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# Rules and Regulations

## Title 7—AGRICULTURE

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

[Valencia Orange Reg. 234; Amdt. 1]

### PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Limitation of Handling

*Findings.* 1. Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

*Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 922.534 (Valencia Orange Regulation 234, 26 F.R. 5952) are hereby amended to read as follows:

(ii) District 2: 550,000 cartons.

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

Dated: July 7, 1961.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Agricultural Marketing Service.

[F.R. Doc. 61-6514; Filed, July 11, 1961; 8:49 a.m.]

[959.319]

### PART 959—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIF., AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

#### Limitation of Shipments

*Findings.* (a) Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provide methods for limiting the handling of potatoes grown in the production area defined therein through the issuance of regulations authorized in §§ 959.1 through 959.88, inclusive, of the amended order. The Oregon-California Potato Committee, pursuant to § 959.51 of the amended order, has recommended that regulations limiting the handling of 1961 crop potatoes should be issued. The recommendation of said committee and information submitted by it, with other available information, have been considered and it is hereby found that the regulations hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the time intervening between the date when information upon which this section is based became available, and the time when this action must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

#### § 959.318 Limitation of shipments.

During the period from July 17, 1961, through October 10, 1961, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), (e), and (f) of this section.

(a) *Minimum quality requirements*—(1) *Grade*—All varieties. U.S. No. 2, or better grade.

(2) *Size*—All varieties. 1 7/8 inches minimum diameter.

(b) *Minimum maturity requirements*—(1) *All varieties*. "Moderately skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-half of the skin missing or "feathered."

(2) Not to exceed a total of 100 hundredweight of any variety of a lot of potatoes may be handled for any producer any seven consecutive days without regard to the aforesaid maturity requirements. Prior to each shipment of potatoes exempt from the above maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Special purpose shipments*. (1) The minimum grade, size, and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(i) *Certified seed*;

(ii) *Livestock feed or grading and storing*. *Provided*, That potatoes may not be shipped for such purposes outside of the district where grown except that potatoes grown in District No. 2 or District No. 4 may be shipped for grading or storing or for livestock feed within, or to, such districts for such purposes;

(iii) *Charity*;

(iv) *Starch*;

(v) *Canning or freezing*.

(2) The minimum grade, size, and maturity requirements set forth in paragraphs (a) and (b) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) *Dehydration*. *Provided*, That potatoes of a size not smaller than 1 1/2 inches in diameter may be shipped if at least 85 percent of the potatoes grade not less than U.S. No. 1.

(ii) *Export*. *Provided*, That Size B potatoes may be shipped if they meet the requirements of the U.S. No. 1, or better, grade.

(iii) *Potato chipping*. *Provided*, That potatoes which fail to meet the requirements of paragraphs (a) and (b) of this section because of damage from shriveling or sprouting caused by the conditioning of the potatoes for potato chipping may be shipped: *Provided further*, That potatoes which have been conditioned for use for potato chipping and from which both ends are clipped or from which more than one-fourth of the potato has been cut away may be shipped if the remaining portion weighs 6 ounces or more and if such potatoes otherwise meet the applicable grade requirements: *Provided further*, That potatoes which by clipping second growth could be made to meet the aforesaid grade and size requirements may be shipped without such clipping.

(iv) *Hash browns or potato salad*. *Provided*, That Size B potatoes may be

shipped if they meet the requirements of the U.S. No. 1, or better, grade.

(d) *Safeguards.* (1) Each handler making shipments of certified seed pursuant to paragraph (c) of this section shall pay assessments on such shipments and shall furnish the committee with either a copy of the applicable certified seed inspection certificate or shall apply for and obtain a Certificate of Privilege and, upon request of the committee, furnish reports of each shipment made pursuant to each Certificate of Privilege.

(2) Each handler, making shipments of potatoes for canning, freezing, dehydration, export, potato chipping, or for use in hash browns or potato salad, pursuant to paragraph (c) of this section shall:

(i) First, apply to the committee for and obtain a Certificate of Privilege to make such shipments.

(ii) Pay assessments on such shipments, except shipments for canning or freezing.

(iii) Have such shipments inspected, except shipments for canning or freezing.

(iv) Upon request by the committee furnish reports of each shipment made pursuant to each Certificate of Privilege.

(v) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in such application and that such receiver will complete and return to the committee such periodic receivers' reports that the committee may require.

(vi) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after date of such shipment.

(vii) Bill each shipment directly to the applicable processor or receiver.

(e) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment of over 5 hundredweight of potatoes.

(f) *Inspection.* For the purpose of operation under this part, and unless exempted from inspection by the provisions of this section, each required inspection certificate is hereby determined, pursuant to § 959.60(c), to be valid for a period of not to exceed 14 days following completion of inspection as shown on the certificate. The period of validity of an inspection certificate covering inspected and certified potatoes that are stored in refrigerated storage within 14 days of the inspection shall be the entire period such potatoes remain in such storage.

(g) *Definitions.* The terms "moderately skinned," "U.S. No. 1," "U.S. No. 2," and "Size B" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540 to 51.1556 of this title), including the tolerances set forth therein. Other terms used in this section shall have the same meaning as when used in Marketing

Agreement No. 114, as amended, and Order No. 59, as amended.

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

Dated: July 7, 1961, to become effective July 17, 1961.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Agricultural Mar-  
keting Service.

[F.R. Doc. 61-6527; Filed, July 11, 1961;  
8:51 a.m.]

## PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALI- FORNIA

### Modification of Procedure for Allocation of Reserve Tonnage Raisins Offered for Sale to Handlers

The Raisin Administrative Committee, established under Marketing Agreement No. 109, as amended, and Order No. 89, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California (hereinafter referred to collectively as the "order"), has, pursuant to § 989.66(e)(5) thereof, recommended for approval a modification of certain of the present procedures for the allocation to handlers of reserve tonnage raisins offered for sale to them. The said amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The committee has determined that those allocation procedures specified in § 989.66(e)(2) which apply to the reoffer of reserve tonnage raisins to handlers are not suitable in particular situations. Section 989.66(e)(2) provides in this respect that any unpurchased tonnage from an offer (other than an offer which the committee determines to be the last offer prior to July 1 in each crop year) shall be reoffered by the committee to all handlers who purchased all of their respective shares of such offer, in proportion to their respective volumes (of reserve tonnage) purchased in the current and all prior offers and reoffers. No provision is made for more than one reoffer of unpurchased tonnage from such an offer. With respect to a large current offer of reserve tonnage, some handlers may not purchase all of their respective shares in the first reoffer if one is made, while other handlers who purchase all of their respective shares may still need additional tonnage. Since reserve tonnage held by the committee becomes surplus tonnage on August 1 and time would not permit a complete new offer, one or more additional reoffers to such handlers would tend to increase the total quantity of raisins sold as reserve tonnage. Reserve tonnage is sold at prices higher than the prices for surplus, and thus this would increase returns to producers.

Section 989.66(e)(2) also provides that, with respect to reoffers of any unpurchased portions of an offer of reserve tonnage raisins determined by the committee to be the last such offer prior to

July 1 in each crop year, each handler entitled to participate in any such reoffer shall be eligible to purchase an equal share of the tonnage reoffered, and as many reoffers of unpurchased tonnage as the committee deems advisable may be made. At the present time it appears that maximum disposition of reserve tonnage among handlers would be facilitated if such reoffers were on a proportional-share basis (the same as provided in connection with other offers) rather than on the equal-share basis. However, the situation can quickly change and the committee should be in a position to reoffer any unpurchased tonnage from such an offer on either basis, depending on which will better facilitate disposition of the reserve tonnage. Since any such special procedure is intended to apply to reoffers of unpurchased tonnage from the last offer of the crop year, and offers of reserve tonnage may now be made in July, such alternative procedures should apply with respect to the last offer prior to August 1, rather than July 1, in each crop year.

Modification, pursuant to § 989.66(e)(5), of the prescribed allocation procedure for the reoffer to handlers of unpurchased reserve tonnage raisins as recommended by the committee and hereinafter set forth, is intended to correct the deficiencies indicated in the two preceding paragraphs and thus provide allocations for handlers which are suitable for particular situations. The modified procedure is consistent with the provisions of § 989.66(e)(1) and will facilitate disposition of reserve tonnage through handlers and, hence, will tend to effectuate the declared policy of the act.

Therefore, it is hereby ordered, That § 989.66(e)(2) shall be, and it hereby is, modified by deleting the last sentence and adding, in lieu thereof, two new sentences so that subparagraph (2), as modified, reads as follows:

(2) Each handler's share of an offer of reserve tonnage raisins for purchase shall be determined as the same proportion that the reserve tonnage held by him is of the reserve tonnage held by all handlers: *Provided*, That any reserve tonnage for which a deferment has been granted to a handler pursuant to the provisions of paragraph (c) of this section shall be included in his holdings in determining his share. In the event that any handler fails to purchase any or all of his share of any such offer, the remaining portion of the offer shall be reoffered by the committee to all handlers who purchased all of their respective shares of such offer, in proportion to their respective volumes purchased in the current and all prior offers and reoffers. Any handler whose holdings of reserve tonnage raisins have been exhausted may participate in any reoffer in proportion to the volume purchased by him in the current and all prior offers and reoffers. If the committee determines:

(i) An offer to be the last which will be made prior to August 1 of each crop year and

(ii) That reoffers of any unpurchased portion of such offer on an equal-share

basis, in lieu of a proportional-share basis set forth in the two preceding sentences, would facilitate the disposition of reserve tonnage raisins through handlers,

Each handler entitled to participate in any such reoffer shall be eligible to purchase an equal share of tonnage re-offered. The committee shall make one reoffer of any unpurchased tonnage in connection with each offer of reserve tonnage raisins, and may make as many additional reoffers as it deems advisable.

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 making this action effective upon publication in the FEDERAL REGISTER rather than 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011), in that: (1) All offers and reoffers by the committee of reserve tonnage raisins in each crop year must be completed by August 1, and the modification provided by this document must become effective as soon as possible in order that the modified procedure may be used to facilitate the final disposition of reserve tonnage in the current 1960-61 crop year; (2) to the extent that the modification minimizes, as intended, the quantity of reserve tonnage becoming surplus, restriction is lessened; and (3) under the circumstances, it is not necessary that handlers have an opportunity to submit data, views or arguments or additional time in order to avail themselves of, or conduct their operations in accordance with, this modified procedure.

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

Dated: July 7, 1961, to become effective upon publication in the FEDERAL REGISTER.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Agricultural Marketing Service.

[F.R. Doc. 61-6528; Filed, July 11, 1961; 8:51 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter II—Civil Aeronautics Board

#### SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. No. PR-51]

### PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

#### Finalization of Initial Decisions

JULY 7, 1961.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 7th day of July 1961.

Section 302.28 presently provides that unless timely exceptions to an initial decision of an examiner are filed by one of the parties, or the Board determines to review the decision upon its own motion, such decision shall become final and constitute the Board's ultimate disposition of the case. However, that sec-

tion further provides that the initial decision does not automatically become effective, but requires finalization by the issuance of a Board order after the expiration of the time prescribed for the filing of exceptions.

It appears to the Board that the additional procedural step of issuing an order finalizing initial decisions which are neither contested by the parties nor reviewed by the Board on its own motion, is unnecessary. The Board has therefore decided to amend § 302.28 to automatically render final an initial decision which has not been the subject of an appeal or spontaneous Board action. As amended, § 302.28 provides that an initial decision not appealed from shall become final 20 days after expiration of the time for filing exceptions unless, within such period the Board makes an order finally disposing of the proceeding or providing for further review.

These changes will not make this rule applicable to recommended decisions. The amended rule will apply to initial decisions by Board Members or examiners. The rights of parties under § 302.30 to obtain Board review will not be affected.

Since this amendment is not a substantive rule, but one of agency practice, notice and public procedure hereon are not required and the amendment may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends § 302.28 of Part 302 of the Procedural Regulations (14 CFR Part 302), effective July 12, 1961, except as to initial decisions issued prior to that date, to read as follows:

#### § 302.28 Effect of initial decision.

Whenever a Member of the Board or hearing examiner makes the initial decision in a hearing case and in the absence of timely exceptions thereto pursuant to § 302.30 of this part, such initial decision shall become the decision of the Board 20 days after expiration of the time for filing exceptions unless the Board, within said 20-day period, makes an order constituting its final disposition of the proceeding or providing for further review.

(Sec. 204 (a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481, and sec. 8 of the Administrative Procedure Act, 60 Stat. 242, 5 U.S.C. 1007)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 61-6532; Filed, July 11, 1961; 8:52 a.m.]

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-LA-29]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of this amendment to § 600.1542 of the regulations of the Ad-

ministrator is to alter the description of intermediate altitude VOR Federal airway No. 1542 between the Tucson, Ariz., VOR and the Columbus, New Mexico, VOR to include the Cochise, Ariz., VOR.

The addition of the Cochise VOR to the description of Victor 1542 will provide a lower minimum en route altitude for this segment of the airway and thereby better accommodate existing traffic requirements. The alteration will not affect the alignment or width of Victor 1542.

Since the changes effected by this amendment impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In the text of § 600.1542 (26 F.R. 1079) "to the INT of the Tucson VOR 095° and the San Simon, Ariz., VOR 241° radials;" is deleted and "to the Cochise, Ariz., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6495; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-FW-57]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of this amendment to § 600.6005 of the regulations of the Administrator is to alter the alignment of low altitude VOR Federal airway No. 5 east alternate between McDonough, Ga., and Dublin, Ga.

Victor airway 5 east alternate is currently designated, in part, via the McDonough VOR 122° and the Dublin VOR 330° radials and intersects low altitude VOR Federal airway No. 267 approximately 4 miles east of low altitude VOR Federal airway No. 35. In the interest of better air traffic management it is desirable that these airways form a common intersection. The realignment of Victor 5 east alternate via the McDonough VOR 119° True radial will provide a common intersection. Such action is taken herein.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 600.6005 (25 F.R. 7673) is amended to read:

§ 600.6005 VOR Federal airway No. 5 (Jacksonville, Fla., to London, Ont., Canada).

From the Jacksonville, Fla., VORTAC via the INT of the Jacksonville VORTAC 319° and the Alma, Ga., VOR 148° radials; Alma VOR, including a W alternate; Macon, Ga., VORTAC; McDonough, Ga., VOR, including an E alternate from the Jacksonville VORTAC to the McDonough VOR via the INT of the Jacksonville VORTAC 334° and the Dublin, Ga., VOR 137° radials, Dublin VOR, and the INT of the Dublin VOR 330° and the McDonough VOR 119° radials; Chattanooga, Tenn., VORTAC, including an E alternate via the INT of the McDonough VOR 345° and the Chattanooga VORTAC 118° radials; Nashville, Tenn., VORTAC, including an E alternate via the INT of the Chattanooga VORTAC 333° and the Nashville VORTAC 117° radials; Bowling Green, Ky., VOR; New Hope, Ky., VOR, including an E alternate from the Nashville VORTAC to the New Hope VOR via the INT of the Nashville VORTAC 029° and the New Hope VOR 202° radials; Louisville, Ky., VORTAC; Cincinnati, Ohio, VORTAC; INT of the Cincinnati VORTAC 045° and the Appleton, Ohio, VORTAC 244° radials; Appleton VORTAC; Mansfield, Ohio, VORTAC; Cleveland, Ohio, VORTAC; to the London, Ont., Canada, VOR, excluding the portion outside of the United States.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 3, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6496; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-LA-30]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

##### Alteration

The purpose of this amendment to § 600.1625 of the regulations of the Administrator is to alter the description of intermediate altitude VOR Federal airway No. 1625 between the Tucson, Ariz., VOR and the San Simon, Ariz., VOR to include the Cochise, Ariz., VOR.

The addition of the Cochise VOR to the description of Victor 1625 will provide a lower minimum en route altitude for this segment of airway and thereby better accommodate existing traffic requirements. The alteration will not affect the alignment or width of Victor 1625.

Since the change effected by this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appro-

priate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In the text of § 600.1625 (26 F.R. 1079) "via the INT of the Tucson VOR 095° and the San Simon, Ariz., VOR 241° radials;" is deleted and "via the Cochise, Ariz., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., August 24, 1961.  
(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6497; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-WA-71]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

##### Alteration

The purpose of this amendment to § 600.6213 of the regulations of the Administrator is to redesignate low altitude VOR Federal airway No. 213 via the Patuxent, Md., VOR in lieu of the Patuxent, Md. (Navy) VOR.

The Federal Aviation Agency (FAA) plans to commission the Patuxent VOR on or about June 29, 1961, after minor relocation and transfer of this facility from the Department of the Navy. This action necessitates a slight realignment of Victor 213. Therefore, action is taken herein to redesignate Victor 213 via the Patuxent VOR.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following action is taken:

In the text of § 600.6213 (14 CFR 600.6213, 25 F.R. 1938, 10798, 26 F.R. 3462) "Patuxent, Md., (Navy) VOR;" is deleted and "Patuxent, Md., VOR;" is substituted therefor.

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

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6498; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-WA-83]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

##### Alteration

The purpose of these amendments to §§ 600.6837 and 600.6885 is to alter low

altitude VOR Federal airways Nos. 837 and 885 between the Mastic, N.Y., intersection and the Hampton, N.Y., VOR.

The 800 series airways are designated to indicate preferred routes for the purpose of segregating opposite direction traffic operating between major terminals and generally coincide with existing VOR Federal airways. Victor airways 837 and 885 were originally aligned via the Hampton VOR 239° radial so as to overlie low altitude VOR airways Nos. 139 and 46 south alternate between the Mastic intersection and the Hampton VOR. However, Victor airways Nos. 139 and 46 south alternate were altered in Airspace Dockets Nos. 60-NY-59 (26 F.R. 3274), and 60-WA-143 (26 F.R. 3523), in part, via the Hampton VOR 223° radial. Therefore, action is taken herein to alter Victor airways 837 and 885, in part, via the Hampton VOR 223° radial in lieu of the 239° radial.

Since these amendments impose no additional burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following actions are taken:

1. In the text of § 600.6837 (26 F.R. 21, 2745, 3521) "Hampton, N.Y., VOR 239° True radials;" is deleted and "Hampton, N.Y., VOR 223° radials;" is substituted therefor.

2. In the text of § 600.6885 (26 F.R. 21, 2745, 3521) "Hampton, N.Y., VOR 239° radials;" is deleted and "Hampton, N.Y., VOR 223° radials;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6499; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-FW-30]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Revocation of Federal Airway, Associated Control Area and Reporting Points

On April 16, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 3572) stating that the Federal Aviation Agency proposed to revoke, in its entirety, Red Federal airway No. 16, its associated control area and reporting points.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, Parts 600 and 601 (14 CFR Parts 600, 601) are amended as follows:

1. Section 600.216 Red Federal airway No. 16 (Florence, S.C., to Raleigh, N.C.) is revoked.

2. Section 601.216 Red Federal airway No. 16 control areas (Florence, S.C., to Raleigh, N.C.) is revoked.

3. Section 601.4216 Red Federal airway No. 16 (Florence, S.C., to Raleigh, N.C.) is revoked.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 3, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6501; Filed, July 11, 1961; 8:48 a.m.]

[Airspace Docket No. 60-NY-154]

**PART 600—DESIGNATION OF FEDERAL AIRWAYS**

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Revocation of Federal Airway, Associated Control Areas and Reporting Points**

On April 25, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 3540) stating that the Federal Aviation Agency proposed to revoke, in its entirety, Blue Federal airway No. 4, its associated control areas and reporting points.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, Parts 600 and 601 (14 CFR Parts 600, 601) are amended as follows:

1. Section 600.604 Blue Federal airway No. 4 (Boston, Mass., to the United States/Canadian border) is revoked.

2. Section 601.604 Blue Federal airway No. 4 control areas (Boston, Mass., to the United States/Canadian border) is revoked.

3. Section 601.4604 Blue Federal airway No. 4 (Boston, Mass., to the United States/Canadian border) is revoked.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 3, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6502; Filed, July 11, 1961; 8:48 a.m.]

