Pages 12057–12101

FEDERAL REGISTER

VOLUME 26 NUMBER 242

Washington, Saturday, December 16, 1961

Contents

THE PRESIDENT

Executive Order

President's Commission on the Status of Women; establishment ... 12059

EXECUTIVE AGENCIES

Agricultural Marketing Service

RULES AND REGULATIONS:
Handling limitations:
- Lemons grown in California and Arizona ... 12064
- Navel oranges grown in Arizona and designated part of California ... 12063

Irish potatoes grown in Red River Valley of North Dakota and Minnesota; limitation of shipments ... 12063
Limes grown in Florida; quality and size regulation ... 12064
Navel oranges grown in Arizona and designated part of California; determination relative to expenses and fixing of rate of assessment for 1961–62 fiscal year ... 12062
Prohibitions of imports:
- Grapefruit ... 12064
- Limes ... 12065

Agricultural Research Service

RULES AND REGULATIONS:
Brucellosis in domestic animals; modified certified areas ... 12067

Agricultural Stabilization and Conservation Service

RULES AND REGULATIONS:
Reconstitution of farms, farm allotments, and farm history and soil bank base acreages; pooled allotments ... 12060

Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service; Agricultural Stabilization and Conservation Service.

Atomic Energy Commission

NOTICES:
Martin-Marietta Corp. and Martin Co.; transfer of licenses ... 12089
Sullivan, Mistrot M. d/b/a Southwestern Radiological Service Co.; order to show cause and order suspending license ... 12089

Civil Aeronautics Board

NOTICES:
American Airlines, Inc., et al.; transcontinental excursion and economy fares ... 12090
Flying Tiger Line, Inc.; reduced freight rates ... 12092

Civil Service Commission

RULES AND REGULATIONS:
Exceptions from the competitive service:
- General Services Administration ... 12060
- State Department ... 12060

Coast Guard

RULES AND REGULATIONS:
Construction of magazines, manning of inspected vessels, and able seamen ... 12082

Federal Aviation Agency

PROPOSED RULE MAKING:
Delegation option procedures for supplemental type certification; extension of time for comments ... 12085

RULES AND REGULATIONS:
Alteration of control area extensions and designation of transition area ... 12071
Alteration of control area extensions, and transition areas, and designation of transition areas ... 12071
Control area extensions; alteration ... 12073
Federal airways:
- Alterations (2 documents) ... 12069
- Designation and alteration ... 12070
- Federal airways and associated control areas; alterations (2 documents) ... 12070

Minimum en route IFR altitudes; miscellaneous amendments ... 12074
Reporting points; revocation; correction ... 12074

Federal Communications Commission

NOTICES:
American Telephone and Telegraph Co.; TELPAK services and channels ... 12092
Mexican broadcast stations; list of changes, proposed changes, and corrections in assignments ... 12093

PROPOSED RULE MAKING:
Television broadcast services; memorandum opinion and order re reconsideration ... 12085

RULES AND REGULATIONS:
Radio broadcast services; classes of standard broadcast channels and stations ... 12083
Stations on land in maritime services; stations of shipboard in maritime services; and public fixed stations and stations of the maritime services in Alaska; miscellaneous amendments ... 12083

Federal Power Commission

NOTICES:
Diamond Lake Improvement Co.; notice of vacation of withdrawal; correction ... 12097
Hearings, etc.:
- El Paso Natural Gas Co ... 12094
- Houston Texas Gas and Oil Corp ... 12094
- Texas Pacific Coal and Oil Co. et al ... 12095

Food and Drug Administration

RULES AND REGULATIONS:
Food additives permitted in animal feed and animal feed supplements; methyl esters of higher fatty acids; correction ... 12077

(Continued on next page)

Health, Education, and Welfare Department

See Food and Drug Administration.

Immigration and Naturalization Service

RULES AND REGULATIONS:
Termination of nonimmigrant status 12066

Interior Department

See also Land Management Bureau.

NOTICES:
Statements of changes in financial interests:
Bovier, Ralph F 12089
Clark, Lemore W 12089

Internal Revenue Service

PROPOSED RULE MAKING:
Income tax; taxable years beginning after December 31, 1953; notice of hearing 12085
Manufacturers excise tax on motor vehicles and parts or accessories therefor; notice of hearings 12085

RULES AND REGULATIONS:
Income tax; taxable years beginning after December 31, 1953; quartzite and clay used in production of refractory products; election for prior taxable years 12077

Interstate Commerce Commission

NOTICES:
Fourth section applications for relief 12098
Motor carrier transfer proceedings 12099

Justice Department

See Immigration and Naturalization Service.

Land Management Bureau

RULES AND REGULATIONS:
Public land orders:
Alaska; withdrawing lands for use of Public Health Service; partly revoking Public Land Order No. 2323 of April 5, 1961 12080
Arizona; withdrawing lands for use of Forest Service for experimental purposes; partly revoking Public Land Order No. 1058 of January 19, 1955 12082
California; withdrawing lands for use of Forest Service as campgrounds, administrative sites and recreations areas 12080
Colorado:
Withdrawing lands for use of Forest Service as picnic grounds, campgrounds, and administrative sites 12079
Withdrawing lands in national forests for use of Forest Service for administrative sites and recreation areas 12081
Montana; withdrawing lands for use of Forest Service as a recreation area 12080
Nevada; withdrawing lands for use of Coast and Geodetic Survey 12080

Securities and Exchange Commission

NOTICES:
Allegheny Power System, Inc.; notice of filing regarding acquisition of common stock of public-utility company 12097

Small Business Administration

NOTICES:
Applications for loans in excess of $200,000; notice of necessity for certificate as defense-oriented small business concern; correction 12098
Unitized Industries, Inc.; notice of withdrawal of request to operate as and participate in small business defense production pool 12098

RULES AND REGULATIONS:
Small business size standards; definitions 12069

Treasury Department

See also Coast Guard; Internal Revenue Service.

NOTICES:
Red cedar shingles and shakes from Canada; fair value consideration 12089

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR

EXECUTIVE ORDERS:
3797–A (see PLO 2557) 12080
10980 12059

5 CFR

6 (2 documents) 12060

7 CFR

719 12060
914 (2 documents) 12062, 12063
938 12063
953 12064
1001 12064
1068 12064
1069 12065

8 CFR

212 12066
214 12066

9 CFR

78 12067

13 CFR

121 12069

14 CFR

600 (5 documents) 12069, 12070
601 (6 documents) 12070, 12071, 12073, 12074
610 12074

PROPOSED RULES:
411 12085

21 CFR

121 12077

26 CFR

1 12077

PROPOSED RULES:
1 12085
48 12085

43 CFR

PUBLIC LAND ORDERS:
1058 (revoked in part by PLO 2559) 12082
2323 (revoked in part by PLO 2557) 12080
2553 12079
2554 12080
2555 12080
2556 12080
2557 12080
2558 12081
2559 12082

46 CFR

146 12082
157 12082

47 CFR

3 12083
7 12083
8 12083
14 12083

PROPOSED RULES:
3 12085

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 10980

ESTABLISHING THE PRESIDENT'S COMMISSION ON THE STATUS OF WOMEN

WHEREAS prejudices and outmoded customs act as barriers to the full realization of women's basic rights which should be respected and fostered as part of our Nation's commitment to human dignity, freedom, and democracy; and

WHEREAS measures that contribute to family security and strengthen home life will advance the general welfare; and

WHEREAS it is in the national interest to promote the economy, security, and national defense through the most efficient and effective utilization of the skills of all persons; and

WHEREAS in every period of national emergency women have served with distinction in widely varied capacities but thereafter have been subject to treatment as a marginal group whose skills have been inadequately utilized; and

WHEREAS women should be assured the opportunity to develop their capacities and fulfill their aspirations on a continuing basis irrespective of national exigencies; and

WHEREAS a Governmental Commission should be charged with the responsibility for developing recommendations for overcoming discriminations in government and private employment on the basis of sex and for developing recommendations for services which will enable women to continue their role as wives and mothers while making a maximum contribution to the world around them:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART I—ESTABLISHMENT OF THE PRESIDENT'S COMMISSION ON THE STATUS OF WOMEN

SEC. 101. There is hereby established the President's Commission on the Status of Women, referred to herein as the "Commission". The Commission shall terminate not later than October 1, 1963.

SEC. 102. The Commission shall be composed of twenty members appointed by the President from among persons with a competency in the area of public affairs and women's activities. In addition, the Secretary of Labor, the Attorney General, the Secretary of Health, Education and Welfare, the Secretary of Commerce, the Secretary of Agriculture and the Chairman of the Civil Service Commission shall also serve as members of the Commission. The President shall designate from among the membership a Chairman, a Vice-Chairman, and an Executive Vice-Chairman.

SEC. 103. In conformity with the Act of May 3, 1945 (59 Stat. 134, 31 U.S.C. 691), necessary facilitating assistance, including the provision of suitable office space by the Department of Labor, shall be furnished the Commission by the Federal agencies whose chief officials are members thereof. An Executive Secretary shall be detailed by the Secretary of Labor to serve the Commission.

SEC. 104. The Commission shall meet at the call of the Chairman.

SEC. 105. The Commission is authorized to use the services of consultants and experts as may be found necessary and as may be otherwise authorized by law.

PART II—DUTIES OF THE PRESIDENT'S COMMISSION ON THE STATUS OF WOMEN

SEC. 201. The Commission shall review progress and make recommendations as needed for constructive action in the following areas:

(a) Employment policies and practices, including those on wages, under Federal contracts.

(b) Federal social insurance and tax laws as they affect the net earnings and other income of women.

(c) Federal and State labor laws dealing with such matters as hours, night work, and wages, to determine whether they are accomplishing the purposes for which they were established and whether they should be adapted to changing technological, economic, and social conditions.

(d) Differences in legal treatment of men and women in regard to political and civil rights, property rights, and family relations.

(e) New and expanded services that may be required for women as wives, mothers, and workers, including education, counseling, training, home services, and arrangements for care of children during the working day.

(f) The employment policies and practices of the Government of the United States, with reference to additional affirmative steps which should be taken through legislation, executive or administrative action to assure nondiscrimination on the basis of sex and to enhance constructive employment opportunities for women.

SEC. 202. The Commission shall submit a final report of its recommendations to the President by October 1, 1963.

SEC. 203. All executive departments and agencies of the Federal Government are directed to cooperate with the Commission in the performance of its duties.

PART III—REMUNERATION AND EXPENSES

SEC. 301. Members of the Commission, except those receiving other compensation from the United States, shall receive such compensation as the President shall hereafter fix in a manner to be hereafter determined.

JOHN F. KENNEDY

THE WHITE HOUSE,
December 14, 1961.

[F.R. Doc. 61-12014; Filed, Dec. 15, 1961; 11:27 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of State

1. Effective upon publication in the FEDERAL REGISTER, subparagraphs (3) and (4) of paragraph (a) of § 6.102 are amended as set out below.

§ 6.102 Department of State.

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

(3) Chief, Reports and Operations Staff, Executive Secretariat.

(4) Four Assistants to the Executive Secretary, Executive Secretariat.

2. Effective upon publication in the FEDERAL REGISTER, subparagraphs (1) and (2) of paragraph (n) of § 6.302 are amended as set out below.

§ 6.302 Department of State.

* * * * *

(n) *The Executive Secretariat.* (1) The Executive Secretary.

(2) Two Deputy Executive Secretaries.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 61-11967; Filed, Dec. 15, 1961; 8:49 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

General Services Administration

Effective upon publication in the FEDERAL REGISTER, subparagraph (5) of paragraph (a) of § 6.333 is amended and subparagraph (15) is added as set out below.

§ 6.333 General Services Administration.

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

(5) Two Confidential Assistants to the Administrator.

* * * * *

(15) One Confidential Assistant to the Deputy Administrator.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 61-11966; Filed, Dec. 15, 1961; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 17]

PART 719—RECONSTITUTION OF FARMS, FARM ALLOTMENTS, AND FARM HISTORY AND SOIL BANK BASE ACREAGES

Pooled Allotments

This amendment to the regulations governing the Reconstitution of Farms, Farm Allotments, and Farm History and Soil Bank Base Acreages is issued pursuant to the authority contained in section 375(b) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1375(b)) and section 124 of the Soil Bank Act (7 U.S.C. 1812). The principal purpose of this amendment is to revise § 719.12(d)(2) of the regulations to provide that a displaced owner requesting transfer of pooled allotment must present conclusive evidence of bona fide ownership of the farm for the purpose of reestablishing his farm operations and to state certain elements which would be conclusive evidence of bona fide ownership for such purpose. Notice of proposed amendment of § 719.12(d)(2) of the regulations was published in the FEDERAL REGISTER on November 16, 1961 (26 F.R. 10731) in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and the data, views, and recommendations received in response to such notice have been duly considered.

A further purpose of this amendment is to reissue § 719.12 of the regulations with previous amendments consolidated, obsolete provisions eliminated, and minor language changes and relettering of paragraphs for greater clarity. Since farmers are making plans for 1962 farming operations and requests for transfers of pooled allotments are in process, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and the 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

Section 719.12 of the regulations (23 F.R. 7693), as amended, is amended to read as follows:

§ 719.12 Pooling of farm acreage allotments where the farm owner is displaced by a Federal, State, or other agency having the right of eminent domain.

(a) *Definitions.* For purposes of this section unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and neuter genders and the singular shall include the plural number:

(1) "Agency" means a Federal, State or other agency having the right of eminent domain which acquires a farm by exercise of such right of eminent domain or by negotiation provided that such right could have been exercised to acquire such farm.

(2) "Displaced owner" means a person whose farm is acquired by an agency.

(3) "Acquired farm" means the farm or part of the farm acquired by an agency.

(4) "Date of displacement" means the date the displaced owner voluntarily relinquishes his right to produce another crop of the commodity on the farm acquired from him by an agency or the date he is legally displaced. Legal displacement occurs when the displaced owner no longer retains the right to possession of the land on the acquired farm as owner or under a lease with the agency which follows immediately after his possession as owner: *Provided, however,* That if the displaced owner was displaced prior to April 9, 1960 and enters into a lease (written lease or written operating agreement) with respect to all or part of the acquired farm with the agency prior to April 9, 1962, displacement shall be deemed not to have occurred as to the leased land if the displaced owner files a copy of the lease with the county committee for the county in which the leased land is located as soon as practicable after execution of the lease but in any event prior to April 9, 1962 and if none of the allotment pooled for the acquired farm has been transferred to another farm.

(5) "Receiving farm" means the farm to which transfer of pooled allotment is requested by the displaced owner.

(6) "Receiving State and county committees" means the respective State and county committees for the State and county in which the receiving farm is located.

(7) "Transferring State and county committees" means the respective State and county committees for the State and county in which the acquired farm is located.

(b) *Limitations on applicability of this section.* This section shall not be applicable:

(1) To an acquired farm if the allotment for such farm next established after the date of displacement would have been reduced because of false or improper identification of the commodity

produced on or marketed from the farm or due to a false acreage report.

(2) To an acquired farm where the date of displacement was prior to 1950 in the case of upland cotton, extra long staple cotton, tobacco and peanuts; prior to 1954 in the case of wheat and corn; and prior to 1955 in the case of rice.

(3) If at the time an application for transfer of pooled allotment is being considered by the receiving county committee, there remains unpaid any marketing quota penalty due with respect to the marketing of the commodity from the acquired farm or by the displaced owner; or any of the commodity produced on the acquired farm has not been accounted for as required under applicable commodity regulations.

(4) If at the time an application for transfer of pooled allotment is being considered by the receiving county committee, there are no farm allotments for the commodity currently in effect for farms in such county and the receiving county committee determines that farms in such county are not suitable for the production of such commodity.

(c) *No pooled allotment where agency will continue production.* If any agency has authority to acquire a farm for the sole purpose of continuing production of an allotment crop and does so acquire a farm and files a written notice with the county committee of the county in which the farm is located within 30 days after the date of acquisition designating the allotment crops to be produced on the farm, there shall be no pooled allotment for such crops but farm allotments shall be established in accordance with applicable commodity regulations.

(d) *Pooled allotment where agency will not continue production.* If an agency acquires a farm and does not file a notice pursuant to paragraph (c) of this section, the allotment for the commodity shall be pooled upon the date of displacement. Pooled allotment shall be available only for use in providing equitable allotments for other farms owned or purchased by the displaced owner. The period of eligibility for making application for transfer of pooled allotment shall be three years from the date of displacement. During such period of eligibility, acreage allotments for the acquired farm shall be established in the pool in accordance with applicable commodity regulations and for purposes of establishing future allotments, such allotments shall be considered to have been fully planted.

(e) *Release of pooled allotment.* Notwithstanding the provisions of paragraph (d) of this section, during any year that the allotment is pooled and has not been transferred to another farm, the displaced owner may, in accordance with applicable commodity regulations, release for one year at a time any part or all of such pooled allotment to the county committee for reapportionment to other farms in the same county having allotments for such commodity. Such reapportionment shall be on the basis of the past acreage of the commodity, land, labor, equipment available for the production of the commodity, crop rotation practices, and soil and other physical facilities affecting the production of the commodity; and the allotment reapportioned shall, for purposes of establishing future farm allotments, not be regarded as planted on the farm to which the allotment was reapportioned.

(f) *Transfer of allotment from the pool*—(1) *Application by displaced owner.* The displaced owner shall file written application for transfer of allotment from the pool within three years after the date of displacement with the receiving county committee. The application shall contain a certification by the displaced owner that he has made no side agreement with any person for the purpose of obtaining an allotment from the allotment pool for a person other than himself. The displaced owner shall attach to the application all pertinent documents pertaining to his ownership or purchase of land and any leasing arrangements; as for example, the deed of trust or mortgage, warranty deed, note, sales agreement, and lease.

(2) *Action by receiving county committee.* The receiving county committee shall consider each application and determine whether the transfer of allotment from the pool shall be approved. Before an application is acted upon by the receiving county committee, the displaced owner shall personally appear before the receiving county committee after reasonable notice, bring any additional pertinent documents as may be requested for examination by the receiving county committee and answer all pertinent questions bearing on the proposed transfer: *Provided, however,* That if the receiving State committee determines from facts presented to it on behalf of the displaced owner that such personal appearance would unduly inconvenience the displaced owner on account of illness or other good cause and such personal appearance would serve no useful purpose, the receiving State committee shall notify the receiving county committee that the displaced owner need not make such personal appearance. Any action by the receiving county committee shall be subject to the approval required under subparagraph (4) of this paragraph.

(3) *Elements of bona fide ownership.* The receiving county committee shall approve the transfer of allotment only where the documents and other evidence presented by the displaced owner show conclusively that the displaced owner has made a normal acquisition of the receiving farm for the purpose of bona fide ownership to reestablish his farming operations. The elements of such an acquisition shall include, but are not limited to, the following conditions: (i) Appropriate legal documents establishing title to the receiving farm; (ii) if the displaced owner was the operator (person in charge of the supervision and conduct of the farming operations on the entire farm) of the acquired farm at the date of displacement, such displaced owner shall personally operate and be the operator of the receiving farm for the first year that allotment is transferred; (iii) if the displaced owner was not the operator of the acquired farm at the date of displacement and he was not a producer because the leasing or rental agreement provided for cash, fixed rent, or standing rent payment, such displaced owner shall not be required to personally operate and be the operator of the receiving farm but at least 75 percent of the allotment for the receiving farm shall be planted on the receiving farm for the first year; (iv) if the displaced owner was not the operator of the acquired farm at the date of displacement but he was a producer on the acquired farm at the date of displacement by virtue of receiving a share of the crops produced on the acquired farm, such displaced owner shall not be required to be the operator of the receiving farm but he shall be a producer on the receiving farm the first year that allotment is transferred; (v) the contractual arrangements between the displaced owner and the seller of the receiving farm shall not contain a requirement that the receiving farm be leased to the seller or a person designated by or subject to the control of the selier nor shall the seller or a person designated by or subject to the control of the seller lease the receiving farm for the first year the allotment is transferred even though such contractual arrangements are silent as to any lease; and (vi) contractual arrangements under which the receiving farm was purchased or leased are customary in the community where the receiving farm is located with respect to purchase price, size of payments due, time when payments are due, and size of rental payments, if any.

(4) *Receiving State committee approval.* The action of the receiving county committee under this paragraph in approving or disapproving an application shall be effective only upon approval of the receiving State committee or its representative.

(5) *Amount of allotment available for transfer.* Upon completion of all necessary approvals under this paragraph, the receiving county committee shall issue an appropriate allotment notice under the applicable commodity regulations. The allotment to be transferred for a commodity shall be no greater than an amount required to establish an allotment comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical factors affecting the production of the commodity: *Provided, however,* That the acreage transferred from the pool shall not exceed the allotment most recently established for the acquired farm and placed in the pool. When all or a part of the allotment placed in the pool is transferred and used to establish or increase the allotment for other farms owned or purchased by the displaced owner, all or the proportionate part of the past acreage history for the acquired farm shall be transferred to and considered for purposes of future allotments to have been planted on the receiving farm for which an allotment is established or increased under this section. If only a

part of the available allotment is transferred from the pool, the remaining part of the allotment and past acreage history shall remain in the pool for transfer to other farms of the displaced owner until all such allotment acreage has been transferred or until the period of eligibility for establishing or increasing allotments under this section has expired.

(6) *Cancellation of transfers of allotments.* If an allotment is transferred under this paragraph and it is later determined by the receiving county or State committee, or the deputy administrator, that the transfer was obtained by misrepresentation by or on behalf of the displaced owner, or the conditions applicable under subparagraph (3) of this paragraph are not met, the allotment for the receiving farm shall be reduced by the amount of the transfer for each year the transfer purportedly was in effect and if the time for withdrawal from the pool has not expired, the amount of the reduction shall be returned to the pool. Any cancellation of transfer of allotment by the receiving county committee shall be subject to approval by the receiving State committee or its representative. The receiving county committee shall issue any notice of marketing quota and penalty as may be required in accordance with applicable commodity regulations.

(7) *Effect of release of pooled allotment.* Notwithstanding the provisions prescribed in this paragraph, if the displaced owner files a request for the transfer of a pooled allotment within the prescribed period for filing such request but his request for transfer is filed during a year in which all or a part of the pooled allotment was released to the transferring county committee pursuant to paragraph (e) of this section, the application for transfer will be processed in the usual manner but action to effect the actual transfer of the allotment which is temporarily released shall be delayed until such time as the pooled allotment which was released for the current year is established for the succeeding year. When a request for transfer of a pooled allotment involves a transfer from one State to another, the receiving State committee shall obtain information from the transferring State committee as to whether any part of the allotment for which the transfer is requested has been released to the transferring county committee for the current year.

(g) *Notice of displacement.* The displaced owner or the acquiring agency should notify the county committee of the county in which the acquired farm is located within thirty days after the date of acquisition of the expected date of displacement. Any displaced owner who voluntarily relinquishes possession of the acquired farm subsequent to its acquisition but prior to actual displacement shall be considered as having been displaced as of the date he voluntarily relinquishes possession.

(h) *Reconstitution where only part of a farm is acquired by an agency.* Where only a part of a farm is acquired by an agency, the acquired portion of the farm shall be constituted separately from that portion not so acquired whenever the date of displacement occurs: *Provided, however,* That no reconstitution shall be made in any case where the cropland acquired by an agency for nonfarming purposes is less than 15 percent of the total cropland on the farm, in which case, that portion of the allotment, history acreages, and other pertinent data attributable to that part of the farm so acquired shall be transferred to that part of the farm not so acquired.

(i) *Reconstitution where all or part of an acquired farm is leased to the displaced owner.* Where possession of all or part of an acquired farm is retained by the displaced owner by virtue of a lease with the agency and the conditions prescribed in paragraph (a)(4) of this section have been met, any portion of the acquired farm which is not leased by the displaced owner shall be constituted separately from the leased portion at the date of displacement. Leased land shall be reconstituted upon termination or expiration of the lease or upon voluntary displacement by the displaced owner.

