum and maximum values of (x+y) and (z) under all conditions of picture content.
5. Dimensions marked with asterisk indicate that tolerances given are permitted only for long time variations and not for successive cycles.
6. Equalizing pulse area shall be between 0.45 and 0.5 of area of a horizontal sync pulse.
7. Start of Field 1 is defined by a whole line between first equalizing pulse and preceding H sync pulses.
8. Start of Field 2 is defined by a half line between first equalizing pulse and preceding H sync pulses.
9. Field 1 line numbers start with first equalizing pulse in Field 1.
10. Field 2 line numbers start with second equalizing pulse in Field 2.
11. Refer to text for further explanations and tolerances.

FIGURE 7

[F.R. Doc. 59-7711; Filed, Sept. 16, 1959; 8:45 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 31—PACIFIC REGION

Subpart—Malheur National Wildlife Refuge, Oregon

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of deer by bow and arrow only on the Malheur National Wildlife Refuge, Oregon, would be consistent with the management of the refuge.

The regulations constituting Part 31 are amended by revising § 31.207 to Subpart—Malheur National Wildlife Refuge, Oregon, as follows:

§ 31.207 Deer hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, deer may be taken solely by means of bow and arrow on the hereinafter described lands of the Malheur National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

(a) *State laws.* Strict compliance with all applicable State laws and regulations is required.

(b) *Entry.* A valid State hunting license, if required under State law, will serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(c) *Checking stations.* Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting.

(d) *Smoking.* Smoking on the refuge is prohibited except on the public campgrounds designated by posting.

(e) *Guns.* The possession or use of firearms is prohibited.

(f) *Dogs.* Dogs are not permitted on the refuge for use in the hunting of deer.

(g) *Camping.* No camping is permitted except at designated campgrounds.

(h) *Fires.* No fires are allowed except at designated campgrounds.

(i) *Season.* Deer may be hunted during the season as determined jointly by the Regional Director of the Bureau of Sport Fisheries and Wildlife and the Oregon State Game Commission.

(j) *Area.* Lands of the United States in the Malheur National Wildlife Refuge lying generally south of Witzel's Lane being the line between sections 10 and 15, T. 30 S., R. 31 E.

(Sec. 10, 45 Stat. 1224; 16 U.S.C. 715i)

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the deer hunting season in the State of Oregon makes the publication of advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Issued at Washington, D.C., and dated September 11, 1959.

A. V. TUNISON,
Acting Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-7726; Filed, Sept. 16, 1959; 8:46 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 906]

[Docket No. AO-210-A11-RO1]

MILK IN OKLAHOMA METROPOLITAN MARKETING AREA

Notice of Reopening of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the reopening of the public hearing held at Oklahoma City, Oklahoma, on July 28, 29, and 30, 1959, pursuant to notice thereof which was published in the FEDERAL REGISTER on July 9, 1959 (24 F.R. 5549) with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Oklahoma Metropolitan marketing area.

The reopened hearing will convene in the Pioneer Room of the Hotel Tulsa, Tulsa, Oklahoma, beginning at 10:00 a.m., on September 22, 1959.

Subjects and issues involved in the hearing. The purpose of the reopened hearing, which has been called on the petition of the Pure Milk Producers Association of Eastern Oklahoma, is to afford interested persons the further opportunity to introduce additional evidence with respect to Issue No. 7 of the original hearing which deals with the "supply-demand adjustment" of the Class I price, particularly with respect to changed economic conditions and the need for emergency action with respect to this issue.

Copies of this notice of the reopening of the hearing and the order may be procured from the Market Administrator, 2570 South Harvard, Tulsa, Oklahoma, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 14th day of September 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-7738; Filed, Sept. 16, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 54931]

AMERICAN MAIL LINE LTD.

Registration of House Flag

SEPTEMBER 14, 1959.