[Airspace Docket No. 60-LA-119]

**PART 600—DESIGNATION OF FEDERAL AIRWAYS**

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**PART 608—SPECIAL USE AIRSPACE**

**Revocation of Prohibited Area and Restricted Area, Designation of Restricted Areas, and Alteration of Continental Control Area and Federal Airway**

The purpose of these actions is to revoke the Las Vegas Project, Las Vegas, Nev., Prohibited Area P-275 and revoke Restricted Area R-4806 and redesignate these areas as R-4806, R-4807, R-4808 and R-4809; include the new R-4806 in the continental control area; and alter the description of VOR Federal airway No. 135 to reflect the correct identification of the restricted area that would coincide with Victor 135.

The Las Vegas Prohibited Area P-275 was established by Presidential Executive Order 10633 dated August 19, 1955 (20 F.R. 6029) for national defense and other governmental purposes. The description of P-275 was subsequently amended by Executive Order 10775 dated July 25, 1958, (23 F.R. 5682). The Atomic Energy Commission (AEC), the agency responsible for the activities conducted in P-275, has agreed to a proposal by the Department of the Air Force that the FAA redesignate this area as a restricted area, hereinafter referred to as R-4808, to be effective continuously from the surface to flight level 600, with the Atomic Energy Commission designated as the using agency.

The presently designated Tonopah, Nev., Restricted Area R-4806 is effective continuously from the surface to an unlimited altitude. The Air Force has requested that this area be divided into 3 separate restricted areas, to be identified by different restricted area numbers. Therefore, the Federal Aviation Agency is taking action herein to designate the restricted airspace east of the former P-275 as R-4806 and to divide the restricted airspace north of P-275 into two areas to be identified as R-4807 and R-4809. R-4806 and R-4807 are desig-

nated herein from sunrise to sunset, Monday through Saturday, from the surface to flight level 450 and the Commander of Nellis AFB, Nev., is designated as the using agency of both areas. Further, in order to effect joint use of R-4806, § 601.7101 is amended to include R-4806 in the continental control area, and the Federal Aviation Agency, Los Angeles Air Route Traffic Control Center is designated as the controlling agency. R-4809 is designated herein continuously from the surface to an unlimited altitude and the AEC, which is responsible for the activity within R-4809, is designated as the using agency. These actions will provide for more flexible utilization of this special use airspace. In addition, the description of Victor 135 is altered to reflect the new identification of the restricted airspace (R-4807) which is excluded from this airway. No additional special use airspace is designated in these actions.

Since the changes effected by these amendments are less restrictive in nature than the present requirements, and impose no additional burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than thirty days after publication.

In consideration of the foregoing, the following actions are taken:

1. Executive Orders 10633 (20 F.R. 6209) and 10775 (23 F.R. 5682), establishing and amending the Las Vegas Project, Las Vegas, Nev., Prohibited Area P-275, are repealed.

**§ 608.48 [Amendment]**

2. In § 608.48 Nevada (26 F.R. 882) "R-4806 Tonopah, Nev." is revoked.

3. In § 608.48 Nevada (26 F.R. 882), the following are added:

(a) R-4806 Las Vegas, Nev.

*Boundaries.* Beginning at latitude 37°17'00" N., longitude 115°18'00" W.; to latitude 36°26'00" N., longitude 115°18'00" W.; to latitude 36°26'00" N., longitude 155°23'00" W.; to latitude 36°35'00" N., longitude 115°37'00" W.; to latitude 36°35'00" N., longitude 115°42'00" W.; to latitude 36°41'00" N., longitude 115°42'00" W.; to latitude 36°41'00" N., longitude 115°56'00" W.; to latitude 37°12'00" N., longitude 115°56'00" W.; to latitude 37°12'00" N., longitude 115°45'00" W.; to latitude 37°17'00" N., longitude 115°45'00" W.; to the point of beginning.

*Designated altitudes.* Surface to flight level 450.

*Time of designation.* Sunrise to sunset, Monday through Saturday.

*Controlling agency.* Federal Aviation Agency, Los Angeles ARTC Center.

*Using agency.* Commander, Nellis AFB, Nev.

(b) R-4807 Tonopah, Nev.

*Boundaries.* Beginning at latitude 36°51'00" N., longitude 116°33'30" W.; to latitude 37°26'30" N., longitude 117°04'30" W.; to latitude 37°53'00" N., longitude 117°01'00" W.; to latitude 37°53'00" N., longitude 116°55'00" W.; to latitude 37°47'00" N., longitude 116°55'00" W.; to latitude 37°33'00" N., longitude 116°43'00" W.; to latitude 37°33'00" N., longitude 116°26'00" W.; to latitude 37°53'00" N., longitude 116°26'00" W.; to lat-

itude 37°53'00" N., longitude 116°11'00" W.; to latitude 37°42'00" N., longitude 116°11'00" W.; to latitude 37°42'00" N., longitude 115°53'00" W.; to latitude 37°33'00" N., longitude 115°53'00" W.; to latitude 37°33'00" N., longitude 115°48'00" W.; to latitude 37°17'00" N., longitude 115°48'00" W.; to latitude 37°17'00" N., longitude 115°56'00" W.; to latitude 37°16'00" N., longitude 115°56'00" W.; to latitude 37°16'00" N., longitude 116°34'00" W.; to the point of beginning.

*Designated altitudes.* Surface to flight level 450.

*Time of designation.* Sunrise to sunset, Monday through Saturday.

*Using agency.* Commander, Nellis AFB, Nev.

(c) R-4808 Las Vegas, Nev.

*Boundaries.* Beginning at latitude 36°41'00" N., longitude 115°56'00" W.; to latitude 36°41'00" N., longitude 116°26'30" W.; to latitude 36°51'00" N., longitude 116°26'30" W.; to latitude 36°51'00" N., longitude 116°33'30" W.; to latitude 37°16'00" N., longitude 116°34'00" W.; to latitude 37°16'00" N., longitude 115°56'00" W.; to latitude 37°17'00" N., longitude 115°56'00" W.; to latitude 37°17'00" N., longitude 115°45'00" W.; to latitude 37°12'00" N., longitude 115°45'00" W.; to latitude 37°12'00" N., longitude 115°56'00" W.; to the point of beginning.

*Designated altitudes.* Surface to flight level 600.

*Time of designation.* Continuous.

*Using agency.* Manager, Atomic Energy Commission, Albuquerque, N. Mex.

(d) R-4809 Tonopah, Nev.

*Boundaries.* Beginning at latitude 37°53'00" N., longitude 116°26'00" W.; to latitude 37°33'00" N., longitude 116°26'00" W.; to latitude 37°33'00" N., longitude 116°43'00" W.; to latitude 37°47'00" N., longitude 116°55'00" W.; to latitude 37°53'00" N., longitude 116°55'00" W.; to the point of beginning.

*Designated altitudes.* Unlimited.

*Time of designation.* Continuous.

*Using agency.* Manager, Atomic Energy Commission, Albuquerque, N. Mex.

#### § 601.7101 [Amendment]

4. In the text of § 601.7101 (26 F.R. 1399), the following is added: "R-4806 Las Vegas, Nev."

5. Section 600.6135 (14 CFR 600.6135) is amended to read:

§ 600.6135 VOR Federal airway No. 135 (Yuma, Ariz., to Tonopah, Nev.).

From the Yuma, Ariz., VOR via the Blythe, Calif., VOR; Rice, Calif., VOR-TAC; Needles, Calif., VORTAC; Las Vegas, Nev., VORTAC; INT of the Las Vegas VORTAC 266° and the Beatty, Nev., VOR 142° radials; Beatty VOR; INT of the Beatty VOR direct radial to the Coaldale, Nev., VORTAC with the Tonopah, Nev., VOR 198° radial; to the Tonopah VOR, excluding the portion that would coincide with R-4807.

These amendments shall become effective 0001 e.s.t. August 24, 1961.

(Secs. 307(a) and 1501 (a), 72 Stat. 749 and 809; 49 U.S.C. 1348 and 1301 Note)

Issued in Washington, D.C., on July 6, 1961.

N. E. HALABY,  
Administrator.

[F.R. Doc. 61-6503; Filed, July 11, 1961; 8:48 a.m.]

[Airspace Docket No. 61-WA-4]

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Alteration of Control Zone

On January 28, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 918) stating that the Federal Aviation Agency proposed to alter the Billings, Mont., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 601.2374 (14 CFR 601.2374) is amended to read:

§ 601.2374 Billings, Mont., control zone.

Within a 5-mile radius of Logan Field (latitude 45°48'23" N., longitude 108°31'54" W.), and within 2 miles either side of the NE course of the Billings RR extending from the 5-mile radius zone to 12 miles NE of the RR.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6480; Filed, July 11, 1961; 8:45 a.m.]

[Airspace Docket No. 61-WA-2]

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Alteration of Control Zone

On January 28, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 917) stating that the Federal Aviation Agency proposed to alter the Cut Bank, Mont., control zone.

No adverse comments were received regarding the proposed amendments.

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

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

#### § 601.1983 [Amendment]

1. In § 601.1983 (14 CFR 601.1983) "Cut Bank, Mont.: Cut Bank Municipal Airport." is deleted.

2. In Part 601 (14 CFR Part 601) the following section is added:

§ 601.2049 Cut Bank, Mont., control zone.

Within a 5-mile radius of the Cut Bank Municipal Airport (latitude 48°36'41" N., longitude 112°22'45" W.), within 2 miles either side of the Cut Bank VOR 151° radial extending from the 5-mile radius zone to 12 miles SE of the VOR, and within 2 miles either side of the SE course of the Cut Bank RR extending from the 5-mile radius zone to 12 miles SE of the RR.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6481; Filed, July 11, 1961; 8:45 a.m.]

[Airspace Docket No. 60-NY-106]

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Alteration of Control Zone

On December 7, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 12525) stating that the Federal Aviation Agency proposed to alter the South Weymouth, Mass., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

Section 601.2360 (14 CFR 601.2360) is amended to read:

§ 601.2360 South Weymouth, Mass., control zone.

Within a 5-mile radius of the South Weymouth NAS (latitude 42°08'55" N., longitude 70°56'25" W.), within 2 miles either side of the 336° bearing from the South Weymouth RBN extending from the 5-mile radius zone to the RBN; and within 2 miles either side of the 165° radial of the South Weymouth TACAN extending from the 5-mile radius zone to 7 miles S of the TACAN.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6482; Filed, July 11, 1961;  
8:45 a.m.]

[Airspace Docket No. 61-WA-3]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On January 27, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 850) stating that the Federal Aviation Agency proposed to alter the Helena, Mont., control zone.

No adverse comments were received regarding the proposed amendments.

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

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

1. In § 601.1983 (14 CFR 601.1983) "Helena, Mont.: Helena County-City Airport." is deleted.
2. In § 601.1984 (14 CFR 601.1984) "Helena, Mont.: Helena County-City Airport (latitude 46°36'24" N., longitude 111°59'19" W.)." is added.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6483; Filed, July 11, 1961;  
8:45 a.m.]

[Airspace Docket No. 60-LA-113]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On January 19, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 486) stating that the Federal Aviation Agency proposed to alter the Stockton, California, control zone.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and

due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, section 601.2208 (14 CFR 601.2208) is amended to read:

**§ 601.2208 Stockton, Calif., control zone.**

Within a 5-mile radius of the Stockton Airport (latitude 37°53'56" N., longitude 121°14'30" W.), within 2 miles either side of the Stockton VORTAC 320° radial extending from the 5-mile radius zone to the VORTAC and within 2 miles either side of a line bearing 308° from the Stockton ILS OM extending from the 5-mile radius zone to the outer marker.

These amendments shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6484; Filed, July 11, 1961;  
8:45 a.m.]

[Airspace Docket No. 61-WA-78]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

The purpose of this amendment to § 601.2196 of the regulations of the Administrator is to change the name of "New Castle County Airport" at Wilmington, Del., to "Greater Wilmington Airport" in the description of the Wilmington control zone in order to correctly reflect the name of this airport in this description.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) § 601.2196 (14 CFR 601.2196) is amended to read:

**§ 601.2196 Wilmington, Del., control zone.**

Within a 5-mile radius of the Greater Wilmington Airport (latitude 39°40'42" N., longitude 75°36'27" W.), within 2 miles either side of the New Castle, Del., RR S course extending from the 5-mile radius zone to 10 miles S of the RR, and within 2 miles either side of the New Castle VORTAC 235° radial extending from the 5-mile radius zone to 10 miles SW of the VORTAC.

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

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6485; Filed, July 11, 1961;  
8:45 a.m.]

[Airspace Docket No. 60-KC-93]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On January 27, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 849) stating that the Federal Aviation Agency proposed to alter the Olathe, Kans., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

Section 601.2189 (26 F.R. 4194) is amended to read:

**§ 601.2189 Olathe, Kans., control zone.**

Within a 5-mile radius of the Olathe NAS, (latitude 38°50'00" N., longitude 94°53'30" W.), within 2 miles either side of the S course of the Olathe, Kans., Navy RR extending from the 5-mile radius zone to 12 miles S of the RR, and within 2 miles either side of the 353°, 038°, 188°, and 233° radials of the Olathe Navy TACAN extending from the 5-mile radius zone to 6 miles N, NE, S, and SW of the TACAN.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6486; Filed, July 11, 1961;  
8:45 a.m.]

[Airspace Docket No. 60-HO-11]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On February 3, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 1067) stating that the Federal Aviation Agency (FAA)

proposed to alter the Kahului, Hawaii, control zone.

Since this action involves the designation of navigable airspace outside of the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order No. 10854.

The Aircraft Owners and Pilots Association (AOPA) noted that the existing control zone extension based on the north course of the radio range is retained in the proposal and recommended it be rescinded. The AOPA stated that it sees no justification for this extension since the instrument approach procedure (AL-762-RNG) based on the radio range provides that "contact must be established on north course within 5 miles of range station at 1100'. Flight to airport under visual conditions."

The retention of the control zone extension based on the north course of the radio range is required in order to provide protection to aircraft descending below 1,000 feet above the surface while executing a low frequency range approach. The proviso, as noted by the AOPA, does limit this approach to visual contact with the ground after passing the radio range; however, it does not restrict the approach to VFR weather conditions. The approach procedure authorizes descent below 1,000 feet above the surface after passing the range station, with visibility less than 3 miles during daylight hours. Therefore, the control zone is redesignated as published in the notice.

No other adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, § 601.2193 (14 CFR 601.2193) is amended to read:

**§ 601.2193 Kahului, Hawaii, control zone.**

Within a 5-mile radius of the Kahului Airport (latitude 20°54'00" N., longitude 156°26'00" W.), within 2 miles either side of the N course of the Maui, Hawaii, RR extending from the 5-mile radius zone to the RR, and within 2 miles either side of the 038° and 204° radials of the Kahului VOR extending from the 5-mile radius zone to 12 miles NE and SW of the VOR.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a) and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order No. 10854, 24 F.R. 9565)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6487; Filed, July 11, 1961; 8:45 a.m.]

[Airspace Docket No. 60-FW-97]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On January 14, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 304) stating that the Federal Aviation Agency (FAA) proposed to alter the control zone at Lafayette, La.

The Departments of Army and Air Force and the Air Transport Association interposed no objection to the proposal. However, the Aircraft Owners and Pilots Association (AOPA) recommended a fan marker be installed and located in such a manner as to mark the point of let-down below 1,000 feet above ground level to a landing for both the VOR and ADF instrument approach procedures. They further stated this should be approximately 5 miles from the end of the runway. The installation of such a facility, in this instance, would reduce the size of the control zone. However, it is the policy of the FAA to decommission L/MF ranges, Z markers and associated fan markers, where possible, when more modern and accurate navigational aids are available. Considerable expenditure is involved in the installation of fan markers. The FAA is of the opinion that the airspace saving that would be realized from this installation is not of a magnitude to warrant such an expenditure.

No other comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, § 601.2263 (14 CFR 601.2263) is amended to read:

**§ 601.2263 Lafayette, La., control zone.**

Within a 5-mile radius of Lafayette Airport (latitude 30°12'00" N., longitude 91°59'40" W.); within 2 miles either side of the Lafayette ILS localizer N course extending from the 5-mile radius zone to the ILS OM; within 2 miles either side of the 172° radial of the Lafayette VOR extending from the 5-mile radius zone to 12 miles S of the VOR and within 2 miles either side of the 187° bearing from the Lafayette RBN extending from the 5-mile radius zone to 12 miles S of the RBN.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6488; Filed, July 11, 1961; 8:46 a.m.]

[Airspace Docket No. 60-NY-108]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Alteration of Control Zone**

On December 9, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 12623) stating that the Federal Aviation Agency (FAA) proposed to alter the Ft. Dix, N.J., control zone. On January 27, 1961, a supplemental notice of proposed rule making was published (26 F.R. 849) extending the time for comments on this proposal until February 20, 1961.

The Department of the Air Force suggested that the title of the control zone be changed to "McGuire AFB, N.J., control zone" to more accurately reflect the correct definition of the control zone. Since it is the policy of the FAA to list control zones primarily by the name of the city at which they are located, the title of this control zone is changed herein to "Wrightstown, N.J., (McGuire AFB) control zone".

No adverse comments were received regarding the proposed amendments.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

Section 601.2269 (14 CFR 601.2269, 25 F.R. 12830) is amended to read:

**§ 601.2269 Wrightstown, N.J. (McGuire AFB) control zone.**

Within a 5-mile radius of McGuire AFB (latitude 40°00'55" N., longitude 74°35'25" W.), within 2 miles either side of the SW course of the McGuire AFB RR extending from the 5-mile radius zone to 12 miles SW of the RR, within 2 miles either side of the 051° and the 213° radials of the McGuire VOR extending from the 5-mile radius zone to 7 miles NE and 6 miles SW of the VOR, and within 2 miles either side of the 223° radial of the McGuire TACAN extending from the 5-mile radius zone to 8 miles SW of the TACAN, excluding the portions which would coincide with R-5001. The portions of this control zone which coincide with R-5003 shall be used only after obtaining prior approval from appropriate authority.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued at Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6489; Filed, July 11, 1961; 8:46 a.m.]

[Airspace Docket No. 60-FW-51]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS****Alteration of Control Zone**

On September 2, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 8492) stating that the Federal Aviation Agency (FAA) proposed to alter the Lake Charles, La., control zone.

The Air Transport Association of America offered no objection to the proposal. However, the Aircraft Owners and Pilots Association (AOPA) questioned the need for an extension based on the 334° radial of the Lake Charles VOR which would extend to a point 3 miles beyond the outer marker. The AOPA further stated that the need for an extension based on the 341° radial of the Lake Charles TACAN and extending beyond the outer marker was not evident. They suggested that if this extension was necessary to protect a TACAN approach based on a "gate", that the gate be relocated at a point even with the outer marker thereby eliminating the need for an extension beyond that point.

The Department of the Air Force (USAF) offered no objections to the proposal. However, they requested the notice be amended to include a control zone extension 2 miles either side of the Lake Charles VOR 154° radial extending to a point 5 miles southeast of the VOR. This change was requested to protect the departure of heavily loaded tanker type aircraft since it has been determined that a KC-97 type aircraft grossing 170,000 pounds will require an average distance of 8.3 statute miles before attaining an altitude of 1,000 feet above the ground. Subsequent to the above comments the USAF advised the FAA that the Gillis, La., radio beacon will be decommissioned and that the current description of the Lake Charles control zone should be changed to omit reference to the radio beacon.

With regard to the AOPA comments, the FAA has reviewed the proposed extension to the northwest based on the 334° radial of the Lake Charles VOR and has determined that the extension should terminate at the outer marker. Insofar as the extension based on the 341° radial of the Lake Charles TACAN is concerned, the Agency has determined that this control zone extension should terminate at a point 9 statute miles northwest of the TACAN in lieu of the 10 miles as proposed. The United States Manual of Criteria for Standard Instrument Approach Procedures, Par. 4.0210, states that the gate of a TACAN procedure is normally established between 5 and 9 nautical miles from the approach end of the runway (or airport area for circling approach) and is the point at which transition is normally made to a landing configuration. In this instance it appears that the 7-nautical mile gate is at the optimum location for the

TACAN approach procedure (JAL-222-TACAN).

As to the USAF request for a control zone extension to the southeast, field representatives of the FAA have determined that no tanker type aircraft have been based on Chennault AFB, La., since June 1960. The use of the base by transient tankers has been infrequent. The Agency has not been advised of any future plans for tanker aircraft to be assigned to Chennault AFB. In view of this information, it appears that the request for a southeast extension is unjustified.