(j) *Procedure in the event of death of the displaced owner or joint ownership of the acquired farm.* The displaced owner may at any time before or after acquisition by an agency, notify the county committee of the county in which the farm is located in writing of his designation of a beneficiary to make application for transfer of allotment to another farm owned by the beneficiary in the event of death of the displaced owner prior to a transfer of pooled allotment but after acquisition of the acquired farm by an agency. Such beneficiary shall be limited to the displaced owner's surviving spouse, mother, father, brothers, sisters, or children. The displaced owner may change his designation of beneficiary at any time by giving written notice to the county committee. In case of death of a displaced owner who owns or has acquired another farm prior to application for transfer of pooled allotment and where no designation of beneficiary was made by such displaced owner, application for transfer of pooled allotment may be made by the person who succeeds to the displaced owner's interest by reason of such displaced owner's death in any such farm owned by such deceased owner at the time of his death. Where an acquired farm is jointly owned, each joint owner may apply for transfer of pooled allotment to the extent of and in proportion to such joint owner's interest in the acquired farm.

(Sec. 375, 52 Stat. 66, as amended, 378, 72 Stat. 988, 124, 70 Stat. 198, 7 U.S.C. 1375, 1378, 1812)

Effective upon date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 12, 1961.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-11964; Filed, Dec. 15, 1961; 8:49 a.m.]

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

SUBCHAPTER A—MARKETING ORDERS

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Expenses and Fixing of Rate of Assessment for 1961–62 Fiscal Year

On December 2, 1961, notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 11435) regarding the expenses and rate of assessment for the 1961–62 fiscal year under Marketing Agreement No. 117, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel 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). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Navel Orange Administrative Committee (established pursuant to the amended marketing agreement and order), it is hereby found and determined that:

§ 914.209 Expenses and rate of assessment for the 1961–62 fiscal year.

(a) *Expenses.* The expenses necessary to be incurred by the Navel Orange Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for its maintenance and functioning during the period November 1, 1961, through October 31, 1962, will amount to $160,000.

(b) *Rate of assessment.* The rate of assessment to be paid by each handler who first handles oranges shall be 14 mills ($0.014) per carton of oranges handled by such handler as the first handler thereof during the 1961–62 fiscal year. Such rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that: (1) The relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable navel oranges from the beginning of such year; and (2) the current fiscal year began on November 1, 1961, and the rate of assessment herein fixed will automatically apply to all assessable navel oranges beginning with such date.

Terms used herein shall have the same meaning as when used in said amended marketing agreement and order.

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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11961; Filed, Dec. 15, 1961; 8:49 a.m.]

[Navel Orange Reg. 219]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.519 **Navel Orange Regulation 219.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel 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 recommendations and information submitted by the Naval Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 14, 1961.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., December 17, 1961, and ending at 12:01 a.m., P.s.t., December 24, 1961, are hereby fixed as follows:

(i) District 1: 300,000 cartons;
(ii) District 2: 75,000 cartons;
(iii) District 3: 50,000 cartons;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: December 15, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–12016; Filed, Dec. 15, 1961; 11:34 a.m.]

[938.303 Amdt. 2]

PART 938—IRISH POTATOES GROWN IN THE RED RIVER VALLEY OF NORTH DAKOTA AND MINNESOTA

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 135 and Order No. 38 (7 CFR Part 938), regulating the handling of Irish potatoes grown in the Red River Valley of North Dakota and Minnesota, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Red River Valley Potato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments 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, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment 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 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, (2) more orderly marketing in the public interest than would otherwise prevail, will be promoted by regulating the handling of Irish potatoes in the manner set forth below, on and after the effective date of this amendment, (3) compliance with this amendment 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 recommendation has been made available to producers and handlers in the production area.

Order, as amended. In § 938.303 (26 F.R. 6834, 11725) paragraphs (a), (e), and (h) are deleted and in lieu thereof new paragraphs (a), (e), and (h) are substituted as set forth below.

§ 938.303 **Limitation of shipments.**

* * * * *

(a) *Minimum grade and size requirements*—(1) *Round varieties.* U.S. No. 2, 75 percent U.S. No. 1 quality, or better, grade, 2 inches minimum diameter; or U.S. No. 2, 85 percent U.S. No. 1 quality except for dirt, or better, grade, 2 inches minimum diameter.

(2) *Long varieties.* U.S. No. 2, or better, grade, 6 ounces minimum weight, or U.S. No. 1, or better, grade, 2 inches minimum diameter or 4 ounces minimum weight.

* * * * *

(e) *Safeguards.* (1) Each handler making special purpose shipments authorized by paragraph (c) of this section requiring compliance with the provisions of this paragraph, and

(2) Each handler making special purpose shipments, other than seed, shall comply with the following safeguards:

(i) Prior to making shipment, apply for and obtain from the committee an approved Certificate of Privilege, pursuant to § 938.120;

(ii) Obtain inspection and pay assessments on such shipments, except shipments for canning or freezing;

(iii) Furnish the committee such reports and documents as requested; and

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

(3) Compliance with the requirements of this section shall not excuse failure to comply with State laws or regulations requiring inspection of potatoes handled for canning or freezing and the payment of State taxes or assessments thereon.

* * * * *

(h) *Definitions.* (1) The terms "moderately skinned," "U.S. No. 1," "U.S. No. 2," means the same as when used in the United States Standards for Potatoes (§§ 51.1540–51.1556 of this title) including the tolerances set forth therein. "U.S. No. 2, 85 percent U.S. No. 1 quality except for dirt" means the lot must meet U.S. No. 2 grade, and in addition 85 percent of the potatoes in each lot must meet all requirements, except for dirt, of U.S. No. 1 grade.

(2) Other terms in this section shall have the same meaning as when used in this part.

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

Dated: December 13, 1961, to become effective December 16, 1961.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 61–11962; Filed, Dec. 15, 1961; 8:49 a.m.]

[Lemon Reg. 930]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.1037 Lemon Regulation 930.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, 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 Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 12, 1961.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., December 17, 1961, and ending at 12:01 a.m., P.s.t., December 24, 1961, are hereby fixed as follows:

(i) District 1: 27,900 cartons;

(ii) District 2: 102,300 cartons;

(iii) District 3: 51,150 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11959; Filed, Dec. 15, 1961; 8:48 a.m.]

[Lime Reg. 14; Lime Reg. 13 Terminated]

PART 1001—LIMES GROWN IN FLORIDA

Quality and Size Regulation

§ 1001.314 Lime Regulation 14.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 101, as amended (7 CFR Part 1001), regulating the handling of limes grown in Florida, 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 recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found and determined, in accordance with paragraph (5) of section 602 of the said act, that it is necessary to continue regulation of the handling of limes, as hereinafter provided, in order to avoid a disruption of the orderly marketing of the remainder of the current lime crop, and such regulation will be in the public interest.

(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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; and this section relieves restrictions on the handling of limes grown in Florida.

(b) *Order.* (1) Lime Regulation 13 (26 F.R. 10587) is hereby terminated at 12:01 a.m., e.s.t., December 18, 1961.

(2) During the period beginning at 12:01 a.m., e.s.t., December 18, 1961, and ending at 12:01 a.m., e.s.t., April 1, 1962, no handler shall handle:

(i) Any limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms), grown in the production area, which do not meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the production area, which do not grade at least U.S. Combination, Mixed Color;

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1¾ inches in diameter: *Provided,* That not to exceed 10 percent, by count, of the limes in any container may fail to meet this requirement; or

(iv) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are smaller than 1⅞ inches in diameter which do not have an average juice content of at least 46 percent, by volume: *Provided,* That such juice content requirement shall not apply to containers of limes containing not in excess of 10 percent, by count, of limes smaller than 1⅞ inches in diameter.

(3) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Persian (Tahiti) Limes (§§ 51.1000–51.1016).

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

Dated: December 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–12002; Filed, Dec. 15, 1961; 9:19 a.m.]

SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

[Grapefruit Reg. No. 4; Grapefruit Reg. No. 3 Terminated]

PART 1068—GRAPEFRUIT

Importation

§ 1068.4 Grapefruit Regulation No. 4.

(a) On and after 12:01 a.m., e.s.t., December 23, 1961, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1, except that such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade and may have slightly rough texture caused only by speck type melanose, and be of a size not smaller than 3 15/16 inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit;

(2) Seedless grapefruit shall grade at least U.S. No. 1, except that such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade and may have slightly rough texture caused only by speck type melanose, and be of a size not smaller than 3 9/16 inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Building Harlingen, Tex. (Telephone: Garfield 3-5644).	1 day.
	or	
	Norman E. Taylor, Room 204, U.S. Court House, El Paso, Tex. (Telephone: Keystone 3-9351, Ext. 340).	Do.
All New York points.	Edward J. Beller, 346 Broadway, Room 306, New York 13, N.Y. (Telephone: Rector 2-8000, Ext. 807).	Do.
All Arizona points.	R. H. Bertelson, Room 202, Trust Building, Nogales, Ariz. (Telephone: Atwater 7-2902).	Do.
All Florida points.	Lloyd W. Boney, 1200 Northwest 21 Terrace, Room 5, Miami, Fla. (Telephone: Newton 5-7967).	Do.
	or	
	Hubert S. Flynt, 775 Warner Street, Orlando, Fla. (Telephone: Garden 2-2447).	Do.
All California points.	Carley D. Williams, 784 South Central Avenue, Room 294, Los Angeles 21, Calif. (Telephone: Madison 2-8756).	3 days.
All other points.	E. E. Conklin, Fruit and Vegetable Division, AMS, Washington 25, D.C. (Telephone: Dudley 8-5870).	Do.

(c) Inspection certificates shall cover only the quantity of grapefruit that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of grapefruit which, in the aggregate, does not exceed five standard nailed boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this section, are in most direct competition with grapefruit grown in the State of Florida. The requirements set forth in this section are the same as those in effect for grapefruit grown in Florida (Grapefruit Regulation 347; § 933.1081 of this chapter, 26 F.R. 11417).

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms relating to grade, diameter, standard pack, and standard box shall have the same meaning as when used in the United States Standards for Florida Grapefruit (§§ 51.750–51.783 of this title; 26 F.R. 163). Importation means release from custody of the United States Bureau of Customs.

Termination of Grapefruit Regulation No. 3. Grapefruit Regulation No. 3 (§ 1068.3; 26 F.R. 7077, 8505, 8880) is hereby terminated at the effective time hereof.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this section beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those in effect on domestic shipments of grapefruit under Grapefruit Regulation 347 (§ 933.1081; 26 F.R. 11417) and are the same as those currently in effect for imports of grapefruit; (c) this section merely incorporates the grade, size, and other requirements of said Grapefruit Regulation No. 3 with the requirements applicable to imports of grapefruit under the General Regulations Applicable to the Importation of Listed Commodities (7 CFR Part 1060); (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (e) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11960; Filed, Dec. 15, 1961; 8:49 a.m.]

[Lime Reg. 7; Lime Reg. 6 Terminated]

PART 1069—LIMES

§ 1069.7 Lime Regulation No. 7.

(a) On and after 12:01 a.m., e.s.t., December 18, 1961, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements:

(1) Such limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least the U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. Combination, Mixed Color;

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1¾ inches in diameter: *Provided*, That not to exceed 10 percent, by count, of the limes in any container may fail to meet this requirement; and

(4) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are smaller than 1⅞ inches in diameter have an average juice content of at least 46 percent by volume: *Provided*, That such juice content requirement shall not apply to containers of such limes containing not in excess of 10 percent, by count, of limes smaller than 1⅞ inches in diameter.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of limes that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of limes, is required on all imports of limes. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of limes should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the limes will be imported:

Ports; Office; and Advance Notice

All Texas points; W. T. McNabb, 222 McClendon Building, Harlingen, Tex. (Telephone: Garfield 3–5644); 1 day, or Norman E. Taylor, Room 204, U.S. Court House, El Paso, Tex. (Telephone: Keystone 3–9351, Ext. 340); 1 day.

All New York points; Edward J. Beller, 346 Broadway, Room 306, New York 13, N.Y. (Telephone: Rector 2–8000, Ext. 807); 1 day.

All Arizona points; R. H. Bertelson, Room 202, Trust Building, Nogales, Ariz. (Telephone: Atwater 7–2902); 1 day.

All Florida points; Lloyd W. Boney, 1200 N.W. 21 Terrace, Room 5, Miami, Fla. (Telephone: Newton 5–7967); 1 day. Hubert S. Flynt, 775 Warner Street, Orlando, Fla. (Telephone: Garden 2–2447); 1 day.

All California points; Carley D. Williams, 784 South Central Avenue, Room 294, Los Angeles 21, Calif. (Telephone: Madison 2–8756); 3 days.

All other points; E. E. Conklin, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington 25, D.C. (Telephone: Dudley 8–5870); 3 days.

(c) Inspection certificates shall cover only the quantity of limes that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any limes to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of limes which, in the aggregate, does not exceed 250 pounds, net weight, may be imported without regard to the restrictions specified herein.

(g) No provisions of this section shall supersede the restrictions or prohibitions on limes under the Plant Quarantine Act of 1912.

(h) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of limes for the purpose of making it eligible for importation.

(i) The terms relating to grade and diameter shall have the same meaning as when used in the United States Standards for Persian (Tahiti) limes (§§ 51.1000–51.1016). Importation means release from custody of the United States Bureau of Customs.

(j) Termination of Lime Regulation No. 6. Lime Regulation No. 6 (26 F.R. 4327, 6808, 10587) is hereby terminated at 12:01 a.m., e.s.t., December 18, 1962.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this section beyond that herein specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those being made applicable to domestic shipments of limes under Lime Regulation 14 (§ 1001.314) which becomes effective December 18, 1961; (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this section relieves restriction on the importation of Persian limes.

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

Dated: December 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–12001; Filed, Dec. 15, 1961; 9:19 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

PART 214—NONIMMIGRANT CLASSES

Termination of Nonimmigrant Status

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on October 13, 1961 (26 F.R. 9677), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and in which there was set out the terms of proposed amendments to § 214.1 (a) and (b) pertaining to the termination of nonimmigrant status of certain aliens in the United States. One representation which was received concerning the proposed rules has been considered. The proposed rules, insofar as they pertain to Part 214, have not been amended; however, §§ 212.1(f) and 212.4 have been amended to indicate the officers of this Service who may revoke the waivers in question. The amendatory regulations, as set out below, are hereby adopted.

1. Paragraph (f) of § 212.1 is amended to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

* * * * *

(f) *Unforeseen emergency.* A visa and a passport are not required of a nonimmigrant who, either prior to his embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States, satisfies the district director at the port of entry (after consultation with and concurrence by the Director of the Visa Office of the Department of State) that, because of an unforseen emergency, he was unable to obtain the required documents, in which case a waiver application shall be made on Form I–193. The district director or the Assistant Commissioner, Examinations, may at any time revoke a waiver previously authorized pursuant to this paragraph and notify the nonimmigrant in writing to that effect.

2. Section 212.4 is amended to read as follows:

§ 212.4 Applications for the exercise of discretion under section 212(d)(3).

When a visa is not required, an application for the exercise of discretion under section 212(d)(3) of the Act shall be submitted on Form I–192 to the district director in charge of the applicant's intended port of entry prior to the applicant's arrival in the United States. (For

Department of State procedure when a visa is required, see 22 CFR 41.95.) If the application is made at the time of the applicant's arrival to the district director at a port of entry, the applicant shall establish that he was not aware of the ground of inadmissibility and that it could not have been ascertained by the exercise of reasonable diligence, and he shall be in possession of appropriate documents or have been granted a waiver thereof. The applicant shall be notified of the decision and if the application is denied of the reasons therefor and of his right to appeal to the Board within 15 days after the mailing of the notification of decision in accordance with the provisions of Part 3 of this chapter. If denied, the denial shall be without prejudice to renewal of the application in the course of proceedings before a special inquiry officer under sections 235 and 236 of the Act and this chapter. When an appeal may not be taken from a decision of a special inquiry officer excluding an alien but the alien has applied for the exercise of discretion under section 212(d)(3) of the Act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.5(b) of this chapter. Pursuant to the authority contained in section 212(d)(3) of the Act, the ground of inadmissibility contained in section 212(a)(24) is waived for any nonimmigrant. The district director or the Assistant Commissioner, Examinations, may at any time revoke a waiver previously authorized under section 212(d)(3) of the Act and notify the nonimmigrant in writing to that effect.

3. The heading of § 214.1 *General requirements for admission, extension and maintenance of status* is amended, the existing text of this section is designated as paragraph (a) and a paragraph (b) is added to read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(a) *General.* * * *

* * * * *

(b) *Termination of status.* Within the period of initial admission or extension of stay, the nonimmigrant status of an alien shall be terminated by the revocation of a waiver previously authorized in his behalf under section 212(d)(3) or (4) of the Act or by the revocation and invalidation of his visa pursuant to section 221(i) of the Act.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the above-prescribed regulations are to provide for certain officers of this Service to revoke waivers previously authorized under section 212(d)(3) and (4) of the Immigration and Nationality Act, thus terminating the nonimmigrant status of aliens affected in the United States, within the period of their initial admission or extension of stay; similarly, such nonimmigrant status will be terminated by the revocation or invalidation of the nonimmigrant aliens' visas pursuant to section 221(i) of the Immigration and Nationality Act.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the requirements of section 4(c) of the Administrative Procedure Act (60 Stat 238; 5 U.S.C. 1003) relating to delayed effective date is unnecessary and would serve no useful purpose in this instance because the persons affected thereby will not require additional time to prepare for the effective date of the regulations.

Dated: December 12, 1961.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 61-11940; Filed, Dec. 15, 1961; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

Modified Certified Brucellosis Areas

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

§ 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

Alabama. Calhoun, Chambers, Cherokee, Clay, Cleburne, Coffee, Covington, Dale, De Kalb, Escambia, Etowah, Geneva, Henry, Houston, Jackson, Lauderdale, Lee, Madison, Marshall, Morgan, Randolph, Russell, and Talladega Counties;

Arizona. The entire State;

Arkansas. Ashley, Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Dallas, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Montgomery, Nevada, Newton, Ouachita, Perry, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, and Yell Counties;

California. Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba Counties;

Colorado. Alamosa, Archuleta, Baca, Chaffee, Conejos, Costilla, Custer, Delta, Denver, Dolores, Eagle, Garfield, Gunnison, Hinsdale, Huerfano, La Plata, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Phillips, Pitkin, Pueblo, Rio Grande, Saguache, San Juan, San Miguel, Sedgwick, Washington, and Yuma Counties; Southern Ute Indian Reservation and Ute Mountain Ute Reservation;

Connecticut. The entire State;

Delaware. The entire State;

Florida. Baker, Bay, Bradford, Calhoun, Columbia, Dixie, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties;

Georgia. The entire State;

Idaho. The entire State;

Illinois. Alexander, Bond, Boone, Bureau, Carroll, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, Douglas, DuPage, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamilton, Iroquois, Jackson, Jasper, Jefferson, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, McHenry, McLean, Macon, Madison, Mason, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Ogle, Perry, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Shelby, Stephenson, Tazewell, Union, Vermilion, Wabash, Washington, Wayne, Whiteside, Will, Williamson, Winnebago, and Woodford Counties;

Indiana. Adams, Allen, Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Cass, Clark, Clay, Clinton, Crawford, Daviess, Dearborn, Decatur, De Kalb, Delaware, Dubois, Elkhart, Fayette, Floyd, Fountain, Franklin, Fulton, Grant, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Howard, Huntington, Jackson, Jasper, Jay Jefferson, Jennings, Johnson, Knox, Kosciusko, Lagrange, Lake, La Porte, Lawrence, Madison, Marion, Marshall, Martin, Miami, Monroe, Montgomery, Moran, Newton, Noble, Ohio, Orange, Owen, Parke, Perry, Pike, Porter, Posey, Pulaski, Putnam, Randolph, Ripley, Rush, St. Joseph, Scott, Shelby, Spencer, Starke, Steuben, Sullivan, Switzerland, Tippecanoe, Tipton, Union, Vanderburgh, Vermillion, Vigo, Wabash, Warren, Warrick, Washington, Wayne, Wells, White, and Whitley Counties;

Iowa. Audubon, Carroll, Clinton, Delaware, Dickinson, Emmet, Fayette, Hamilton, Lyon, Mitchell, Monona, O'Brien, Osceola, Palo Alto, Pocahontas, Polk, Sac, Scott, Wapello, Warren, Winnebago, Woodbury, and Wright Counties;

Kansas. Barton, Cheyenne, Clark, Clay, Decatur, Ford, Franklin, Geary, Gove, Gray, Greeley, Harper, Haskell, Jefferson, Johnson, Kearney, Kingman, Leavenworth, Logan, Marshall, Meade, Miami, Mitchell, Morris, Nemaha, Osage, Osborne, Pawnee, Rawlins, Reno, Rice, Rooks, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Wichita, and Wyandotte Counties;

Kentucky. Allen, Anderson, Ballard, Barren, Boone, Boyd, Bracken, Breathitt, Breckinridge, Butler, Calloway, Campbell, Carlisle, Carroll, Carter, Crittenden, Cumberland, Edmonson, Elliott, Floyd, Franklin, Fulton, Gallatin, Grant, Graves, Green, Greenup, Hardin, Harrison, Hart, Henry, Hickman, Hopkins, Jackson, Jefferson, Johnson, Kenton, Knott, Knox, Larue, Laurel, Lawrence, Leslie, Lincoln, Livingston, Logan, McCracken, McCreary, McLean, Magoffin, Marion, Marshall, Martin, Meade, Mercer, Metcalf, Morgan, Muhlenberg, Ohio, Oldham,

Owen, Pendleton, Perry, Pulaski, Robertson, Rockcastle, Rowan, Shelby, Simpson, Spencer, Todd, Trigg, Trimble, Warren, Washington, Wayne, Webster, Whitley, and Wolfe Counties;

Louisiana. Ascension, Assumption, Claiborne, St. Helena, St. John the Baptist, and Webster Parishes;

Maine. The entire State;

Maryland. The entire State;

Massachusetts. The entire State;

Michigan. The entire State;

Minnesota. The entire State;

Mississippi. Alcorn, Amite, Attala, Benton, Choctaw, Clay, Desoto, Forrest, Franklin, George, Greene, Hancock, Harrison, Itawamba, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Leake, Lee, Lowndes, Marion, Monroe, Neshoba, Newton, Oktibbeha, Pearl River, Perry, Pike, Pontotoc, Prentiss, Smith, Stone, Tallahatchie, Tippah, Tishomingo, Union, Walthall, Webster, Winston, and Yalobusha Counties;

Missouri. Adair, Andrew, Barry, Bates, Bollinger, Boone, Buchanan, Caldwell, Camden, Cape Girardeau, Carroll, Carter, Cass, Cedar, Chariton, Christian, Clark, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, Dent, Douglas, Dunklin, Gasconade, Gentry, Grundy, Harrison, Henry, Hickory, Howard, Iron, Jasper, Jefferson, Johnson, Lafayette, Lawrence, Lincoln, Linn, Livingston, McDonald, Macon, Madison, Maries, Marion, Mercer, Moniteau, Montgomery, Morgan, New Madrid, Newton, Oregon, Ozark, Pemiscot, Perry, Pettis, Phelps, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Francois, Ste. Genevieve, St. Louis, Scotland, Scott, Shelby, Stoddard, Stone, Taney, Texas, Vernon, Warren, Washington, Wayne, and Wright Counties;

Montana. Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, McCone, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Ponders, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, and Yellowstone Counties;

Nebraska. Adams, Banner, Burt, Butler, Cass, Cedar, Chase, Clay, Colfax, Cuming, Dakota, Deuel, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hitchcock, Howard, Jefferson, Johnson, Kimball, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York Counties;

Nevada. The entire State;