The Commissioner of Customs by virtue of the authority vested in him and in accordance with § 3.81(a), Customs Regulations (19 CFR 3.81(a)), has registered the house flag of American Mail Line Ltd. described below:

(a) *House flag.* The following description of the house flag is as though viewed from a point at which the hoist appears at the viewer's left. The flag is rectangular in shape. The hoist is 4 feet, the fly is 5½ feet. Superimposed on the center of a medium-light-blue field is a circular insigne 33 inches in diameter which, at the outer radius of 16½ inches, has a black border 3/16 of an inch wide followed by a white band 4⅛ inches wide with the words "American Mail" appearing on the white band at the top of the insigne and the word "Line" appearing in the white band at the bottom of the insigne. The words "American Mail Line" are composed of 3⅛ inch black block letters spaced evenly in the center of the white band. A black border 3/16 of an inch follows the white band and the inside of the circle is a light buff color.

Superimposed on the inner circle is a representation of a rectangular flag having a hoist of 15¾ inches. The flag is divided into five horizontal stripes of equal width. The two outer stripes are medium light-blue in color, the next two inner stripes are white, and the center stripe is red. This flag is shown flying from a white staff edged in black sufficiently to define its shape.

The staff slants toward the hoist about 17 degrees from the vertical and extends into the white band at the upper end. The staff crosses under the white band and the inner and outer 3/16-inch black borders at the bottom of the circle and extends 5¼ inches beyond the outer diameter of the circle into the light blue field.

T.D. 51316, insofar as it relates to the registration of a house flag of the American Mail Line Ltd. is hereby superseded. The registration of the funnel mark contained in T.D. 51316 remains in force.

Colored scale replica drawings of the house flag described above are on file with the Federal Register Division, National Archives and Records Service.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F.R. Doc. 59-7734; Filed, Sept. 16, 1959; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[No. 60-1]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 8, 1959.

The Acting Secretary, United States Department of Agriculture, has filed an application, Serial No. Oregon 06535, for the withdrawal of the lands described below, subject to valid existing rights, from appropriation under the general mining laws, but excepting the mineral leasing laws.

The applicant desires the land for use by the United States Forest Service as roadside zones to protect and preserve the aesthetic value of the highways through pine timber, development of the natural resources, and provide for road betterment and public safety.

For a period of 30 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, United States Department of the Interior, 809 Northeast Sixth Avenue, Portland 12, Oregon.

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 of the Interior 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:

WILLAMETTE MERIDIAN, OREGON

DESCHUTES NATIONAL FOREST

A strip of land 330 feet on each side of the center line of the existing highway and roads through the public land in the following sections:

WILLAMETTE ROAD ZONE

State Highway No. 58

T. 23 S., R. 6 E.,
Sec. 8; Unsurveyed;
Sec. 9; Unsurveyed;
Sec. 10; Unsurveyed;
Sec. 14; Unsurveyed;
Sec. 15; Unsurveyed;
Sec. 16; Unsurveyed;
Sec. 23; Unsurveyed;
Sec. 24; Unsurveyed;
Sec. 25; Unsurveyed;
Sec. 36; Unsurveyed.
T. 24 S., R. 7 E.,
Sec. 6;
Sec. 17;
Sec. 20;
Sec. 21;
Sec. 27;
Sec. 28;
Sec. 34.
T. 25 S., R. 7 E.,
Sec. 11;
Sec. 12;
Sec. 13.
T. 25 S., R. 8 E.,
Sec. 19;
Sec. 29;
Sec. 32;
Sec. 33.
T. 26 S., R. 8 E.,
Sec. 4;
Sec. 9;
Sec. 10, Unsurveyed.

FREMONT ROAD ZONE

State Highway No. 31

T. 23 S., R. 11 E.,
Sec. 31.
T. 24 S., R. 11 E.,
Sec. 6;
Sec. 7;
Sec. 17;
Sec. 18;
Sec. 20;
Sec. 21;
Sec. 27;
Sec. 28;
Sec. 34;
Sec. 35.
T. 25 S., R. 12 E.,
Sec. 3;
Sec. 4;
Sec. 5;
Sec. 6;
Sec. 9;
Sec. 10;
Sec. 11;
Sec. 13;
Sec. 14;
Sec. 23;
Sec. 24;
Sec. 25.
T. 25 S., R. 13 E.,
Sec. 30;
Sec. 31.