After reviewing the comments received and other information available, the Agency is taking action herein to alter the Lake Charles control zone as follows:

Within a 5-mile radius of Chennault AFB, Lake Charles, La., (latitude 30°12'40" N., longitude 93°08'35" W.); within two miles either side of the 191° True bearing from the Lake Charles radio beacon extending from the 5-mile radius zone to 12 miles south of the radio beacon; within two miles either side of the 334° True radial of the Lake Charles VOR extending from the VOR to the Lake Charles ILS outer marker compass locator; and within two miles either side of the 341° True radial of the Chennault AFB TACAN (latitude 30°12'25" N., longitude 93°08'42" W.) extending from the 5-mile radius zone to 9 miles northwest of the TACAN.

After implementation of Amendment 60-21 to Civil Air Regulations; Part 60, Air Traffic Rules, alteration of the Lake Charles control zone may be required. If this is necessary, a new proposal concerning the control zone will be initiated after completion of coordination and resolution of terminal procedures.

No other comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, § 601.2331 (14 CFR 601-2331) is amended to read:

**§ 601.2331 Lake Charles, La., control zone.**

Within a 5-mile radius of Chennault AFB, Lake Charles, La. (latitude 30°12'40" N., longitude 93°08'35" W.); within 2 miles either side of the 191° bearing from the Lake Charles RBN extending from the 5-mile radius zone to 12 miles S of the RBN; within 2 miles either side of the 334° radial of the Lake Charles VOR extending from the VOR to the Lake Charles ILS OM; and within 2 miles either side of the 341° radial of the Chennault AFB TACAN (latitude 30°12'25" N., longitude 93°08'42" W.) extending from the 5-mile radius zone to 9 miles NW of the TACAN.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6490; Filed, July 11, 1961; 8:46 a.m.]

[Airspace Docket No. 60-NY-161]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS****Designation of Control Zone**

On April 18, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 3279) stating that the Federal Aviation Agency proposed to designate a control zone at Lebanon, N.H.

No adverse comments were received regarding this proposal.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, Part 601 (14 CFR Part 601) is amended by adding the following section:

**§ 601.2241 Lebanon, N.H., control zone.**

Within a 5-mile radius of the Lebanon, N.H., Municipal Airport (latitude 43°-37'35" N., longitude 72°18'10" W.), and within 2 miles either side of the Lebanon VOR 231° radial extending from the 5-mile radius zone to the VOR.

This amendment shall become effective 0001 e.s.t., September 21, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6491; Filed, July 11, 1961; 8:46 a.m.]

[Airspace Docket No. 61-NY-35]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS****Alteration of Control Area Extension**

The purpose of this amendment to § 601.1368 of the regulations of the Administrator is to alter the Lebanon, N.H., control area extension by revoking the north extension.

The north extension of the Lebanon control area extension is based upon the 348° True bearing of the Lebanon radio

beacon. The Federal Aviation Agency has determined that the Lebanon radio beacon is no longer required for air traffic management purposes and plans to decommission this facility. In addition, the north extension of the Lebanon control area extension, described with reference to the Lebanon radio beacon, has been found to be unnecessary and is, therefore, being revoked herein.

Since the change effected by this amendment is less restrictive in nature than the present requirements, and imposes no additional burden on any person, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.1368 (26 F.R. 712, 1717) is amended to read:

**§ 601.1368 Control area extension (Lebanon, N.H.).**

Within 8 miles SE and 5 miles NW of the 050° radial of the Lebanon VOR extending from the VOR to 17 miles NE.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 3, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6492; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-NY-16]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Designation of Control Zone**

On April 26, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 3573) stating that the Federal Aviation Agency proposed to designate a control zone at Johnstown, Pa.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

Part 601 (14 CFR 601) is amended by adding the following section:

**§ 601.2467 Johnstown, Pa., control zone.**

Within a 5-mile radius of the Johnstown-Cambria County Airport (latitude 40°18'55" N., longitude 78°50'00" W.), and within 2 miles either side of the 215° radial of the Johnstown VOR extending from the 5-mile radius zone to 12 miles SW of the VOR, from 0800 hours to 2200 hours e.s.t., daily.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6493; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 61-KC-25]

**PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS**

**Modification of Control Zone**

The purpose of this amendment to § 601.2105 of the regulations of the Administrator is to modify the Indianapolis, Ind., control zone.

The present Indianapolis control zone is designated within a 5-mile radius of the geographical center of the Weir Cook Municipal Airport (latitude 39°43'42" N., longitude 86°17'04" W.); within 2 miles either side of the W course of the Indianapolis RR extending from the 5-mile radius zone to a point 12 miles W of the RR; and within 2 miles either side of the 143° True radial of the Indianapolis VORTAC extending from the 5-mile radius zone to the VORTAC.

The control zone extension based on the west course of the Indianapolis radio range is no longer required for air traffic management. Additionally, the control zone extension, based on the 143° True radial of the Indianapolis VORTAC should be based on the 142° True radial to conform to the prescribed VOR instrument approach. Therefore, action is taken herein to modify the Indianapolis control zone by revoking the west extension and by changing the extension based on the VORTAC 143° True radial to the 142° True radial.

Since this amendment is minor in nature and imposes no additional burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

Section 601.2105 (25 F.R. 5224) is amended to read:

**§ 601.2105 Indianapolis, Ind., control zone.**

Within a 5 mile radius of the geographical center of the Weir Cook Municipal Airport (latitude 39°43'42" N., longitude 86°17'04" W.); and within 2 miles either side of the 142° radial of the Indianapolis VORTAC extending from the 5-mile radius zone to the VORTAC.

This amendment shall become effective 0001 e.s.t., August 24, 1961.

Issued in Washington, D.C., June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6494; Filed, July 11, 1961; 8:47 a.m.]

[Airspace Docket No. 60-NY-12]

**PART 608—SPECIAL USE AIRSPACE**

**Alteration of Restricted Area**

The purpose of this amendment to § 608.41 of the regulations of the Administrator is to change the time of designation and designated altitudes for the Nashawena, Mass., Restricted Area R-4104.

The Department of the Navy has advised they no longer require airspace within R-4104 above 3,000 feet MSL and in addition that no activity is conducted in this restricted area during the hours from 2400 to 0700 e.s.t. Therefore, action is taken herein to reflect these changes.

Since this amendment reduces a burden on the public, notice and public procedure hereon are unnecessary, and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In § 608.41 Massachusetts, R-4104 Nashawena, Mass., Restricted Area (26 F.R. 881) is amended to read:

R-4104 Nashawena, Mass.

*Boundaries.* A circular area with a 1.5-nautical mile radius centered at latitude 41°27'06" N., longitude 70°54'10" W.

*Designated altitudes.* Surface to 3,000 feet MSL.

*Time of designation.* 0700 to 2400 Local Standard Time.

*Controlling agency.* Federal Aviation Agency, Quonset Approach Control, NAS Quonset Point, R.I.

*Using agency.* Commander, Fleet Air Quonset, NAS Quonset Point, R.I.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 30, 1961.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 61-6500; Filed, July 11, 1961; 8:48 a.m.]

**Title 19—CUSTOMS DUTIES**

Chapter I—Bureau of Customs,  
Department of the Treasury

[T.D. 55420]

**PART 10—ARTICLES CONDITIONALLY  
FREE, SUBJECT TO A REDUCED  
RATE, ETC.**

**International Organizations**

International organizations; Customs Regulations amended. Section 10.30a, Customs regulations, relating to customs exemptions accorded to public international organizations and certain aliens connected therewith, amended.

By various Executive orders the President has designated the Pan American Health Organization, the Southeast Asia Treaty Organization, and the Coffee Study Group as public international organizations entitled to the free entry privileges, exemptions, and immunities conferred by the International Organizations Immunities Act of December 29, 1945.

The designation of the Preparatory Commission for the International Refugee Organization and its successor, the International Refugee Organization, as public international organizations by Executive Order 9887 of August 22, 1947, was revoked on August 18, 1959, by Executive Order 10832.

The list of public international organizations currently entitled to free entry privileges in § 10.30a(a) of the Customs Regulations is therefore amended by inserting in the proper alphabetical order the following:

Organization	Executive Order	Date
Coffee Study Group	10943	May 19, 1961
Pan American Health Organization (includes the Pan American Sanitary Bureau)	10864	Feb. 19, 1960
Southeast Asia Treaty Organization	10866	Feb. 23, 1960

and by deleting from the list the following:

Organization	Executive Order	Date
International Refugee Organization (successor to Preparatory Commission for the International Refugee Organization)	9887	Aug. 22, 1947
Pan American Sanitary Bureau	9751	July 11, 1946

(Secs. 498, 624, 46 Stat. 728, as amended, 759, sec. 3, 59 Stat. 669; 19 U.S.C. 1498, 1624, 22 U.S.C. 288b)

[SEAL] PHILIP NICHOLS, JR.,  
Commissioner of Customs.

Approved: July 5, 1961.

A. GILMORE FLUES,  
Assistant Secretary of the  
Treasury.

[F.R. Doc. 61-6525; Filed, July 11, 1961;  
8:51 a.m.]

**Title 21—FOOD AND DRUGS**

Chapter I—Food and Drug Administration,  
Department of Health, Education,  
and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

**PART 121—FOOD ADDITIVES**

Subpart C—Food Additives Permitted  
in Animal Feed and Animal-Feed  
Supplements

**NYSTATIN**

1. The Commissioner of Food and Drug, having evaluated the data submitted in a petition by E. R. Squibb and Sons, Division of Olin Mathieson Chemical Corporation, Georges Road, New Brunswick, New Jersey, and other relevant material, has concluded that the following regulation should issue in conformance with section 409 of the Federal Food, Drug, and Cosmetic Act, with respect to the food additive nystatin in medicated chicken feed. Therefore, pursuant to the provisions of the act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (121 CFR Part 121) are amended by adding to Subpart C the following new section:

**§ 121.220 Nystatin.**

Nystatin may be safely used in animal feed when incorporated therein in accordance with the following prescribed conditions:

(a) It is used or intended for use:

(1) For the prevention or treatment of crop mycosis and mycotic diarrhea in chickens, including laying hens, as follows:

(i) For prevention when fed continuously at a level of 50 grams of nystatin activity per ton of feed (55 parts per million; 0.0055 percent).

(ii) For treatment when fed for 7 to 10 days at a level of 100 grams of nystatin activity per ton of feed (110 parts per million; 0.011 percent).

(2) As an aid in stimulating the growth and improving the feed efficiency of swine, whereby the level of nystatin to be used shall be equivalent to 20 grams of nystatin activity per ton of feed (22 parts per million; 0.0022 percent).

(b) To assure safe use of the additive in these animal feeds, the label on the additive container, or that of any intermediate premix prepared therefrom, shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the concentration or strength of the additive contained therein.

(3) Adequate mixing directions to provide for a final feed with the proper concentration of the additive, whether or not intermediate premixes are also used.

(4) Adequate directions to provide a finished feed labeled as provided in paragraph (c) of this section.

(5) A statement of the conditions for which the additive is to be used.

(6) If the additive is to be used as prescribed in paragraph (a)(1) of this section, the word "medicated," prominently and conspicuously, wherever the term "feed," "intermediate feed," or "premix" is used, and in juxtaposition therewith.

(c) To assure safe use of the additive, the label and labeling of the finished feed shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the concentration or strength of the additive contained therein.

(3) Adequate directions for use.

(4) If the additive is to be used as prescribed in paragraph (a)(1) of the section, the label and labeling shall also include:

(i) The word "medicated," prominently and conspicuously, wherever the word "feed" is used, and in juxtaposition therewith.

(ii) A statement that the medicated feed is to be used solely for the prevention or treatment of crop mycosis and mycotic diarrhea in chickens and laying hens, whichever is appropriate.

2. Based upon an evaluation of the data before him, and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where chickens and swine have been fed nystatin in accordance with § 121.220, a tolerance limitation is required in order to assure that the edible products of such chickens and swine are safe for human food. Therefore, the following tolerance is established and Part 121 is amended by adding to Subpart D the following new section:

**§ 121.1055 Tolerance for residues of nystatin.**

A tolerance of zero is established for residues of the food additive nystatin in or on eggs of poultry and the uncooked edible tissues and byproducts of swine and poultry.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c) (1), (4), 72 Stat. 1786; 348 (c) (1), (4))

Dated: July 5, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-6517; Filed, July 11, 1961;  
8:50 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

#### SORBITAN MONOSTEARATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Atlas Powder Company, Wilmington 99, Delaware, and other relevant material, has concluded that the following amendments to §§ 121.1029 and 121.1030 of the food additive regulations (21 CFR 1029 (26 F.R. 109), 1030 (26 F.R. 4740, 5254)) should issue in conformance with section 409 of the Federal Food, Drug, and Cosmetic Act, to provide for the use of the food additives sorbitan monostearate and polysorbate 60 (polyoxyethylene (20) sorbitan monostearate), alone or in combination with each other, in cakes. This action is taken pursuant to the provisions of the act (sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625).

1. Section 121.1029 is amended in the following respects:

a. Paragraph (a) is changed to read:

§ 121.1029 Sorbitan monostearate.

(a) The food additive is manufactured by reacting stearic acid (usually containing associated fatty acids, chiefly palmitic) with sorbitol to yield essentially a mixture of esters.

b. The introduction to paragraph (c) (2) is amended to read:

(c) \* \* \*

(2) As an emulsifier in cakes and cake mixes, alone or in combination with polysorbate 60 (polyoxyethylene (20) sorbitan monostearate), on a dry-weight basis, as follows:

c. Paragraph (d) is changed to read:

(d) To assure safe use of the additive, in addition to the other information required by the act:

(1) The label of the additive and any intermediate premixes shall bear:

(i) The name of the additive.

(ii) A statement of the concentration or strength of the additive in any intermediate premixes.

(2) The label or labeling shall bear adequate directions to provide a final product that complies with the limitations prescribed in paragraph (c) of this section.

2. In § 121.1030, the introduction to paragraph (c) (2) is amended to read:

### § 121.1030 Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate).

\* \* \* \* \*

(2) As an emulsifier in cakes and cake mixes, alone or in combination with sorbitan monostearate, on a dry-weight basis, as follows:

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1))

Dated: July 5, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-6516; Filed, July 11, 1961;  
8:49 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2423]

[Idaho 011179]

#### IDAHO

### Revoking in Whole or in Part Certain Stock Driveway Withdrawals

By virtue of the authority vested in the Secretary of the Interior by section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300) as amended, it is ordered as follows:

1. The departmental orders of July 17, 1918, establishing Stock Driveway Withdrawal No. 29, and of June 7, 1924, establishing Stock Driveway Withdrawal No. 171, as enlarged by the departmental order of July 15, 1924, are hereby revoked so far as they affect the following-described lands; and the departmental order of May 11, 1931, establishing Stock Driveway Withdrawal No. 222, and of July 12, 1946, enlarging Stock Driveway Withdrawal No. 48, the lands affected being included in the hereinafter listing, are hereby revoked in their entirety:

#### BOISE MERIDIAN

- T. 1 N., R. 5 E.,  
Sec. 1, lots 1 and 2.
- T. 2 N., R. 5 E.,  
Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 35, E $\frac{1}{2}$ .
- T. 1 N., R. 6 E.,  
Sec. 6, lots 3, 4, 5, 6, and 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 7, lot 1 and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$ .
- T. 2 N., R. 10 E.,  
Sec. 18, lot 8, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 8 S., R. 1 W.,  
Sec. 30, lots 3, 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 31, E $\frac{1}{2}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ .
- T. 9 S., R. 1 W.,  
Sec. 6, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 7, W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$ .
- T. 2 S., R. 2 W.,  
Sec. 31, SE $\frac{1}{4}$ ;  
Secs. 32, 33, and 34.
- T. 3 S., R. 2 W.,  
Sec. 3, lots 2, 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 5, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 6, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7, lots 3, 4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8, W $\frac{1}{2}$ ;  
Sec. 10, NE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ ;  
Sec. 15, E $\frac{1}{2}$ ;  
Sec. 17, NW $\frac{1}{4}$ ;  
Sec. 18, lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ ;  
Sec. 22, E $\frac{1}{2}$ ;  
Sec. 27, E $\frac{1}{2}$ ;  
Sec. 34, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 35, W $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 4 S., R. 2 W.,  
Sec. 1, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 2, lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 23, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 25, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ .
- T. 5 S., R. 2 W.,  
Sec. 2, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ ;  
Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 22, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ .
- T. 6 S., R. 2 W.,  
Sec. 4, lots 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 23, lot 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 26, lots 1, 2, 3, and 4;  
Sec. 35, lots 1, 2, 3, and 4.
- T. 7 S., R. 2 W.,  
Sec. 2, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 11, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 14, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 27, W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 34, W $\frac{1}{2}$ E $\frac{1}{2}$ .
- T. 8 S., R. 2 W.,  
Sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 3, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

- Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 13, SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$ ;
- Sec. 24, W $\frac{1}{2}$ E $\frac{1}{2}$ ;
- Sec. 25, NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 11 S., R. 2 W.,
  - Sec. 6, lots 7, 8, 9, 10, 11, 12, and SE $\frac{1}{4}$ ;
  - Sec. 7, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.
- T. 3 S., R. 3 W.,
  - Sec. 10, E $\frac{1}{2}$ W $\frac{1}{2}$  and E $\frac{1}{2}$ ;
  - Sec. 11;
  - Sec. 12, lots 3, 4, NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;
  - Sec. 13, lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ ;
  - Sec. 15, 21, 22, 28, and 29;
  - Sec. 30, SE $\frac{1}{4}$ ;
  - Sec. 31, E $\frac{1}{2}$ ;
  - Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ .
- T. 4 S., R. 3 W.,
  - Sec. 5, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;
  - Sec. 6, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
  - Sec. 7, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;
  - Sec. 18, W $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 9 S., R. 3 W.,
  - Sec. 6, lots 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 7, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 18, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 19, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 20, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - Sec. 29, W $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 30, E $\frac{1}{2}$ ;
  - Sec. 31, E $\frac{1}{2}$ ;
  - Sec. 32, W $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 11 S., R. 3 W.,
  - Sec. 1, SE $\frac{1}{4}$ ;
  - Sec. 10, E $\frac{1}{2}$ ;
  - Sec. 11, W $\frac{1}{2}$ ;
  - Sec. 12, E $\frac{1}{2}$ ;
  - Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 4 S., R. 4 W.,
  - Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;
  - Sec. 14, S $\frac{1}{2}$ ;
  - Sec. 18, lot 2, SE $\frac{1}{4}$ ;
  - Sec. 19, E $\frac{1}{2}$ E $\frac{1}{2}$ ;
  - Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 22, N $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
  - Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;
  - Sec. 27, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
  - Sec. 34, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 5 S., R. 4 W.,
  - Sec. 3, lots 2, 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 6, lots 1, 2, 3, and 4;
  - Sec. 10, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;
  - Sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;
  - Sec. 21, NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
  - Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
  - Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
  - Sec. 33, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ NE $\frac{1}{4}$ ;
  - Sec. 34, lot 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ .
- T. 6 S., R. 4 W.,
  - Sec. 3, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - Sec. 4, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 10, W $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 15, W $\frac{1}{2}$ W $\frac{1}{2}$ ;
  - Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .
- T. 7 S., R. 4 W.,
  - Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;
  - Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
  - Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ ;
  - Sec. 9, NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - Sec. 17, E $\frac{1}{2}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;
  - Sec. 18, lots 2, 3, 4, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;
  - Sec. 19, lot 1;

- Sec. 21, NE $\frac{1}{4}$  and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;
- Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Sec. 26, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- Sec. 27, E $\frac{1}{2}$ ;
- Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and E $\frac{1}{2}$ .
- T. 8 S., R. 4 W.,
  - Sec. 2, lots 2, 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 11, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$ ;
  - Sec. 23, E $\frac{1}{2}$ ;
  - Sec. 26, E $\frac{1}{2}$ E $\frac{1}{2}$ ;
  - Sec. 35, E $\frac{1}{2}$ E $\frac{1}{2}$ .
- T. 9 S., R. 4 W.,
  - Sec. 1, lots 1, 2, 3, 4, 5, 6, 7, 8, and S $\frac{1}{2}$ NE $\frac{1}{4}$ ;
  - Sec. 2, lots 1 and 8.
- T. 11 S., R. 4 W.,
  - Sec. 1, lots 3, 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$ ;
  - Sec. 2, lots 1, 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$ .
- T. 12 S., R. 1 E.,
  - Sec. 17, NW $\frac{1}{4}$ .