New Hampshire. The entire State;

New Jersey. The entire State;

New Mexico. The entire State;

New York. The entire State;

North Carolina. The entire State;

North Dakota. Adams, Barnes, Benson, Bottineau, Bowman, Burke, Cass, Cavalier, Divide, Dunn, Eddy, Emmons, Foster, Grand Forks, Grant, Griggs, Nettinger, McHenry, McKenzie, Mercer, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Renville, Richland, Rolette, Sargent, Sheridan, Sioux, Slope, Stark, Steele, Towner, Traill, Walsh, Ward, Wells, and Williams Counties;

Ohio. Allen, Athens, Auglaize, Belmont, Carroll, Champaign, Clark, Clinton, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Delaware, Fayette, Franklin, Fulton, Greene, Guernsey, Hancock, Hardin, Harrison, Henry, Hocking, Jackson, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Marion, Medina, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Ottawa, Paulding, Perry, Pickaway, Pike, Portage, Preble, Putnam, Ross, Sandusky, Scioto, Seneca, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Vinton, Washington, Williams, Wood, and Wyandot Counties;

Oklahoma. Adair, Choctaw, Cimarron, Delaware, and Mayes Counties;

Oregon. The entire State;

Pennsylvania. The entire State;

Rhode Island. The entire State;

South Carolina. Abbeville, Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Cherokee, Chester, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Edgefield, Florence, Georgetown, Greenwood, Hampton, Horry, Jasper, Kershaw, Lancaster, Laurens, Lee, Lexington, McCormick, Marion, Marlboro, Newberry, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, and York Counties;

South Dakota. Brookings, Buffalo, Butte, Campbell, Clay, Codington, Custer, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Harding, Lawrence, Lincoln, McPherson, Marshall, Miner, Minnehaha, Moody, Perkins, Roberts, Turner, Union, and Walworth Counties;

Tennessee. The entire State;

Texas. Andrews, Bandera, Baylor, Blanco, Borden, Brewster, Brown, Burnet, Childress, Coke, Coleman, Concho, Cottle, Crane, Crockett, Culberson, Dallam, Dawson, Ector, Edwards, El Paso, Fisher, Gillespie, Glascock, Hartley, Haskell, Howard, Hudspeth, Irion, Jeff Davis, Kendall, Kerr, Kimble, King, Kinney, Lampasas, Lipscomb, Llano, Loving, McCulloch, Martin, Mason, Menard, Midland, Mitchell, Motley, Nolan, Ochiltree, Oldham, Pecos, Presidio, Reagan, Real Reeves, Runnels, San Saba, Schleicher, Scurry, Shackelford, Stephens, Sterling, Stonewall, Sutton, Taylor, Terrell, Throckmorton, Tom Green, Upton, Ward, Winkler, and Young Counties;

Utah. The entire State;

Vermont. The entire State;

Virginia. Accomack, Alleghany, Amelia, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fairfax, Fluvanna, Franklin, Frederick, Giles, Gloucester, Greene, Greensville, Hanover, Henrico, Highland, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lee, Loudoun, Louisa, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, Nelson, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Page, Pittsylvania, Powhatan, Prince George, Prince William, Princess Anne, Pulaski, Rappahannock, Richmond, Roanoke, Rockingham, Scott, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Washington, Westmoreland, Wise, Wythe, and York Counties; city of Hampton, and city of Newport News;

Washington. The entire State;

West Virginia. The entire State;

Wisconsin. The entire State;

Wyoming. Albany, Big Horn, Campbell, Crook, Fremont, Hot Springs, Laramie, Lincoln, Niobrara, Park, Sweetwater, Uinta, Washakie, and Weston Counties; and Lower Arapahoe Cattle Association, Wind River Indian Reservation in Fremont County, Arapahoe Ranch Tribal Enterprise and Wind River Indian Reservation in Fremont and Hot Springs Counties;

Puerto Rico. The entire area;

Virgin Islands of the United States. The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 13, 65 Stat. 693, 21 U.S.C. 111–113, 114a–1, 120, 121, 125; 19 F.R. 74, as amended; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas come within the definition of § 78.1(i): Lauderdale and Talladega Counties in Alabama; Drew and Miller Counties in Arkansas; Huerfano County in Colorado; Hamilton, Polk, Winnebago, Woodbury, and Wright Counties in Iowa; Barton, Clay, Ford, Gove, Kingman, Logan, Meade, Miami, Mitchell, Osage, Pawnee, Rice, Rooks, Trego, and Wichita Counties in Kansas; Cumberland, Hardin, Hart, Knott, Knox, Laurel, Leslie, Marion, McCreary, Ohio, Washington, and Wayne Counties in Kentucky; Ascension Parish in Louisiana; Clark, Crawford, Dunklin, Lawrence, Madison, New Madrid, Pemiscot, and Taney Counties in Missouri; Chase and Perkins Counties in Nebraska; Florence and Kershaw Counties in South Carolina; Marshall County in South Dakota; Childress, Dawson, Haskell, Lipscomb, Ochiltree, and Oldham Counties in Texas; and Campbell, Roanoke, and Washington Counties in Virginia.

The amendment deletes the following areas from the list of areas designated as modified certified brucellosis areas because it has been determined that such areas no longer come within the definition of § 78.1(i): St. Landry Parish in Louisiana; Butler, Franklin, Greene, Jackson, Monroe, Osage, Webster, and Worth Counties in Missouri; and McLean County in North Dakota.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of December 1961.

E. E. SAULMON,
Acting Director, Animal Disease Eradication Division, Agricultural Research Service.

[F.R. Doc. 61–11963; Filed, Dec. 15, 1961; 8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

PART 121—SMALL BUSINESS SIZE STANDARDS

[Amdt. 10; Rev. 2]

Definitions

The Small Business Size Standards Regulation (Revision 2) (26 F.R. 812), as amended (26 F.R. 1441, 1983, 2778, 3064, 5708, 6642, 8592, 10633, 10634), is hereby further amended by:

1. Adding the following new paragraphs (q), (r), and (s) to § 121.3–2 as follows:

(q) "Hospital" means a health facility duly licensed as hospital providing inpatient medical or surgical care of the sick or injured, including obstetrics, which facility is privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

(r) "Convalescent or nursing home" means those facilities for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who may require nursing care and related medical services, which facility is privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

(s) "Medical and dental laboratory" means those facilities which provide services to doctors, dentists, hospitals, and similar health facilities, which facilities are privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

2. Redesignating § 121.3–10(j) as § 121.3–10(m).

3. Adding the following new paragraphs (j), (k), and (l) to § 121.3–10:

(j) A hospital is small if its capacity does not exceed 100 beds (excluding cribs and bassinets).

(k) A convalescent or nursing home is small if its annual receipts are $1,000,000 or less.

(l) A medical or dental laboratory is small if:

(1) It is operated in connection with an eligible proprietary hospital, or

(2) It is not operated in connection with an eligible proprietary hospital and has annual receipts of $1,000,000 or less.

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

JOHN E. HORNE,
Administrator.

NOVEMBER 28, 1961.

[F.R. Doc. 61–11928; Filed, Dec. 15, 1961; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61–WA–102]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On August 1, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6857) stating that the Federal Aviation Agency proposed to realign the segment of intermediate altitude VOR Federal airway No. 1543 from the Truth or Consequences, N. Mex., VOR to the Alamosa, Colo., VOR, and designate intermediate altitude VOR Federal airway No. 1756 from Zuni, N. Mex., to Socorro, N. Mex.

The Air Line Pilots Association and the Air Transport Association submitted recommendations on this proposal. Basically, they recommended a more direct routing for the segment of Victor 1543.

After a review of the recommendations submitted, the Federal Aviation Agency has determined that the portion of Victor 1543 between Albuquerque, N. Mex., VOR and the Socorro, N. Mex., VOR should be designated as direct in lieu of via the Socorro VOR 115° and the Albuquerque VOR 160° True radials. This will eliminate the sharp turn in Victor 1543 between the Socorro VOR and the Albuquerque VOR. Other recommendations for a more direct routing of Victor 1543 will be considered in a future review of the airways and terminal procedures in the Albuquerque terminal area.

In addition to the above actions, the Federal Aviation Agency is also redesignating low altitude VOR Federal airway No. 83 from the Santa Fe, N. Mex., VOR direct to the Taos, N. Mex., VOR. This airway was initially dog-legged to avoid the Los Alamos, N. Mex., prohibited area. However, in Airspace Docket No. 60–WA–88 (25 F.R. 6946) the Los Alamos prohibited area was revoked and two smaller restricted areas, R–5101 and R–5102, were designated which would not conflict with the direct alignment of this segment of airway.

Since the changes associated with Victor 83 are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and they are included in this action which refers to the same general area.

The substance of the proposed amendments to Victor 1543 and Victor 1756 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, the following actions are taken:

1. In the text of § 600.1543 (26 F.R. 1086) "INT of the Truth or Consequences VOR 017° and the Albuquerque, N. Mex., VOR 160° radials; Albuquerque VOR; Santa Fe, N. Mex., VOR; thence 10 mile wide airway to the INT of the Santa Fe VOR 010° and the Las Vegas, N. Mex., VOR 299° radials; thence via the INT of the Santa Fe VOR 010° and the Alamosa, Colo., VOR 183° radials;" is deleted and "Socorro, N. Mex., VOR; Albuquerque, N. Mex., VOR; Santa Fe, N. Mex., VOR; Taos, N. Mex., VOR;" is substituted therefor.

2. Part 600 (14 CFR Part 600) is amended to include:

§ 600.1756 VOR Federal airway No. 1756 (Zuni, N. Mex., to Socorro, N. Mex.).

From the Zuni, N. Mex., VOR via the INT of the Socorro, N. Mex., VOR 289° and the Albuquerque, N. Mex., VOR 229° radials; thence 10-mile wide airway to the Socorro VOR.

§ 600.6083 [Amendment]

3. In the text of § 600.6083 (14 CFR 600.6083) "INT of the Santa Fe VOR 010° T and the Taos VOR 182° T radials;" is deleted.

These amendments shall become effective 0001 e.s.t. February 8, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61–11953; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61–NY–39]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On August 9, 1961, a notice of proposed rule making was published in the FEDERAL REGSTER (26 F.R. 7149) stating that the Federal Aviation Agency proposed to redesignate a segment of intermediate altitude VOR Federal airway No. 1546.

The Department of the Air Force and the Air Transport Association offered no objection to the proposal contained in the notice. The Department of the Navy concurred with the proposal provided that no derogation of air traffic flow into NAS Oceana would result. Designation of Victor 1546 will not derogate air traffic flow into NAS Oceana, Va., in fact, it will improve air traffic procedures in this area by more clearly defining the airspace for air traffic transitioning between the Continental Control area and the offshore area and the airspace used for aircraft holding or maneuvering in the NAS Oceana area.

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 reasons stated in the notice, the following action is taken:

In § 600.1546 (26 F.R. 1079) the following changes are made:

(a) In the caption "Norfolk, Va." is deleted and "Elizabeth City, N.C." is substituted therefor.

(b) In the text "thence 10-mile wide airway to the INT of the Cofield VOR 046° and the Cape Charles, Va., VOR 200° radials." is deleted and "thence 10 mile wide airway to the INT of the Cofield VOR 101° and the Cape Charles, Va., 188° radials." is substituted therefor.

This amendment shall become effective 0001 e.s.t. February 8, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11951; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61-WA-93]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Designation and Alteration

On August 2, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6940) stating that the Federal Aviation Agency was considering an alteration to the segment of intermediate altitude VOR Federal airway No. 1704 between Redmond, Oreg., and Baker, Oreg. The alteration would redesignate this segment of Victor 1704 via the John Day, Oreg., VOR. In addition, under consideration was the designation of intermediate altitude VOR Federal airway No. 1755 from John Day, Oreg., to Seattle, Wash.

The Department of the Air Force interposed no objection to the proposal. The Air Transport Association agreed with the proposal, but objected to the designation of the John Day VOR as a compulsory reporting point.

The Federal Aviation Agency is cognizant of the position reporting requirements currently being imposed upon the users by the incorporation of additional NAVAIDS into the intermediate altitude system. A study is now being conducted to ease these requirements and, if appropriate, the results of this study will be the subject of separate airspace action.

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 herein and in the notice, the following actions are taken:

1. Part 600 (14 CFR 600) is amended by adding the following:

§ 600.1755 VOR Federal airway No. 1755 (John Day, Oreg., to Seattle, Wash.).

From the John Day, Oreg., VOR via the Dalles, Oreg., VOR; INT of the Dalles VOR 352° and the Seattle, Wash., VOR 125° radials; to the Seattle VOR.

§ 600.1704 [Amendment]

2. In the text of § 600.1704 (26 F.R. 1092) "Baker, Oreg., VOR; to the McCall, Idaho, VOR." is deleted and "John Day, Oreg., VOR; Baker, Oreg., VOR; to the McCall, Idaho, VOR." is substituted therefor.

These amendments shall become effective 0001 e.s.t. February 8, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11952; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61-KC-24]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

Alteration of Federal Airways and Associated Control Areas

On August 15, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 7552) stating that the Federal Aviation Agency proposed to alter low altitude VOR Federal airway No. 233 from Springfield, Ill., to Cedar Rapids, Iowa, by realigning it from the Springfield VOR via the Peoria, Ill., VORTAC; the Cordova, Ill., VOR to the Cedar Rapids VOR, including an east alternate from the Springfield VOR to the Peoria VORTAC. In addition, it was proposed to alter low altitude VOR Federal airway No. 262 by extending it southwestwardly from the Bradford, Ill., VOR to the Peoria VORTAC.

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, the following actions are taken:

§ 600.6233 [Amendment]

1. The text of § 600.6233 (14 CFR 600.6233) is amended to read: "From the Springfield, Ill., VOR via the Peoria, Ill., VORTAC; including an E alternate from the Springfield VOR to the Peoria VORTAC via INT of the Springfield VOR 014° and the Peoria VORTAC 122° radials; Cordova, Ill., VOR; to the Cedar Rapids, Iowa, VOR."

2. § 600.6262 (14 CFR 600.6262) is amended to read:

§ 600.6262 VOR Federal airway No. 262 (Peoria, Ill., to Chicago, Ill.).

From the Peoria, Ill., VORTAC via the Bradford, Ill., VOR; the Joliet, Ill., VORTAC; to the Kedzie, Ill., RBN.

3. The caption of § 601.6262 (14 CFR 600.6262) is amended to read:

§ 601.6262 VOR Federal airway No. 262 control areas (Peoria, Ill., to Chicago, Ill.).

These amendments shall become effective 0001 e.s.t February 8, 1962.

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

Issued in Washington, D.C., on December 12, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11937; Filed, Dec. 15, 1961; 8:46 a.m.]

[Airspace Docket No. 61-AN-4]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

Alteration of Federal Airway and Associated Control Areas

On August 1, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6859) stating that the Federal Aviation Agency proposed the alteration of low altitude VOR Federal airway No. 440 and its associated control areas.

No adverse comments were received regarding the proposed amendments during the allotted period.

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 reasons stated in the notice, the following actions are taken:

§ 600.6440 [Amendment]

1. In § 600.6440 (26 F.R. 6618) the following changes are made:

a. In the caption "Skwentna, Alaska" is deleted and "Puntilla Lake, Alaska" is substituted therefor.

b. In the text "to the Skwentna, Alaska, RR excluding the airspace below 2,000 feet MSL outside the United States." is deleted and "to the Puntilla Lake, Alaska, RBN, including a N alternate from the Anchorage VOR to the Puntilla Lake RBN via the Skwentna, Alaska, RR. The portion of this airway below 2,000 feet MSL outside the United States is excluded." is substituted therefor.

2. § 601.6440 (26 F.R. 6618) is amended to read:

§ 601.6440 VOR Federal airway No. 440 control areas (Biorka Island, Alaska, to Puntilla Lake, Alaska).

All of VOR Federal airway No. 440 including a N and S alternate but excluding the airspace between the S alternate and the main airway.

These amendments shall become effective 0001 e.s.t. February 8, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11950; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61-NY-87]

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

Alteration of Control Area Extensions and Designation of Transition Area

On November 21, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10883) stating that the Federal Aviation Agency proposed to alter control area extensions and designate a transition area in the Cleveland, Ohio, Air Route Traffic Control Center area.

The Air Transport Association of America (ATA) concurred with the proposal with the exception of the designation of the floor of the Slate Run, Pa., transition area at 1,200 feet above the surface. The ATA cited the problem involved in charting the variance of floors of controlled airspace, and recommended that the floor of the proposed transition area be established at 700 feet above the surface until such time as the implementation of CAR Amendment 60-21 is undertaken. The Federal Aviation Agency recognizes the desirability of effectively portraying on aeronautical charts varied floors of controlled airspace. However, as stated in the Notice, the time limitations imposed by the effective date of the revised holding pattern procedures makes it incumbent upon the Agency to expedite the designation of additional controlled airspace necessary to accommodate these procedures consistent with the requirements in the area concerned, and with a minimum of penalty to other users of the airspace. In this instance, the Slate Run transition area is being established apart from the CAR Amendment 60-21 area study specifically for the holding of en route air traffic where there is no requirement to designate controlled airspace for this purpose below 1,200 feet above the surface. Accordingly, action is taken herein to designate the Slate Run transition area as proposed. It is expected that the charting problems associated with the changes in the vertical extent of controlled airspace will be resolved in the near future. The designation of varied floors for controlled airspace, at this time, will prevent duplication of regulatory action when the charting problems are resolved.

No other 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 increasing variations in aircraft speeds and operating altitudes has necessitated the revision of current holding patterns and the establishment of enlarged airspace dimensions to encompass the flight paths of holding aircraft. Accordingly, controlled airspace dimensions have been developed for fixed wing aircraft which were originally planned to be effective January 1, 1962. This date has now been changed to January 11, 1962, to coincide with the next scheduled aeronautical charting date. In order to provide for the safe and orderly flow of air traffic, the Administrator finds that a situation exists requiring expeditious action in the designation of such controlled airspace. Therefore, good cause exists for making these amendments effective on less than 30 days' notice. Such action is taken herein.

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 herein and in the notice, the following actions are taken:

1. Section 601.1056 (14 CFR 601.1056) is amended to read:

§ 601.1056 Control area extension (Buffalo, N.Y.).

Within a 50-mile radius of the Greater Buffalo International Airport (latitude 42°56'25" N., longitude 78°43'50" W.), and within 12 miles NE and 8 miles SW of the Buffalo VORTAC 124° radial extending from the 50-mile radius area to 73 miles SE of the VORTAC, excluding the portion outside the United States. The portion which coincides with R-5203 is excluded during the time of designation of the restricted area.

2. Section 601.1158 (14 CFR 601.1158) is amended to read:

§ 601.1158 Control area extension (Cleveland, Ohio).

Within a 50-mile radius of the Cleveland-Hopkins Airport, Cleveland, Ohio (latitude 41°24'30" N., longitude 81°51'-00" W.), excluding the portion outside the United States; within 8 miles N and 12 miles S of the Cleveland VORTAC 275° radial extending from the 50-mile radius area to 53 miles W of the VORTAC; the area extending from the 50-mile radius area bounded on the N by the United States-Canadian border, on the S by a line 8 miles N of and parallel to the Cleveland VORTAC 275° radial, and on the W by longitude 83°02'00" W., excluding the portion which coincides with R-5502; and the area extending from the 50-mile radius area bounded on the SE by VOR Federal airway No. 43 and on the NW by VOR Federal airway No. 443 E alternate.

3. Section 601.1225 (14 CFR 601.1225) is amended to read:

§ 601.1225 Control area extension (Erie, Pa.).

Within a 15-mile radius of the Erie, Pa., VORTAC, including the area extending from the 15-mile radius area bounded on the W by VOR Federal airway No. 37, on the N by the United States-Canadian border, on the NE by the arc of a 50-mile radius circle centered on the Greater Buffalo International Airport, Buffalo, N.Y. (latitude 42°56'25" N., longitude 78°43'50" W.), on the E by longitude 78°57'00" W., and on the S by VOR Federal airways Nos. 72 and 184.

4. Part 600 (14 CFR Part 601) is amended by adding the following section:

§ 601.10836 Slate Run, Pa., transition area.

That airspace extending upward from 1,200 feet above the surface within 12 miles N and 8 miles S of the Stonyfork, Pa., VORTAC 276° radial extending from 8 miles W to 40 miles W of the VORTAC.

These amendments shall become effective 0001 e.s.t. January 11, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11947; Filed, Dec. 15, 1961; 8:47 a.m.]

[Airspace Docket No. 61-WA-178]

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

Alteration of Control Area Extensions, and Transition Areas and the Designation of Transition Areas

On November 10, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10603), stating that the Federal Aviation Agency proposed to alter control area extensions and designate transition areas in the El Paso, Tex., Air Route Traffic Control Center area.

No adverse comments were received regarding the proposed amendments within the allotted time.

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 increasing variations in aircraft speeds and operating altitudes has necessitated the revision of current holding patterns and the establishment of enlarged airspace dimensions to encompass the flight paths of holding aircraft. Accordingly, controlled airspace dimensions have been developed for fixed wing aircraft which were originally planned to be effective January 1, 1962. This date has now been changed to January 11, 1962, to coincide with the next scheduled aeronautical charting

date. In order to provide for the safe and orderly flow of air traffic, the Administrator finds that a situation exists requiring expeditious action in the designation of such controlled airspace. Therefore, good cause exists for making these amendments effective on less than 30 days notice. Such action is taken herein.

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. Section 601.1137 (14 CFR 601.1137) is amended to read:

§ 601.1137 Control area extension (Big Spring, Tex.).

The airspace within a 35-mile radius of the Big Spring, Tex., VOR, including the airspace NW of the VOR bounded on the NE by VOR Federal airway No. 76 N alternate and on the W by VOR Federal airways No. 81 and No. 76, also including the airspace N of Big Spring within 12 miles W and 12 miles E of the Webb AFB TACAN 014° radial extending from the 35-mile radius area to 26 miles N. The portion of this control area extension which coincides with R–6308 and R–6309 shall be used only after obtaining prior approval from the appropriate authority.

2. Section 601.1171 (14 CFR 601.1171) is amended to read:

§ 601.1171 Control area extension (El Paso, Tex.).

Within 5 miles either side of the 008°, 165° and 302° radials of the El Paso, Tex., VORTAC extending from the VORTAC to 21 miles N, 20 miles SE and 37 miles NW, including the airspace bounded on the N by latitude 32°11'00'' N., on the E by longitude 105°17'00'' W., on the S by VOR Federal airway No. 16 and on the W by a line 5 miles E of and parallel to the 008° radial of the El Paso VORTAC, excluding the portion that coincides with R–5106, R–5103 and R–5107, and that portion outside the United States.

3. Section 601.1195 (14 CFR 601.1195) is amended to read:

§ 601.1195 Control area extension (San Angelo, Tex.).

Within a 35-mile radius of the San Angelo, Tex., VOR including the airspace NW of the VOR bounded on the NE by VOR Federal airway No. 76 on the SW by VOR Federal airway No. 68 and on the NW by the arc of a 35-mile radius circle centered on the Big Spring, Tex., VOR, and including the airspace SE of San Angelo within 11 miles SW and 7 miles NE of the San Angelo VOR 112° radial extending from the San Angelo VOR to 47 miles SE. The portion of this control area extension which coincides with R–6309 shall be used only after obtaining prior approval from the appropriate authority.

4. Section 601.1206 (26 F.R. 601.1206) is amended to read:

§ 601.1206 Control area extension (Midland, Tex.).

Within a 25-mile radius of the Midland, Tex., RR including the airspace SW of Midland bounded on the N by VOR Federal airway No. 16 S alternate, on the SW by VOR Federal airway No. 79 and on the SE by a line 5 miles SE of and parallel to the Midland ILS localizer SW course and including the airspace N of Midland bounded on the E by the E boundary of VOR Federal airway No. 81, on the W by longitude 102°13'30'' W. and on the N by latitude 33°06'00'' N. The portion of this control area extension that coincides with R–6305 and R–6307 shall be used only after obtaining prior approval from the appropriate authority.