SANTIAM ROAD ZONE

U.S. Highway No. 20

T. 13 S., R. 7½ E.,
Sec. 24.
T. 13 S., R. 8 E.,
Sec. 19;
Sec. 20;
Sec. 21;
Sec. 23;
Sec. 24;
Sec. 26;
Sec. 27;
Sec. 28;
Sec. 29;
Sec. 30.
T. 13 S., R. 9 E.,
Sec. 19;
Sec. 29;
Sec. 30;
Sec. 32;
Sec. 33.
T. 14 S., R. 9 E.,
Sec. 3;
Sec. 4;
Sec. 5;
Sec. 10;
Sec. 11;
Sec. 13;
Sec. 14;
Sec. 24.
T. 14 S., R. 10 E.,
Sec. 19;
Sec. 30;
Sec. 31;
Sec. 32.
T. 15 S., R. 10 E.,
Sec. 5.

MCKENZIE ROAD ZONE

U.S. Highway No. 126

T. 14 S., R. 8 E.,
Sec. 36.
T. 14 S., R. 9 E.,
Sec. 31;
Sec. 32;
Sec. 33;
Sec. 34;
Sec. 35.
T. 15 S., R. 8 E.,
Sec. 1;
Sec. 2; Unsurveyed;
Sec. 3; Unsurveyed;
Sec. 9; Unsurveyed;
Sec. 10; Unsurveyed;
Sec. 11; Unsurveyed;
Sec. 15; Unsurveyed;
Sec. 16; Unsurveyed;
Sec. 20; Unsurveyed.
T. 15 S., R. 9 E.,
Sec. 1;
Sec. 2;
Sec. 4;
Sec. 5;
Sec. 6.
T. 15 S., R. 10 E.,
Sec. 5;
Sec. 6.

CASCADE LAKES ROAD ZONE

Forest Road No. 46

T. 18, S., R. 8 E.,
Sec. 3;
Sec. 9;
Sec. 10;
Sec. 11;
Sec. 12;
Sec. 13;
Sec. 16;
Sec. 20;
Sec. 21;
Sec. 29;
Sec. 30;
Sec. 31;
Sec. 32.
T. 18 S., R. 9 E.,
Sec. 17;
Sec. 18;
Sec. 20;
Sec. 21;
Sec. 25;
Sec. 26;
Sec. 27;
Sec. 28;
Sec. 36.
T. 18 S., R. 10 E.,
Sec. 25;
Sec. 26;
Sec. 27;
Sec. 28;
Sec. 29;
Sec. 30;
Sec. 31.

T. 18 S., R. 11 E.,
Sec. 14;
Sec. 15;
Sec. 20;
Sec. 21;
Sec. 22;
Sec. 29;
Sec. 30.

The total area is approximately 6,470 acres.

Maps showing the location of the roads are available for inspection in the Land Office, Bureau of Land Management, Portland, Oregon; and in the Forest Service Office, Deschutes National Forest, Bend, Oregon.

RUSSELL G. GETTY,
State Supervisor.

[F.R. Doc. 59-7727; Filed, Sept. 16, 1959; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

WILLIAM FOSTER ALLEN

Report of Appointment and Statement of Financial Interests

Report of appointment and statement of financial interests required by section 710(b)(6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: William Foster Allen.

2. Employing agency: Department of Commerce, Business and Defense Services Administration.

3. Date of appointment: September 1, 1959.

4. Title of position: Consultant—Ferro Alloys.

5. Name of private employer: Pittsburgh Metallurgical Co., Niagara Falls, New York.

CARLTON HAYWARD,
Director of Personnel.

JULY 31, 1959.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Pittsburgh Metallurgical Company.
Bank Deposits.

Dated: September 3, 1959.

WILLIAM FOSTER ALLEN.

[F.R. Doc. 59-7729; Filed, Sept. 16, 1959; 8:46 a.m.]

Office of the Secretary

AL SERAFIN MINETTI

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER in the last six months.

A. Deletions: None.
B. Additions: None.

This statement is made as of September 1, 1959.

Dated: September 1, 1959.

AL SERAFIN MINETTI.

[F.R. Doc. 59-7730; Filed, Sept. 16, 1959; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8955]

AEROLINEAS PERUANAS, S.A.

Notice of Hearing

In the matter of the application of Aerolineas Peruanas, S.A., for a foreign air carrier permit.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, that a hearing in the above reopened matter is assigned to be held on October 19, 1959, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Walter W. Bryan.

Dated at Washington, D.C., September 11, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-7740; Filed, Sept. 16, 1959; 8:47 a.m.]