The areas described aggregate approximately 42,472 acres, and are in part included in other withdrawals for power purposes.

2. Most of the lands are situated in Owyhee County, and are generally inaccessible. Topography ranges from rolling to rough and mountainous. Vegetation varies from shadscale at the lower elevations to sagebrush and grass at higher elevations.

3. The public lands released from withdrawal by this order are hereby restored to operation of the public land laws, subject to valid existing rights, the requirements of applicable law, rules, and regulations, and the provisions of any existing withdrawals, provided that until 10:00 a.m., on January 1, 1962, the State of Idaho shall have a preferred right to apply to select the lands in accordance with subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

4. The lands have been open to applications and offers under the mineral leasing laws and to locations under the United States mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

JOHN A. CARVER, JR.,

Assistant Secretary of the Interior.

JULY 3, 1961.

[F.R. Doc. 61-6506; Filed, July 11, 1961; 8:48 a.m.]

[Public Land Order 2424]

TEXAS

Transferring Jurisdiction Over Oil and Gas Deposits in Certain Lands Comprising Portions of Dyess Air Force Base, and The Naval Air Station at Corpus Christi

Whereas, the hereafter described lands, title to which has been acquired by the United States, comprising portions of Dyess Air Force Base, Taylor County, and the Naval Air Station at Corpus Christi, Nueces County, are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas, it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Department of the Air Force and the Department of the Navy, to the Department of the Interior; and

Whereas, such transfers have the concurrence of the Secretaries of the Air Force and of the Navy;

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The jurisdiction over the oil and gas deposits owned by the United States in the following-described lands is hereby transferred from the Departments of the Air Force, and the Navy, to the Department of the Interior, as hereafter indicated:

[87529]

(a) From the Department of the Air Force, Dyess Air Force Base.

Tract No. A-108. A tract of land situated in the County of Taylor, State of Texas, being part of the John McSherry Survey (A-206) and being more particularly described as follows:

Beginning at the northeast corner of the Craig Humphreys, et ux, property, said corner being north 71°14' west, 5317.9 feet from the southeast corner of said survey; thence along the east line of said Craig Humphreys, et ux, property south 15°00' east, 1182.4 feet to a point; thence south 75°00' west, 1473.6 feet to a point in the west line of said property; thence along said west property line north 15°00' west 1182.4 feet to the northwest corner of said property; thence along the north line of said property north 75°00' east, 1473.6 feet to the point of beginning, containing 40 acres, more or less.

Tract No. A-109. A tract of land situated in the County of Taylor, State of Texas, being part of the John McSherry Survey (A-206) and being more particularly described as follows:

Beginning at the southeast corner of the M. R. Street Estate property, said corner being south 15°00' east, 5527.8 feet from the northeast corner of said survey; thence along the south line of said property south 74°30' west, 936.8 feet to a point; thence north 15°00' west, 930 feet to a point; thence north 74°30' east, 936.8 feet to a point in the east line of said M. R. Street Estate property; thence along said east property line south 15°00' east, 930 feet to the point of beginning, containing 20 acres, more or less.

[73655]

(b) From the Department of the Navy, Naval Air Station, Corpus Christi, Nueces County.

First tract. Beginning at an old 4-inch oak corner post or stake at the line of ordinary high water on the west shore of Laguna Madre, a shallow bay, the south shoreline corner of Lot 16 and east shoreline corner of Lot 21, in Section 57 of Flour Bluff & Encinal Farm & Garden Tracts, a subdivision, as shown by the map of said subdivision of record in the Office of the County Clerk of Nueces County, Texas, in Map Book A on pages 41, 42, and 43, for the south shoreline corner of this survey whence a concrete cylinder with brass tablet, Monument No. 6 on the Reference Line of the Intracostal Waterway Survey, Corpus Christi to Brownsville, Texas, U.S. Engineers Department, 1931-32, bears N. 82°40'00" E., 611.17 feet;

thence N. 60°36'20" W., with the southwest boundary line of Lots 16 and 15 and northeast boundary line of Lots 21 and 22, in said Section 57, 1,260.66 feet to a 1-inch iron bar set for west corner of said Lot 15 and north corner of said Lot 22 and the south corner of Lot 14 and east corner of Lot 23, in said Section 57, and for a corner of this survey; thence S. 29°02'00" W., with the southeast boundary line of said Lot 23 and northwest boundary line of said Lot 22, 1,320.00 feet to a 1-inch iron bar set for the south corner of said Lot 23 and west corner of said Lot 22 in Section 57 and the east corner of Lot 2 and north corner of Lot 3 in Section 56 of said Flour Bluff & Encinal Farm & Garden Tracts and for a south corner of this survey; thence N. 60°36'20" W., with the southwest boundary line of said Section 57 and northeast boundary line of said Section 56; at 1,290.03 feet, a 1-inch iron bar set in the southeast boundary line of a public road; 1,320.03 feet to a ¾-inch iron pipe, six inches deep, on the centerline of said public road, set for the west corner of said Section 57 and north corner of said Section 56 and the south corner of Section 46 and east corner of Section 47 of said Flour Bluff & Encinal Farm & Garden Tracts and for a corner of this survey; thence N. 60°58'00" W., with the southwest boundary line of said Section 46 and northeast boundary line of said Section 47; at 30.00 feet, a 1-inch iron bar set in the northwest boundary line of said public road; 1,980.00 feet to a 1-inch iron bar set for the west corner of Lot 27 and south corner of Lot 28 in said Section 46 and the north corner of Lot 6 and east corner of Lot 5 in said Section 47 and for a corner of this survey; thence S. 29°02'00" W., with the southeast boundary line of said Lot 5 and northwest boundary line of said Lot 6, 1,320.00 feet to a 1-inch iron bar set for the south corner of said Lot 5 and west corner of said Lot 6 and the north corner of Lot 11 and east corner of Lot 12 in said Section 47 and for a south corner of this survey; thence N. 60°58'00" W., with the southwest boundary line of Lots 5, 4, 3, and 2 and northeast boundary line of Lots 12, 13, 14, and 15 in said Section 47; at 660.00 feet, a 1-inch iron bar set for the common corner of said Lots 4, 5, 12, and 13; 2,644.80 feet to a 1-inch iron bar set for the west corner of said Lot 2 and north corner of said Lot 15 and the south corner of Lot 1 and east corner of Lot 16 in said Section 47 and for a corner of this survey; thence S. 29°04'30" W., with the southeast boundary line of said Lot 16 and northwest boundary line of said Lot 15, 1,320.00 feet to a 1-inch iron bar set for the south corner of said Lot 16 and west corner of said Lot 15 and the east corner of Lot 17 and north corner of Lot 18 in said Section 47 and for a south corner of this survey; thence N. 60°58'00" W., with the southwest boundary line of said Lot 16 and northeast boundary line of said Lot 17 in Section 47, and the southwest boundary line of Lots 7, 8, and 9 and northeast boundary line of Lots 15, 14, and 13 in Section 42; at 641.92 feet, a 1-inch iron bar set in the southeast boundary line of a public road; at 661.92 feet, a ¾-inch iron pipe, six inches deep, on the centerline of said public road, set for a common corner of said Lots 16 and 17 in Section 47 and 7 and 15 in Section 42; at 681.92 feet, a 1-inch iron bar set in the northwest boundary line of said public road; 2,641.92 feet to a 1-inch iron bar set in the southeast boundary line of Lot 10 in said Section 42 for the west corner of said Lot 9 and north corner of Lot 13 and for a corner of this survey, whence an old oak post on the shore of a salt water inlet or bay known variously as Oso Bay, Oso Creek, and Cayo del Oso, bears N. 60°58'00" W., 483.00 feet; thence S. 29°05'20" W., with the southeast boundary line of said Lot 10 and northwest boundary line of said Lot 13, 80.60 feet to the 1-inch iron

bar, set at the line of ordinary high water on the shore of said Oso Bay, for a shoreline corner of this survey; thence in a general northerly direction along the ordinary high water line of Oso Bay until it converges with the ordinary high water line of Corpus Christi Bay; thence in a general southerly direction along the ordinary high water line of Laguna Madre to the point of beginning containing an area of 2,001.86 acres.

**Second tract.** Being a parcel of land known as Dimmit's Island situated near the convergence of the waters of Corpus Christi Bay with those of Laguna Madre, easterly from the First Tract hereinabove described and containing 36.58 acres.

**Third tract.** Being all of that parcel of land known as Indian Island which is situated in Laguna Madre and being easterly from the First Tract hereinabove described and containing 11.41 acres.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of the drainage or threatened drainage of oil and gas from such lands.

3. The jurisdiction of the Department of the Interior over such lands shall be subject to the primary jurisdiction of the Departments of the Air Force and the Navy over the lands for military purposes.

JOHN A. CARVER, Jr.,

*Assistant Secretary of the Interior.*

JULY 3, 1961.

[F.R. Doc. 61-6507; Filed, July 11, 1961; 8:48 a.m.]

[Public Land Order 2425]

[Anchorage 026009]

#### ALASKA

### Withdrawing Public Lands for Use of the Department of the Army for the Sheep Mountain Repeater Site; Revoking Air Navigation Site Withdrawal No. 196, and Partly Revoking Public Land Order No. 225 of April 21, 1944

By virtue of the authority vested in the President by the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority contained in the section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Army in connections with operations of the Alaska Communications System:

SEWARD MERIDIAN

SHEEP MOUNTAIN AREA

T. 20 N., R. 10 E. (partly unsurveyed),

Sec. 29, S½SE¼, E½W½SE¼SW¼, E½SE¼SW¼, and those portions lying south of the center line of the Glenn Highway of: S½SW¼NE¼SE¼, S½SE¼NW¼SE¼, S½SW¼NW¼SE¼, S½SE¼NE¼SW¼, and SE¼SW¼NE¼SW¼;

Sec. 32, N½NE¼, N½S½NE¼, E½W½NE¼NW¼, E½NE¼NW¼, E½NW¼SE¼NW¼, and NE¼SE¼NW¼.

The areas described aggregate approximately 287 acres.

2. The departmental orders of November 30, 1942, and March 23, 1944, withdrawing the following-described lands as Air Navigation Site No. 196 are hereby revoked:

Beginning at a point approximate latitude 61°47'16" N., longitude 147°40'05" W., from which the southeast tower of the Civil Aeronautics Administration radio communication station bears N. 34°00' W., 2,330 feet; thence

West, 11,000 feet;  
North, 6,000 feet;  
East, 5,500 feet;  
South, 2,000 feet;  
East, 5,500 feet;  
South, 4,000 feet.

Containing approximately 1,263 acres.

3. Public Land Order No. 225 of April 21, 1944, reserving lands for classification is hereby revoked so far as it affects the lands reserved by paragraph 1 of this order, and so far as it affects all lands within one half mile of Mentasta Lake, latitude 62°55' N., longitude 143°47' W., including all islands (containing approximately 4,100 acres).

4. Until 10:00 a.m. on October 2, 1961, the State of Alaska shall have a preferred right to select the lands released from withdrawal by this order, being those described in paragraph 2, hereof, exclusive of those reserved by paragraph 1, and including those referred to in paragraph 3, in accordance with and subject to the limitations and requirements of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR Part 76. Thereafter the lands will not be subject to disposition under the public land laws unless and until it is so provided by order of an authorized officer of the Bureau of Land Management.

JOHN A. CARVER, Jr.,

*Assistant Secretary of the Interior.*

JULY 3, 1961.

[F.R. Doc. 61-6508; Filed, July 11, 1961; 8:48 a.m.]

[Public Land Order 2426]

[Anchorage 053346]

#### ALASKA

### Partly Revoking Executive Order No. 5289 of March 4, 1930

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 5289 of March 4, 1930, reserving tracts of land, not to exceed 40 acres each in various areas in Alaska, for use of the Office of Education for educational purposes, is hereby revoked so far as it affects lands at Perry (now Perryville). The tract has been surveyed as follows:

U.S. SURVEY No. 2040

Approximate longitude 159°20" W., latitude 55°55" N.

Containing 13.36 acres.

2. The lands are situated on the Alaska Peninsula, approximately 60 miles east of Port Moller, and within the special national defense withdrawal area delineated in section 10(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339).

3. Until 10:00 a.m. on July 3, 1962, the State of Alaska shall have a preferred right to select the lands in accordance with and subject to the limitations and requirements of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), subsections (b) and (g) of section 6 of the said Alaska Statehood Act of July 7, 1958, and the regulations in 43 CFR 76.1-76.18.

4. Beginning at 10:00 a.m. on July 3, 1962, the lands shall be subject to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights and equitable claims, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

JOHN A. CARVER, JR.,  
Assistant Secretary of the Interior.

JULY 3, 1961.

[F.R. Doc. 61-6509; Filed, July 11, 1961; 8:49 a.m.]

[Public Land Order 2427]

[1279115]

[Anchorage 050035]

**ALASKA**

**Partly Revoking Executive Order No. 4778 of December 5, 1927, and Departmental Order of October 30, 1936; Withdrawing Portions of the Released Lands in Aid of Federal Programs**

By virtue of the authority vested in the President, by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority contained in section 2 of the Act of May 1, 1936 (49 Stat. 1250; 48 U.S.C. 358a), it is ordered as follows:

1. Executive Order No. 4778 of December 5, 1927, as modified by Executive Order No. 6734 of June 8, 1938, which reserved lands in Alaska for use of the United States Bureau of Education for educational purposes, and the Departmental order of October 30, 1936, as modified by Departmental order of December 18, 1942, which withdrew lands with the view of having them later reserved and declared an Indian reservation, are hereby revoked so far as they affect the following-described lands:

**SEWARD MERIDIAN**

**EKLUTNA AREA**

T. 16 N., R. 1 E.,  
Secs. 15 to 22, incl.;  
Sec. 30.

No. 132—3

T. 16 N., R. 1 W.,  
Sec. 13, lot 2;  
Sec. 22, lot 1;  
Sec. 23, lots 1, 2, 3, 4, and that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$  lying northeasterly of the Eklutna River.  
Sec. 24;  
Sec. 25, excepting that portion lying southwesterly of the Eklutna River and northwesterly of the Alaska Railroad ROW.  
Sec. 26, excepting that portion of the NE $\frac{1}{4}$  lying north of the Alaska Railroad ROW and southwesterly of the Eklutna River.  
Sec. 27;  
Sec. 28;  
Sec. 32, lots 1, 2, 3, 5;  
Secs. 33 to 36, incl.

Containing approximately 9,221.17 acres.

This action constitutes a complete revocation except as to 10 acres withdrawn by Executive Order No. 4778 at Cordova.

2. Subject to valid existing rights the following-described lands, which are portions of the lands released from withdrawal by this order, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and reserved under jurisdiction of the Bureau of Indian Affairs for use in connection with administration of Native affairs in the vicinity of Eklutna.

**SEWARD MERIDIAN**

T. 16 N., R. 1 E.,  
Sec. 19, lots 5 and 6, E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 30, lots 1, 2, and 3, E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ .

T. 16 N., R. 1 W.,  
Sec. 23, lots 1 and 2, that portion of the SWSE $\frac{1}{4}$  lying northwesterly of the Eklutna River, and that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$  lying northeasterly of the Eklutna River.

Sec. 24, lots 3, 4, and 7, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  lying southeast of the Alaska Railroad ROW.  
Sec. 25, E $\frac{1}{2}$ , and that portion of the NW $\frac{1}{4}$  lying southwest of the Eklutna River and northwest of the Alaska Railroad.  
Sec. 26, that portion of the NE $\frac{1}{4}$  lying northeasterly of the Eklutna River.

Containing approximately 1,819 acres.

3. With exception of the following-described lands, the remainder of the lands released from withdrawal by this order are either patented, withdrawn for power purposes, or have been transferred to the State of Alaska:

**SEWARD MERIDIAN**

T. 16 N., R. 1 E.,  
Secs. 15 to 17, incl.;  
Sec. 20, lots 1, 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ ;  
Secs. 21 and 22.

T. 16 N., R. 1 W.,  
Sec. 22, lot 1;  
Sec. 23, lots 3 and 4;  
Sec. 26, NW $\frac{1}{4}$ , and that portion of the NE $\frac{1}{4}$  lying southeasterly of the Alaska Railroad's right-of-way.  
Sec. 27, lots 1 to 4, incl., S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
Sec. 28;  
Sec. 32, lots 1, 2, 3, and 5;  
Sec. 33, N $\frac{1}{2}$ ;  
Sec. 34, S $\frac{1}{2}$ ;  
Sec. 35;  
Sec. 36.

Containing approximately 5,317.46 acres.

4. The lands described in paragraph 3 are situated approximately 25 miles northeast of Anchorage, Alaska, bounded by Knik Arm to the north and the Chugach Mountains to the south. Topography is relatively flat, with a vegetative cover of cottonwood, spruce and birch.

5. Until 10:00 a.m. on January 3, 1962, the State of Alaska shall have a preferred right to select the lands listed in Paragraph 3, above, in accordance with and subject to the limitations and requirements of the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b) and section 6g of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) and the regulations in 43 CFR 76.1-76.18. Thereafter the lands will not be subject to disposition under the public land laws unless and until it is so provided by an order of an authorized officer of the Bureau of Land Management.

JOHN A. CARVER, JR.,  
Acting Secretary of the Interior.

JULY 5, 1961.

[F.R. Doc. 61-6510; Filed, July 11, 1961; 8:49 a.m.]

**Title 47—TELECOMMUNICATION**

**Chapter I—Federal Communications Commission**

[Docket No. 13912; FCC 61-840]

**PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS**

**Clarification of Emission Limitation in the Band 10,500-10,550 Mc**

1. On January 11, 1961, the Commission adopted a notice of proposed rule making in the above-entitled matter, FCC 61-52, which was published in the FEDERAL REGISTER January 18, 1961 (26 F.R. 373). This Notice proposed to delete the entry "(CW emission only)" from Column 9 of the Part 2 table of frequency allocations in the band 10,500-10,550 Mc, which is used almost exclusively by the Police and Railroad Radio Services for speed measuring devices.

2. The periods for filing comments and replies thereto with respect to this matter expired on February 24, 1961, and March 8, 1961, respectively. Timely comments were received from the Association of American Railroads (AAR), General Railroad Signal Company and Westinghouse Air Brake Company. The latter two companies are the principal manufacturers of speed measuring devices used in railroad classification yards to control the speed of cars moving down the "humps" prior to being switched to appropriate tracts in making up freight trains.

3. Each of the above-mentioned respondents objected to the subject proposal on the grounds that it would permit

the use of modulated emissions in this band, thereby increasing the chance of harmful interference to the railroad speed measuring and braking devices. It was pointed out that defective or inaccurate operation of these devices could result in considerable damage to railroad cars, cargoes, and equipment and possible injury to personnel. The comments of each company requested that the Commission retain the "CW emission only" limitation or to substitute therefor "AO emission only".

4. A historical check indicates that the original intent of the limitation on the use of this band was to permit only type AO emission as defined under Subpart C of Part 2. In fact, AO is the only type of emission presently authorized in this band. The term "CW emission" appears ambiguous inasmuch as it is not defined by the Commission's rules and, therefore, may be interpreted to include various types of transmissions other than damped waves, even including pulsed emissions, the use of which in this band is specifically prohibited by footnote US1 of the Table of Frequency Allocations. Therefore, it appears appropriate to retain the generally constructed limitation on the use of this band and to clarify the term of reference by specifying "AO emission only" in lieu of "CW emission only". Inasmuch as pulsed emissions are not included under the symbol AO,

the US1 footnote designator in this band is superfluous and is being deleted.

5. In view of the foregoing, the Commission finds that the public interest, convenience and necessity will be served by the amendments herein ordered and, pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended;

6. It is ordered, That effective August 7, 1961, Part 2 of the Commission's rules, Frequency Allocation and Radio Treaty Matters; General Rules and Regulations, is hereby amended as set forth below and the proceedings in Docket No. 13912 are hereby terminated.

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

Adopted: July 6, 1961.

Released: July 7, 1961.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

Section 2.104(a)(5) of the Commission's rules and regulations is amended in the band 10,500-10,550 Mc to read as follows in columns 5 through 11:

§ 2.104 Frequency allocations.

- (a) Table of frequency allocations.
- (5) \* \* \*

that these amendments be made effective commencing for the year 1961.