5. Section 601.1209 (14 CFR 601.1209) is amended to read:

§ 601.1209 Control area extension (Columbus, N. Mex.).

The airspace bounded on the S by VOR Federal airway No. 16 N alternate E of Columbus, N. Mex., and No. 16 W of Columbus, on the W by longitude 108°-00'00'' W., on the N by latitude 32°36'00'' N., and on the E by longitude 106°43'00'' W.

6. Section 601.1239 (14 CFR 601.1239) is amended to read:

§ 601.1239 Control area extension (Lubbock, Tex.).

Within a 25-mile radius of the Lubbock, Tex., RR in the SW, NW, and NE quadrants of the RR and within a 40-mile radius of the RR in the SE quadrant of the RR; including the airspace within 12 miles N and 8 miles S of the Lubbock VORTAC 277° radial extending from the Lubbock VORTAC to 48 miles W; within 12 miles NW and 8 miles SE of the Lubbock VORTAC 261° radial extending from the Lubbock VORTAC to 52 miles SW and within 12 miles E and 12 miles W of the Lubbock VORTAC 008° radial extending from the Lubbock VORTAC to 51 miles N. The portion of this control area extension which coincides with R–6304, R–6305, and R–6308 shall be used only after obtaining prior approval from the appropriate authority.

7. Section 601.1367 (14 CFR 601.1367) is amended to read:

§ 601.1367 Control area extension (Wink, Tex.).

That airspace bounded on the S by a line extending from latitude 31°27'00'' N., longitude 103°02'00'' W., to latitude 31°27'00'' N., longtitude 103°30'00'' W., on the SW by a line extending from latitude 31°27'00''N., longitude 103°30'00'' W., to latitude 31°41'30'' N., longitude 103°30'00'' W., thence clockwise along the arc of a 20-mile radius circle centered on the Wink VOR to the S boundary of VOR Federal airway No. 16 S alternate E of Wink and on the SE by the E boundary of VOR Federal airway No. 79.

8. Section 601.1463 (14 CFR 601.1463) is amended to read:

§ 601.1463 Control area extension (Hudspeth, Tex.).

The airspace SE of Hudspeth, Tex., within a 20-mile radius of the Hudspeth VOR bounded on the NE by VOR Federal airway No. 198 and on the W by the Hudspeth VOR 177° radial, including the airspace SW of Hudspeth bounded on the E by the Hudspeth VOR 177° radial, on the S by the United States/Mexican border, on the W by a line 5 miles E of and parallel to the El Paso, Tex., VORTAC 165° radial and on the N by VOR Federal airway No. 66.

9. Section 601.10009 (26 F.R. 7874) is amended to read:

§ 601.10009 Carlsbad, N. Mex., transition area.

The airspace extending upward from 1,200 feet above the surface within a 10-mile radius of the Carlsbad, N. Mex., VOR, the airspace NE of Carlsbad within a 20-mile radius of the Carlsbad VOR bounded on the W by VOR Federal airway No. 83, on the SE by VOR Federal airway No. 94, the airspace S of Carlsbad bounded on the E by a line 5 miles E of and parallel to the 165° radial of the Carlsbad VOR, on the S by VOR Federal airway No. 16 N alternate, on the NW by VOR Federal airway No. 94; the airspace W of Carlsbad extending upward from 10,500 feet MSL within a 40-mile radius of the Carlsbad VOR bounded on the N by a line 5 miles N of and parallel to the 292° radial of the Carlsbad VOR, bounded on the E by the 10-mile radius of the Carlsbad VOR, and on the S by a line 5 miles S of and parallel to the 262° radial of the Carlsbad VOR.

10. Part 601 (14 CFR Part 601) is amended by adding the following sections:

§ 601.10807 Culberson, Tex., transition area.

The airspace extending upward from 1,200 feet above the surface within 12 miles N and 7 miles S of the Culberson, Tex., VOR 089° and 269° radials extending from 20 miles W to 9 miles E of the VOR, and within 10 miles SW and 7 miles NE of the Culberson VOR 117° and 297° radials extending from 20 miles SE to 9 miles NW of the VOR.

§ 601.10808 Pinon, N. Mex., transition area.

The airspace extending upward from 1,200 feet above the surface within 10 miles either side of the Pinon, N. Mex., VOR 035° and 219° radials extending from 20 miles NE to 20 miles SW of the VOR, excluding the portion that coincides with R–5103.

§ 601.10045 Hobbs, N. Mex., transition area.

The airspace extending upward from 1,200 feet above the surface within the area bounded on the NE and E by a line extending from latitude 32°56'45'' N., longitude 102°46'15'' W., to latitude 32°44'45'' N., longitude 102°46'15'' W., thence SE to latitude 32°18'15'' N., longitude 102°18'50'' W.; bounded on the

SE by VOR Federal airway No. 16, on the SW by a line extending from latitude 32°07'00" N., longitude 102°48'40" W., to latitude 32°32'00" N., longitude 103°-12'00" W., thence clockwise along the arc of a 15-mile radius circle centered on the Hobbs, N. Mex., VOR to latitude 32°-57'45" N., longitude 103°08'20" W., thence to the point of beginning. The portion of this transition area that coincides with R-6307 shall be used only after obtaining prior approval from the appropriate authority.

§ 601.10810 Matador, Tex., transition area.

The airspace extending upward from 1,200 feet above the surface within 12 miles NW and 8 miles SE of the Lubbock, Tex., VORTAC 063° radial extending from 10 miles SW to 22 miles NE of the INT of the Lubbock VORTAC 063° and the Guthrie, Tex., VOR 293° radials.

§ 601.10811 Fort Stockton, Tex., transition area.

The airspace extending upward from 1,200 feet above the surface within 10 miles either side of the Fort Stockton, Tex., VORTAC 097° and 274° radials extending from 20 miles E to 20 miles W of the VORTAC. The portion of this transition area which coincides with R-6306 shall be used only after obtaining prior approval from the appropriate authority.

These amendments shall become effective 0001 e.s.t., January 11, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11949; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61-WA-179]

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

Alteration of Control Area Extensions

On October 26, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10072), stating that the Federal Aviation Agency proposed to alter control area extensions in the Miami, Fla., Air Route Traffic Control Center area.

The Aircraft Owners and Pilots Association (AOPA) noted with concern the statement, in this and other actions concerned with holding pattern airspace, "time limitations imposed" prevent implementation of Amendment 60-21 to the Civil Air Regulations. The AOPA recommended that all airspace designated for holding patterns be established with floors of not less than 1,200 feet above the surface.

The purpose of the proposals contained in the notice and in many other recent notices of proposed rule making was to provide additional controlled airspace urgently required for the protection of aircraft maneuvering in holding patterns in compliance with revised criteria for holding pattern areas which become effective in January, 1962. The immediate need for this controlled airspace necessitated the processing of a great volume of amendments to Part 601 of the regulations of the Administrator in a comparatively short period of time, thereby precluding the type of study usually conducted when an airspace action proposing the implementation of Amendment 60-21 is initiated, and precluding adherence to an orderly and systematic method of accomplishing the amendments. In most cases where holding pattern areas were contained, in part, within existing control area extensions, notices were published proposing that the control area extension be altered to add the airspace needed to encompass the remainder of the pattern area. In other cases involving airspace more or less isolated from existing control area extensions, transition areas were proposed with floors of 1,200 feet above the surface. In pursuing this approach, the FAA has sought to minimize the number of amendments establishing relatively small and irregularly shaped portions of airspace with floors of 1,200 feet above the surface adjacent to control area extensions with floors of 700 feet above the surface, and to facilitate the impending task of implementing Amendment 60-21 on an area basis. Upon completion of the Amendment 60-21 review now underway, the controlled airspace floor assignments contained in these holding pattern dockets will be adjusted in relation to the type of operation being conducted.

No other adverse comments were received regarding the proposed amendments.

Editorial changes are included in the actions taken herein for the purpose of simplifying the description of controlled airspace without altering the dimensions proposed in the notice.

The increasing variations in aircraft speeds and operating altitudes has necessitated the revision of current holding patterns and the establishment of enlarged airspace dimensions to encompass the flight paths of holding aircraft. Accordingly, controlled airspace dimensions have been developed for fixed wing aircraft which were originally planned to be effective January 1, 1962. This date has now been changed to January 11, 1962, to coincide with the next scheduled aeronautical charting date. In order to provide for the safe and orderly flow of air traffic, the Administrator finds that a situation exists requiring expeditious action in the designation of such controlled airspace. Therefore, good cause exists for making these amendments effective on less than 30 days notice. Such action is taken herein.

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, the following actions are taken:

1. Section 601.1138 (14 CFR 601.1138, 26 F.R. 870) is amended to read:

§ 601.1138 Control area extension (Orlando, Fla.).

The airspace bounded on the N by latitude 29°00'00" N., on the E by VOR Federal airway No. 267 N of the Orlando, Fla., VOR and VOR Federal airway No. 159 E alternate S of the Orlando VOR, on the S by latitude 27°45'00" N., and on the W by the arc of a circle with a 50-mile radius centered at latitude 27°-53'18" N., longitude 82°29'29" W., and VOR Federal airway No. 97; and the airspace W of Vero Beach, Fla., bounded on the N by latitude 27°45'00" N., on the NE by VOR Federal airway No. 295, on the SE by VOR Federal airway No. 225, and on the W by VOR Federal airway No. 267.

2. Section 601.1325 (14 CFR 601.1325) Control area extension (Tampa, Fla.) is amended to read:

§ 601.1325 Control area extension (Tampa, Fla.).

The airspace within a 50-mile radius of latitude 27°53'18" N., longitude 82°29'29" W.; including the airspace NW of Tampa extending from the 50-mile radius area bounded on the NE by VOR Federal airway No. 97, on the S by the Grand Isle, La., control area extension (§ 601.1226) and on the W by a line 5 miles W of and parallel to the Cross City, Fla., VOR 207° radial; the airspace SE of Tampa extending from the 50-mile radius area bounded on the NE by VOR Federal airway No. 157, on the SE by VOR Federal airway No. 225 and on the SW by VOR Federal airway No. 35; the airspace W of Tampa bounded on the N by a line extending from latitude 28°06'35" N., longitude 84°00'00" W.; to latitude 28°10'00" N., longitude 84°39'30" W., on the E by a line 5 miles W of and parallel to the Cross City VOR 207° radial, and on the S by the Grand Isle control area extension; and the airspace N of La Belle, Fla., bounded on the NE by VOR Federal airway No. 267, on the SE by VOR Federal airway No. 225, on the SW by VOR Federal airway No. 157; and on the NW by a line extending from latitude 27°14'10" N., longitude 81°31'00" W., to latitude 27°22'00" N., longitude 81°-08'00" W., thence to latitude 27°45'00" N., longitude 81°08'00" W., excluding the portion which coincides with W-168 and the portion below 2,000 feet MSL outside the continental United States.

These amendments shall become effective 0001 e.s.t., January 11, 1962.

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

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-11948; Filed, Dec. 15, 1961; 8:47 a.m.]

[Airspace Docket No. 61-WA-216]

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

Revocation of Reporting Points

Correction

In F.R. Doc. 61-11664, appearing at page 11825 of the issue for Saturday, December 9, 1961, the amendatory language of item 2 should read as follows: "In the text of § 601.5001 (14 CFR 601.5001), the following reporting points are deleted:".

[Reg. Docket No. 999; Amdt. 82]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

Miscellaneous Amendments

This amendment is being adopted to insure the safety of IFR operations by establishing the minimum en route IFR altitudes for the route or portions thereof contained herein, and the altitudes which assure navigational coverage that is adequate and free of frequency interference for such routes or portions thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice, public procedure and effective date provisions of the Administrative Procedure Act would be impracticable.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 610 is hereby amended as follows:

Section 610.101 *Amber Federal airway 1* is amended to delete:

From *Oceanside, Calif., LF/RBN; to Long Beach, Calif., LFR; MEA 4,000.
From Long Beach Calif., LFR; to *Los Angeles Calif., LF/RBN; MEA 1,600. *3,000—MCA Los Angeles, LF/RBN, northbound.
From Los Angeles, Calif., LF/RBN; to Valley INT, Calif.; MEA 4,000.
From Valley Int, Calif.; to Newhall, Calif., LFR; MEA 7,000.
From *Newhall, Calif., LFR; to Wheeler Ridge INT, Calif.; MEA 10,000. *7,000—MCA Newhall LFR, northbound.
From Castaic, Calif., FM; to Newhall, Calif., LFR; southbound only; MEA 8,000.
From Wheeler Ridge INT, Calif.; to *Bakersfield, Calif., LFR northbound, MEA 6,000; southbound, MEA 10,000. *7,000—MCA Bakersfield LFR, southbound.
From Bakersfield, Calif., LFR; to Fresno, Calif., LFR; MEA 3,000.
From Famosa, Calif., FM; to Fresno, Calif., LFR, northwestbound; MEA 2,000.
From Fresno, Calif., LFR; to Sacramento, Calif., LFR; MEA 5,000.
From Sacramento, Calif., LFR; to Red Bluff, Calif., LFR; MEA 4,000.

Section 610.101 *Amber Federal airway 1* is amended to read in part:

From East Cordova INT, Alaska.; to *Hinchinbrook, Alaska, LFR; MEA 3,100. *3,000—MCA Hinchinbrook LFR, westbound.

Section 610.108 *Amber Federal airway 8* is amended to read in part:

From *Whitmore, Calif., LFR; to Klamath Falls, Oreg., LFR; MEA 10,000. *7,000—MCA Whitmore LFR, northbound.

Section 610.287 *Red Federal airway 87* is amended to read in part:

From Honolulu, Hawaii, LFR; to *Maui, Hawaii, LFR; MEA 5,000. *10,000—MCA Maui LFR, southeastbound. *8,000—MCA Maui LFR, northbound.

Section 610.309 *Red Federal airway 109* is amended to delete:

From Trinidad INT, Wash.; to Ephrata, Wash., LFR eastbound only; MEA 4,000.

Section 610.626 *Blue Federal airway 26* is amended to read in part:

From Summit, Alaska, LFR; to *Wolf INT, Alaska; MEA 9,500. *6,000—MCA Wolf INT, southbound.
From Healy, Alaska, FM; to Wolf INT, Alaska,northbound only; MEA 6,500.
From Wolf INT, Alaska; to *Beaver INT, Alaska; MEA 3,000. *2,000—MCA Beaver INT, southwestbound.

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

From Crest INT, Ga.; to Macon, Ga., LFR; MEA *2,500. *2,200—MOCA.
From Stockton, Calif., LFR; to Fremont, Calif., LF/RBN; MEA 5,000.
From Stockton, Calif., LFR; to Travis (AFB), Calif., LFR; MEA 2,000.

Section 610.6001 *VOR Federal airway 1* is amended to read in part:

From Wilmington, N.C., VOR; to Kinston, N.C., VOR; MEA *2,000. *1,500—MOCA.
From Wilmington, N.C., VOR, via W alter.; to Kinston, N.C., VOR, via W alter.; MEA *2,000. *1,500—MOCA.

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

From Utica, N.Y., VOR; to *Mariaville INT, N.Y.; MEA 3,000. *3,500—MRA.

Section 610.6003 *VOR Federal airway 3* is amended to delete:

From Brooke, Va., VORTAC: to McLean INT, Va.; MEA 1,800.

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

From Jacksonville, Fla., VOR; to *St. Marys INT, Ga.; MEA 1,200. *2,500—MRA.
From Brooke, Va., VOR; to Springfield INT, Va.; MEA 1,900.
From Brunswick, Ga., VOR; to *Fairhope INT, Ga.; MEA 1,500. *3,000—MRA.
From Sea Island INT, Fla., via E alter.; to *Catherine INT, Ga., via E alter.; MEA 1,500. *4,000—MRA.

Section 610.6004 *VOR Federal airway 4* is amended to delete:

From Herndon, Va., VORTAC; to McLean INT, Va.; MEA 1,800.

Section 610.6004 *VOR Federal airway 4* is amended by adding:

From Herndon, Va., VOR; to Doncaster INT, Md.; MEA 1,500.

Section 610.6005 *VOR Federal airway 5* is amended to read in part:

From Nashville, Tenn., VOR; to *Cottontown INT, Tenn.; MEA 2,000. *3,000—MRA. **2,300—MCA Cottontown INT, northbound.

Section 610.6008 *VOR Federal airway 8* is amended to read in part:

From Dolphin INT, Calif.; to Ling INT, Calif.; MEA *3,000. *2,000—MOCA.

From Ling INT, Calif.; to Wilmington INT, Calif.; MEA 3,000.
From Wilmington INT, Calif.; to Long Beach, Calif., VOR; MEA 2,500.
From Martinsburg, W. Va., VOR; to Barnsville INT, Va.; MEA 3,200.
From Barnsville INT, Va.; to Glen INT, Va.; MEA 2,300.
From Glen INT, Va.; to Washington, D.C., VOR; MEA 2,100.
From Martinsburg, W. Va., VOR, via S alter.; to Haymarket INT, Va., via S alter.; MEA 3,400.
From Haymarket INT, Va., via S alter.; to Springfield INT, Va., via S alter.; MEA 2,700.
From Springfield INT, Va., via S alter.; to Washington, D.C., VOR, via S alter.; MEA 2,000.

Section 610.6014 *VOR Federal airway 14* is amended to read in part:

From Oklahoma City, Okla., VOR, via N alter.; to Guthrie INT, Okla., via N alter.; MEA 3,000.
From Erie, Pa., VOR, via N alter.; to Harborcreek INT, Pa., via N alter.; MEA 2,500. *3,500—MRA.
From Harborcreek INT, Pa., via N alter.; to Buffalo, N.Y., VOR, via N alter.; MEA 2,500.

Section 610.6016 *VOR Federal airway 16* is amended to read in part:

From Los Angeles, Calif., VOR; to La Habra INT, Calif.; MEA 3,000.
From La Habra INT, Calif.; to Ontario, Calif., VOR; MEA 4,000.
From Gordonsville, Va., VOR; to Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; MEA *2,000. *1,500—MOCA.
From Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; to *Locust Grove INT, Va.; MEA 1,500. *2,000—MRA.
From Big Spring, Tex., VOR, via S alter.; to *Lazy X INT, Tex., via S alter.; MEA **4,000. *4,400—MRA. **3,800—MOCA.
From Prosper INT, Tex., via N alter.; to Sulphur Springs, Tex., VOR, via N alter.; MEA *4,000. *1,900—MOCA.

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

From Austin, Tex., VOR, via E alter.; to *Hutto INT, Tex., via E alter.; MEA **2,700. *3,100—MRA. **2,100—MOCA.
From Hutto INT, Tex., via E alter.; to Tracy INT, Tex., via E alter.; MEA *2,700. *2,100—MOCA.
From Tracy INT, Tex., via E alter.; to Barclay INT, Tex., via E alter.; MEA *2,700. *1,800—MOCA.
From San Antonio, Tex., VOR, via W alter.; to Bergheim INT, Tex., via W alter.; MEA *2,700. *2,600—MOCA.
From Bergheim INT, Tex., via W alter.; to Spring Branch INT, Tex., via W alter.; MEA 2,800.

Section 610.6018 *VOR Federal airway 18* is amended to read in part:

From Eatonton INT, Ga.; to Sharon INT, Ga.; MEA *2,800. *1,900—MOCA.
From Sharon INT, Ga.; to Augusta, Ga., VOR; MEA *2,000. *1,800—MOCA.

Section 610.6019 *VOR Federal airway 19* is amended to read in part:

From Denver, Colo., VOR; to *Platte INT, Colo.; MEA 7,500. *9,000—MRA.

Section 610.6021 *VOR Federal airway 21* is amended to read in part:

From Milford, Utah, VOR; to Delta, Utah, VOR; MEA 10,000.

Section 610.6025 *VOR Federal airway 25* is amended to read in part:

From Pacific INT, Calif.; to Wilmington INT, Calif.; MEA 3,000.
From Wilmington INT, Calif.; to Hermosa INT, Calif.; MEA 2,500.
From Hermosa INT, Calif.; to Los Angeles, Calif., VOR; MEA 2,000.
From Los Angeles, Calif., VOR; to Flounder INT, Calif.; MEA 2,000.
From Flounder INT, Calif.; to Eel INT, Calif.; MEA 3,000.
From *Red Bluff, Calif., VOR; to Klamath Falls, Oreg., VOR; MEA 11,000. *5,000—MCA Red Bluff VOR, southbound.

Section 610.6027 *VOR Federal airway 27* is amended to read in part:

From Los Angeles, Calif., VOR; to Flounder INT, Calif.; MEA 2,000.
From Flounder INT, Calif.; to Eel INT, Calif.; MEA 3,000.

Section 610.6030 *VOR Federal airway 30* is amended to read in part:

From Milwaukee, Wis., VOR, via S alter.; to *Pike INT, Wis., via S alter.; MEA 2,500. *4,000—MRA.

Section 610.6031 *VOR Federal airway 31* is amended to read in part:

From Fishers INT, N.Y.; to Rochester, N.Y., VOR; northwestbound, MEA 2,100; southeastbound, MEA 3,000.

Section 610.6031 *VOR Federal airway 31* is amended by adding:

From Golden Hill INT, Md.; to Nottingham, Md., VOR; MEA *1,500. *1,200—MOCA.

Section 610.6034 *VOR Federal airway 34* is amended to read in part:

From Rochester, N.Y., VOR; to Fishers INT, N.Y.; northwestbound, MEA 2,100; southeastbound MEA 3,000.

Section 610.6037 *VOR Federal airway 37* is amended to read in part:

From *White Rock INT, S.C., via W alter.; to **Monticello INT, S.C., via W alter.; MEA ***1,800. *2,500—MRA. **2,500—MRA. ***1,700—MOCA.
From Monticello INT, S.C., via W alter.; to Ft. Mill, S.C., VOR, via W alter; MEA *2,500. *2,000—MOCA.
From Statesville INT, N.C.; to Pulaski, Va., VOR; MEA *6,000. *5,600—MOCA.

Section 610.6051 *VOR Federal airway 51* is amended to delete:

From Lafayette, Ind., VOR, via E alter.; to Newland INT, Ind., via E alter.; MEA 2,300.
From Newland INT, Ind., via E alter.; to Chicago Heights, Ill., VOR, via E alter.; MEA 2,000.

Section 610.6053 *VOR Federal airway 53* is amended to read in part:

From *White Rock INT, S.C.; to **Monticello INT, S.C.; MEA ***1,800. *2,500—MRA. **2,500—MRA. ***1,700—MOCA.

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

From Murphy INT, Tenn.; to *Nottely INT, N.C.; MEA **8,500. *8,500—MRA. **7,500—MOCA.
From Nottely INT, N.C.; to *Rainbow INT, N.C.; MEA **8,500. *8,500—MRA. **7,500—MOCA.

Section 610.6066 *VOR Federal airway 66* is amended to read in part:

From *Jack INT, Tex.; to **Lazy X INT, Tex.; MEA***7,200. *6,200—MRA. **4,400—MRA. ***3,500—MOCA.
From Prosper INT, Tex.; to Sulphur Springs, Tex., VOR; MEA *4,000. *1,900—MOCA.