[Docket No. 10607]

LAS VEGAS HACIENDA, INC., AND HENRY F. PRICE; ENFORCEMENT PROCEEDING

Notice of Hearing

In the matter of Las Vegas Hacienda, Inc., and Henry F. Price Enforcement Proceeding.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that hearing in the above-entitled proceeding is assigned to be held on October 27, 1959 in Los Angeles, California, before Examiner Richard A. Walsh. The time and location of the hearing will be announced later.

Dated at Washington, D.C., September 11, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-7741; Filed, Sept. 16, 1959; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Project No. 1971]

IDAHO POWER CO.

Notice of Modification of Land Withdrawal; Oregon, Idaho

SEPTEMBER 10, 1959.

Conformable to the provisions of the Act of June 10, 1920, as amended, this Commission gave notice on September 2, 1958, of the reservation of approximately 199.46 acres of land of the United States pursuant to the filing, on May 9, 1958, of map exhibits of the Oxbow-Pallette Junction 230 kv Transmision line, in accordance with Article 45 of the license issued August 8, 1955, to the Idaho Power Company.

The Licensee on April 13, 1959, filed revised map, Exhibit J and K (F.P.C. No. 1971-99), of amended location of aforesaid transmission line, superseding the exhibits which were the basis of the aforesaid withdrawal notice. This exhibit defines the right-of-way as of the latest center line survey, thereby requiring a modification of the previous withdrawal notice to include additional land necessary and to adjust the width of the entire easement from 75 feet to 50 feet on each side of the center line survey.

Therefore, in accordance with section 24 of the Act of June 10, 1920, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in Project No. 1971 and are, from the date of filing of revised map exhibit, April 13, 1959, reserved from all forms of disposal under the laws of the United States until otherwise directed by this Commission or by Congress.

All portions of the following described subdivisions lying within 50 feet of the center line survey of the transmission line right-of-way location, as delimited upon revised map designated Exhibit J and K, consolidated, (F.P.C. No. 1971-99), entitled Oxbow-Pallette Junction-Hells Canyon 230 kv Transmission Line, superseding Exhibit J and K, consolidated (F.P.C. No. 1971-65).

WILLAMETTE MERIDIAN, OREGON

T. 4 S., R. 48 E.,
Sec. 31: SW¼SE¼.
T. 5 S., R. 48 E. (Unsurveyed),
Sec. 5: NW¼NE¼, S½NE¼, SE¼;
Sec. 8: E½E½, NW¼NE¼.

BOISE MERIDIAN, IDAHO

T. 19 N., R. 4 W.,
Sec. 17: Lots 4 and 5;
Sec. 20: Lot 2.

The general determination made by the Commission at its meeting of April 17, 1922, with respect to lands reserved for power transmission line purposes only is applicable to these lands. The additional area reserved for this project, by this modification, is approximately 37.60 acres, of which approximately 28.45 acres are within the Wallowa National Forest in the State of Oregon, and 19.15 acres are in the State of Idaho.

Copies of revised map, Exhibit J and K (F.P.C. No. 1971-99) has been transmitted to the Bureau of Land Manage-

ment, Forest Service, Geological Survey and Bureau of Reclamation.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-7721; Filed, Sept. 16, 1959; 8:45 a.m.]

[Docket No. E-6897]

PUGET SOUND POWER & LIGHT CO.

Notice of Application

SEPTEMBER 9, 1959.

Take notice that on August 31, 1959, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Puget Sound Power & Light Company ("Applicant"), a corporation organized under the laws of the State of Massachusetts and doing business in the State of Washington with its principal business office at Seattle, Washington, seeking an order authorizing the issuance of $20,000,000 principal amount of First Mortgage Bonds, Series due 1989. Applicant proposes to sell the proposed Bonds at competitive bidding. The aforesaid First Mortgage Bonds are to be dated November 1, 1959, will mature November 1, 1989, and will be issued under Applicant's Indenture of First Mortgage dated as of June 2, 1924, as heretofore supplemented and modified and as to be further supplemented and modified by the Forty-fourth Supplemental Indenture to be dated as of November 1, 1959. The proceeds from the sale of the First Mortgage Bonds will be used, to the extent such proceeds are sufficient, to prepay promissory notes having a maturity date of January 31, 1960, issued to eighteen banks signatory to Applicant's September 8, 1958 Credit Agreement.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 5th day of October 1959, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). This application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-7722; Filed, Sept. 16, 1959; 8:45 a.m.]