2. The notice also proposed further clarification and rearrangement of §§ 51.2 through 51.14, as suggested by the Commission. The Commission believed that the definitions of "Hourly rate of pay," "Scheduled weekly compensation," and "Scheduled weekly hours" included in § 51.3 might well be included in the sections bearing these captions, namely, §§ 51.14, 51.13 and 51.12, respectively, and it was proposed to so revise those sections. At the same time it was proposed that these definitions, particularly "Scheduled weekly compensation," be revised to clarify AT&T's proposal as to what should and what should not be included therein. The Commission proposed further that § 51.3 be changed by addition of definitions of "occasional" and "temporary" employees and that § 51.11 be rearranged in a more logical order. The Commission also proposed that certain other minor clarifying changes be made.

3. The only comments received in Docket No. 14000 were from AT&T in a letter dated April 24, 1961, who suggested certain changes in the proposed wording of §§ 51.12 and 51.13 and stated that the remaining revisions proposed in the notice would, in general, effect the changes requested in their letter of October 11, 1960. AT&T, on May 19, 1961, filed supplemental comments stating that further study of the proposed rule making had revealed the following weaknesses in the wording of §§ 51.12 and 51.13 as proposed in the notice:

a. The inclusion in § 51.12(b)(1) of the words "at the regular basic rate of pay" literally would exclude from "Scheduled weekly hours" the regular hours an employee works on a Sunday for which he or she is paid time and a half or double time.

b. The inclusion in the third line of § 51.13 of the words "paid to" would exclude from "Scheduled weekly compensation" a portion of the normal pay of an operator, for example, who had two days of unexcused absence during the week in which December 31 occurs, since she would not be paid for such absence.

c. The matter of what pay shall be included in "Scheduled weekly compensation" for Sunday work is not clearly stated.

AT&T suggested rewording of §§ 51.12 and 51.13. This rewording has been adopted by the Commission and will be found below. With the exception of §§ 51.12 and 51.13 the changes set out in the notice of proposed rule making have been adopted exactly as proposed.

4. It was indicated in the notice of proposed rule making that change in the reporting date from October to December would necessitate amendment of columns (b) through (f) of Schedule 70C, Wages and Hours, of Annual Report Form M. Accordingly, the caption overriding columns (b), (c), and (d) is being amended to read "Number of Employees as of December 31", columns (e) and (f) are being amended by inserting an overriding caption to read "Scheduled for the Week Including December 31", and the column titles of columns (e) and

United States		Federal Communications Commission				
Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency	Nature of SERVICES (stations)
5	6	7	8	9	10	11
10500-10550	G, NG	10500-10550	Radiolocation (AO emission only).	a. Radiolocation land. b. Radiolocation mobile.		RADILOCATION.

[F.R. Doc. 61-6538; Filed, July 11, 1961; 8:53 a.m.]

[Docket No. 14000 (RM 203); FCC 61-838]

**PART 51—OCCUPATIONAL CLASSIFICATION AND COMPENSATION OF EMPLOYEES OF CLASS A AND CLASS B TELEPHONE COMPANIES**

**Miscellaneous Amendments**

In the matter of amendment of Part 51 (Occupational Classification and Compensation of Employees of Class A and Class B Telephone Companies) of the Commission's Rules and Regulations, and Schedule 70C of telephone Annual Report Form M, to provide that the annual count of employees shall be made as of December 31 of each year, to omit "extra" and "occasional" employees from the count, and to make certain other related changes in Part 51; amendment of schedules pertaining to wages and hours of employees in Annual Report Forms—(Form M, Class A and Class B Telephone Companies; Form O, Wire-telegraph and Ocean-cable Carriers; and Form R, Radio-telegraph Carriers), Docket No. 14000 (RM 203).

1. On March 15, 1961, the Commission adopted a notice of proposed rule

making in Docket No. 14000, which was published in the FEDERAL REGISTER on March 22, 1961 (26 F.R. 2415), in accordance with section 4(a) of the Administrative Procedure Act. This notice presented for comment, on or before April 24, 1961 (with allowance for reply comments within twenty days thereafter) a proposal of the American Telephone and Telegraph Company (AT&T) on behalf of itself and its associated operating telephone companies that the Commission amend Part 51 of its rules and regulations and also schedule 70C of its Annual Report Form M to provide that the annual count and reporting of employees be made as of December 31 of each year, instead of as of the last normal business day of October. This change would affect §§ 51.2, 51.11 and 51.14 of our rules and various column headings of schedule 70C, Wages and Hours, of Annual Report Form F. AT&T also suggested that certain definitions appearing in §§ 51.3, 51.11, 51.12 and 51.13 be modified and that "extra" and "occasional" employees be omitted from the count as now called for by § 51.11(d)(1). AT&T requested

(f) are being revised to read respectively "Total hours" and "Total compensation (Omit cents)." Furthermore, the Notice failed to point out that the overriding caption of columns (g) through (u), which also specifies the reporting date, should be changed. This oversight is being corrected by amending the overriding caption of columns (g) through (u) by inserting the words "As of December 31" in lieu of the words "(October Count)".

5. The notice of proposed rule making stated that no changes were proposed in Part 52, Classification of Wire-telegraph Employees, but that any comments received with respect thereto would be considered. As pointed out in paragraph 3, the only comments received in this matter were from AT&T and they did not pertain to Part 52. Accordingly, no changes in Part 52 are ordered herein.

6. Our Order in Docket No. 13459, pertaining to Schedule 70C of Annual Report Form M and the corresponding schedules in Annual Report Forms O and R for telegraph carriers, which was adopted September 7, 1960, stated that, should the minimum wage be changed by amendment of the Fair Labor Standards Act, it was the intention of the Commission to amend these schedules without further rule making procedures to establish the first reporting interval as the number of employees being paid less than the prescribed minimum wage and changing the remaining columns as appropriate. The recently enacted changes in the Fair Labor Standards Act raised the minimum wage for employees of communications common carriers reporting to the Commission from \$1.00 an hour to \$1.15 an hour, effective prior to December 31, 1961. Therefore, columns (g) through (u) of Schedule 70C of Annual Report Form M and columns (h) through (v) of Schedules 408A and 408B of Consolidated Annual Report Forms O and R are herein amended to read, respectively, as follows:

Less than \$1.15, \$1.15 to \$1.29, \$1.30 to \$1.49, \$1.50 to \$1.69, \$1.70 to \$1.89, \$1.90 to \$2.09, \$2.10 to \$2.29, \$2.30 to \$2.49, \$2.50 to \$2.69, \$2.70 to \$2.89, \$2.90 to \$3.09, \$3.10 to \$3.29, \$3.30 to \$3.49, \$3.50 to \$3.69, and \$3.70 and over.

It is also necessary to make a change in instruction 2 of schedule 70C and instruction 4 of schedule 408A since the examples given in these instructions will no longer be applicable. The last sentence of each of these instructions is herein amended to read as follows: "For example, all employees who received hourly rates of pay of \$2.50 or more but less than \$2.70 shall be reported in the interval \$2.50 to \$2.69."

It appearing that the proposed rule making proceeding in Docket No. 14000 has indicated the desirability of amending Part 51 of the Commission's Rules and Regulations, but in a manner slightly different from that proposed in the notice of proposed rule making;

It further appearing that schedule 70C, Wages and Hours, in the Commission's Annual Report Form M, should be amended as proposed in the notice of proposed rule making in Docket No. 14000, modified to the extent indicated in paragraph 4, herein;

It further appearing that the wages and hours schedules in Annual Report Forms M, O, and R should be amended as our order in Docket No. 13459 contemplated in the event of a change in the Fair Labor Standards Act;

It is ordered, That under authority contained in sections 4(i), 219 and 220 of the Communications Act of 1934, as amended, Part 51 (Occupational Classification and Compensation of Employees of Class A and Class B Telephone Companies) is amended, effective September 1, 1961, as set forth below;

It is further ordered, That under authority contained in sections 4(i) and 219 of the Communications Act of 1934, as amended, Schedule 70C, Wages and Hours, of Annual Report Form M is amended as indicated in paragraph 4 herein;

It is further ordered, That under authority contained in sections 4(i) and 219 of Communications Act of 1934, as amended, Schedule 70C, Wages and Hours, of Annual Report Form M (Class A and Class B Telephone Companies), Schedules 408A and 408B, Employees and Their Salaries, of Annual Report Form O (Wire-telegraph and Ocean-cable Carriers) and Schedule 408A, Employees and Their Salaries, of Annual Report Form R (Radiotelegraph Carriers) are hereby amended as set forth in paragraph 6, herein;

It is further ordered, That the amendments to the Annual Report schedules ordered herein shall be effective beginning with the reports to be filed for the calendar year 1961.

(Sec. 4, 48 Stat. 1066, as amended, 47 U.S.C. 154. Interprets or applies sec. 219, 48 Stat. 1077; 47 U.S.C. 219)

Adopted: July 6, 1961.

Released: July 7, 1961.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Acting Secretary.

Sections 51.2(b), 51.3, 51.11, 51.12, 51.13, and 51.14 are amended to read as follows:

§ 51.2 Scope of the rules in this part.

\* \* \* \* \*

(b) Each company subject to the provisions of this part shall record, and include in its annual report to the Commission each year, the following information with respect to its employees as of December 31, classified according to the occupational classifications specified in §§ 51.32 through 51.39:

- (1) Number of male employees;
- (2) Number of female employees;
- (3) Total number of employees;
- (4) Number of scheduled weekly hours;
- (5) Amount of scheduled weekly compensation; and
- (6) Number of employees, other than officials and managerial assistants, grouped according to hourly rate of pay.

DEFINITIONS

§ 51.3 Restrictive use of certain terms.

For the purposes of this part, certain terms are defined as follows:

"Employees" means all persons in the service of the company subject to its continuing authority to supervise and direct the manner of rendition of their service.

"Full-time employees" means those employees working the hours normally assigned to employees in the applicable occupational classification.

"General Officer" means an officer serving a company in such a capacity as that of chairman of the board of directors (if he is an officer as well as a director) president, vice president, secretary, treasurer, general counsel, and comptroller, or, in the case of those companies that do not have officers bearing the aforesaid titles, the term includes those officers who have the responsibilities normally associated with such titles.

"Joint employees" means persons, other than general officers, concurrently engaged under a joint arrangement in the service of two or more telephone companies.

"Occasional employees" means those employees hired for periods not exceeding three consecutive weeks.

"Part-time employees" means those employees regularly assigned shorter hours than a full-time weekly schedule.

"Temporary employees" means those employees hired for periods exceeding three weeks but not exceeding one year.

DATA REQUIRED TO BE MAINTAINED OF RECORD

§ 51.11 Employees included in the count.

(a) The following employees who are on the payroll of the company on December 31 shall be included in the count:

- (1) Full-time and part-time employees, including temporary and joint employees;
- (2) Employees on paid vacations; and
- (3) Employees temporarily on leave on account of disability due to accident or sickness.

(b) The following persons shall not be included in the count:

- (1) Occasional employees;
- (2) All persons employed by the company as agents and paid exclusively on a commissioned basis;
- (3) Employees on leave of absence or furloughs not paid for by the company; and
- (4) Pensioners not required to render service.

(c) Joint employees shall be counted by each telephone company involved in a joint service arrangement and shall be represented in its record of the number of employees by a fraction based on the number of telephone companies served. For example, if such an employee is in the service of three telephone companies, each such company shall include him in the number of employees as one-third of an employee. If, however, the entire compensation of an employee concurrently engaged in the service of two or more telephone companies is borne by a single telephone company, he shall be treated as an employee of that company and not as a joint employee.

(d) A person employed by and serving two or more telephone companies in the capacity of a general officer but acting

independently for each company shall be counted as one employee by each company.

**§ 51.12 Scheduled weekly hours.**

(a) The total number of scheduled weekly hours shall be determined for the week in which December 31 occurs for all employees included in each occupational classification set forth in §§ 51.32 through 51.39.

(b) "Scheduled weekly hours" means the number of regular hours, excluding overtime hours, in the duty tours which the employee is scheduled to work during the week in which December 31 occurs, whether or not excused because of a holiday, vacation, leave of absence or other reason.

**NOTE:** The fact that the employee is scheduled to work on a Sunday or holiday, or on another day in the week in lieu of working

on the holiday, or that he works overtime during the week, or that he is scheduled not to work on the holiday because it is a holiday, does not affect the total number of regular hours scheduled for the employee in the week.

**§ 51.13 Scheduled weekly compensation.**

(a) The total amount of scheduled weekly compensation for employees in each occupational classification set forth in §§ 51.32 through 51.39 shall be determined.

(b) "Scheduled weekly compensation" means compensation to the employee at the rate of pay in effect on December 31 for the "scheduled weekly hours." It includes the basic weekly pay rate plus any regularly scheduled supplementary compensation, such as differentials for evening and night tours, equivalent value of board and lodging for unlocated

employees, equivalent value of meals furnished dining service employees and equivalent value of living quarters and maintenance furnished managers of agency offices. It excludes pay for overtime work and pay in excess of week-day rates for Sunday and holiday work.

**§ 51.14 Hourly rate of pay.**

Employees included in the count on December 31 in the occupational classifications specified in §§ 51.33 through 51.39 shall be classified according to their hourly rate of pay. The hourly rate of pay shall be determined by dividing scheduled weekly compensation by scheduled weekly hours. (See the prescribed annual report form for the currently effective groupings of hourly rates of pay.)

[F.R. Doc. 61-6539; Filed, July 11, 1961; 8:53 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[ 9 CFR Part 84 ]

### INTERSTATE MOVEMENT OF POULTRY AND HATCHING EGGS

#### Proposed Restrictions

On June 18, 1960, there was published in the FEDERAL REGISTER (25 F.R. 5534), a notice with respect to a proposal to amend Subchapter C, Chapter I, Title 9, Code of Federal Regulations, by adding a new Part 84 concerning "Pullorum Disease and Fowl Typhoid of Poultry". After consideration of all data, views, and arguments submitted in connection with the proposed new Part, it has been determined that certain modifications should be made therein. Notice is hereby given, in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), that pursuant to sections 4 through 7 of the Act of May 29, 1884, as amended, and sections 1 and 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111-113, 115, 117, 120, 121), it is now proposed that such new Part 84 read as follows:

#### PART 84—PULLORUM DISEASE AND FOWL TYPHOID OF POULTRY

##### § 84.1 Meanings of words.

Words in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

##### § 84.2 Definitions.

As used in this part the following terms shall be construed as set forth in this section.

(a) *Poultry*. Live chickens and turkeys of all ages.

(b) *Hatching eggs*. Eggs of poultry for hatching purposes including embryonated eggs.

(c) *Hatchery*. Hatchery equipment on one premises operated or controlled by any person, company, or corporation for the hatching of poultry.

(d) *Division*. The Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture.

(e) *State*. Any State, Territory, or the District of Columbia.

(f) *Interstate*. From any State to any other State.

(g) *Federal inspector*. An inspector of the Agricultural Research Service, United States Department of Agriculture, responsible for the performance of the function involved.

(h) *State inspector*. An inspector regularly employed in livestock or poultry sanitary work of a State or a political subdivision thereof, who is authorized by such State or political subdivision to perform the function involved.

(i) *Accredited veterinarian*. A veterinarian approved by the United States

Department of Agriculture to perform the function involved.

(j) *Authorized testing agent*. An agent specifically authorized, by the State official who has responsibility for control of poultry diseases in that State, to test a flock or flocks under this part.

(k) *National Poultry Improvement Plan*. The National Poultry Improvement Plan as set forth in Part 145 of this Chapter.

(l) *National Turkey Improvement Plan*. The National Turkey Improvement Plan as set forth in Part 146 of this Chapter.

(m) *Moved*. Shipped, transported or otherwise moved, or delivered or received for movement, by any person, company, or corporation.

(n) *Pullorum Disease*. The communicable disease of poultry caused by the bacteria *Salmonella pullorum*.

(o) *Fowl Typhoid*. The communicable disease of poultry caused by the bacteria *Salmonella gallinarum*.

(p) *Reactor*. Poultry which has reacted to a serological test described in § 84.8 for pullorum disease or fowl typhoid.

(q) *Flock*. All of the chickens or turkeys on one premises.

(r) *Infected Flock*. A flock in which there is one or more reactors or in which pullorum disease or fowl typhoid has been otherwise diagnosed.

(s) *Exposed*. In contact with or occupying the same premises concurrently.

(t) *Products*. Poultry or hatching eggs.

##### § 84.3 Notice relating to existence of pullorum disease and fowl typhoid.

Notice is hereby given that both pullorum disease and fowl typhoid exist in each State. Both of these diseases are communicable and can be transmitted from infected parent stock through the egg to offspring as well as from bird-to-bird and through contamination of hatcheries, equipment, facilities, and vehicles.

##### § 84.4 Notice of regulation.

Notice is hereby given that in order to preserve the gains already made toward the eradication of pullorum disease and fowl typhoid, to prevent the interstate spread thereof, and to protect the poultry of the United States, it is necessary to regulate the interstate movement of poultry and hatching eggs as provided in this part.

##### § 84.5 Interstate movement of affected poultry.

Poultry or hatching eggs affected with pullorum disease or fowl typhoid, or which originate from infected flocks, shall not be moved interstate for any purpose.

##### § 84.6 General restrictions.

Poultry or hatching eggs, other than the poultry and eggs covered by § 84.5,

shall not be moved interstate except as provided in this part.

##### § 84.7 Permitted movement of poultry and hatching eggs.

(a) Poultry or hatching eggs originating from flocks or hatcheries which are qualified participants in the National Poultry Improvement Plan or National Turkey Improvement Plan and listed in Part 145 or Part 146 of this Chapter may be moved interstate provided each shipment is accompanied by a waybill or similar document which states the following: (1) Name and address of consignor; (2) name and address of consignee; (3) date of shipment; (4) name and location of flock of origin or hatchery of origin; and (5) number of poultry or hatching eggs in the shipment.

(b) Poultry or hatching eggs originating from flocks or hatcheries not listed in Part 145 or Part 146 of this Chapter may be moved interstate provided:

(1) The poultry or hatching eggs originate from flocks which have had a complete flock test, conducted by a Federal inspector, a State inspector, an accredited veterinarian, or an authorized testing agent, in accordance with § 84.8 of this part, not more than 15 months prior to the interstate movement and no evidence of pullorum disease or fowl typhoid was found as a result of such test, and there has been no evidence of either disease in the flock since such test;

(2) The poultry: (i) Were not hatched in facilities that had hatched poultry from eggs originating from flocks in which there was evidence of pullorum disease or fowl typhoid or had hatched poultry from eggs originating from flocks which had not been tested and found negative during the previous 15 months by a Federal inspector, a State inspector, an accredited veterinarian, or an authorized testing agent, in accordance with § 48.8; or (ii) were hatched in facilities which had been cleaned, disinfected, and fumigated in accordance with procedures prescribed by the Division or the responsible State official since hatching poultry from eggs originating from flocks in which there was evidence of pullorum disease or fowl typhoid or since hatching poultry from eggs originating from flocks which had not been so tested and found negative;

(3) Each shipment is accompanied by a statement signed by the owner or shipper which states the following: (i) Name and address of consignor; (ii) name and address of the consignee; (iii) date of shipment; (iv) name and location of flock of origin or hatchery of origin; (v) number of poultry or hatching eggs in the shipment; (vi) that the products in the shipment have not been in contact with and have not occupied the same premises concurrently with poultry or hatching eggs from flocks which have not been tested as prescribed in subparagraph (1) of paragraph (b) of this section in which there has been evidence of pullorum disease or fowl typhoid; and

(7) that such products have not been in contact with equipment or facilities used to handle infected poultry or hatching eggs, or poultry or hatching eggs from infected flocks; and

(4) The shipper forwards one copy of the statement referred to in subparagraph (3) to the Veterinarian in Charge of the Division's local field station in the State of origin of the shipment, one copy to the responsible State official in the State of the destination, and retains one copy.<sup>1</sup>

(c) Mature poultry from flocks not known to be infected with pullorum disease or fowl typhoid may be moved interstate for exhibition purposes only, without complying with paragraphs (a) or (b) of this section, if they are moved to a poultry show recognized by the American Poultry Association and have been tested and found negative by an accredited veterinarian or an authorized testing agent according to a method listed in § 84.8 within 60 days prior to such movement, and if such poultry is accompanied by a certificate issued by the person who conducted such test stating: (1) Name and address of the consignor; (2) name and address of the consignee; (3) date of shipment; (4) date of such test; and (5) that no evidence of pullorum disease or fowl typhoid was found as a result of such test.