Section 610.6069 *VOR Federal airway 69* is amended to read in part:

From Shreveport, La., VOR; to *Cotton INT, La.; MEA 1,600. *2,000—MRA.
From Cotton INT, La.; to Homer INT, La.; MEA *1,600. *1,500—MOCA.
From Homer INT, La.; to *Gordon INT, La.; MEA 1,700. *3,000—MRA.
From Gordon INT, La.; to El Dorado, Ark., VOR; MEA 1,700.
From Shreveport, La., VOR, via W alter.; to *Cotton INT, La., via W alter.; MEA 1,600. *2,000—MRA.
From Cotton INT, La., via W alter.; to *Foster INT, La., via W alter; MEA **2,000. *3,000—MRA. **1,600—MOCA.
From Foster INT, La., via W alter.; to El Dorado, Ark., VOR, via W alter.; MEA *2,000. *1,600—MOCA.
From El Dorado, Ark., VOR; to *Hampton INT, Ark.; MEA 1,600. *5,000—MRA.
From Hampton INT, Ark.; to Pine Bluff, Ark., VOR; MEA 1,600.

Section 610.6077 *VOR Federal airway 77* is amended to read in part:

From Abilene, Tex., VOR, via E alter.; to *Woodson INT, Tex., via E alter.; MEA **3,800. *4,000—MRA. **3,100—MOCA.
From Oklahoma City, Okla., VOR, via E alter.; to Guthrie INT, Okla., via E alter.; MEA 3,000.

Section 610.6089 *VOR Federal airway 89* is amended to read in part:

From Denver, Colo., VOR; to *Platte INT, Colo.; MEA 7,500. *9,000—MRA.

Section 610.6092 *VOR Federal airway 92* is amended to read in part:

From Springfield INT, Va.; to Washington, D.C., VOR; MEA 2,000.

Section 610.6094 *VOR Federal airway 94* is amended to read in part:

From Deming, N. Mex., VOR; to *Morgan INT, N. Mex.; MEA 9,000. *10,000—MRA.
From Morgan INT, N. Mex., to Newman, Tex., VOR; MEA 9,000.
From Cisco INT, Tex.; to *Mill INT, Tex.; MEA **6,500. *3,500—MRA. **3,100—MOCA.

Section 610.6097 *VOR Federal airway 97* is amended to read in part:

From Concord INT, Ga.; to Atlanta, Ga., VOR; MEA *2,500. *2,100—MOCA.

Section 610.6105 *VOR Federal airway 105* is amended to read in part:

From *Red Lake INT, Ariz.; to **Tipton INT, Ariz.; MEA 10,000. *10,000—MRA. **8300—MCA Tipton INT, southeastbound.
From Tipton INT, Ariz.; to Las Vegas, Nev., VOR; MEA 8,000.

Section 610.6119 *VOR Federal airway 119* is amended to read in part:

From Henderson, W. Va., VOR; to *Reedsville INT, W. Va.; MEA 2,400. *3,000—MRA.
From Reedsville INT, W. Va.; to Parkersburg, W. Va., VOR; MEA 2,400.

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

From Washington, D.C., VOR; to Baltimore, Md., VOR; MEA 2,000.

Section 610.6132 *VOR Federal airway 132* is amended to read in part:

From McCune INT, Kans., via S alter.; to *Waco INT, Mo., via S alter.; MEA 3,000. *2,900—MRA.

Section 610.6140 *VOR Federal airway 140* is amended to read in part:

From Casanova, Va., VOR; to Bower INT, Md.; MEA 2,400.
From Bower INT, Md.; to Washington, D.C., VOR; MEA 2,000.
From Washington, D.C., VOR; to Baltimore, Md., VOR; MEA 2,000.

Section 610.6143 *VOR Federal airway 143* is amended to delete:

From Front Royal, Va., VOR; to Dawsonville INT, Va.; MEA 4,000.

Section 610.6143 *VOR Federal airway 143* is amended to read in part:

From Ft. Mill, S.C., VOR; to High Rock INT, N.C.; MEA 3,000.
From High Rock INT, N.C.; to Greensboro, N.C., VOR; MEA 2,300.

Section 610.6144 *VOR Federal airway 144* is amended to read in part:

From Linden, Va., VOR; to Haymarket INT, Va.; MEA 4,000.
From Haymarket INT, Va.; to Springfield INT, Va.; MEA 2,700.
From Springfield INT, Va.; to Washington, D.C., VOR; MEA 2,000.

Section 610.6155 *VOR Federal airway 155* is amended by adding:

From Casanova, Va., VOR; to Georgetown INT, D.C.; MEA 2,700.
From Georgetown INT, D.C.; to Washington, D.C., VOR; MEA 2,100.

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

From Wilmington, N.C., VOR; to Kinston, N.C., VOR; MEA *2,000. *1,500—MOCA.
From Washington, D.C., VOR; to Baltimore, Md., VOR; MEA 2,000.

Section 610.6172 *VOR Federal airway 172* is amended to read in part:

From Musky INT, Mich.; to South Bend, Ind., VOR; MEA 2,100.

Section 610.6174 *VOR Federal airway 174* is amended to read in part:

From Linden, Va., VOR; to Haymarket INT, Va.; MEA 4,000.
From Haymarket INT, Va.; to Springfield INT, Va.; MEA 2,700.
From Springfield INT, Va.; to Washington, D.C., VOR; MEA 2,000.

Section 610.6183 *VOR Federal airway 183* is amended to read in part:

From *Santa Barbara, Calif., VOR; to Maricopa INT, Calif.; MEA 9,000. *8,000—MCA Santa Barbara VOR, northeastbound.

Section 610.6190 *VOR Federal airway 190* is amended to read in part:

From Oswego, Kans., VOR; to *Waco INT, Mo.; MEA 3,000. *2,900—MRA.

Section 610.6191 *VOR Federal airway 191* is amended to read in part:

From Horlick, INT, Wis.; to *Pike INT, Wis.; MEA **3,000. *4,000—MRA. **2,000—MOCA.

Section 610.6193 *VOR Federal airway 193* is amended to read in part:

From White Cloud, Mich., VOR; to Traverse City, Mich., VOR; MEA 3,500.

Section 610.6193 *VOR Federal airway 193* is amended to delete:

From Keeler, Mich., VOR; to Pullman, Mich., VOR; MEA 2,100.

Section 610.6193 *VOR Federal airway 193* is amended by adding:

From Musky INT, Mich.; to Pullman, Mich., VOR; MEA 2,000.

Section 610.6201 *VOR Federal airway 201* is amended to read in part:

From Carp INT, Calif.; to Kingfish INT, Calif.; northeastbound; MEA 3,000; southwestbound MEA *4,000. *2,000—MOCA.
From Kingfish INT, Calif.; to *Los Angeles, Calif., VOR; MEA **3,000. *6,000—MCA Los Angeles VOR, northeastbound. **2,000—MOCA.

Section 610.6208 *VOR Federal airway 208* is amended to read in part:

From Los Angeles, Calif., VOR; to Bonita INT, Calif.; MEA 3,000.
From Bonita INT, Calif.; to Santa Catalina, Calif., VOR; southbound, MEA 4,000; northbound, MEA 3,000.

Section 610.6210 *VOR Federal airway 210* is amended to read in part:

From Dolphin INT, Calif.; to Los Angeles, Calif., VOR; MEA 3,000. *2,000—MOCA.
From *Los Angeles, Calif., VOR; to Alhambra INT, Calif., northeastbound, MEA 12,000; southwestbound, MEA 4,000. *9,000—MCA Los Angeles VOR, northeastbound.
From Alhambra INT, Calif.; to Hawkins INT, Calif.; northeastbound, MEA 12,500; southwestbound, MEA 9,000.
From Hawkins INT, Calif.; to Barstow INT, Calif.; MEA 12,500.
From *Barstow INT, Calif.; to Daggett, Calif., VOR; MEA 7,000. *8,500—MCA Barstow INT, southwestbound.

Section 610.6213 *VOR Federal airway 213* is amended to read in part:

From Myrtle Beach, S.C., VOR; to *Longwood INT, S.C.; MEA **1,800. *2,500—MRA. **1,200—MOCA.

Section 610.6216 *VOR Federal airway 216* is amended to read in part:

From Franksville INT, Wis.; to *Pike INT, Wis.; MEA **4,000. *4,000—MRA. **2,000—MOCA.

Section 610.6222 *VOR Federal airway 222* is amended by adding:

From Gordonsville, Va., VOR; to Brooke, Va., VOR; MEA *2,000. *1,500—MOCA.
From Brooke, Va., VOR; to Nottingham, Md., VOR; MEA *1,500. *1,200—MOCA.

Section 610.6223 *VOR Federal airway 223* is amended to read:

From Herndon, Va., VOR; to Harrisburg, Pa., VOR; MEA 3,000.

Section 610.6244 *VOR Federal airway 244* is amended to read in part:

From Hanksville, Utah, VOR; to La Sal, Utah, VOR; MEA 12,000. *11,000—MCA Hanksville VOR, westbound.

Section 610.6264 *VOR Federal airway 264* is amended to read in part:

From Los Angeles, Calif., VOR; to La Habra INT, Calif.; MEA 3,000.
From La Habra INT, Calif.; to Ontario, Calif., VOR; MEA 4,000.

Section 610.6265 *VOR Federal airway 265* is amended to delete:

From Linden, Va., VOR; to Herndon, Va., VORTAC; MEA 4,500.
From Herndon, Va., VORTAC; to Westminster, Md., VOR; MEA 1,800.

Section 610.6267 *VOR Federal airway 267* is amended to read in part:

From Blairsville INT, Ga.; to *Nottely INT, N.C.; MEA 7,800. *8,500—MRA.
From Nottely INT, N.C.; to Fontana INT, N.C.; MEA 7,800.
From Clermont INT, Ga., via E alter.; to *Helen INT, Ga., via E alter.; MEA 6,000. *9,000—MCA Helen INT, northwestbound.

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

From Dallas, Tex., VOR; to Tidwell INT, Tex.; MEA *2,100. *1,800—MOCA.

Section 610.6300 *VOR Federal airway 300* is amended by adding:

From Millinocket, Maine, VOR; to U.S.-Canadian Border; MEA 2,100.

Section 610.6300 *VOR Federal airway 300* is amended to read in part:

From U.S.-Canadian Border; to Millinocket, Maine, VOR; MEA 5,700.

Section 610.6415 *Hawaii VOR Federal airway 15* is amended to read in part:

From *Molokai, Hawaii, VOR; to **Kahului, Hawaii, VOR; MEA 7,000. *4,500—MCA Molokai VOR, eastbound; **8,000—MCA Kahului VOR, eastbound.

Section 610.6455 *VOR Federal airway 455* is amended to read in part:

From *Rose Hill INT, Miss., via W alter.; to Meridian, Miss., VOR, via W alter.; MEA **2,000. *3,000—MRA. **1,800—MOCA.

Section 610.6477 *VOR Federal airway 477* is amended to read in part:

From Houston, Tex., VOR, via W alter.; to Fairbanks INT, Tex., via W alter.; MEA 1,800.
From Fairbanks INT Tex., via W alter.; to *Magnolia INT, Tex., via W alter.; MEA 2,000. *3,000—MRA.

Section 610.6489 *VOR Federal airway 489* is amended to read in part:

From Patterson INT, N.J.; to Clermont, N.Y., VOR; MEA 2,700.

Section 610.6507 *VOR Federal airway 507* is added to read:

From Lovelock, Nev., VOR; to Sod House, Nev., VOR; MEA 12,000.
From Sod House, Nev., VOR; to Rome, Oreg., VOR; MEA 10,500.
From Rome, Oreg., VOR; to Reynolds INT, Idaho; MEA 10,000.
From Reynolds INT, Idaho; to Boise, Idaho, VOR; southwestbound, MEA 10,000; northeastbound, MEA 8,000.

Section 610.6530 *VOR Federal airway 530* is added to read:

From Texico, N. Mex., VOR; to Childress, Tex., VOR; MEA *6,000. *5,200—MOCA.

Section 610.6830 *VOR Federal airway 830* is amended to read in part:

From Dallas, Tex., VOR; to Tidwell INT, Tex.; MEA *2,100. *1,800—MOCA.
From Gordonsville, Va., VOR; to Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; MEA *2,000. *1,500—MOCA.
From Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; to *Locust Grove INT, Va.; MEA 1,500. *2,000—MRA.

Section 610.6837 *VOR Federal airway 837* is amended to read in part:

From Gordonsville, Va., VOR; to Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; MEA *2,000. *1,500—MOCA.
From Int. 064 M rad Gordonsville VOR and 258 M rad Brooke VOR; to *Locust Grove INT, Va.; MEA 1,500. *2,000—MRA.

Section 610.6839 *VOR Federal airway 839* is amended to read in part:

From Statesville INT, N.C.; to Pulaski, Va., VOR; MEA *6,000. *5,600—MOCA.

Section 610.6843 *VOR Federal airway 843* is amended to read in part:

From Atlanta, Ga., VOR; to Concord INT, Ga.; MEA *2,500. *2,100—MOCA.

Section 610.1503 *VOR Federal airway 1503* is amended to read in part:

From Jacksonville, Fla., VOR; to Charleston, S.C., VOR; MEA 18,000, MAA 24,000.

Section 610.1505 *VOR Federal airway 1505* is amended to read in part:

From Raleigh-Durham, N.C., VOR; to Richmond, Va., VOR; MEA 14,500, MAA 24,000.

Section 610.1506 *VOR Federal airway 1506* is amended to read in part:

From McCall, Idaho, VOR; to Dubois, Idaho, VOR; MEA 16,000, MAA 24,000.
From Dubois, Idaho, VOR; to Dunoir, Idaho, VOR; MEA 15,000, MAA 24,000.

Section 610.1510 *VOR Federal airway 1510* is amended to read in part:

From Ogden, Utah, VOR; to Ft. Bridger, Wyo., VOR; MEA 14,500, MAA 24,000.
From Ft. Bridger, Wyo., VOR; to Rock Springs, Wyo., VOR; MEA 24,500, MAA 24,000.

Section 610.1512 *VOR Federal airway 1512* is amended to read in part:

From Kremmling, Colo., VOR; to Int. 067 M Kremmling VOR and 278 M rads Denver, VOR; MEA 16,000, MAA 24,000.
From Int .067 M Kremmling VOR and 278 M rads Denver VOR; to *Hotel INT, Colo.; MEA 16,500, MAA 24,000. *16,500—MRA.

Section 610.1528 *VOR Federal airway 1528* is amended to read in part:

From Stockton, Calif., VOR; to Coaldale, Nev., VOR; MEA 15,100, MAA 24,000.

Section 610.1530 *VOR Federal airway 1530* is amended to delete:

From Gordonsville, Va., VOR; to Herndon, Va., VOR; MEA 14,500, MAA 24,000.

Section 610.1531 *VOR Federal airway 1531* is amended by adding:

From Denver, Colo., VOR; to Int. 067 M Kremmling VOR and 278 M rads Denver VOR; MEA 16,000, MAA 24,000.
From Int. 067 M Kremmling VOR and 278 M rads Denver VOR; to Kremmling, Colo., VOR; MEA 16,000, MAA 24,000.

Section 610.1536 *VOR Federal airway 1536* is amended to read in part:

From Corona, N.Mex., VOR; to Texico, N.Mex., VOR; MEA 15,000, MAA 24,000.

Section 610.1627 *VOR Federal airway 1627* is amended by adding:

From Winslow, Ariz., VOR; to Farmington, N.Mex., VOR; MEA 14,500, MAA 24,000.

Section 610.1642 *VOR Federal airway 1642* is amended to read in part:

From Grand Junction, Colo., VOR; to Gunnison, Colo., VOR; MEA 14,500, MAA 24,000.

Section 610.1674 *VOR Federal airway 1674* is amended by adding:

From Albany, N.Y., VOR; to Cambridge, N.Y., VOR; MEA 14,500, MAA 24,000.

Section 610.1679 *VOR Federal airway 1679* is amended by adding:

From Gordonsville, Va., VOR; to Herndon, Va., VOR; MEA 14,500, MAA 24,000.

Section 610.1698 *VOR Federal airway 1698* is amended by adding:

From Binghamton, N.Y., VOR; to Huguenot, N.Y., VOR; MEA 14,500, MAA 24,000.

From Huguenot, N.Y., VOR; to Wilton, Conn., VOR; MEA 14,500, MAA 24,000.

Section 610.1717 *VOR Federal airway 1717* is amended by adding:

From Alamosa, Colo., VOR; to Denver, Colo., VOR; MEA 17,200, MAA 24,000.

Section 610.1727 *VOR Federal airway 1727* is amended by adding:

From Buffalo, N.Y., VOR; to Georgetown, N.Y., VOR; MEA 14,500, MAA 24,000.
From Georgetown, N.Y., VOR; to Albany, N.Y., VOR; MEA 14,500, MAA 24,000.
From Albany, N.Y., VOR; to Boston, Mass., VOR; MEA 14,500, MAA 24,000.

Section 610.1734 *VOR Federal airway 1734* is amended to read:

From Salt Lake City, Utah, VOR; to Ft. Bridger, Wyo., VOR; MEA 14,500, MAA 24,000.

Section 610.1736 *VOR Federal airway 1736* is amended to read:

From Provo, Utah, VOR; to Ft. Bridger, Wyo., VOR; MEA 14,500, MAA 24,000.

Section 610.1744 *VOR Federal airway 1744* is amended by adding:

From Portland, Oreg, VOR; to Newberg, Oreg., VOR; MEA 14,500, MAA 24,000.
From Newberg, Oreg., VOR; to John Day, Oreg., VOR; MEA 14,500, MAA 24,000.
From John Day, Oreg., VOR; to Boise, Idaho, VOR; MEA 14,500, MAA 24,000.
From Cherokee, Wyo., VOR; to Laramie, Wyo., VOR; MEA 15,500, MAA 24,000.
From Laramie, Wyo., VOR; to Denver, Colo., VOR; MEA 14,500, MAA 24,000.

Section 610.1749 *VOR Federal airway 1749* is added to read:

From Cleveland, Ohio, VOR; to U.S.-Canadian Border; MEA 14,500, MAA 24,000.

Section 610.1757 *VOR Federal airway 1757* is added to read:

From Hector, Calif., VOR; to Las Vegas, Nev., VOR; MEA 19,000, MAA 24,000.

Section 610.1758 *VOR Federal airway 1758* is added to read:

From Sante Fe, N. Mex., VOR; to Cimarron, N. Mex., VOR; MEA 15,500, MAA 24,000.
From Cimarron, N. Mex., VOR; to Tobe, Colo., VOR; MEA 14,500, MAA 24,000.

Section 610.1762 *VOR Federal airway 1762* is added to read:

From Eugene, Oreg., VOR; to Newberg, Oreg., VOR; MEA 14,500, MAA 24,000.
From Newberg, Oreg., VOR; to Olympia, Wash., VOR; MEA 14,500, MAA 24,000.
From Olympia, Wash., VOR; to Seattle, Wash., VOR; MEA 14,500, MAA 24,000.

Section 610.1764 *VOR Federal airway 1764* is added to read:

From North Bend, Oreg., VOR; to Newberg, Oreg., VOR; MEA 14,500, MAA 24,000.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a) 1348(c))

These rules shall become effective January 11, 1962.

Issued in Washington, D.C., on December 11, 1961.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 61-11891; Filed, Dec. 15, 1961; 8:45 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

METHYL ESTERS OF HIGHER FATTY ACIDS

Correction

In F.R. Doc. 61-11686, appearing at page 11828 of the issue for Saturday, December 9, 1961, § 121.224(b)(3) should read as set forth below.

(3) Free of chick-edema or other toxic factor.

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 6583]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Quartzite and Clay Used in Production of Refractory Products; Election for Prior Taxable Years

On November 2, 1961, notice of proposed rule making with respect to the regulations under section 2 of the Act of September 26, 1961 (Public Law 87-321, 75 Stat. 683), relating to the election for prior taxable years in the case of quartzite and clay used in the production of refractory products, was published in the FEDERAL REGISTER (26 F.R. 10283). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the regulations as proposed are hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Section 1.9005-1, as set forth in the appendix to the notice of proposed rule making, is changed by revising paragraphs (b) and (c).

PAR. 2. Section 1.9005-3, as set forth in the appendix to the notice of proposed rule making is revised.

PAR. 3. Section 1.9005-4, as set forth in the appendix to the notice of proposed rule making, is changed by revising paragraph (b).

(Subsection (f) of sec. 2 of the Act of September 26, 1961 (Public Law 87-321, 75 Stat. 683))

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: December 13, 1961.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

The regulations set forth below are hereby prescribed under section 2 of the Act of September 26, 1961 (Public Law 87-321, 75 Stat. 683):

Sec.
1.9005 Statutory provisions; section 2 of the Act of September 26, 1961 (Public Law 87-321, 75 Stat. 683).
1.9005-1 Election relating to the determination of gross income from the property for taxable years beginning prior to 1961 in the case of clay and quartzite used in making refractory products.
1.9005-2 Effect of election.
1.9005-3 Statutes of limitation.
1.9005-4 Manner of exercising election.
1.9005-5 Terms; applicability of other laws.

§ 1.9005 Statutory provisions; section 2 of the Act of September 26, 1961 (Public Law 87-321, 75 Stat. 683).

SEC. 2. *Election for quartzite and clay used in the production of refractory products*—(a) *Election for past years.* If an election is made under subsection (c), in the case of quartzite and clay used by the mine owner or operator in the production of refractory products, for the purpose of applying section 613 (c) of the Internal Revenue Code of 1954 (and corresponding provisions of the Internal Revenue Code of 1939) for each of the taxable years with respect to which the election is effective—

(1) The term "ordinary treatment processes" shall include crushing, grinding, and separating the mineral from waste, but shall not include any subsequent process; and

(2) The gross income from mining for each short ton of such quartzite or clay used in the production of all refractory products sold during the taxable year shall be equal to 87½ percent of the lesser of—

(A) The average lowest published or advertised price, or

(B) The average lowest actual selling price, at which, during the taxable year, the mine owner or operator offered to sell, or sold, such quartzite or clay (in the form and condition of such products after the application of only the processes described in paragraph (1) and before transportation from the plant in which such processes were applied). For purposes of this paragraph, exceptional, unusual, or nominal sales or selling prices shall be disregraded. If the mine owner or operator makes no sales of, or makes only exceptional, unusual, or nominal sales of, such quartzite or clay after application of only the processes described in paragraph (1), then in lieu of the price provided for in subparagraph (A) or (B) there shall be used the average lowest recognized selling price for the taxable year for such quartzite or clay in the marketing area of the mine owner or operator published in a trade journal or other industry publication.

(b) *Years to which applicable.* An election made under subsection (c) to have the provisions of this section apply shall be effective on and after January 1, 1951, for all taxable years beginning before January 1, 1961, in respect of which—

(1) The assessment of a deficiency,

(2) The refund or credit of an overpayment, or

(3) The commencement of a suit for recovery of a refund under section 7405 of the Internal Revenue Code of 1954,

is not prevented on the date of the enactment of this Act by the operation of any law or rule of law. Such election shall also be effective on and after January 1, 1951, for any taxable year beginning before January 1, 1961, in respect of which an assessment of a deficiency has been made but not

collected on or before the date of the enactment of this Act.

(c) *Time and manner of election.* An election to have the provisions of this section apply shall be made by the taxpayer on or before the 60th day after the date of publication in the FEDERAL REGISTER of final regulations issued under authority of subsection (f), and shall be made in such form and manner as the Secretary of the Treasury or his delegate shall prescribe by regulations. Such election, if made, may not be revoked.

(d) *Statutes of limitations.* Notwithstanding any other law, the period within which an assessment of a deficiency attributable to the election under subsection (c) may be made with respect to any taxable year for which such election is effective, and the period within which a claim for refund or credit of an overpayment attributable to the election under such subsection may be made with respect to any such taxable year, shall not expire prior to one year after the last day for making an election under subsection (c). An election by a taxpayer under subsection (c) shall be considered as a consent to the application of the provisions of this subsection.

(e) *Terms; applicability of other laws.* Except where otherwise distinctly expressed or manifestly intended, terms used in this section shall have the same meaning as when used in the Internal Revenue Code of 1954 (or corresponding provisions of the Internal Revenue Code of 1939) and all provisions of law shall apply with respect to this section as if this section were a part of such Code (or corresponding provisions of the Internal Revenue Code of 1939).