[Docket Nos. G-6622, G-8510]

CROW DRILLING CO., INC.

Notice of Postponement of Hearing

SEPTEMBER 10, 1959.

Upon further consideration of the motion filed June 10, 1959, by Crow Drilling Co., Inc., to vacate orders fixing date of hearing in the above-designated matter;

The hearing now scheduled for September 14, 1959, is hereby postponed to a date to be hereafter fixed by further notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-7723; Filed, Sept. 16, 1959; 8:45 a.m.]

[Docket No. G-16144, etc.]

BOSWELL-FRATES CO. ET AL.

Notice of Applications and Date of Hearing

SEPTEMBER 10, 1959.

In the matters of Boswell-Frates Company,[1] Docket No. G-16144; The Pure Oil Company, Docket No. G-16169; Schermerhorn Oil Corporation, Docket No. G-16746; Samedan Oil Corporation Docket No. G-16929; W. J. Riley, d/b/a Banquete Gas Company,[2] Docket No. G-17199; C. C. Winn, Operator, et al.,[3] Docket No. G-17302; Beach & Talbot, Operator, et al.,[4] Docket No. G-17414; Zephyr Oil Company,[5] Docket No. G-17905; Burk Royalty Company, Docket No. G-17907; Mid-Eastern Gas Company, Inc., Docket No. G-17916; Wilcox Oil Company, Docket No. G-17949.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

The respective Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Docket No., Field and Location, Purchaser

G-16144; Caddo Dome Field, Carter County, Oklahoma; Cities Service Gas Company.

G-16169; Caddo Dome Field, Carter County, Oklahoma; Boswell-Frates Company.

G-16746; Caddo Dome Field, Carter County, Oklahoma; Boswell-Frates Company.

G-16929; Caddo Dome Field, Carter County, Oklahoma; Boswell-Frates Company.

G-17199; Spartan Field, San Patricio County, Texas; United Gas Pipe Line Company.

G-17302; Spartan Field, San Patricio County, Texas; W. J. Riley, d/b/a Banquete Gas Company.

G-17414; Caddo Dome Field, Carter County, Oklahoma; Boswell-Frates Company.

G-17905; Waskom Field, Harrison County, Texas; Arkansas Louisiana Gas Company.

G-17907; Langlie Mattix Field, Lea County, New Mexico; Permian Basin Pipeline Company.

G-17916; Mannington District, Marion County, West Virginia; Hope Natural Gas Company.

G-17949; Acreage in Barber County, Kansas; Cities Service Gas Company.

These related matters should be heard on a consolidated record and 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 October 20, 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 applications: *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 Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 5, 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.

JOSEPH H. GUTRIDE,
Secretary.

[1] Amendment filed October 15, 1958, requests to delete from original application any reference to Applicant's desire to file on behalf of those producers from whom it purchases gas for resale.

[2] Amendment filed August 10, 1959, covers gas purchased by Applicant from Kirkswood & Morgan, Inc., in the Odem Field, San Patricio County, Texas, to United Gas Pipe Line Company for resale in interstate commerce.

[3] C. C. Winn, Operator, is filing for himself and on behalf of the following nonoperators (the percentage of working interest of each shown in the related rate schedule filings): E. G. Burke, Sr., J. J. Nolan, Robert L. Nolan, John J. Nolan, James P. Nolan, Thomas Drilling Corporation, L. L. Woodman and C. A. Nansheim. C. C. Winn is the only signatory seller party to the subject gas sales contract.

[4] Beach & Talbot, Operator, is filing for itself and on behalf of 20 nonoperating owners of working interests in the Nell Pruitt Lease and itself and seventeen nonoperating owners of working interests in the Milton Scott Lease. In each instance the names and percentage of working interest owned by each are listed in the application. Beach & Talbot is the only signatory seller party to the subject gas sales contract.