(d) *Poultry for immediate slaughter.* Poultry not known to be affected with pullorum disease or fowl typhoid may be moved interstate to a processing plant for immediate slaughter without complying with paragraphs (a), (b), (c), and (e) of this section.

(e) A copy of the waybill or similar document or certificate relating to the shipment of poultry or hatching eggs permitted under this section must be maintained on file by the shipper for a period of 18 months following the date such shipment was made and shall be available for inspection by Federal and State inspectors upon request during said period.

#### § 84.8 Serological testing for pullorum disease and fowl typhoid of poultry.

(a) Poultry or hatching eggs referred to in paragraphs (a), (b), or (c) of § 84.7, may be tested by one of the following methods:

(1) *Chickens and flocks of origin of hatching eggs.* (i) Standard tube agglutination test.

(ii) Rapid serum test.

(iii) Rapid whole blood test.

(2) *Turkeys and flocks of origin of hatching eggs.* (i) Standard tube agglutination test.

(ii) Rapid serum test.

(b) The procedures for conducting tests listed in paragraph (a) of this section are described in Subpart A, Part 147, of this chapter.

(c) In the event reactors are found, the flock shall be classed as infected, the reactors removed, and products from the flock shall not be moved interstate under provisions of § 84.7 (a), (b), and (c)

until the flock has been retested and found negative not less than 21 days subsequent to the last flock test revealing a reactor.

#### § 84.9 Containers for shipping poultry and hatching eggs.

(a) Interstate movement of chicks, poults or breeding poultry shall be in new or clean boxes or crates.

(b) Interstate movement of hatching eggs shall be made in new or clean egg cases.

#### § 84.10 Cleaning and disinfecting vehicles, premises, and accessories.

(a) Railroad cars, boats, trucks, and other vehicles, and yards and other premises, which have contained poultry affected with or exposed to pullorum disease or fowl typhoid shall be cleaned and disinfected in accordance with the provisions of §§ 71.4 through 71.11 of this subchapter: *Provided, however,* That such vehicles, and yards and other premises, may be cleaned and disinfected under the supervision of a Federal inspector, a State inspector, or an accredited veterinarian: *And provided, further,* That if such supervision or proper cleaning and disinfection facilities are not available at the point where the poultry is unloaded, upon permission first received from the Division, such a vehicle may be forwarded to a point at which such supervision and facilities are available and there be cleaned and disinfected.

(b) Coops, containers, troughs, and other accessories used in the handling of an interstate movement of poultry affected with or exposed to pullorum disease or fowl typhoid shall be cleaned and disinfected as soon as possible thereafter and before such accessories are moved from the point of unloading. Such cleaning and disinfecting shall be done under the supervision of a Federal inspector, a State inspector, or an accredited veterinarian, with a permitted disinfectant specified in §§ 71.10 and 71.11 of this subchapter. If such supervision or proper cleaning and disinfection facilities are not available at the point where the poultry is unloaded, upon permission first received from the Division, such an accessory may be forwarded to a point at which such supervision and facilities are available and there be cleaned and disinfected.

(c) Coops, containers, troughs, and other accessories used in the handling of an intrastate movement of poultry affected with or exposed to pullorum disease or fowl typhoid shall not be moved interstate until such accessories have been cleaned and disinfected under the supervision of a Federal inspector, a State inspector, or an accredited veterinarian, with a permitted disinfectant specified in §§ 71.10 and 71.11 of this subchapter.

#### § 84.11 Other movements.

The Director of the Division may provide for the interstate movement, not otherwise provided for in this part, of poultry or hatching eggs not known to be affected with pullorum disease or fowl typhoid, under such conditions as he may prescribe to prevent the spread of

these diseases. The Director of the Division will notify the appropriate livestock sanitary official of the States involved of any such action.

Any person who wishes to submit written data, views, or arguments concerning the foregoing proposed regulations may do so by filing them with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., within 120 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of July 1961.

M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 61-6529; Filed, July 11, 1961;  
8:51 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 9 ]

[Docket No. 14186; FCC 61-841]

### CIVIL AIR PATROL STATIONS

#### Additional Frequencies

In the matter of amendment of Part 9 of the Commission's rules to provide the additional frequencies 4602.5 and 4630 kc/s for Civil Air Patrol Stations, Docket No. 14186.

1. Notice is hereby given of the proposed rule making in the above-entitled matter.

2. The Commission is in receipt of a request from the Department of the Air Force requesting that the Commission's rules be amended to make the frequencies 4602.5 and 4630 kc/s available for assignment to land and mobile stations of the Civil Air Patrol, the Civilian adjunct of the Air Force. The request is for use of the frequency 4602.5 kc in the States of Montana, Idaho, Wyoming, Utah and Colorado, and the frequency 4630 kc in the States of Arizona, New Mexico, Texas, Oklahoma, Arkansas and Louisiana with an authorized power output of 400 watts and employing 0.1A1, 1.1F1 and 6A3 emission.

3. The frequencies 4602.5 and 4630 kc/s are Government/non-Government frequencies. The Department of the Air Force represents that the interested Government agencies have approved the proposed use of the frequencies by the Civil Air Patrol.

4. Authority for the proposed amendment is contained in section 303 (c), (f), and (r) of the Communications Act of 1934, as amended.

5. Pursuant to applicable procedures set forth in § 1.213 of the Commission's rules, interested persons may file comments on or before August 15, 1961, and reply comments on or before August 28, 1961. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Com-

<sup>1</sup> In each instance, the regulations of the State of destination should be consulted before interstate shipments are made.

mission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

6. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen copies of all statements, briefs or comments shall be furnished to the Commission.

Adopted: July 6, 1961.

Released: July 7, 1961.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
*Acting Secretary.*

Section 9.912 is amended to read as follows:

§ 9.912 Frequencies available.

The following frequencies are available for assignment to Civil Air Patrol land and mobile stations within the United States, its territories and possessions, except as otherwise provided in this section.

(a) 2374 kc, A1, A2, A3 emission, 400 watts maximum power.

(b) 4467.5 kc, A1, A2, A3 emission, 400 watts maximum power. Assignment of this frequency is limited to stations in the District of Columbia and the following States:

- |                |                 |
|----------------|-----------------|
| Alabama.       | New Jersey.     |
| Connecticut.   | New York.       |
| Delaware.      | North Carolina. |
| Florida.       | Pennsylvania.   |
| Georgia.       | Rhode Island.   |
| Maine.         | South Carolina. |
| Maryland.      | Tennessee.      |
| Massachusetts. | Vermont.        |
| Mississippi.   | Virginia.       |
| New Hampshire. | West Virginia.  |

(c) 4507.5 kc, A1, A2, A3 emission, 400 watts maximum power. This frequency is available for assignment to stations in all areas of the continental United States except Alaska and those listed in paragraph (b) of this section.

(d) 4585 kc, A1, A2, A3 emission, 400 watts maximum power.

(e) 4602.5 kc, A1, F1, A3 emission, 400 watts maximum power. Assignment of

this frequency is limited to stations in the following States:

- |           |          |
|-----------|----------|
| Colorado. | Utah.    |
| Idaho.    | Wyoming. |
| Montana.  |          |

(f) 4630 kc, A1, F1, A3 emission, 400 watts maximum power. Assignment of this frequency is limited to stations in the following States:

- |            |             |
|------------|-------------|
| Arizona.   | New Mexico. |
| Arkansas.  | Oklahoma.   |
| Louisiana. | Texas.      |

(g) 26620 kc, A1, A2, A3 emission, 250 watts maximum power. Assignment of this frequency is limited to stations in the State of Hawaii.

(h) 143.91 Mc, A1, A2, A3 emission, 10 watts maximum power. Assignment of this frequency is limited to stations in the continental United States (excluding Alaska).

(i) 148.14 Mc, A2, A3 emission, 50 watts maximum power.

[F.R. Doc. 61-6540; Filed, July 11, 1961; 8:53 a.m.]

# Notices

## DEPARTMENT OF AGRICULTURE

Office of the Secretary

### NORTH DAKOTA

#### Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of North Dakota a production disaster has resulted in a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### NORTH DAKOTA

Adams.	McIntosh.
Barnes.	McKenzie.
Billings.	Ransom.
Bowman.	Sargent.
Dickey.	Sioux.
Dunn.	Slope.
Golden Valley.	Stark.
Grant.	Steele.
Hettinger.	Trails.
La Moure.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1962, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of July 1961.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 61-6515; Filed, July 11, 1961;  
8:49 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 12655; Order No. E-17111]

### CAPITOL AIRWAYS, INC.

#### Reduced Charter Rates; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of July 1961.

By tariff revision marked for effect July 8, 1961, Capitol Airways, Inc. (Capitol) proposes a reduction from \$2.75 to \$2.55, per live and ferry mile, in its rate applicable to charters conducted with L-1049 aircraft wholly within the United States. The reduced rate would apply alike to civilian and military charter transportation.

Overseas National Airways, Inc. (Overseas National) has filed a complaint requesting investigation and suspension of the tariff revision. The carrier asserts that the proposed rate is below the level

of 2.9 cents per passenger mile which has been established as a floor for MATS paneload operations, alleged to be less costly than CAM services, and that the rate is below the lowest existing charter rate for L-1049 aircraft having, as do Capitol's, 108 seats.

Upon consideration of the tariff and all relevant matters, the Board finds that the proposal as it would apply to live mileage may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial and that it should be investigated. The Board has, on previous occasions, expressed its concern that the number of recent proposals to reduce charter rates evidenced the possible development of a rate war with respect to bids for domestic military passenger traffic, and has suspended several proposals which departed significantly from the prevailing level of such rates for the aircraft in question. In view of the fact that the prevailing level of rates for domestic charter transportation in L-1049 aircraft is \$2.75 per live mile, the Board has concluded to suspend the operation of the tariff as it applies to live mileage and defer the use thereof pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof: *It is ordered,*

1. That an investigation is instituted to determine whether the rate per charter mile for Super Constellation L-1049 aircraft on 22d Revised Page 17 of Capitol Airways, Inc. C.A.B. No. 5 is, or will be, unjust or unreasonable, unduly preferential, unduly discriminatory, unduly prejudicial or otherwise unlawful, and, if found to be unlawful to determine and prescribe the lawful rate.

2. That pending hearing and decision by the Board, the rate per charter mile for Super Constellation L-1049 aircraft on 22d Revised Page 17 of Capitol Airways, Inc. C.A.B. No. 5 is suspended and its use deferred to and including October 5, 1961, and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. That the proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

4. That the complaint of Overseas National Airways, Inc., in Docket 12655 with respect to the rate per charter mile is consolidated herein. To the extent not herein granted, the complaint is dismissed.

5. That copies of this order shall be filed with the aforesaid tariff and shall be served upon Capitol Airways, Inc. and Overseas National Airways, Inc. which are made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 61-6530; Filed, July 11, 1961;  
8:51 a.m.]

[Docket 12732; Order No. E-17111]

### MOHAWK AIRLINES, INC.

#### "Golden Age Excursion Tariff"; Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 6th day of July 1961.

By tariff marked to become effective July 1, 1961, Mohawk Airlines, Inc. proposed round-trip excursion fares at a level equaling 133 percent of normal one-way fares for application on a system-wide basis when departure is between the hours of midnight and 12:59 p.m. Eligibility for these reduced fares is limited to persons who have reached the age of 62 in the case of women, 65 in the case of men, and requires that the person hold a "Golden Age Club" identification card issued by the carrier for an annual fee of \$5.00. Tickets have the customary one year validity and the tariff is marked to expire with May 31, 1962. No complaints have been filed.

In support of the proposal, Mohawk alleges a specific need to improve load factors on its morning services and a general need to stimulate new traffic volume. The carrier contends that the excursion fares do not involve unjust discrimination since the circumstances and conditions under which the service is to be offered are not substantially similar to those of regular fare service; viz., the transportation must be round-trip in nature, is limited in availability to the morning hours prior to 1:00 p.m., and requires that the passenger hold an identification card noted above. Finally, Mohawk alleges that the need to improve its revenue position and thereby reduce its subsidy requirement constitutes an extraordinarily important and serious business interest of the carrier upon which to justify the discrimination inherent in the tariff.

The Board is not persuaded that the alleged circumstances provide a sufficient basis upon which to justify the discrimination inherent in offering reduced fares to elderly persons during the morning hours while not offering the same transportation to others desiring to travel under the same conditions and circumstances. On the basis of the facts and information now available, the Board considers that the Golden Age excursion fares proposed by Mohawk may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential,

or unduly prejudicial, and that they should be investigated. However, in line with our general policy of encouraging experimentation with promotional fares, we have concluded not to suspend the tariff pending investigation. We shall require the carrier to file reports of "Golden Age" traffic with the Board as provided below.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a), 404, and 1002 thereof: *It is ordered*, That:

1. An investigation is instituted to determine whether the fares and provisions in Mohawk Airlines, Inc.'s tariff C.A.B. No. 17, together with reissues and revisions thereof, are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions.

2. The investigation be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

3. Mohawk shall submit the following data with respect to "Golden Age" traffic:

a. The number of identification cards of "Golden Age Club" which are issued per month;

b. The amount of "Golden Age" revenues for transportation received by Mohawk for each month;

c. By origin and destination, the number of "Golden Age" passengers flown each month;

The foregoing data shall be furnished in 10 copies filed with the Docket Section of the Board within 20 days after the close of each calendar month.

4. Copies of this order shall be filed with the tariff and shall be served upon Mohawk Airlines, Inc. which is made a party to this proceeding.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
*Secretary.*

[F.R. Doc. 61-6531; Filed, July 11, 1961; 8:51 a.m.]

[Docket 12717]

**TASMAN EMPIRE AIRWAYS LIMITED**

**Notice of Hearing**

In the matter of the application of Tasman Empire Airways Limited, Docket 12717, for a foreign air carrier permit authorizing it to engage in foreign air transportation by operating scheduled and nonscheduled services from New Zealand via the Fiji Islands to American Samoa and beyond to the Cook Islands (optional) and the Society Islands and return, and also off-route charter services into and out of American Samoa.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to

be held on July 14, 1961, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., July 10, 1961.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F.R. Doc. 61-6563; Filed, July 11, 1961; 8:54 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket No. 14156; FCC 61M-1173]

**EMORY FEASTER**

**Order Continuing Hearing**

In the matter of cease and desist order to be directed to Emory Feaster, Maysville, West Virginia, Docket No. 14156.

The Hearing Examiner having under consideration the oral request of counsel for respondent in the above-captioned proceeding seeking continuance of the hearing, presently scheduled to commence at 10:00 a.m., on July 12, 1961, to 10:00 a.m., on July 25, 1961;

It appearing that all other counsel have informally consented to immediate consideration and grant of the subject request and to a waiver of 47 CFR 1.43, that good cause for a grant thereof is present and that such a grant will conduce to the orderly dispatch of the Commission's business;

*It is ordered*, This 7th day of July 1961, that the aforesaid oral request is granted, and that the hearing in this proceeding presently scheduled to commence at 10:00 a.m., on July 12, 1961, is continued to 10:00 a.m. on July 25, 1961, in Petersburg, West Virginia.

Released: July 7, 1961.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
BEN F. WAPLE,  
*Acting Secretary.*

[F.R. Doc. 61-6534; Filed, July 11, 1961; 8:52 a.m.]

[Docket No. 14155; FCC 61M-1172]

**CHARLES FUNKHOUSER**

**Order Continuing Hearing**

In the matter of cease and desist order to be directed to Charles Funkhouser, Maysville, West Virginia, Docket No. 14155.

The Hearing Examiner having under consideration the oral request of counsel for respondent in the above-captioned proceeding seeking continuance of the hearing, presently scheduled to commence at 2:00 p.m., on July 12, 1961, to 2:00 p.m., on July 25, 1961;

It appearing that all other counsel have informally consented to immediate consideration and grant of the subject

request and to a waiver of 47 CFR 1.43, that good cause for a grant thereof is present and that such a grant will conduce to the orderly dispatch of the Commission's business;

*It is ordered*, This 7th day of July 1961, that the aforesaid oral request is granted, and that the hearing in this proceeding presently scheduled to commence at 2:00 p.m., on July 12, 1961, is continued to 2:00 p.m., on July 25, 1961, in Petersburg, West Virginia.

Released: July 7, 1961.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
BEN F. WAPLE,  
*Acting Secretary.*

[F.R. Doc. 61-6535; Filed, July 11, 1961; 8:52 a.m.]

[Docket Nos. 12210, 14019; FCC 61M-1164]

**KENNETH G. PRATHER ET AL.**

**Order Continuing Hearing**

In re application of Kenneth G. Prather and Misha S. Prather, Boulder, Colorado, Docket No. 12210, File No. BP-13380; KDEN Broadcasting Company (KDEN), Denver, Colorado, Docket No. 14019, File No. BP-13119; for construction permits.

The Hearing Examiner having under consideration a "Motion for Continuance" filed on June 30, 1961, by applicants Kenneth G. and Misha S. Prather, requesting that the presently scheduled dates for the exchange of applicants' direct hearing exhibits, for the notification of witnesses desired for cross-examination, and for the hearing itself be continued as indicated hereinafter;

It appearing that counsel for applicant KDEN Broadcasting Company and for respondent KGHF, Inc., have consented to the immediate consideration and grant of the Prather motion for continuance, and that Bureau counsel has consented to immediate consideration of said motion; and

It further appearing that counsel for movant has stated good cause for granting the motion, and that the requested continuance of procedural dates will not occasion delay in the issuance of a decision herein;

*It is ordered*, This 5th day of July 1961, that the "Motion for Continuance" is granted, and the following procedural dates are continued as specified below:

Procedural dates for—	From—	To—
Exchange of exhibits.....	June 28, 1961	Aug. 25, 1961
Notification as to witnesses.....	July 5, 1961	Sept. 5, 1961
Hearing.....	July 11, 1961	Sept. 14, 1961

Released: July 6, 1961.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
BEN F. WAPLE,  
*Acting Secretary.*

[F.R. Doc. 61-6537; Filed, July 11, 1961; 8:52 a.m.]

## FEDERAL POWER COMMISSION

[Docket Nos. G-18661, G-18662]

### WESTERN NATURAL GAS CO.

#### Notice of Applications and Consolidation of Proceedings

JULY 5, 1961.

Take notice that the following applications have been filed with the Federal Power Commission:

Docket No. G-18662: Western Natural Gas Company, Houston, Texas filed on May 29, 1959, pursuant to section 7(b) of the Natural Gas Act, a request for permission to abandon its sales of natural gas to Cities Service Gas Company which are being made under a gas purchase agreement dated September 29, 1949, by and between Western and Cities Service which, by its terms, expired on April 1, 1960. That agreement is on file with the Commission as Western's FPC Gas Rate Schedule No. 17 as supplemented. Said sales were certificated to Western under Docket No. G-4882.

In its application, Western says that the natural gas here involved is produced from leasehold interests which it owns and operates in the Kansas-Hugoton field, Grant and Stanton Counties, Kansas; that on May 1, 1947, Western entered into a gas purchase agreement with El Paso Natural Gas Company, a copy of which is on file with the Commission under Docket No. G-4537, which granted to El Paso the preferential right to purchase from Western natural gas produced from said properties and granted to Western the right to sell such natural gas to others until such time as El Paso should require deliveries thereof; that Western and Cities Service entered into said gas purchase agreement dated September 29, 1949, providing for the sale of said natural gas by Western to Cities Service for a term of ten years to expire on April 1, 1960; that El Paso has notified Western of its intention to exercise its preferential right to purchase said natural gas from Western; and that Western as seller and El Paso as buyer have entered into a gas purchase agreement dated March 20, 1959, for the sale and purchase of the said natural gas with deliveries to El Paso to commence concurrently with the termination of deliveries by Western to Cities Service which are presently being made and for which authorization to abandon is requested.

Docket No. G-18661: Western Natural Gas Company filed on May 29, 1959, pursuant to section 7(c) of the Natural Gas Act, an application for a certificate of public convenience and necessity authorizing the sale by Western to El Paso Natural Gas Company of natural gas which is now being sold to Cities Service Gas Company as authorized under Docket No. G-4882, as previously described herein, which sale Western requests authority to abandon under Docket No. G-18662. El Paso has filed with the Commission under Docket No. G-15696 an application, now pending, for a certificate of public convenience and necessity authorizing the construction and op-

eration of facilities necessary to the purchase of said gas from Western.