(f) *Regulations.* The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section.

§ 1.9005–1 Election relating to the determination of gross income from the property for taxable years beginning prior to 1961 in the case of clay and quartzite used in making refractory products.

(a) *In general.* Section 2 of the Act of September 26, 1961 (Public Law 87–321, 75 Stat. 683), provides that certain taxpayers may elect to apply the provisions of such section to all taxable years beginning before January 1, 1961, with respect to which the election is effective. Section 2 of the Act prescribes special rules for the application of section 613(c) of the Internal Revenue Code of 1954 (and corresponding provisions of the Internal Revenue Code of 1939) in the case of quartzite and clay used by the mine owner or operator in the production of refractory products.

(b) *Election.* The election to apply the provisions of section 2 of the Act may be made only in the case of quartzite and clay used in the production of products generally recognized as refractory products by the refractories industry. Examples of such products are clay firebrick, silica brick, and refractory bonding mortars. The election may be made only by a taxpayer who both mined the clay or quartzite and used it in the production of refractory products. The election must be made in accordance with § 1.9005–4 on or before February 14, 1962 and the election shall become irrevocable on that date.

(c) *Years to which the election is applicable.* If the election described in paragraph (b) of this section is made by the taxpayer, the provisions of section 2 of the Act shall be effective on and after January 1, 1951, for all taxable years beginning before January 1, 1961, in respect of which the—

(1) Assessment of a deficiency,

(2) Refund or credit of an overpayment, or

(3) Commencement of a suit for recovery of a refund under section 7405 of the Internal Revenue Code of 1954,

was not prevented on September 26, 1961, by the operation of any law or rule of law. The election is also effective on and after January 1, 1951, for any taxable year beginning before January 1, 1961, in respect of which an assessment of a deficiency has been made but not collected on or before September 26, 1961.

§ 1.9005–2 Effect of election.

(a) *In general.* If a taxpayer makes the election described in paragraph (b) of § 1.9005–1, he shall be deemed to have consented to the application of section 2 of the Act with respect to all the clay and quartzite described in that paragraph for all taxable years for which the election is effective whether or not the taxpayer is litigating the issue for any of such years. Thus, in applying section 613(c) of the Internal Revenue Code of 1954 (and corresponding provisions of the Internal Revenue Code of 1939) to those years—

(1) The term "ordinary treatment processes" shall include crushing, grinding, and separating the mineral from waste, but shall not include any subsequent process; and

(2) The gross income from mining for each short ton of quartzite or clay mined by the taxpayer and used by him in the production of all refractory products sold during the taxable year shall be equal to 87½ percent of the lesser of—

(i) The average lowest published or advertised price, or

(ii) The average lowest actual selling price at which the mine owner or operator offered to sell or sold any such quartzite or clay during the taxable year.

(b) *Rules for applying paragraph (a) of this section.* (1) The price described in paragraph (a)(2) of this section and any price described in this paragraph shall be determined with reference to quartzite or clay in the form and condition of such products after the application of only the processes described in paragraph (a)(1) of this section and before transportation from the plant in which such processes were applied.

(2) If quartzite and clay were mined and used by the taxpayer in the production of refractory products, a separate price shall be used with respect to each mineral.

(3) There shall be used for each mineral the lowest price at which it was sold or offered for sale by the taxpayer during the taxable year. Thus, only one price shall be used with respect to each mineral regardless of variations in type or grade.

(4) For purposes of this paragraph, exceptional, unusual, or nominal sales of quartzite or clay shall be disregarded. Thus, for example, if the taxpayer made an accommodation sale during the taxable year at other than the regular price, such sale is to be disregarded.

(5) If the taxpayer made no sales during the taxable year of quartzite or clay in the form and condition described in subparagraph (1) of this paragraph, or if his sales were exceptional, unusual, or nominal, there shall be used the lowest recognized selling price for the taxpayer's marketing area for quartzite or clay (of the same grade and type as that used by him) which was published for the taxable year in a trade journal or other industry publication.

(6) If subparagraph (5) of this paragraph does not apply for the reason that there is no recognized selling price published in a trade journal or other industry publication for the taxpayer's marketing area, there shall be used the lowest price at which quartzite or clay comparable to that used by the taxpayer was sold or offered for sale during the taxable year in that area by other producers similarly circumstanced as the taxpayer or, if appropriate, the lowest price paid by the taxpayer for purchased quartzite or clay.

(7) If the lowest selling price otherwise applicable under the preceding provisions of this paragraph fluctuated during the taxable year, the two or more lowest selling prices shall be averaged according to the number of days during the taxable year that each such price was in effect.

(c) The provisions of paragraphs (a) and (b) of this section may be illustrated by the following examples:

Example (1)—(i) *Facts.* Taxpayer A, a calendar year taxpayer, mined quartzite and clay and used them in the production of recognized refractory products. During the taxable year, the lowest price for which A sold clay after the application of crushing and grinding was $13.75 per short ton. He also sold some ground clay of a different type at $20.00 per short ton. A sold quartzite after the application of crushing and grinding for various prices, depending upon type, ranging from $14.00 per short ton to $20.00 per short ton. During the taxable year, the prices for the various types of ground clay and quartzite did not change. None of the sales by A of ground clay or quartzite were exceptional, unusual, or nominal.

(ii) *Determination of gross income from mining.* If A makes the election described in paragraph (b) of § 1.9005–1, the gross income from mining per short ton of clay mined by A and used in the production of refractory products sold during the taxable year is $12.03 (87½ percent of $13.75), and the gross income from mining per short ton of quartzite mined by A and used in the production of refractory products sold during the taxable year is $12.25 (87½ percent of $14.00). To determine his gross income from mining, A must compute the sum of—

(*a*) $12.03 multiplied by the number of short tons of clay which were mined by A (whether or not during the taxable year) and which were used by A in the production of refractory products (refractory bonding mortar, fire brick, etc.) sold during the taxable year; plus

(*b*) $12.25 multiplied by the number of short tons of quartzite which were mined by A (whether or not during the taxable year) and which were used by A in the production of refractory products sold during the taxable year.

Example (2). Assume the same facts as in example (1) except that on October 1 of the taxable year A's lowest price for clay after the application of crushing and grinding increased to $14.40 per short ton. In this case, the average lowest price for which A sold ground clay during the taxable year must be determined by taking into account the price adjustment of October 1. Under these circumstances, the average lowest price for the ground clay would be $13.91, that is $\$13.75 \times \frac{273}{365}$ plus $\$14.40 \times \frac{92}{365}$.

(d) *Effect on depletion rates and other items.* The election shall have no effect on the applicable rate of percentage depletion for the taxable years for which the election is effective. In applying the election to the years affected there shall be taken into account the effect that any adjustments resulting from the election shall have on other items affected thereby, such as charitable contributions, foreign tax credit, net operating loss, and the effect that adjustments to any such items shall have on other taxable years. The provisions of section 2 of the Act are applicable with respect to taxable years subject to the Internal Revenue Code of 1939 for purposes of applying sections 450 and 453 of that Code. The election shall have no effect on the determination of the treatment processes which are to be considered as mining or on the determination of gross income from mining for any taxable year beginning after December 31, 1960.

§ 1.9005–3 Statutes of limitation.

Notwithstanding any provision of law to the contrary, the period within which the assessment of any deficiency attributable to the election may be made, or within which the credit or refund of any overpayment attributable to the election may be made, shall not expire sooner than one year after the last day for making the election. Thus, if assessment of a deficiency or credit or refund of an overpayment, whichever is applicable, was not prevented on September 26, 1961, the time for making assessment or credit or refund shall not expire for at least one year after the last day for making the election. Even though assessment of a deficiency was prevented on September 26, 1961, if commencement of a suit for recovery of a refund under section 7405 of the Internal Revenue Code of 1954 may have been made on such date, then any deficiency resulting from the election may be assessed at any time within one year after the last day for making the election. If a taxpayer makes the election, he shall be deemed to have consented to the application of the provisions of section 2 of the Act extending the time for assessing a deficiency attributable to the election. Section 2 of the Act does not shorten the period of limitations otherwise applicable. An agreement may be entered into under section 6501(c)(4) of the Internal Revenue Code of 1954 and corresponding provisions of prior law to extend the period for assessment.

§ 1.9005–4 Manner of exercising election.

(a) *By whom election is to be made.* Generally, the taxpayer whose tax liability is affected by the election shall make the election. In the case of a partnership, or a corporation electing under the provisions of subchapter S, chapter 1 of the Internal Revenue Code of 1954, the election shall be exercised by the partnership or such corporation, as the case may be.

(b) *Time and manner of making election.* The election shall be made on or before February 14, 1962, by filing a statement with the district director with whom the taxpayer's income tax return for the taxable year in which the election is made is required to be filed. The statement shall include the following:

(1) A clear indication that an election is being made under section 2 of the Act, and

(2) The taxable years to which the election applies.

Amended income tax returns reflecting any increase or decrease in tax attributable to the election shall be filed for the taxable years to which the election applies. In the case of partnerships and electing small business corporations under subchapter S, chapter 1 of the Internal Revenue Code of 1954, amended returns shall be filed by the partnership or electing small business corporation, as well as by the partners or shareholders, as the case may be. Any amended return shall be filed with the office of the district director with whom the taxpayer files his income tax return for the taxable year in which the election is made, and, if practicable, on the same date the statement of election is filed, but amended returns shall be filed in no event later than May 31, 1962, unless an extension of time is granted under section 6081 of the Internal Revenue Code of 1954. Whenever the amended returns do not accompany the statement of election, a copy of the statement shall be submitted with the amended returns. The amended returns shall be accompanied by payment of the additional tax (together with interest thereon) resulting from the election.

§ 1.9005–5 Terms; applicability of other laws.

All other terms which are not otherwise specifically defined shall have the same meaning as when used in the Internal Revenue Code of 1954 (or the corresponding provisions of prior law) except where otherwise distinctly expressed or manifestly intended to the contrary. Further, all provisions of law contained in the Code (or the corresponding provisions of prior law) shall apply to the extent that they can apply. Thus, all the provisions of subtitle F of the Code (and the corresponding provisions of prior law) shall apply to the extent they can apply, including the provisions of law relating to assessment, collection, credit or refund, and limitations. For purposes of this section and §§ 1.9005–1 to 1.9005–4, inclusive, the term "Act" means the Act of September 26, 1961 (Public Law 87–321, 75 Stat. 683).

[F.R. Doc. 61–11979; Filed, Dec. 15, 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 2553]

[Colorado 033334]

COLORADO

Withdrawing Lands for Use of the Forest Service as Picnic Grounds, Campgrounds, and Administrative Sites

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:

Subject to valid existing rights, the following described national forest lands in Colorado are hereby withdrawn from prospecting, location, entry and purchase under the mining laws of the United States for use of the Forest Service, Department of Agriculture, as picnic grounds, campgrounds, and administrative sites as indicated:

SIXTH PRINCIPAL MERIDIAN

ARAPAHO NATIONAL FOREST

Stawberry Campground

T. 2 N., R. 75 W.,
Sec. 32, lots 5 and 6 and SW¼SE¼.
Totaling 112.82 acres.

Ruby Campground

T. 7 S., R. 78 W.,
Sec. 25, S½SE¼ (except patented land);
Sec. 36, N½NE¼ (except patented land).
Totaling 75.8 acres.

Horseshoe Campground

T. 2 S., R. 78 W., unsurveyed,

Beginning at corner No. 1, from which the section corner common to sections 13, 14, 23, and 24, T. 2 S., R. 78 W., 6th P.M., Colorado, bears S. 17°30′ E., 11,400 feet.

From corner No. 1, by metes and bounds,
N. 78° W., 400 feet;
N. 25° W., 240 feet;
S. 85° E., 500 feet;
S. 1° W., 251 feet, to the point of beginning.
Containing 2.53 acres.

Trestle Campground

T. 2 S., R. 74 W., unsurveyed,

A tract of land in approximately the SW¼ of section 5; beginning at corner No. 1, from which the southeast corner of sec. 36, T. 1 S., R. 75 W., 6th P.M., Colorado, bears N 55° W., 70 chains.

From corner No. 1, by metes and bounds,
East, 32 chains;
South, 20 chains;
West, 32 chains;
North, 20 chains, the point of beginning.
Containing 64 acres.

GUNNISON NATIONAL FOREST

NEW MEXICO PRINCIPAL MERIDIAN

Pitkin Recreation Area

T. 50 N., R. 4 E.,
Sec. 10 lots 1, 2, 5, and 6;
Secs. 10 and 11, tract 37.
Totaling 196.61 acres.

SIXTH PRINCIPAL MERIDIAN

Cement Creek Administrative Site (Addition)

T. 14 S., R. 85 W.,
Sec. 23, NW¼NW¼SE¼.
Totaling 10 acres.

SIXTH PRINCIPAL MERIDIAN

SAN ISABEL NATIONAL FOREST

Bassam Park Organization Camp

T. 15 S., R. 77 W.,
Sec. 24, NW¼NW¼, W½NE¼NW¼, NW¼SE¼NW¼, and N½SW¼NW¼.
Totaling 90 acres.

NEW MEXICO PRINCIPAL MERIDIAN

SAN JUAN NATIONAL FOREST

Junction Creek Picnic Ground

T. 36 N., R. 10 W.,
Sec. 35, S½NE¼NE¼ and SE¼NE¼.
Totaling 60 acres.

Thompson Park Campground

T. 36 N., R. 12 W.,
Sec. 28, S½SW¼SW¼;
Sec. 29, SE¼SE¼SE¼;
Sec. 32, E½NE¼NE¼;
Sec. 33, NW¼NW¼.
Totaling 90 acres.

East Fork Campground

T. 36 N., R. 1 E.,
Sec. 7, E½ of lot 1 and E½ of lot 2.
Totaling 42.36 acres.

Cimarron Campground

T. 38 N., R. 3 W.,
Sec. 8, E½SW¼ and W½SE¼.
Totaling 160 acres.

First Fork Campground

T. 36 N., R. 4 W.,
Sec. 28, SE¼SW¼ and W½SW¼SE¼;
Sec. 33, N½NE¼NW¼ and NW¼NW¼NE¼.
Totaling 90 acres.

Little Brook Campground

T. 38 N., R. 3 W.,
Sec. 7, SE¼SE¼;
Sec. 8, SW¼SW¼;
Sec. 17, NW¼NW¼;
Sec. 18, NE¼NE¼.
Totaling 160 acres.

The areas total approximately 1,154 acres.

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

DECEMBER 11, 1961.

[F.R. Doc. 61–11920; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2554]

[Montana 032373]

MONTANA

Withdrawing Lands for Use of the Forest Service as a Recreation Area

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:

Subject to valid existing rights, the following described public lands in the Lolo National Forest are hereby withdrawn from prospecting, location, entry and purchase under the mining laws of the United States for use of the Forest Service, Department of Agriculture as a recreation area:

PRINCIPAL MERIDIAN

Quartz Flat Recreation Area

T. 15 N. R. 25 W.,
Sec. 9, that part of the NW¼ lying east of the Northern Pacific Railway Company right-of-way.

Containing approximately 85 acres.

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

DECEMBER 11, 1961.

[F.R. Doc. 61–11921; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2555]

[Nevada 055943]

NEVADA

Withdrawing Lands for Use of Coast and Geodetic Survey

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:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved for use of the Coast and Geodetic Survey in the construction, maintenance and operation of a seismograph station:

MOUNT DIABLO MERIDIAN

T. 19 N., R. 53 E.,
Sec. 26, lot 7 and NE¼SE¼.

Containing 69.75 acres.

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

DECEMBER 11, 1961.

[F.R. Doc. 61–11922; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2556]

[Sacramento 047384]

CALIFORNIA

Withdrawing Lands for Use of the Forest Service as Campgrounds, Administrative Sites and Recreation Areas

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. Subject to valid existing rights, the following described public lands in the Los Padres National Forest are hereby withdrawn from prospecting, location, entry, and purchase under the mining laws of the United States for use of the Forest Service, Department of Agriculture, as campgrounds, administrative sites, and recreation areas:

MOUNT DIABLO MERIDIAN

T. 19 S., R. 1 E.,
Sec. 27, lots 3 to 6, incl.;
Sec. 34, lot 1;
Sec. 35, lots 1 to 5, incl.;
Sec. 36, lot 5.
T. 19 S., R. 2 E.,
Sec. 25, NE¼NE¼SE¼ and SE¼NE¼;
Sec. 26, SE¼SW¼ and W½SE¼;
Sec. 30, lot 3.
T. 20 S., R. 2 E.,
Sec. 1, S½SE¼SE¼;
Sec. 12, N½NE¼NE¼.
T. 19 S., R. 3 E.,
Sec. 4, S½NW¼SE¼ and S½SE¼;
Sec. 9, N½NE¼NE¼;
Sec. 29, SW¼SE¼;
Sec. 30, NE¼SW¼;
Sec. 31, SE¼SE¼;
Sec. 32, SW¼SW¼.
T. 20 S., R. 3 E.,
Sec. 7, NE¼NW¼;
Sec. 11, E½SE¼;
Sec. 14, SE¼NE¼;
Sec. 22, S½NE¼.
T. 19 S., R. 4 E.,
Sec. 6, lots 2, 3, 4, 5, and NE¼SW¼;
Sec. 7, S½SE¼NE¼ and N½NE¼SE¼;
Sec. 36, NE¼NE¼, NW¼SE¼, and S½SE¼.
T. 20 S., R. 4 E.,
Sec. 35, S½SE¼.
T. 21 S., R. 4 E.,
Sec. 2, lots 1 and 2, N½ of lots 7 and 8.
T. 22 S., R. 4 E.,
Sec. 2, SW¼ of lot 1.
T. 21 S., R 5 E.,
Sec. 7, lot 3, SW¼NE¼, NE¼SW¼, E½SE¼SW¼, and W½W½SE¼;
Sec. 17, S½NE¼SW¼;
Sec. 18, N½NW¼NE¼.
T. 24 S., R. 6 E.,
Sec. 15, N½;
Sec. 30, SE¼NE¼SW¼.
T. 29 S., R. 12 E.,
Sec. 7, S½ of Lot 3, N½ of Lot 4.
T. 29 S., R. 15 E.,
Sec. 25, SW¼ of Lot 2 and NW¼;
Sec. 23, NW¼NE¼SE¼ and NE¼NW¼SE¼.
T. 29 S., R. 16 E.,
Sec. 33, Lots 2 and 3.
T. 30 S., R. 16 E.,
Sec. 3, W½ of Lot 5, E½ of Lot 8;
Sec. 26, NW¼NW¼NE¼.
T. 31 S., R. 16 E.,
Sec. 4, S½SW¼;
Sec. 9, NE¼NW¼;
Sec. 30, SW¼SE¼;
Sec. 31, N½NE¼;
Sec. 32, NW¼NW¼.

The areas described total in the aggregate 2,681.63 acres.

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

DECEMBER 11, 1961.

[F.R. Doc. 61–11923; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2557]

[Fairbanks 022930]

ALASKA

Withdrawing Lands for Use of the Public Health Service; Partly Revoking Public Land Order No. 2323 of April 5, 1961

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. Subject to valid existing rights, the following-described public lands 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 under the jurisdiction of the Public Health Service, Department of Health, Education and

Welfare, for expansion of hospital facilities:

BARROW AREA

Beginning at a point identical with Corner No. 6 of Tract B, U.S. Survey Number 2244, the true point of beginning; thence,

S. 13°02′ E., 459.89 feet;
S. 76°58′ W., 272.91 feet;
N. 9°49′ W., 461.01 feet to a point on the south boundary of U.S. Survey 2979;
N. 77°03′ E., 20.00 feet to Corner No. 5 of said survey identical to Corner No. 5 of Tract B, U.S. Survey 2244;
N. 76°58′ E., 227.04 feet to Corner No. 6, of said Tract B and the point of beginning.

Containing 2.75 acres.

2. Public Land Order No. 2323 of April 5, 1961, which withdrew lands under the jurisdiction of the Department of the Army for use of the Alaska National Guard for military purposes, is hereby revoked so far as it affects the lands described in paragraph 1 of this order.

3. The withdrawal made by this order shall be subject to that made by Executive Order No. 3797–A of February 27, 1923, for oil and gas as Naval Petroleum Reserve No. 4, and to the jurisdiction granted to the Department of the Navy over Naval Petroleum Reserves by the act of August 10, 1956 (70A Stat. 457–462; 10 U.S.C. 7421–7438).

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

DECEMBER 11, 1961.

[F.R. Doc. 61–11924; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2558]

[Colorado 048874]

COLORADO

Withdrawing Lands in National Forests for Use of the Forest Service for Administrative Sites and Recreation Areas

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. Subject to valid existing rights, the following-described lands in the Rio Grande and Roosevelt National Forests are hereby withdrawn from prospecting, location, entry and purchase under the mining laws of the United States for use of the Forest Service, Department of Agriculture as administrative sites and recreation areas, as indicated:

NEW MEXICO PRINCIPAL MERIDIAN

RIO GRANDE NATIONAL FOREST

Conejos Falls Campground

T. 35 N., R. 3 E.,
Sec. 16, S½SE¼SW¼, S½SW¼SE¼, SE¼SW¼SW¼;
Sec. 21, N½NW¼NE¼, N½NE¼NW¼, NE¼NW¼NW¼.

North Fork Conejos Campground

T. 35 N., R. 3 E.,
Sec. 9, N½NE¼, N½SW¼NE¼, N½SE¼NE¼, E½NE¼NW¼, NE¼SE¼NW¼;
Sec. 10, W½NW¼NW¼, NW¼SW¼NW¼.

Three Forks Campground

T. 35 N., R. 3 E.,
Sec. 14, S½NW¼NE¼, S½NE¼NW¼, S½NW¼NW¼, N½SW¼NW¼, SE¼NW¼, N½SW¼NE¼.

Middle Forks Meadow Campground

T. 35 N., R. 3 E.,
Sec. 15, S½SE¼SE¼, SE¼SW¼SE¼;
Sec. 22, N½NW¼NW¼, NW¼NE¼NW¼.

Haskell Rincon Campground

T. 36 N., R. 3 E.,
Sec. 27, SW¼SE¼, SW¼SE¼SE¼;
Sec. 34, N½NE¼, N½SW¼NE¼, N½SE¼NE¼;
Sec. 35, NW¼SW¼NW¼.

Adam's Fork Campground

T. 36 N., R. 4 E.,
Sec. 31, lot 1.

Platora Picnic and Campground

T. 36 N., R. 4 E.,
Sec. 14, S½SW¼SW¼;
Sec. 15, S½SE¼SE¼; SE¼SW¼SE¼;
Sec. 22, NE¼NW¼NE¼, N½NE¼NE¼, SE¼NE¼NE¼;
Sec. 23, NW¼NW¼.

Rock Lake Campground

T. 36 N., R. 4 E.,
Sec. 36, SE¼SW¼.

Telluride Mountain Picnic Ground

T. 36 N., R. 4 E.,
Sec. 15, S½SW¼NE¼, NW¼SW¼NE¼, SE¼NW¼, N½NE¼SE¼, N½NW¼SE¼, SW¼NW¼SE¼.

Mix Lake Picnicground

T. 36 N., R. 4 E.,
Sec. 15, S½SW¼SW¼;
Sec. 16, SE¼SE¼SE¼;
Sec. 21, E½NE¼NE¼;
Sec. 22, NW¼NW¼.

Valdez Community Campground

T. 35 N., R. 4½ E.,
Sec. 13, W½NE¼SE¼, NW¼SE¼, E½NE¼SE¼, SE¼SW¼, SW¼SE¼, SE¼SE¼;
Sec. 24, NE¼NE¼NE¼, NW¼NE¼NE¼, SW¼NE¼NE¼, NW¼NE¼, E½NE¼NW¼, SW¼NE¼, W½SE¼NE¼.