[5] Zephyr Oil Company, nonoperator, is filing for itself and lists in the application together with the percentage of interest of each the following owners of working interests in the subject gas unit: Arkansas Louisiana Gas Company (Operator and also the Purchaser, which company needs no authorization to take its proportionate share of gas produced), Zephyr Oil Company, C. A. Hinton, Hinton Production Company, Mrs. Elizabeth Chilcoat, Herbert C. Leiter, A. M. Rozeman, M. E. Pollard, W. M. Plaster and Carl Reed. Zephyr Oil Company and W. B. Hinton are the only signatory seller parties to the subject gas sales contract.

[F.R. Doc. 59-7724; Filed, Sept. 16, 1959; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 14, 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. 35681: *Pulpwood—ACL stations in Alabama and Georgia to points in Alabama and Florida.* Filed by Atlantic Coast Line Railroad Company, Agent (No. 206), for itself. Rates on pulpwood, carloads from stations on the Atlantic Coast Line Railroad Company in Alabama and Georgia to Foley, Fla., also to Dothan, Ala., on traffic destined to Panama City, Fla., and to Chattahoochee, Fla., on traffic destined to Port St. Joe, Fla.

Grounds for relief: Abandonment of a portion of the line of the ACL between Fitzgerald and Kingwood, Ga., under Finance Docket 20097.

Tariff: Supplement 22 to Atlantic Coast Line Railroad Company tariff I.C.C. B–3533.

FSA No. 35682: *Lime—Southern points to Florida.* Filed by O. W. South, Jr., Agent (SFA No. A3839), for interested rail carriers. Rates on lime, carloads, as described in the application from specified producing points in southern territory including Ohio and Mississippi River crossings and points in Virginia to destinations in Florida.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 119 to Southern Freight Association, Agent, tariff I.C.C. 1345.

FSA No. 35683: *Sugar—Southwestern and western points in Texas.* Filed by Southwestern Freight Bureau, Agent (No. B–7630), for interested rail carriers. Rates on beet or cane sugar, refined, carloads from points in Colorado, Idaho, Louisiana, Oregon, Utah and Wyoming to points in New Mexico and Texas.

Grounds for relief: Market competition at destinations with Sugarland, Tex.

Tariffs: Supplement 46 to Southwestern Lines tariff I.C.C. 4057. Supplement 84 to Southwestern Lines tariff I.C.C. 4088.

FSA No. 35684: *Perlite mix—Socorro, N. Mex., to official territory.* Filed by Southwestern Freight Bureau, Agent (No. B–7631), for interested rail carriers. Rates on perlite mix, carloads, from Socorro, N. Mex., to stations in Connecticut, District of Columbia, Indiana, Maryland, Michigan, New York, Ohio, Pennsylvania, and West Virginia.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 615 to Southwestern Lines tariff I.C.C. 4139, Southwestern Freight Bureau, Agent.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 59-7731; Filed, Sept. 16, 1959; 8:46 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under *Title 2, The Congress.* A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 86th Congress, First Session.

Approved September 16, 1959

S. 994 ..... Public Law 86–276
An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws.

S. 1575 ..... Public Law 86–279
An Act to amend the Act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes.

H. J. Res. 19 ..... Public Law 86–277
Joint Resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard.

H. J. Res. 493 ..... Public Law 86–278
Joint Resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks).

H. R. 213 ..... Public Law 86–284
An Act to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, and to permit the States of California, Kansas, North Dakota, and Vermont to obtain social security coverage, under State agreement, for policemen and firemen in positions covered by a retirement system.

H. R. 839 ..... Public Law 86–281
An Act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes.

H. R. 2906 ..... Public Law 86–280
An Act to extend the period for filing claims for credit or refund of overpayments of income taxes arising as a result of renegotiation of Government contracts.

H.R. 2978 ..... Public Law 86–282
An Act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

H.R. 6508 ..... Public Law 86–283
An Act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes.

H.R. 6579 ..... Public Law 86–288
An Act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning.

H.R. 6669 ..... Public Law 86–285
An Act to amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

H.R. 7571 ..... Public Law 86–286
An Act to amend section 7 of the Act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution.

H.R. 8461 ..... Public Law 86–287
An Act to amend the Act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure.

H.R. 8575 ..... Public Law 86–275
An Act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

A numerical list of the parts of the Code of Federal Regulations affected by documents published to date during September. Proposed rules, as opposed to final actions, are identified as such.

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