The proceedings under Docket Nos. G-18661 and G-18662 are hereby consolidated for the purpose of hearing.

Notices and petitions to intervene and protests may be filed with the Federal Power Commission in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) on or before August 15, 1961.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 61-6504; Filed, July 11, 1961;  
8:48 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3976]

### CONSOLIDATED NATURAL GAS CO.

#### Notice of Proposal by Holding Company To Act as Surety on Bond of Public-Utility Subsidiary Company

JULY 3, 1961.

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transaction which is summarized as follows:

On January 5, 1961, Consolidated's wholly-owned public-utility subsidiary company, Hope Natural Gas Company ("Hope"), filed new rate schedules with the Public Service Commission of West Virginia providing for rate increases approximating \$1,800,000 per year for furnishing natural gas service in the entire territory served by Hope in the State of West Virginia. By action of the State commission, the effectiveness of the new rates was suspended until June 29, 1961. The new rates may now become effective upon the filing by Hope of a bond in the amount of \$500,000, with satisfactory surety, for the due and proper payment of any refunds which the State commission may order. The State commission has indicated that Consolidated may sign as surety on Hope's bond.

Consolidated proposes, without fee or other consideration, to act as surety on the bond of Hope to save the cost of securing an outside corporate surety.

Notice is further given that any interested person may, not later than July 17, 1961, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the declaration, as filed or as amended, may be permitted to

become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 61-6511; Filed, July 11, 1961;  
8:49 a.m.]

[File No. 24W-2491]

### INTERCONTINENTAL MOTELS, LTD.

#### Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JULY 5, 1961.

I. Intercontinental Motels, Ltd. (issuer), a Delaware corporation, located at Towne House Motor Lodge, Post Office Box 1061, Martinsville, Virginia, filed with the Commission on March 28, 1961, a notification on Form 1-A and an offering circular in connection with a proposed offering of 150,000 shares of \$10 par value common stock at \$2 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of Regulation A, promulgated under section 3(b) of the Act.

II. The Commission has reasonable cause to believe that:

A. The offering circular of the issuer contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to state reasons and conditions, including problems surrounding the existence of a builder's lien and the recasting of the mortgage, which may prevent the issuer's plan of reorganization for Fleetwood Motel Corporation from being accepted by the stockholders and the creditors of the debtor, Fleetwood Motel Corporation, the trustee or the bankruptcy court.

2. The failure to state fully the procedure which the issuer would have to follow in order to obtain binding acceptance of its reorganization plan.

3. The failure to disclose the existence of foreseeable events and reasons which would result in rejection of the issuer's plan of reorganization or the acceptance of another plan.

4. The failure to disclose that the trustee had filed a report which indicated that he had found that he could not recommend any of the proposals before him.

5. The statement that the issuer's plan of reorganization was "presently before the court for consideration by the shareholders and creditors of the bankrupt".

B. The offering and sale of the issuer's securities would violate section 17(a) of the Securities Act of 1933.

III. It is ordered, Pursuant to Rule 261(a) of the General Rules and Regula-

tions under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 61-6512; Filed, July 11, 1961;  
8:49 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 343]

### IOWA

#### Declaration of Disaster Area

Whereas, it has been reported that during the month of June 1961, because of the effects of certain disasters, damage resulted to residences and business property located in Muscatine County in the State of Iowa;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from flood and accompanying conditions occurring on or about June 29, 1961.

Offices.—  
Small Business Administration Regional Office, Bankers Building, Room 439, 105 West Adams Street, Chicago 3, Ill.  
Small Business Administration Branch Office, 850 Insurance Exchange Building, 5th & Grand Avenue, Des Moines, Iowa.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1961.

Dated: June 30, 1961.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 61-6587; Filed, July 11, 1961;  
10:22 a.m.]

## TARIFF COMMISSION

[7-97S; 7-100S; 7-101S]

### BASEBALL AND SOFTBALL GLOVES, INCLUDING MITTS; CERAMIC MOSAIC TILE; AND CYLINDER, CROWN, AND SHEET GLASS

#### Notice of Supplemental Investigations

Pursuant to the provisions of section 7 of the Trade Agreements Extension Act of 1951, as amended, the Tariff Commission submitted escape-clause reports to the President on May 1, 10, and 17, 1961, concerning baseball and softball gloves, including mitts (escape-clause investigation No. 7-97), ceramic mosaic tile (escape-clause investigation No. 7-100), and cylinder, crown, and sheet glass (escape-clause investigation No. 7-101), respectively. Summaries of the findings and recommendations of the Commission contained in these reports were published in the FEDERAL REGISTER on May 4, 13, and 20, 1961, respectively (26 F.R. 3912, 4184, and 4410).

On June 29, 1961, the President directed a letter to the Tariff Commission in which he announced his conclusion that it would be advisable to defer final decision in these three cases pending the compilation and appraisal of additional up-to-date information and data, and requested the Commission to obtain and analyze certain specified economic data, to be submitted to him as soon as possible in supplemental reports. The text of the President's letter was released to the public in a press release by the Commission dated June 30, 1961.

The Commission has undertaken the supplementary studies called for by the President. No public hearings are being scheduled in connection therewith, but interested parties wishing to submit written statements or briefs concerning the economic data mentioned by the President in his letter may do so. Fifteen copies of any such statement or brief shall be filed, within 60 days from the date of this announcement, with the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington 25, D.C.

Copies of the Commission's press release containing the text of the President's letter may be obtained upon request from the Secretary of the Commission.

Issued: July 7, 1961.

By order of the Commission.

DONN N. BENT,  
Secretary.

[F.R. Doc. 61-6522; Filed, July 11, 1961;  
8:51 a.m.]

[7-107; 7-108]

## UMBRELLA FRAMES AND UMBRELLAS

### Notice of Postponement of Hearings

Notice is hereby given that the public hearings in connection with the investigations instituted under section 7 of the Trade Agreements Extension Act of 1951 with respect to umbrella frames and umbrellas, heretofore scheduled for 10 a.m., e.d.s.t., on September 26 and September 27, 1961, respectively (26 F.R. 5591), have been rescheduled for 10 a.m., e.d.s.t., on September 27 and September 28, 1961, respectively.

Issued: July 7, 1961.

By order of the Commission, July 6, 1961.

DONN N. BENT,  
Secretary.

[F.R. Doc. 61-6523; Filed, July 11, 1961;  
8:51 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 168]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 7, 1961.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC-22167 (Deviation No. 1) CONSOLIDATED COPPERSTATE LINES, P.O. Box 35245, Dallas 35, Tex., filed June 22, 1961. Attorney Regan Sayers, Century Life Building, Fort Worth 2, Tex. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Houston, Tex., over U.S. Highway 290 to Brenham, Tex., thence over Texas Highway 36 to Cameron, Tex., thence over Texas Highway 36 and U.S. Highway 190 to Temple, Tex. thence over Texas Highway 36 to Gatesville, Tex. thence over U.S. Highway 84 to Goldthwaite, Tex., thence over U.S. Highways

183 and 84 to Brownwood, Tex., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Houston, over U.S. Highway 90 to Columbus, Tex., thence over Texas Highway 71 to Austin, Tex., thence over U.S. Highway 183 to Lampasas, Tex. and thence over U.S. Highway 190 to Goldthwaite, Tex., and thence over U.S. Highways 183 and 84 to Brownwood, and return over the same route.

No. MC-22167 (Deviation No. 2) CONSOLIDATED COPPERSTATE LINES, P.O. Box 35245, Dallas 35, Tex., filed June 22, 1961. Attorney Regan Sayers, Century Life Building, Fort Worth 2, Tex. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Abilene, Tex., over U.S. Highway 36 to Cross Plains, Tex., and thence over U.S. Highway 279 to Brownwood, Tex., and return over the same route, for operating convenience only serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Abilene over U.S. Highway 84 to Santa Anna, Tex., and thence over U.S. Highway 67 to Brownwood, and return over the same route.

No. MC-52953 (Deviation No. 1) ET & WNC TRANSPORTATION COMPANY, 132 Legion Street, Johnson City, Tenn., filed June 21, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Greenville, S.C., over U.S. Highway 276 to Mauldin, S.C., thence over relocated U.S. Highway 276 to junction Interstate Highway 26 and thence over Interstate Highway 26 to Columbia, S.C., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Greenville over U.S. Highway 276 to Laurens, S.C., and thence over U.S. Highway 76 to Columbia and return over the same route.

No. MC-55783 (Deviation No. 1), BUCKINGHAM EXPRESS INC., East 52d Street and Colorado Boulevard, Denver, Colo., filed June 23, 1961. Attorney Tom B. Kretsinger, Suite 1014 Temple Building, Kansas City 6, Mo. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 29 to St. Joseph, Mo., and return over the same route, for operating conveniences only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Kansas City over U.S. Highway 69 to junction U.S. Highway 36, thence over U.S.

Highway 36 to St. Joseph, and return over the same route.

No. MC-59583 (Deviation No. 2), THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn., filed June 19, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Bristol, Tenn., over new U.S. Highway 11-W to Kingsport, Tenn., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the same points, over Old U.S. Highway 11-W.

No. MC-71460 (Deviation No. 1) SOUTHERN FORWARDING CO., 728 Alston Avenue, Memphis, Tenn., filed June 21, 1961. Attorney James N. Clay, III, 2111 Sterick Building, Memphis 3, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dickson, Tenn., over U.S. Highway 70 to junction Tennessee Highway 47 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent authorized service route as follows: From Dickson over Tennessee Highway 46 to junction Tennessee Highway 47, thence over Tennessee Highway 47 to junction U.S. Highway 70, and return over the same route.

No. MC-71460 (Deviation No. 2), SOUTHERN FORWARDING CO., 728 Alston Avenue, Memphis, Tenn., filed June 21, 1961. Attorney James N. Clay, III, 2111 Sterick Building, Memphis 3, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Jackson, Tenn. over U.S. Highway 45 to junction U.S. Highway 45-E, thence over U.S. Highway 45-E to Milan, Tenn. and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Brownsville, Tenn., over U.S. Highway 70 to Huntingdon; and from Brownsville over Alternate U.S. Highway 70 to Huntingdon, and return over the same routes.

No. MC-71460 (Deviation No. 3), SOUTHERN FORWARDING CO., 728 Alston Avenue, Memphis, Tenn., filed June 21, 1961. Attorney James N. Clay, III, 2111 Sterick Building, Memphis 3, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Huntingdon, Tenn., over Tennessee Highway 22 to junction U.S. Highway 79, thence over U.S. Highway 79 to junction U.S. Highway 68 and thence over U.S. Highway 68 to Bowling Green, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The

notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Huntingdon over U.S. Highway 70 to junction Tennessee Highway 46, thence over Tennessee Highway 46 to junction Tennessee Highway 47, thence over Tennessee Highway 47, to junction U.S. Highway 70, thence over U.S. Highway 70 to Nashville, Tenn., thence over U.S. Highway 31-W to Bowling Green, and return over the same route.

No. MC-71460 (Deviation No. 4), SOUTHERN FORWARDING CO., 728 Alston Avenue, Memphis, Tenn., filed June 21, 1961. Attorney James N. Clay, III, 2111 Sterick Building, Memphis 3, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Huntingdon, Tenn., over Tennessee Highway 77 to junction U.S. Highway 79, thence over U.S. Highway 79 to junction U.S. Highway 68, and thence over U.S. Highway 68 to Bowling Green, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Huntingdon over U.S. Highway 70 to junction Tennessee Highway 46, thence over Tennessee Highway 46, thence over Tennessee Highway 46 to junction Tennessee Highway 47, thence over Tennessee Highway 47 to junction U.S. Highway 70, thence over U.S. Highway 70 to Nashville, Tenn., and thence over U.S. Highway 31-W to Bowling Green, and return over the same route.

No. MC-71460 (Deviation No. 5), SOUTHERN FORWARDING CO., 728 Alston Avenue, Memphis, Tenn., filed June 21, 1961. Attorney James N. Clay, III, 2111 Sterick Building, Memphis 3, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dickson, Tenn., over Tennessee Highway 48 to Cunningham, Tenn., thence over Tennessee Highway 13 to Clarksville, Tenn., thence over U.S. Highway 79 to Russellville, Ky., and thence over U.S. Highway 68 to Bowling Green, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Dickson over Tennessee Highway 46 to junction Tennessee Highway 47, thence over Tennessee Highway 47 to junction U.S. Highway 70, thence over U.S. Highway 70 to Nashville, Tenn., and thence over U.S. Highway 31-W to Bowling Green, and return over the same route.

No. MC-106456 (Deviation No. 3), SUPER SERVICE MOTOR FREIGHT CO., Fessler Lane, Nashville, Tenn., filed June 19, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route

as follows: From Bristol, Tenn., over relocated U.S. Highway 11-W to Kingsport, Tenn., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Bristol and Kingsport over Old U.S. Highway 11-W.

No. MC-109095 (Deviation No. 6), ANDERSON MOTOR SERVICE, INC., 1516 North 14th Street, St. Louis 6, Mo., filed June 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction of U.S. Highway 36 and U.S. Highway 42 over U.S. Highway 36 to junction Interstate Highway 71, thence over Interstate Highway 71 to junction U.S. Highway 224 and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From the junction of U.S. Highways 36 and 42 over U.S. Highway 42 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction Interstate Highway 71, and return over the same route.

No. MC-111231 (Deviation No. 10), JONES TRUCK LINES INC., 514 East Emma Avenue, Springdale, Ark., filed June 21, 1961. Carrier's representative B. J. Wiseman, same address. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Joplin, Mo., over the Will Rogers Turnpike to Tulsa, Okla., and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Joplin over Missouri Highway 43 to Seneca, Mo., thence over U.S. Highway 60 to junction U.S. Highway 69, thence over U.S. Highway 69 to Vinita, Okla., and thence over U.S. Highway 66 to Tulsa, and return over the same route.

No. MC-116004 (Deviation No. 7) TEXAS-OKLAHOMA EXPRESS INC., P.O. Box 743, Dallas, Tex., filed June 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Wichita, Kans., over U.S. Highway 54 to junction U.S. Highway 183, thence over U.S. Highway 183 to junction U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 83, thence over U.S. Highway 83 to Liberal, Kans., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Wichita over U.S. Highway 81 to junction U.S. Highway 64 west of Pond Creek, Okla., thence over U.S. Highway 64 to junction U.S. Highway 83, thence over U.S. Highway 83 to Liberal, and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC-13028 (Deviation No. 5), THE SHORT LINE INC., P.O. BOX 1513, Providence, R.I., filed June 19, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Middleboro, Mass., over Interstate Highway 25 to South Middleboro, Mass., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Taunton, Mass., over U.S. Highway 44 to Middleboro, Mass.; and from Middleboro over Massachusetts Highway 105 to junction Massachusetts Highway 28, thence over Massachusetts Highway 28 to junction unnumbered highway, thence over unnumbered highway to Wareham, Mass., and return over the same routes.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 61-6520; Filed, July 11, 1961;  
8:50 a.m.]

[Notice 387]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 7, 1961.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers, or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 27817 (Sub No. 38), filed June 26, 1961. Applicant: H. C. GABLER, INC., R.D. No. 3, Chambersburg, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between points in Adams and Franklin Counties, Pa., on the one hand, and on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Illinois, Michigan, Kentucky, Iowa, Missouri, and the District of Columbia.

NOTE: Common Control may be involved.

HEARING: September 11, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Harold P. Boss.

No. MC 27817 (Sub No. 39), filed June 26, 1961. Applicant: H. C. GABLER, INC., R.D. 3, Chambersburg, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Concrete products*, from points in Franklin County, Pa., to points in New York, Delaware, Rhode Island, Connecticut, Massachusetts, and the District of Columbia, and (2) *marble aggregate*, from points in New York and Massachusetts, to points in Franklin County, Pa.

NOTE: Common control may be involved.

HEARING: September 12, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

No. MC 36436 (Sub-No. 32), filed July 5, 1961. Applicants: HOWARD MOLAND, CLARENCE MOLAND, LOTHARD MOLAND AND H. T. MOLAND, A Partnership, doing business as MOLAND BROS. TRUCKING COMPANY, 2502 West Huron Street, Duluth, Minn. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving Oakbrook, Ill. as an off-route point in connection with applicant's regular-route operations to and from Chicago, Ill.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 59292 (Sub-No. 17) (AMENDMENT), filed June 12, 1961, published issue June 28, 1961, amended July 3, 1961, and republished as amended this issue. Applicant: THE MARYLAND TRANSPORTATION COMPANY, 1111 Frankfur Avenue, Baltimore 25, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from Claymont, Del., to points in Delaware, the District of Columbia, New Jersey, New York, Pennsylvania, Maryland, Virginia, and West Virginia on and north of U.S. Highway 60.

NOTE: The purpose of this republication is to add Maryland as a destination State.

HEARING: Remains as assigned July 31, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alfred B. Hurley.

No. MC 67916 (Sub No. 20), filed June 20, 1961. Applicant: NEW YORK CENTRAL TRANSPORT COMPANY, a corporation, 230 Park Avenue, New York, N.Y. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Chicago, Ill., and Oakbrook, Ill.

NOTE: Applicant states it is a subsidiary of the New York Central Railroad Company, therefore common control may be involved.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 95540 (Sub No. 372), filed June 12, 1961. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Little Rock, Ark., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, West Virginia, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: September 11, 1961, at the Claridge Hotel, Memphis, Tenn., before Examiner Henry A. Cockrum.

No. MC 95540 (Sub No. 376), filed June 23, 1961. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Charleston, S.C., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

NOTE: Common control may be involved.

HEARING: September 25, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 108884 (Sub-No. 5) (CORRECTION), filed April 28, 1961, published issue of June 28, 1961, republished as corrected this issue. Applicant: ROGERS AND KASPER, INC., Route 46, Great Meadows, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in mechanically refrigerated vehicles, from New York, N.Y., and Jersey City, N.J., to points in Lehigh, Northampton, Berks, Lackawanna, and Luzerne Counties, Pa., and points in Broome County, N.Y.

NOTE: Applicant states it presently holds the above authority restricted to shipments of 5,000 pounds; the purpose of the proposed filing is to remove the weight restriction. Previous publication designated the docket

number assigned to this application as MC 10884 (Sub-No. 5). The correct docket number is as shown above—MC 108884 (Sub-No. 5).

HEARING: Remains as assigned September 18, 1961, at 346 Broadway, New York, N.Y., before Examiner Alton R. Smith.

No. MC 109132 (Sub-No. 11), filed June 29, 1961. Applicant: FREIGHT WAYS, INC., 1309 North Mosely Street, Wichita, Kans. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment); serving Oakbrook, Ill., as an off-route point in connection with applicant's authorized regular-route operations to and from Chicago, Ill.

NOTE: This application is subject to the "Special Rules of Practice for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 112617 (Sub No. 93), filed June 26, 1961. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville 5, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank and hopper type vehicles and other specialized bulk transportation equipment, from Charleston, Tenn., to points in Illinois, Indiana, Kentucky, and Ohio, and *rejected shipments*, on return.

HEARING: September 12, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Reece Harrison.

No. MC 116008 (Sub No. 23), filed June 23, 1961. Applicant: ARCHIE'S MOTOR FREIGHT, INCORPORATED, Sixth and Maury Streets, P.O. Box 4121, Richmond, Va. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are used or sold by dealers in Limited Price Variety Store Merchandise, and in connection therewith, equipment, materials and supplies used in the conduct of such business*, between Monroe, La., on the one hand, and, on the other, McKeesport, Pa.

HEARING: September 15, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Warren C. White.

No. MC 116014 (Sub No. 1), filed June 26, 1961. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, a partnership, doing business as OLIVER TRUCKING CO., 117 Buckner Street, Winchester, Ky. Applicant's attorneys: Robert M. Pearce, 221½ St. Clair

Street, Frankfort, Ky., and Rodney J. Thompson, 21 South Main, Winchester, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New, used and reconditioned hogsheds, knocked down hogsheds, materials, supplies and equipment* used in processing, handling, marketing and storage of tobacco and tobacco products, and *exempt commodities*, between points in Virginia, North Carolina, South Carolina, Tennessee, and Kentucky.