Saddle Creek Campground

T. 35 N., R. 4½ E.,
Sec. 11, S½NE¼, N½NW¼SE¼, NW¼NE¼SE¼.

McEntyre Campground

T. 36 N., R. 4½ E.,
Sec. 1, All of lot 6, lot 11, W½ Lot 14, W½ Lot 19, Lot 20, N½SW¼NW¼;
Sec. 2, All of lot 13.

Fisher Gulch Organization Camp

T. 36 N., R. 4½ E.,
Sec. 23, SE¼SE¼SE¼;
Sec. 24, SW¼SW¼SW¼;
Sec. 25, SW¼NW¼NE¼, W½NW¼, S½SW¼NE¼, S½NE¼NW¼, N½NE¼SW¼, SE¼NW¼, N½NW¼SE¼, NW¼SW¼NE¼;
Sec. 26, lot 2, N½ lot 3, E½NE¼, N½NE¼SE¼.

SIXTH PRINCIPAL MERIDIAN

ROOSEVELT NATIONAL FOREST

Caribou Picnic Ground

T. 1 S., R. 73 W.,
Sec. 5, lots 44 and 45.

Kelly-Dahl Campground Extension

T. 1 S., R. 72 W.,
Sec. 30, lots 15 and 16.

Lump Gulch Campground

T. 2 S., R. 72 W.,
Sec. 7, E½SW¼NE¼, SE¼NE¼.

Yankee Doodle Lake Campground

T. 1 S., R. 74 W.,
Sec. 27, W½NE¼NE¼, E½NW¼NE¼.

Todd Gulch Campground

T. 1 N., R. 72 W.,
Sec. 17, SE¼NW¼, N½NE¼SW¼.

Meadow Campground

T. 1 N., R. 72 W.,
Sec. 18, NW¼SE¼.

Boundary Campground

T. 1 N., R. 72 W.,
Sec. 10, SE¼SE¼.

Morrain Lake Ecological Study Area

T. 1 N., R. 72 W.,
Sec. 16, W½NW¼NW¼NE¼, E½NE¼NE¼NW¼.

Gordon Gulch Campground

T. 1 N., R. 72 W.,
Sec. 31, lots 1 and 2, W½E½NW¼.

Ward Picnic Ground

T. 1 N., R. 73 W.,
Sec. 13, S½N½NE¼.

Red Rock Lake Campground Extension

T. 1 N., R. 73 W.,
Sec. 2, lot 4;
Sec. 3, lots 1 and 6.

Glacier View Picnic Ground

T. 2 N., R. 72 W.,
Sec. 4, SE¼NW¼, NW¼SE¼.

Red Deer Lake Picnic Ground

T. 2 N., R. 73 W.,
Sec. 18, W½NW¼NE¼, NE¼NW¼.

Park Creek Recreation Area

T. 2 N., R. 73 W.,
Sec. 13, SW¼NE¼.

Manhattan Recreation Area

T. 9 N., R. 73 W.,
Sec. 17, S½N½SE¼SW¼, S½SE¼SW¼;
Sec. 20, NW¼NE¼, N½SW¼NE¼, NE¼NW¼, N½SE¼NW¼.

Dowdy Lake Recreation Area Extension

T. 10 N., R. 73 W.,
Sec. 27, SE¼NE¼.

West Lake Campground Extension

T. 10 N., R. 73 W.,
Sec. 33, SE¼NE¼, that part described as follows:

Beginning at corner No. 1, which is the northeast corner of the above subdivision; From corner No. 1,

N. 89°17′ W., 179.4 feet;
S. 5°16′ W., 119.1 feet;
S. 46°53′ E., 257.6 feet;
N. 0°28′ E., 292.5 feet; to the point of beginning.

Sec. 34, SW¼NW¼, that part described as follows:

Beginning at corner No. 1 which is the northwest corner of the above subdivision; From corner No. 1,

S. 0°28′ W., 292.5 feet;
S. 48°27′ E., 436.3 feet;
S. 59°49′ E., 357.8 feet;
S. 79°04′ E., 159.9 feet;
N. 82°08′ E., 534.7 feet;
N. 0°28′ E., 708.7 feet;
N. 89°30′ W., 1,325.3 feet; to the point of beginning.

Sheep Creek Fish Habitat Study Area

T. 11 N., R. 74 W.,
Sec. 2, lot 17 and S½ lot 18.

Long Draw Campground

T. 6 N., R. 75 W.,
Sec. 1, W½SW¼NW¼, W½W½SW¼;
Sec. 2, SE¼NE¼, E½E½SE¼.

Chambers Lake Campground Extension

T. 7 N., R. 75 W.,
Sec. 7, NE¼NW¼NE¼, S½NW¼NE¼, SW¼NE¼, S½NE¼NW¼.

Grace Creek Campground

T. 11 N., R. 77 W.,
Sec. 21, S½N½NW¼, N½S½NW¼.

The areas described aggregate 3,583.53 acres.

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

DECEMBER 11, 1961.

[F.R. Doc. 61-11925; Filed, Dec. 15, 1961; 8:45 a.m.]

[Public Land Order 2559]

ARIZONA

Withdrawing Lands for Use of the Forest Service for Experimental Purposes; Partly Revoking Public Land Order No. 1058 of January 19, 1955

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. Subject to valid existing rights, the following described lands in the Coronado National Forest are hereby withdrawn from prospecting, location, entry and purchase under the United States mining laws and reserved for use of the Forest Service, Department of Agriculture, for experimental purposes:

(Arizona 030575)

GILA AND SALT RIVER MERIDIAN

MOUNT GRAHAM EXPERIMENTAL FOREST

T. 8 S., R. 24 E.,
Sec. 35, W½SE¼.

Containing 80 acres.

2. Public Land Order No. 1058 of January 19, 1955, which withdrew lands for use of the Forest Service, Department of Agriculture, for experimental purposes, is hereby revoked so far as it affects the following described lands:

[Arizona 06225]

GILA AND SALT RIVER MERIDIAN

MOUNT GRAHAM EXPERIMENTAL FOREST

T. 8 S., R. 24 E.,
Sec. 35, E½SE¼.

Containing 80 acres.

3. The lands released from withdrawal by paragraph 2, hereof, are national forest lands in the Coronado National Forest. At 10:00 a.m., on January 16, 1962, they shall be open to such forms of disposition as may by law be made of national forest lands.

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

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

DECEMBER 11, 1961.

[F.R. Doc. 61-11926; Filed, Dec. 15, 1961; 8:45 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 61-57]

SUBCHAPTER N—EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

SUBCHAPTER P—MANNING OF VESSELS

PART 157—MANNING REQUIREMENTS

Construction of Magazines, Manning of Inspected Vessels, and Able Seamen

The amendment to 46 CFR 146.09-2(c) regarding construction of magazines is to reinstate the requirements which were inadvertently canceled when the regulation was amended by Coast Guard document CGFR 61-11, Federal Register document 61-4077, which was published in the FEDERAL REGISTER of May 5, 1961 (26 F.R. 3924, 1st column). The intent of the amendment published in the FEDERAL REGISTER of May 5, 1961, was to amend the first sentence and to insert a new second sentence and to retain the balance of the text of the paragraph. The text of 46 CFR 146.09-2 as corrected is set forth in this document.

The purpose of the amendments to 46 CFR 157.01-10(b)(1) and 157.20-15(a)(1), is to include references to the exceptions set forth in the act of June 16, 1938 (46 U.S.C. 672b), which modified certain provisions with respect to unrigged vessels and able seamen on tugs and towboats operating on bays and sounds connected directly with the seas.

Because the amendments in this document are corrections to regulations and editorial in nature, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof) is impracticable and unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), and CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following correction and amendments are prescribed:

Subpart—Cargo Handling and Stowage Devices, U.S. Coast Guard Container Specifications

The instruction designated "9" in the Federal Register document CGFR 61-11 and Federal Register document 61-4077, published in the FEDERAL REGISTER of May 5, 1961 (26 F.R. 3924, 1st column), is corrected by stating that paragraph (c) is amended by changing the first sentence and by inserting a new second sentence. As corrected, § 146.09-2(c) reads as follows:

§ 146.09-2 Magazines, construction of.

* * * * *

(c) Magazine constructed of wood shall have the bulkheads forming the sides and ends constructed of commercial 1-inch lumber, of ¾-inch tongue and groove sheathing, or of ¾-inch plywood, secured to uprights of at least a 3- by 4-inch size, spaced not more than 18 inches apart and secured at top, bottom and center with horizontal bracing. When ¾-inch plywood is used, the uprights may be spaced on 24-inch centers. Uprights shall not be stepped directly onto a metal deck. A 2- by 4-inch bearer to carry the uprights shall be laid upon the metal deck. A 2- by 4-inch header shall be fitted against the underside of an overhead deck to receive the top of uprights. Top of uprights fitted against channel beams may be wedged directly to the beam with 2- by 4-inch spacers fitted between. Care shall be taken in securing upright framing that no nails penetrate to the interior of the magazine. When a magazine is constructed as a permanent compartment in the vessel, increased size and finish of lumber and other methods of fastening may be used provided such fastenings are recessed below the surface of the boarding to avoid projections within the interior of the magazine. All boardings shall be fitted and finished so as to form a smooth surface within the interior of the magazine. Construction shall be such as to separate all containers of explosives from contact with metal surfaces of the structure of the vessel. When a metal stanchion, post or other obstruction is located within the interior area of the magazine, such obstruction must be completely covered with wood of a thickness of at least ¾-inch secured in place with nails or screws. All screws or nails used in the magazine for fastening shall be countersunk below the surface of the wood. Flooring of magazine shall be of not less than 1¼-inch commercial lumber, constructed on bearers. Such floor may be portable but tight to prevent movement. The door of the magazine shall be of substantial construction, fitted reasonably tight in its jamb and provided with a locking means of a tamper-proof type. The door shall be so located as to be easily accessible.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

Subpart 157.01—Authority and Purpose

Section 157.01–10(b)(1) is amended to read as follows:

§ 157.01–10 **Authority for regulations.**

* * * * *

(b) *Manning of inspected vessels.* (1) The requirements regarding the manning of inspected vessels are set forth in various statutes with many qualifications as to their applications. The regulations interpret or apply, subject to various limitations contained in the laws, R.S. 4400, as amended, 4401, as amended, 4417a, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4453, as amended, 4463, as amended, 4477, as amended, 4488, as amended, 4551(j), as amended, sec. 2, 38 Stat. 1164, as amended, sec. 13, 38 Stat. 1169, as amended, sec. 1, 52 Stat. 753, as amended, sec. 2, 40 Stat. 549, as amended, 41 Stat. 305, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 7, 53 Stat. 1147, as amended, secs. 7 and 17, 54 Stat. 165, 166, as amended, sec. 3, 54 Stat. 347, as amended, secs. 1 to 8, 62 Stat. 232–234, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675 (46 U.S.C. 362, 364, 391a, 399, 404, 405, 224, 224a, 435, 222, 470 481, 643(j), 673 672, 672b, 223, 363, 367, 689, 247, 526f, 526p, 1333, 229a–229h, 390b, and 50 U.S.C. 198).

Subpart 157.20—Computations

Section 157.20–15(a)(1) is amended to read as follows:

§ 157.20–15 **Able seamen.**

(a) *What vessels affected.* (1) The provisions of section 13 of the Seamen's Act of 1915, as amended (46 U.S.C. 672), relating to able seamen apply to all merchant vessels of the United States of 100 gross tons and upward except:

(i) Those vessels navigating rivers exclusively and the smaller inland lakes;

(ii) As provided in R.S. 4516, as amended (46 U.S.C. 569), such vessels may ship seamen to replace those lost by desertion or casualty without incurring the prescribed penalty;

(iii) Unrigged vessels (other than seagoing barges) (46 U.S.C. 672b);

(iv) Sail vessels of less than 500 net tons (46 U.S.C. 672–1), while not carrying passengers for hire and while not operating outside the line dividing inland waters from the high seas, established in accordance with section 2 of the Act of February 19, 1895, as amended (33 U.S.C. 151); and,

(v) Tugs and towboats on the bays and sounds connected directly with the seas (46 U.S.C. 672b).

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 2, 38 Stat. 1164, as amended, sec. 13, 38 Stat. 1169, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 1, 52 Stat. 753, as amended, 55 Stat. 579; 46 U.S.C. 673, 672, 689, 672b, 672–1)

Dated: December 12, 1961.

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

[F.R. Doc. 61–11933; Filed, Dec. 15, 1961; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES

Classes of Standard Broadcast Channels and Stations

The Commission having under consideration the desirability of making certain editorial changes in § 3.21(c) of its rules and regulations; and

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

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), (5)(d)(1), and 303(r) of the Communications Act of 1934, as amended, and Section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 12th day of December 1961, that, effective December 26, 1961, § 3.21(c) is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: December 13, 1961.

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

1. Section 3.21(c) is amended to read as follows:

§ 3.21 **Classes of standard broadcast channels and stations.**

* * * * *

(c) *Local channel.* A local channel is one on which several stations operate with powers no greater than provided in this paragraph. The primary service area of a station operating on any such channel may be limited to a given field intensity contour as a consequence of interference. Such stations operate with power no greater than 250 watts nighttime, and power daytime no greater than 1 kilowatt (or no greater than 250 watts if the station is located 100 kilometers (62 miles) or closer to the Mexican border, or in the area of the state of Florida south of 28 degrees north latitude and between 80 and 82 degrees west longitude).

(1) *Class IV station.* A Class IV station is a station operating on a local channel and designed to render service primarily to a city or town and the suburban and rural areas contiguous thereto. The power of a station of this class shall not be less than 0.1 kilowatt, and not more than 0.25 kilowatt nighttime and 1 kilowatt daytime, and its service area is subject to interference in accordance with § 3.182.

NOTE 1: Under NARBA, the power ceiling for Class IV stations is 250 watts daytime as well as nighttime. The US-Mexican Agreement permits such stations to operate with up to 1 kilowatt power daytime if they are located further than 100 kilometers (62 miles) from the Mexican border. Pursuant to the US-Mexican Agreement and informal coordination with the other NARBA signatories, the Commission will consider applications for Class IV stations on local channels with daytime powers more than 250 watts, up to 1 kilowatt, if such station is to be located outside of the areas specified in paragraph (c) of this section, and if no objectionable interference would be caused (under the standards set forth in the pertinent international agreement) to a duly notified station in Mexico, Haiti, or any foreign country signatory to NARBA.

NOTE 2: All authorizations of new or changed Class I–B, Class II–B, Class II–D, Class III or Class IV facilities after October 30, 1961, are subject to whatever interference may be received from, or whatever overlap of 2.0 mv/m and 25 mv/m groundwave contours or overlap of 25 mv/m groundwave contours may be involved with, previously or subsequently authorized Class II–A facilities.

[F.R. Doc. 61–11957; Filed, Dec. 15, 1961; 8:48 a.m.]

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

PART 14—PUBLIC FIXED STATIONS AND STATIONS OF THE MARITIME SERVICES IN ALASKA

Miscellaneous Amendments

The Commission having under consideration the desirability of making certain editorial changes in Parts 7, 8, and 14 of its rules and regulations; and

It appearing, that the amendments adopted herein are editorial in nature, and, therefore, compliance with the public notice and rule making procedures prescribed by section 4 (a) and (b) of the Administrative Procedure Act is unnecessary, and for the same reason, compliance with section 4(c) of the Administrative Procedure Act is not required; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's

Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 11th day of December 1961, that effective December 21, 1961, Parts 7, 8, and 14 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: December 13, 1961.

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

A. Part 7 is amended as follows:

1. The note following § 7.21(a) is amended to read as follows:

§ 7.21 Authorization required for construction and operation of station.

(a) * * *

NOTE: The Commission has exempted certain low power radio devices from its general licensing requirements; the extent of this exemption and related matters are set forth in Part 15, "Incidental and Restricted Radiation Devices", of this chapter. Licensing procedures and exemptions applicable to radio apparatus used for medical purposes, industrial heating, and other miscellaneous purposes not involving radiocommunication are set forth in Part 18, "Industrial, Scientific, and Medical Equipment", of this chapter.

2. The note following § 7.115 is amended to read as follows:

§ 7.115 Retention and availability of radio station logs.

* * * * *

NOTE: See Part 42 of this chapter concerning preservation of records of common carriers.

B. Part 8 is amended as follows:

1. The note following § 8.21 is amended to read as follows:

§ 8.21 Authorization required for operation of a radio station.

* * * * *

NOTE: The Commission has exempted certain low power radio devices from its general licensing requirements; the extent of this exemption and related matters are set forth in Part 15, "Incidental and Restricted Radiation Devices", of this chapter. Licensing procedures and exemptions applicable to radio apparatus used for medical purposes, industrial heating, and other miscellaneous purposes not involving radiocommunication are set forth in Part 18, "Industrial, Scientific, and Medical Equipment", of this chapter.

2. Section 8.41(c)(2)(ii) is amended to read as follows:

§ 8.41 Application for special temporary station authorization.

* * * * *

(c) * * *

(2) * * *

(ii) Address of agent, if application is made by an agent, in cases under § 1.503 of this chapter;

3. The note following § 8.115(a)(3) is amended to read as follows:

§ 8.115 Retention of radio station logs.

(a) * * *

NOTE: See Part 42 of this chapter concerning preservation of records of common carriers.

§ 8.321 [Amendment]

4. Section 8.321 is amended by deleting paragraph (c) in its entirety.

5. Section 8.330(a) is amended by changing the undesignated text following subparagraph (1)(v) to be the introductory text of subparagraph (2), as follows:

§ 8.330 Station records.

(a) * * *

(2) In addition, the log shall be maintained as follows:

§ 8.351 [Amendment]

6. The note following § 8.351(d)(9) is deleted in its entirety.

C. Part 14 is amended as follows:

1. The note following § 14.21(a) is amended to read as follows:

§ 14.21 Authorization required for operation of a radio station.

(a) * * *

NOTE: The Commission has exempted certain low power radio devices from its general licensing requirements; the extent of this exemption and related matters are set forth in Part 15, "Incidental and Restricted Radiation Devices", of this chapter. Licensing procedures and exemptions applicable to radio apparatus used for medical purposes, industrial heating, and other miscellaneous purposes not involving radiocommunication are set forth in Part 18, "Industrial, Scientific, and Medical Equipment", of this chapter.

[F.R. Doc. 61-11958; Filed, Dec. 15, 1961; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Notice of Hearing on Proposed Regulations

Proposed regulations under sections 1311 through 1314, 1341, and 1347 of the Code, relating to mitigation of effect of limitations; computation of tax where taxpayer restores substantial amount held under claim of right; and claims against the U.S. involving acquisition of property, were published in the FEDERAL REGISTER for October 28, 1961.

A public hearing on the provisions of these proposed regulations will be held on Thursday, January 11, 1962, at 10:00 a.m., e.s.t., in Room 3313, Internal Revenue Building, Twelfth and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by January 8, 1962.

[SEAL] MAURICE LEWIS,
Director, Technical Planning Division, Internal Revenue Service.

[F.R. Doc. 61-11930; Filed, Dec. 15, 1961; 8:46 a.m.]

[26 CFR Part 48]

MANUFACTURERS EXCISE TAX ON MOTOR VEHICLES AND PARTS OR ACCESSORIES THEREFOR

Notice of Hearing on Proposed Regulations

Proposed regulations under sections 4061, 4062, and 4063 of the Code, relating to excise taxes on motor vehicles and parts or accessories therefor, were published in the FEDERAL REGISTER for November 10, 1961.

A public hearing on the provisions of these proposed regulations will be held on Thursday, January 18, 1962, at 10:00 a.m., e.s.t., in Room 3313, Internal Revenue Building, Twelfth and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by January 15, 1962.

[SEAL] MAURICE LEWIS,
Director, Technical Planning Division, Internal Revenue Service.

[F.R. Doc. 61-11931; Filed, Dec. 15, 1961; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 411]

[Reg. Docket No. 967]

DELEGATION OPTION PROCEDURES FOR SUPPLEMENTAL TYPE CERTIFICATION

Notice of Proposed Rule Making

In the notice of proposed rule making on this subject published in the FEDERAL REGISTER on November 17, 1961 (26 F.R. 10776), it was stated that consideration would be given to all relevant comments received on or before December 19, 1961.

The Aerospace Industries Association has requested an extension of the deadline for comments. An extension to February 1, 1962, is being granted.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that the time within which comments will be received is extended to February 1, 1962. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All comments submitted will be available in the Docket Section for examination by interested persons when the prescribed date for return of comments has expired.

(Secs. 313(a), 314, 603, 604, 607, Federal Aviation Act of 1958; 72 Stat. 752, 754, 776, 778, 779; 49 U.S.C. 1354(a), 1355, 1423, 1424, 1427)

Issued in Washington, D.C., on December 12, 1961.

GEORGE C. PRILL,
Director, Flight Standards Service.

[F.R. Doc. 61-11918; Filed, Dec. 15, 1961; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13340 (RM-249; 282); FCC 61-1445]

TELEVISION BROADCAST SERVICES

Memorandum Opinion and Order re Reconsideration

In the matter of interim policy on VHF television channel assignments and amendment of Part 3 of the rules concerning television engineering standards, Docket No. 13340; and in the matter of amendment of § 3.606 *Table of Assignments,* Television Broadcast Stations (Worcester, Massachusetts) (Orlando, Florida), RM-249; RM-282.

1. Reconsideration of the Commission's Report and Order[1] of August 3, 1961, has been requested by several parties in connection with our decision therein to limit to 10 specified markets the consideration of a short spaced, additional VHF channel assignment. Those now seeking reconsideration would, generally, add other cities to the list contained in the Report and Order. Columbia, South Carolina; Akron, Ohio; Portland, Maine; Milwaukee, Wisconsin; Toledo, Ohio; Saginaw-Flint-Bay City, Michigan; New Orleans, Louisiana; and Jackson, Mississippi are advanced as cities to which we should consider assigning an additional VHF channel at less than standard spacing. The Commission also has before it the petition of the Association of Maximum Service Telecasters, Inc. (AMST) requesting that the decision be set aside to the extent that any new VHF assignments are contemplated at short spacing, as well as the petition of Camellia Broadcasting Co., Inc., permittee of KLFY-TV, Channel 10, Lafayette, Louisiana, requesting that no consideration be given to the assignment of Channel 11 to Baton Rouge, Louisiana, at less than the required 60-mile adjacent channel spacing. The Commission also deems it appropriate to consider at this time the requests to institute rule making to add a short spaced assignment to Worcester, Massachusetts and to add Channel 11 for non-commercial educational use at short spacing to Orlando, Florida.

2. We shall deal first with the contentions of AMST, which in essence repeat prior arguments that maintenance of the spacing requirements is necessary to protect existing service to the public and that even a limited number of substandard assignments is not in the public interest.

3. Our decision to go forward, while basic allocations revisions are under way, with a limited program of short spaced VHF assignments flows from the delicate balancing of conflicting circumstances. On one hand, unusual measures are indicated to provide in top markets sufficient competitive outlets for the requirements of a nationwide television structure, without opening the way to unwarranted derogation of the VHF service. At the same time, the number of markets must be so narrowed as to avoid substantial impediment to our commitment to the development of the UHF band. It now appears that the present television system will support at least three nationwide network services. With an urgent necessity for stimulating the full range of entertainment, information, and instruction which the existing networks can offer, only some 65 of the top television markets in the

[1] FCC 61-994 published Aug. 11, 1961, 26 F.R. 7288 (Sup. to Report and Order, FCC 61-1189, published Oct. 13, 1961, 26 F.R. 9681).

United States have available three or more competitive, local outlets. In some of these we are faced with the inescapable circumstance that in the present state of the art the operating commercial UHF stations cannot compete with VHF stations on anything like an equal basis.