HEARING: September 15, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo A. Riegel.

No. MC 116077 (Sub No. 105), filed June 20, 1961. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, Esperson Building, Suite 1535, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, between points in Texas on the one hand, and, on the other, points in New Mexico, Oklahoma, Arkansas, and Louisiana.

HEARING: September 26, 1961, at The Granado Hotel, San Antonio, Tex., before Examiner Edith H. Cockrill.

No. MC 117427 (Sub No. 22), filed June 28, 1961. Applicant: G. G. PARSONS TRUCKING CO., a corporation, P.O. Box 746, North Wilkesboro, N.C. Applicant's attorney: Francis J. Ortmann, 1366 National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), from points in Pennsylvania to port of entry on the International Boundary line between the United States and Canada at or near Buffalo, N.Y.

NOTE: Applicant also has contract carrier authority under MC 116145. Dual operations may be involved.

HEARING: September 18, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Armin G. Clement.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 115716 (Sub-No. 8) (CORRECTION), filed May 29, 1961, published issue of June 21, 1961, republished as corrected this issue. Applicant: DENVER-LIMON-BURLINGTON TRANSFER COMPANY, a corporation, 1420 18th Street, Denver 2, Colo. Applicant's attorney: Edward G. Hastings, 1505 Dallas Street, Denver 8, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special handling), between Sugar City, Colo., and Pueblo, Colo.; from Sugar City in a westerly direction over Colorado Highway 96 through Ordway, Crowley, Olney Springs, Boone, North Avondale, and the

Pueblo Ordnance Depot, Colo., thence in a westerly direction over Colorado Highway 96 and U.S. Highway 50, a distance approximately 14 miles to Pueblo, and return over the same route, serving all intermediate points (except between Pueblo and the Pueblo Ordnance Depot, Pueblo and North Avondale, and Pueblo and Boone), but including service to Pueblo, Pueblo Ordnance Depot, North Avondale, and Boone.

Note: The subject application as originally published indicated that same was directly related to a section 5 proceeding, MC-F-7880, in error. The purpose of this republication is to advise that the instant application is not related to that section 5 proceeding, and accordingly, will not be handled concurrently therewith.

#### NOTICE OF FILING OF PETITION

No. MC 22276 (Sub-No. 2) and (Sub-No. 3) (PETITION) filed May 23, 1961. Petitioner: TAYLOR TRUCKING COMPANY, a corporation, 1350 Arlington Street, Cincinnati, Ohio. Petitioner is authorized in Permit No. MC-22276 (Sub-No. 2), dated June 14, 1960, to transport: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Cincinnati, Ohio, to points in Boone, Kenton, Campbell, Grant, Gallatin, and Pendleton Counties, Ky.; and *returned or damaged shipments of the above-specified commodities*, from points in Boone, Kenton, Campbell, Grant, Gallatin and Pendleton Counties, Ky., to Cincinnati, Ohio. (RESTRICTION: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Oscar Mayer and Company, of Chicago, Ill., and in Permit No. MC 22276 (Sub-No. 3), dated November 28, 1960, to transport: *Meats, meat products, and meat by-products*, as described in Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in pool-car and pool-truck delivery service only, from Cincinnati, Ohio, to points in Fayette, Franklin, Dearborn, Ripley, Switzerland, Union, Rush, Decatur, Ohio, Jefferson, and Jennings Counties, Ind., with no transportation for compensation on return except as otherwise authorized. (RESTRICTION: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Oscar Mayer & Co., Inc., of Chicago, Ill.). By petition dated May 23, 1961, petitioner seeks to add six companies, namely: George A. Hormel, Braum Bros. Packing Company, Rath Packing Company, John Morrell & Company, Parkview Markets, Inc., and Armour & Company, and to provide service for those shippers to the extent authorized in the above-described permits. Petitioner further requests the Commission direct modified procedure in adding the names of the six shippers in this proceeding, and also provide that the permits named, be modified to provide for the future addition of other shippers without benefit of modified procedure. Any person or persons desiring to participate in this proceeding, may file within

30 days from the date of this publication, a reply to this petition or other appropriate pleading.

No. MC 116514 (Sub-No. 10), RE-PUBLICATION), filed August 5, 1960, published issue of September 8, 1960. Applicant: EDWARDS TRUCKING, INC., Main Street, Hemingway, S.C. Applicant's attorneys: Carlisle Roberts, Barringer Building, Columbia 1, S.C., and J. P. Askins, Jr., P.O. Box No. 144, Hemingway, S.C. By application filed August 5, 1960, applicant sought a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of wool, wool tops and noils, and wool waste (carded, spun, woven, and knitted), between points within forty miles of Hemingway, S.C., including Hemingway. A Report and Order, division 1, decided June 14, 1961, recites that applicant intends to tack the proposed authority to that authorized in its "grandfather" proceeding, MC 116514 (Sub-No. 3) under section 7 of the Transportation Act of 1958, using points common to both authorities located in the 40-mile radius. However, the scope of the instant application as filed concerns only interstate or foreign commerce originating and terminating within the specified 40-mile area. The division finds that the present and future public convenience and necessity require operation by applicant, as a *common carrier* by motor vehicle, over irregular routes, of *wool, wool tops and noils, and wool waste* (carded, spun, woven, or knitted), (1) from Jamestown, S.C., to Woonsocket, R.I., South Barre and North Chelmsford, Mass., Albany, Ga., and Whitesville and McAddenville, N.C., (2) from St. Stephens, S.C., to Woonsocket, R.I., and Barre and Boston, Mass., (3) from Georgetown, S.C., to points within forty miles of Hemingway, S.C., including Hemingway; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and our rules and regulations thereunder; that an appropriate certificate should be issued after the elapse of 30 days from the date of republication in the FEDERAL REGISTER of this statement of the authority granted herein, provided, however, that any person or persons who might have been prejudiced by the grant of authority as set forth above from that noticed previously in the FEDERAL REGISTER may within 30 days from the date of this republication in the FEDERAL REGISTER file a petition for appropriate relief.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 7910. Authority sought for purchase by CLYDE D. DUFFEE

MOTOR EXPRESS, INC., 859 Progress Street, Pittsburgh 12, Pa., of the operating rights of WESLEY F. HARDY, an individual, doing business as ERIE PITTSBURGH MOTOR EXPRESS, 859 Progress Street, Pittsburgh 12, Pa., and for acquisition by WESLEY F. HARDY, also of Pittsburgh 12, Pa., of control of such rights through the purchase. Applicants' attorney: T. J. Runfola, 631 Niagara Street, Buffalo 1, N.Y. Operating rights sought to be transferred: Those rights authorized by the Commission's report and order, Division 4, of October 28, 1955, in Docket No. MC-F-5824, covering the transportation of *general commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Pittsburgh and Erie, Pa., between Mercer and Erie, Pa., between Harlansburg and Mercer, Pa., and between Conneaut Lake and Meadville, Pa., serving all intermediate points on the above routes, except that service is not authorized between Pittsburgh and Portersville, Pa., between Meadville and Erie, Pa., or between intermediate points on those segments, or between points on U.S. Highway 20, and serving the off-route point of North East, restricted to transportation of shipments moving to and from points located on the above-described route, over U.S. Highway 19, between Pittsburgh and Erie, Pa. Vendee is authorized to operate as a *common carrier* in Pennsylvania and Ohio. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7911. Authority sought for control by FRED E. HAGEN, an individual, doing business as HAGEN TRUCK LINE, 4120 Floyd Avenue, Sioux City, Iowa, of GAIL W. DAHL and FRED E. HAGEN, a partnership, doing business as DAHL TRUCK LINES, 4120 Floyd Avenue, Sioux City, Iowa. Applicants' attorney: Ervin A. Hutchison, 420 Security Building, Sioux City, Iowa. Operating rights of (GAIL W. DAHL and FRED E. HAGEN, a partnership, doing business as DAHL TRUCK LINES): *Meats, packing house products, butter, eggs, and dressed poultry*, as a *contract carrier* over regular routes between Sioux City, Iowa, and Luverne, Minn., between Sioux City, Iowa, and Altamont, S. Dak., between Sioux City, Iowa, and Watertown, S. Dak., and between Sioux City, Iowa, and Mountain Lake, Minn., serving certain intermediate and off-route points on the above-described routes; *meats*, over irregular routes, from Sioux City, Iowa, to Austin, Minn., *grain and flour mill products*, from Leeds and Sioux City, Iowa, to points in Iowa, Minnesota, South Dakota, and Nebraska, *packing house products, supplies, materials, and equipment*, between Sioux City, Iowa, on the one hand, and, on the other, points in South Dakota, the *commodities* classified as (a) meats, meat products, and meat by-products, (b) dairy products, and (c) articles distributed by meat-packing houses, in the appendix to the report in Modification of Permits-Packing House Products, 46 M.C.C. 23, between Sioux City, Iowa, on the one hand, and, on the other, to certain points in South Dakota, from Sioux City, Iowa, to certain points in Nebraska,

meats, meat products, and meat by-products, dairy products, and articles distributed by meat packaging houses, from Sioux City, Iowa, to certain points in Minnesota, including Springfield, Minn., from Sioux City, Iowa, to Baker, Mont., and certain points in South Dakota and North Dakota, with the RESTRICTION that the above-described operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with Swift & Company (an Illinois corporation), from Sioux City, Iowa, to Onida, S. Dak., with the same RESTRICTION described immediately above, from Watertown, S. Dak., to points in North Dakota, and returned shipments of the above-specified commodities, and empty containers used in transporting the above-specified commodities, from points in North Dakota, to Watertown, S. Dak., with the same RESTRICTION described above. FRED E. HAGEN, doing business as HAGEN TRUCK LINE, is authorized to operate as a contract carrier in Iowa and Illinois. Application has not been filed for temporary authority under section 210a(b).

NOTE: A motion to dismiss has been filed simultaneously with the above application.

No. MC-F 7912. Authority sought for purchase by LONG TRANSPORTATION COMPANY, 3755 Central Avenue, Detroit, Mich., of the operating rights and property of JOSEPH F. LA GROU, an individual, doing business as A. & M. CARTAGE CO., Union Avenue, Pennsauken, N.J., and for acquisition by W. E. LONG, 155 Lothrop, Grosse Pointe Farms, Mich., and STEVEN DARCEY, FOR THE ESTATE OF FLORENCE L. MC CALE, 46250 W. 9 Mile, Novi, Mich., of control of such rights and property through the purchase. Applicants' attorneys: Bowes & Millner, 1060 Broad Street, Newark, N.J. Operating rights sought to be transferred: *Waterproofing paper, whitening, tanning extract, hides, lime, wool, rugs, cork, and metal for bearings*, as a common carrier over irregular routes, between Camden, Delair, and Gloucester, N.J., on the one hand, and, on the other, Wilmington, Del., and points in Pennsylvania within 30 miles of Philadelphia, Pa., and general commodities, excepting, among others, household goods and commodities in bulk, between Camden, N.J., and Philadelphia, Pa. Vendee is authorized to operate as a common carrier in Illinois, Pennsylvania, Ohio, Indiana, Michigan, New York, New Jersey, and Connecticut. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7913. Authority sought for purchase by SANTINI BROS., INC., 1405 Jerome Avenue, New York 52, N.Y., of the operating rights of FREDRICKSON STORAGE AND VAN COMPANY, 343 Des Plaines Avenue, Forest Park, Ill., and for acquisition by STEPHEN SANTINI, 1211 Lydig Avenue, Bronx, N.Y., RINALDO SANTINI, 19 Nevada

Place, Bronxville, N.Y., ZACHARY M. SANTINI, 72-81 113 Street, Forest Hills, N.Y., CHRISTINA FRANCESCONI, 152 Alexander Avenue, Yonkers, N.Y., MARGHERITA RUTHER, 19 Nevada Place, Bronxville, N.Y., MARTIN SANTINI, 2220 Gunther Avenue, Bronx, N.Y., JOSEPHINE SANTINI, 1471 Rosedale Avenue, Bronx, N.Y., MARTIN L. SANTINI, 7 Crossbar Road, Hastings on Hudson, N.Y., LEONETTE BENEDETTI, 630 Knottingham Place, Westfield, N.J., GODFREY F. SANTINI, and GODFREY F. SANTINI, EXECUTOR OF THE ESTATE OF GODFREY E. SANTINI, 18 Beacon Hill Road, Ardsley, N.Y., of control of such rights through the purchase. Applicants' attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Operating rights sought to be transferred: *Household goods*, as a common carrier over irregular routes between Chicago, Ill., and points within ten miles thereof, on the one hand, and, on the other, points in Michigan, Kentucky, Ohio, Wisconsin, Indiana, Minnesota, Missouri, New Jersey, New York, Connecticut, West Virginia, Tennessee, Georgia, and Florida, and new cedar chests, from Chicago, Ill., and points within ten miles thereof, to points in Michigan, Kentucky, Ohio, Wisconsin, and Indiana. Vendee is authorized to operate as a common carrier in New York, New Jersey, Connecticut, Delaware, Massachusetts, Florida, Rhode Island, Pennsylvania, Virginia, West Virginia, Ohio, Georgia, Illinois, Michigan, North Carolina, Tennessee, Indiana, Maryland, Maine, New Hampshire, Vermont, South Carolina, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7914. Authority sought for purchase by SKAGIT VALLEY TRUCKING CO., INC., Route 1, Mount Vernon, Wash., of the operating rights of BLAIR M. LEWIS, an individual, doing business as LEWIS TRUCKING CO., 2003 D Street, Bellingham, Wash., and for acquisition by MILTON R. EGBERS, ALBERT T. EGBERS, and ZETTA E. EGBERS, all of Route 1, Mount Vernon, Wash., of control of such rights through the purchase. Applicants' representative: Joseph O. Earp, Registered Practitioner, 1912 Smith Tower, Seattle 4, Wash. Operating rights sought to be transferred: *Frozen fruits, frozen berries, and frozen vegetables, and frozen fish*, when transported in the same vehicle with frozen fruits, frozen berries and frozen vegetables, as a common carrier over irregular routes, from Albany, Oreg., and certain points in Washington, to Fresno, Bakersfield, Sacramento, Salinas, and Eureka, Calif., and points in Los Angeles, Ventura, San Francisco, Alameda, and Santa Clara Counties, Calif. Vendee is authorized to operate as a common carrier in Washington and Oregon. Application has been filed for

temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 61-6521; Filed, July 11, 1961; 8:50 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 7, 1961.

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. 37238: *Iron or steel plates to Belton and Temple, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B-8049), for interested rail carriers. Rates on iron or steel plates or sheets, in carloads, from Chicago, Ill., and points grouped therewith, to Belton and Temple, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 197 to Southwestern Freight Bureau tariff I.C.C. 4308.

FSA No. 37239: *Sugar beet or cane to official territory points.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2583), for interested rail carriers. Rates on sugar, beet, or cane, other than raw, dry, in packages, in carloads, from North Atlantic ports of Albany, N.Y., Baltimore, Md., Boston, Mass., New York, N.Y., Norfolk, Va., Philadelphia, Pa., Richmond, Va., and points grouped therewith. (Import traffic only), to points in official territory, as described in the application.

Grounds for relief: Market competition with domestic shippers and truck competition.

Tariff: Traffic Executive Association-Eastern Railroads tariff I.C.C. C-225.

FSA No. 37240: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 407), for interested rail carriers. Rates on petroleum treating compounds, in tank-car loads, and iron or steel articles in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other states not subject to the same competition.

Tariff: Supplement 9 to Texas-Louisiana Freight Bureau tariff I.C.C. 935.

FSA No. 37242: *Substituted service—NYNH&H for Pioneer Trucking Corp.* Filed by The New York, New Haven and Hartford Railroad Company jointly with Pioneer Trucking Corp. (No. 223), for interested carriers. Rates on property

loaded in highway trailers and transported on railroad flat cars, between Harlem River, N.Y., on the one hand, and Boston, Mass., New Haven, Conn., and Providence, R.I., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

FSA No. 37243 *Substituted service—NYNH&H for George W. Brown, Inc.* Filed by The New York, New Haven and Hartford Railroad Company, jointly with George W. Brown, Inc. (No. 224), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between Harlem River, N.Y., on the one hand, and Boston, Mass., New Haven, Conn., Springfield, Mass., and Providence, R.I., on the other, also between New Haven, Conn., on the one hand, and Boston and Springfield, Mass., and Providence, R.I., on the other.

Grounds for relief: Motor-truck competition.

AGGREGATE-OF-INTERMEDIATES

FSA No. 37241: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 408), for interested rail carriers. Rates on petroleum treating compound, in tank-car loads, iron and steel articles, in carloads, and other commodities named in the application, in carloads, from, to

and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Maintenance of depressed rates established to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 9 to Texas-Louisiana Freight Bureau Tariff I.C.C. 935.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 61-6519; Filed, July 11, 1961; 8:50 a.m.]

HOUSING AND HOME  
FINANCE AGENCY

Public Housing Administration  
WASHINGTON REGIONAL OFFICE  
Officials Authorized To Serve as  
Acting Regional Director

Section I, Description of Agency and Functions, is hereby amended as follows:

Paragraph F is amended by changing the list of officials authorized to serve as Acting Regional Director in the Washington Regional Office, to read as follows:

1. Archie P. Burgess, Assistant Director for Development

2. Donovan W. McDonald, Assistant Director for Management.

Approved: July 5, 1961.

[SEAL] MARIE C. McGUIRE,  
Commissioner.

[F.R. Doc. 61-6505; Filed, July 11, 1961; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

SAM NORRIS

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 during the past six months.

- A. Deletions: None.
- B. Additions: Wallace Associates; Martin Co.; United Aircraft; Columbia Gas; St. Lawrence Columbian Metals; American Can.

This statement is made as of June 12, 1961.

SAM NORRIS.

JUNE 29, 1961.

[F.R. Doc. 61-6518; Filed, July 11, 1961; 8:50 a.m.]

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(As of January 1, 1961)

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(Revised) (\$5.50)**Title 26 (Parts 30-39) (Revised)**  
(\$3.50)**Title 26 (Parts 500-599) (Revised)**  
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1960 Supplement to Title 3 (\$0.50); Title 5 (Revised) (\$4.00); Title 6 (\$2.25); Title 7, Parts 1-50 (\$0.55); Parts 51-52 (\$0.60); Parts 53-209 (\$0.55); Parts 210-399 (\$0.35); Parts 400-899 (\$1.25); Parts 900-959 (\$1.75); Parts 960 to end (\$2.75); Title 8 (\$0.40); Title 9 (\$0.40); Titles 10-13 (\$0.75); Title 14, Parts 200-399 (Revised) (\$1.50); Parts 400-599 (Revised) (\$1.00); Parts 600 to end (Revised) (\$2.25); Title 15 (\$1.25); Title 16 (\$0.35); Title 17 (\$1.00); Title 18 (Revised) (\$6.75); Title 19 (Revised) (\$5.50); Title 20 (Revised) (\$5.50); Title 21 (\$1.75); Titles 22-23 (\$0.50); Title 24 (\$0.55); Title 25 (\$0.50); Title 26, Parts 20-29 (Revised) (\$4.25); Parts 300-499 (Revised) (\$4.00); Title 27 (Revised) (\$3.00); Titles 28-29 (\$1.75); Titles 30-31 (\$0.60); Title 32, Parts 1-39 (Revised) (\$5.50); Parts 40-399 (Revised) (\$4.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999 (\$0.40); Parts 1000-1099 (\$1.00); Parts 1100 to end (\$0.60); Title 32A (\$0.60); Title 33 (\$1.75); Title 35 (\$0.30); Title 36 (\$0.30); Title 37 (\$0.30); Title 38 (\$1.25); Title 39 (\$1.50); Titles 40-41 (Revised) (\$1.50); Title 42 (\$0.35); Title 43 (\$1.00); Title 44 (\$0.30); Title 45 (\$0.40); Title 46, Parts 1-145 (\$1.25); Parts 146-149 (\$1.00); Parts 150 to end (\$1.00); Title 47, Parts 1-29 (\$1.25); Parts 30 to end (\$0.40); Title 49, Parts 1-70 (\$1.00); Parts 71-90 (\$1.00); Parts 91-164 (\$0.50); Parts 165 to end (Revised) (\$5.00); Title 50 (Revised) (\$3.75)

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