4. Additionally, the artificial restraint on effective network competition brought about by a scarcity of VHF channels in large markets has an impact beyond the particular cities involved. In a commercial medium dependent upon advertiser support, the availability of adequate facilities in large markets benefits the entire public by encouraging a greater choice of program fare for all stations, not only from networks but from other program suppliers as well. Typically, network television advertisers insist upon the clearance of their programs in the major markets. Once they are able to justify their costs by acceptance of their programs in the large markets, smaller markets are then ordered to supplement the large core of viewers in the major markets. Similarly, independent producers and distributors of program fare are often unable to offer their product at competitive prices to smaller markets until they have been able to recover a major part of their costs through sales in substantial markets.

5. Maintenance of minimum spacing requirements to assure the efficient use of limited VHF channels and to provide wide area television service—at least pending development of UHF broadcasting—is generally necessary to the effectuation of a general allocation plan. Except in limited and unusual circumstances, the Commission has firmly adhered to its spacing rules. Our decision in this proceeding should not be considered a general departure from the spacing requirements or an indication that we will look favorably on other proposals which suggest assignments at less than the minimum separations provided for in the rules. It represents a less than ideal but necessary course of action to remedy, in this interim period, what we consider to be serious shortcomings in the television allocations structure. We have therefore limited our proposal to specific major communities where it is possible to add a meaningful VHF operation without causing undue interference, where the operation of two VHF stations effectively precludes the establishment of UHF service but leaves large numbers of people inadequately served, and where the addition of new VHF stations will not have a palpably adverse impact upon existing UHF operations in other communities.

6. The foregoing discussion—and the Report and Order under consideration—affirm that while we are prepared to make substandard assignments to the named cities, a strict limitation upon the number of such assignments must be maintained. Otherwise the danger of a mass proliferation of short spaced assignments would threaten—without concomitant benefit—the wide range of existing service and severely hamper our long range program to improve television service by increased use of the UHF band. Without derogating from the merit of bringing additional VHF service to other suggested cities—some of which have substantial populations—the Commission is convinced that the solution to the present shortage of spectrum space in these areas must depend upon utilization of the UHF band.

7. Accordingly, the requests to add less than standard spaced VHF assignments to Milwaukee, Wisconsin (which already is served by three commercial VHF stations), Columbia, South Carolina[2] (which has only one VHF station and which, additionally, we are now considering for deintermixture to all UHF assignments in Docket No. 14245), Akron, Ohio (which does not have two local VHF stations and which presents the separate problem of "overshadowed" markets), Portland, Maine (which receives three competitive services from WCSH–TV and WGAN–TV in Portland and from WMTW in Poland Springs, Maine), Worcester, Massachusetts (which does not have two local VHF stations in operation) and Orlando, Florida (which is here being considered because of its reliance upon a short-spaced assignment, but which, like the request of Pennsylvania State University disposed of in our Report and Order released August 3, 1961 in this proceeding, does not, in suggesting special treatment for a particular local need, develop the nationwide urgency which Docket 13340 was interimly designed to relieve) must be denied for not fulfilling our interim allocation objectives, which are to provide a stronger basis for effective nationwide television competition by introducing new assignments to a limited number of major markets with two VHF stations in operation.

8. Nor are we able at this time to grant the requests to add Jackson, Mississippi, Toledo, Ohio, or Flint-Saginaw-Bay City, Michigan, to the named cities, even though the requested assignments would appear to satisfy some of the criteria for qualification.

9. In the case of Jackson, Mississippi, John M. McLendon has urged that the city cannot be distinguished from Baton Rouge, Louisiana. Both have two VHF assignments and the 1960 population of Jackson was 143,960 against a slightly higher count of 150,130 for Baton Rouge. Using the 1960 Standard Metropolitan Statistical Area data of the Census, it is clear that the Baton Rouge area is considerably larger than Jackson. This Official U.S. Government source attributes a population of 230,058 to the Baton Rouge metropolitan area and only 187,045 to Jackson. Irrespective of the method used to rank a market, however, it is apparent that in our determination to limit strictly the number of cities for substandard assignments, a line must be drawn at some point beyond which no further "squeeze-ins" will be permitted. In determining which cities to earmark for new VHF assignments it was necessary to judge at what point we had provided for a sufficient number of new outlets to satisfy, for the interim, some of the requirements of an effective nationwide competitive system without opening the door to a flood of substandard proposals. Although Jackson is a substantial market and the difference between it and Baton Rouge is only one of degree, we are convinced that no short spaced assignment should be authorized in this market.

10. The case for Toledo, Ohio, fails by reason of the unavailability at this time of Channel 5 which the petitioner would have us assign there. A third VHF assignment could be made to the city upon the deletion of Channel 12 from Erie, Pennsylvania, by shifting Channel 12 to Cleveland and Channel 5 from Cleveland to Toledo. The license of Station WEWS on Channel 5 at Cleveland would also have to be modified. Because the proposal is necessarily dependent upon the deintermixture of Erie, we take no action at this time looking toward the reassignment of Channels 5 and 12. The removal of Channel 12 from Erie is the subject of rule making in Docket 14242, and if it should be determined to deintermix Erie, the Commission will then consider the possible reassignment of Channel 12.

11. The request of Lake Huron Broadcasting Company to assign Channel 11 to Flint-Bay City-Saginaw must also be denied. Lake Huron has suggested the use of Channel 11 north of Bay City 40.4 miles from the transmitter of WJRT, Channel 12, in Flint, in order to provide a third VHF service to the market. The prior deletion of Channel 11 from Alpena, Michigan, would be required and the assignment of Channel 13 to Alpena is suggested as a replacement for Channel 11. The Commission cannot agree, however, that the use of Channel 11 would provide a third competitive service to the Flint-Bay City-Saginaw area, because of the adjacency to Channel 12 in Flint.

12. The request of Lake Huron is premised upon the assumption that the Flint-Saginaw-Bay City area considered as a combined market is 40th in rank. With 2 operating VHF stations, WNEM-TV and WJRT, they argue that the market qualifies for consideration under the criteria of the Report and Order. The assignment of Channel 11 as proposed would not provide a third VHF service to this area. The Sixth Report and Order concluded that adjacent channel interference becomes objectionable at the point where the undesired signal exceeds the desired signal, i.e., there would be no disruptive interference if the desired and undesired signals were of equal strength. TASO findings indicated that the undesired signal could be somewhat stronger than the desired signal without causing objectionable interference, although there was no general agreement as to how much stronger the undesired signal could be. In any case, even with the —10 db ratio between desired and undesired signal and reduced aural power suggested by the petitioner the adjacent channel signal cannot provide interference-free service to the entire area. At best, an adjacent channel drop-in provides an additional service over an ill-defined area between it and the existing station and a substitute service in the area surrounding the new station. In

[2] No helpful purpose would be served by granting the petitioner's request for oral argument.

the situation under consideration a new station on Channel 11 north of Bay City would provide an additional service over a limited area around Saginaw and a substitute for the present WJRT service to Bay City and the surrounding area. Since the use of Channel 11 from the proposed site would not serve Flint, the objective of this proceeding, to provide a third service to the market area, could not be achieved and the request of Lake Huron is therefore denied.

13. Camellia Broadcasting Co. in its petition for reconsideration has raised the point that Channel 11 may be located at Baton Rouge, Louisiana, and still meet the standard 60-mile adjacent channel separation to Station KLFY in Lafayette, Louisiana, while providing a third service to Baton Rouge. In the rule making in Docket No. 14233 where the assignment of Channel 11 to Baton Rouge is being specifically considered, we noted the possibility of a short spacing to KLFY, depending upon the site selected for Channel 11. Though the possibility of slight departure from minimum separation requirements is not fatal to the proposed assignment, there is considerable merit to Camellia's contention that standard spacings should be met wherever possible. The question of the assignment of Channel 11 to Baton Rouge is now the subject of rule making in Docket 14233, however, and that is the proper proceeding for discussion of whether, and upon what conditions, the assignment of an additional VHF channel should be made to Baton Rouge. Camellia may, therefore, pursue in that proceeding the question of where a Channel 11 station serving Baton Rouge should be located.

14. New Orleans Television Corporation, which operates Station WVUE, Channel 13 in New Orleans under special temporary authorization, has requested the addition of New Orleans to the list of named cities to permit a less than standard spaced use of already assigned Channel 12 in New Orleans. A construction permit for Channel 12 has been granted after hearing to Coastal Television Company which plans to assign the permit to New Orleans Television Corporation, Coastal's corporate counterpart. The temporary operation on Channel 13, must cease upon the commencement of regular service on Channel 13 from Biloxi, Mississippi or the start of operations on Channel 12 in New Orleans. The instant request to permit the short spaced use of Channel 12 is based on the purported inability of the channel to provide a third competitive service to the city of New Orleans at standard spacings. The two existing commercial stations broadcast from the same general area some 7 miles southeast of the city center. Channel 12 at standard spacings would be required to locate some 35 miles south of the center of the city. FAA air space clearance for an antenna 1320 feet above average terrain was obtained on October 6, 1961 for the Chanel 12 site meeting the spacing rules.

15. As we indicated in the Report and Order this proceeding has been directed toward the assignment of a third VHF channel at short spacing to those major markets where a standard spaced assignment cannot be made. Although Channel 12 is assigned to New Orleans, it is persuasively argued that this factor presents no substantial reason why New Orleans should be treated differently than the other named cities since the station is not yet built. Rather New Orleans Television Corp. contends that the objectives of this proceeding to provide three competitive services for the major markets cannot be achieved unless the short spaced use of Channel 12 is permitted. The 1960 population of New Orleans was 627,525—nearly 300,000 people more than Birmingham, the largest city listed in the Report and Order for a short spaced assignment—and is generally ranked about the 28th largest market.

16. Since the deintermixture of New Orleans in 1957 the location of the Channel 12 station has been the subject of considerable controversy before the Commission. Until the present time a determination of where the station should be built had to take account of our adherence to the spacing rules, the hazard to air navigation of a high antenna structure at the standard spaced sites, and the practical difficulty involved in adequately and competitively serving a major center of population from a distance of 35 miles. Channel 12 may now be utilized at the required 190 miles separation to co-channel Station WJTV, Jackson, Mississippi, and, under our rules, provide a signal of required strength to the city of New Orleans. Nevertheless, the Commission is of the opinion that considering the size of the market, the objective of this proceeding to strengthen nationwide competitive television, and the less than optimum benefits to be derived from the use of Channel 12, 35 miles from the city, there is sufficient warrant to consider use of the channel at short spacing with equivalent protection provided to WJTV. We therefore add New Orleans to the list of cities contained in the Report and Order for which a short spaced VHF channel—in this instance Channel 12—will be considered. Since the channel is already assigned, no further rule making is required. But the Commission will entertain an application to modify the outstanding construction permit for Channel 12 and interested parties may respond to the application.

17. AMST has raised one additional technical matter with respect to directional transmitting antennas. In the Report and Order the Commission did not specify the exact means which would be required to prove the performance of directional transmitting antennas used to protect existing stations. We anticipated that some of the proposed antennas would produce a predictable pattern that would require no proof and that with the more complex arrays a proof would be required only when the performance was questionable. AMST points out that it may be impractical to install a reference antenna after the regular transmitting antenna has been designed and installed because of the possibility of the added reference antenna modifying the original pattern of the directional antenna. They recommend that we require the installation of a suitable reference antenna as a part of the original installation. We find merit in the AMST recommendation and hereby modify our original decision.

18. Where a directive transmitting antenna is proposed to be used to provide the required protection to one or more existing stations, the transmitting antenna shall be designed to incorporate a rotatable reference antenna designed and mounted so as to minimize coupling to the main antenna elements, the tower structure and guy wires. The reference antenna shall be designed to operate on the visual, color sub-carrier, and aural frequencies. The reference antenna may be driven by the TV transmitter at full power or at reduced power or by a separate low power test transmitter. Provision shall be made for coupling the transmitter output either to the reference antenna or to the main transmitting antenna and suitable means shall be available for accurately determining and maintaining the relative power inputs to the main and reference antennas. Appropriate controls shall be available for rotating the reference antenna to any required orientation. If a stationary, omni-directional reference antenna can be developed, incorporating all of the requirements specified for a rotatable antenna and having an operational pattern that can be shown to be free from variations or irregularities when mounted at its intended location on the TV antenna or its supporting structure, consideration will be given to the use of such an antenna in lieu of a rotatable reference antenna.

19. Two other matters raised by AMST remain to be disposed of. The first deals with the claimed destruction or degradation of existing service by new co-channel and adjacent channel assignments. AMST urges again that there is nothing in this proceeding to indicate that the new short spaced assignments are justified in light of the loss of existing service which will result. Preliminary analysis indicates to us that, considering the weight to be given the objectives of this proceeding and the availability of other services in the interference areas, institution of the individual rule makings is justified. In any event, no assignments have been finalized and the entire subject of new interference can be thoroughly examined in the individual proceedings. With respect to adjacent channel interference, the Commission did not specify that equivalent protection be provided to adjacent channel stations. Requiring such protection would in certain cases reduce the service area of the new stations drastically and substantially handicap their usefulness for providing the third competitive service which has been the goal of this proceeding. Moreover, adjacent channel interference involves at most the substitution of one service for another in the interference areas, does not result in a net loss of service to the public, and therefore presents no serious obstacle to the proposed assignments.

20. Finally, AMST argues that the procedure used by the Commission to determine the markets for substandard assignments and the criteria selected will

not effectively limit the number of short spaced assignments. AMST urges again the use of a "Market Pre-Planning Case" approach in which no short spaced assignments would be authorized until all other proposals for short spacing had been submitted to the Commission. We have considered the contentions of AMST in this regard and are persuaded that the additional procedures suggested by them contain no necessary or desirable safeguards against additional short spaced assignments not provided by the procedure we have adopted.

21. In view of the foregoing: *It is ordered,* That the petition of New Orleans Television Corp. is granted; That all of the other above discussed petitions for reconsideration are denied; and the petitions for rule making of the Florida Educational Television Commission and Springfield Television Broadcasting Corp. are denied.

Adopted: December 6, 1961.

Released: December 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-11956; Filed, Dec. 15, 1961; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3–C]

RED CEDAR SHINGLES AND SHAKES FROM CANADA

Fair Value Determination

DECEMBER 12, 1961.

A complaint was received that red cedar shingles and shakes from Canada were being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that red cedar shingles and shakes from Canada are not being, nor likely to be, sold at less than fair value within the meaning of section 210(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. All transactions were outright purchases; no relationships existing except that of seller and buyer. Sufficient volume was sold for home consumption in Canada to permit fair value comparison between purchase price and home market price.

In calculating home market price, deductions were made for cash discount, allowance for quantity differentials, and an allowance for the assumption by the seller of the purchaser's advertising costs. In calculating purchase price, cash discounts were deducted, and drawback was added where appropriate.

Purchase prices were found to be lower than home market prices in relation to a limited number of types or grades of shingles during the last quarter of 1960, in relation to which all importations had been appraised. As a result of revisions in prices, sales at less than home market price during the first part of 1961 were minimal, involving quantities and differences which were not more than insignificant. The devaluation of Canadian currency in the June 1961, eliminated any likelihood of future sales below home market price.

This determination and the statement of reasons therefore are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] A. GILMORE FLUES,
Assistant Secretary of the Treasury.

[F.R. Doc. 61–11932; Filed, Dec. 15, 1961; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

RALPH F. BOVIER

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 during the past six months:

(1) Pennsylvania Electric Co., vice president, Saxton Nuclear Experimental Corp., vice president (both previously listed).
(2) General Public Utilities Corp. (previously listed); Investors Mutual Co. (previously listed); Glickman Co. (previously listed); Standard Pressed Steel Co. (previously listed); Lone Star Steel Co. (previously listed).
(3) None.
(4) None.

This statement is made as of December 6, 1961.

Dated: December 6, 1961.

RALPH F. BOVIER.

[F.R. Doc. 61–11934; Filed, Dec. 15, 1961; 8:46 a.m.]

LEMORE W. CLARK

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 during the past six months:

(1) No changes.
(2) A. No deletions. B. Additions, General Electric Co., New York, N.Y.
(3) No changes.
(4) No changes.

This statement is made as of December 6, 1961.

Dated: December 6, 1961.

LEMORE W. CLARK.

[F.R. Doc. 61–11935; Filed, Dec. 15, 1961; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–38, etc.]

MARTIN-MARIETTA CORP. AND MARTIN CO.

Transfer of Licenses

Please take notice that the Atomic Energy Commission has consented to the transfer, from The Martin Company to Martin-Marietta Corporation, of Utilization Facility License No. CX–7 (Docket No. 50–38), Utilization Facility Construction Permit No. CPCX–17 (Docket No. 50–154), and Production Facility Construction Permit No. CPCSF–1 (Docket No. 50–181) and has issued Amendment No. 10 to Utilization Facility License No. CX–7, Amendment No. 2 to Utilization Facility Construction Permit No. CPCX–17, and Amendment No. 1 to Production Facility Construction Permit No. CPCSF–1 which respectively substitute as licensee Martin-Marietta Corporation for The Martin Company.

License No. CX–7 authorizes the licensee to possess and operate the two nuclear critical experiment facilities located at the licensee's site near Middle River, Maryland.

Construction Permit No. CPCX–17 authorizes the licensee to construct a liquid fluidized bed reactor critical experiments facility at its site near Middle River, Maryland, and Construction Permit No. CPCSF–1 authorizes the licensee to construct a production facility for processing multikilocurie quantities of irradiated material containing special nuclear material into forms suitable for isotopic power sources at a site it has leased in Quehanna, Pennsylvania.

The Martin Company and American-Marietta Company have consolidated to form the Martin-Marietta Corporation and the Commission has determined that Martin-Marietta Corporation is qualified to be the holder of the license and permits and that transfer of the license and permits is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the amendments upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the amendments. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details see Dockets 50–38, 50–154, and 50–181 on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 8th day of December 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 61–11915; Filed, Dec. 15, 1961; 8:45 a.m.]

[Byproduct Material License No. 42–7236–1(G–63)]

MISTROT M. SULLIVAN AND SOUTHWESTERN RADIOLOGICAL SERVICE CO.

Order to Show Cause and Order Suspending License

I. Mistrot M. Sullivan, doing business as Southwestern Radiological Serv-

ice Company, 2121 Midlane, Houston, Texas, hereinafter referred to as "the licensee," is the holder of Byproduct Material License No. 42–7236–1(G–63) issued by the Atomic Energy Commission (hereinafter "The Commission") pursuant to Title 10, Code of Federal Regulations, Part 30 (10 CFR Part 30), "Licensing of Byproduct Material." The license as originally issued on March 22, 1961, authorized the licensee to possess Cobalt 60, Cesium 137, Iridium 192 and Strontium 90 contained in sealed sources for performing tests for leakage and/or contamination upon sealed sources and upon devices containing sealed sources. By Amendment No. 1 thereto, dated September 19, 1961, the licensee was authorized to possess 20 curies of Iridium 192 contained in a sealed source to be used for industrial radiography (hereinafter "the source"). The license, as amended, authorized such use of the source for radiography only at two specific locations, i.e., Transcontinental Gas Compressor Stations located at Malvern, Pennsylvania, and Stockbridge, Georgia by Mistrot M. Sullivan. On September 19, 1961, the date of issuance of Amendment No. 1 to License No. 42–7236–1(G–63), the conditions and limitations set forth in Amendment No. 1 were explained in detail to Mistrot M. Sullivan and Dalton L. James, Chairman of the Board of Directors of Interstate Inspection, Inc., by members of the Commission's staff, at a meeting held in the Commission's offices at Germantown, Maryland.

(c) On October 16, November 3, 4, and 10, 1961, to James L. Bunch and Jose Gutierrez for radiography at Cities Services Refining Company, West Lake Louisiana.

(d) On November 22, 1961, to James L. Bunch and C. G. Jones for radiography at the Field Erection and Welding Company, Houston, Texas.

(e) On October 30 and 31, November 1, 2, 3, 6, 7, 8, 9, 10, 15, 16, 17, 20, 21, 22, and 24, 1961, to James L. Bunch and Jose Gutierrez for radiography at the Gulf Coast Fabricating Company, Houston, Texas.

(f) On October 14 and 15, 1961, to James F. Holderby and Jack Cockren for radiography at the Master Tank and Welding Company, Dallas, Texas.

(g) On October 21, 1961, to James F. Holderby and Jack Cockren for radiography at Perry Equipment Corporation, Mineral Wells, Texas.

Mistrot M. Sullivan was not present during any of the uses of the source specified in this paragraph (2).

3. In willful violation of the Act, § 30.3 of the Commission's regulation (10 CFR Part 30), and the license, as amended, the licensee permitted persons not authorized to use the source to perform radiography therewith, in Sullivan's presence, as follows:

(a) James L. Bunch and Jose Gutierrez on October 24, 1961, at Field Erection and Welding Company, Houston, Texas.

(b) Jose Gutierrez on October 19, 20, 23, 24, 25, 26, and 27, 1961, at Gulf Coast Fabricating Company, Houston, Texas.

(c) James L. Bunch and Jose Gutierrez on November 24, 1961, at Gulf Coast Fabricating Company, Houston, Texas.

II. Based on investigations conducted during the period of November 20, 1961, through November 28, 1961, it appears that:

1. In willful violation of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), § 30.32 of the Commission's regulation (10 CFR Part 30) and the license, as amended, Mistrot M. Sullivan used the source to perform radiography at locations other than those authorized in the license, as amended, as follows:

(a) Gulf Coast Fabricating Company, Houston, Texas on October 19, 1961, October 20, 1961, October 23, 1961, October 24, 1961, October 25, 1961, October 26, 1961, October 27, 1961 and November 24, 1961.

(b) Field Erection and Welding Company, Houston, Texas on October 24, 1961.

2. In willful violation of the Act, § 30.3 of the Commission's regulation (10 CFR Part 30), and the license, as amended, the licensee transferred the source to employees of Interstate Inspection, Inc., Dallas, Texas, for use in performing radiography, which persons were not authorized to receive and use said source, as follows:

(a) On October 30 and November 9, 1961, to James L. Bunch and Jose Gutierrez for radiography at Ransome Company, Houston, Texas.

(b) On November 8, 9, and 20, 1961 to James L. Bunch and Jose Gutierrez for radiography at Robinson Orifice Fitting Company, Houston, Texas.

4. In violation of the Act and § 20.201(b) of the Commission's regulation (10 CFR Part 20), the licensee failed to conduct surveys to evaluate the radiation hazards during transfer of the source from its storage container to the Gamma Industries Model A camera and return to the storage container.

5. In violation of the Act and § 20.401(b) of the Commission's regulation (10 CFR Part 20), records of surveys conducted pursuant to § 20.201 (b) were not maintained as follows:

(a) The survey of the storage area at 6034 Long Drive, Houston, Texas; and

(b) the surveys of radiation levels created during use of the source while performing radiography.

III. It is hereby found that the violations described in paragraphs 1, 2, and 3 of Section II, above, were willful and that the protection of the health, interest and safety of the public, including the licensee's employees, require that this proceeding be instituted without prior notice to the licensee as provided in § 30.51, 10 CFR Part 30 and § 2.201(b), 10 CFR Part 2, and that paragraphs numbered 2, 3, 4, and 5 of the order set forth in Section IV, below, be effective immediately.

IV. In view of the foregoing and pursuant to the Atomic Energy Act of 1954, as amended, and the regulations of Parts 2, 20, and 30, 10 CFR, *It is hereby ordered*, That:

1. The licensee may show cause why License No. 42–7236–1(G–63) should not be revoked at a hearing to be held in a room to be assigned in the United States District Court House, Houston, Texas, on January 22, 1962, at 10:00 a.m.;

2. Pending further order of the Commission or the Presiding Officer, License No. 42–7236–1(G–63) is suspended, effective immediately;

3. The licensee shall, immediately upon receipt of this order, cease and desist from further use of the byproduct material now in his possession;

4. The licensee shall within 5 days of the receipt of this order transfer any byproduct material received under this license to a Commission facility or to a licensee authorized by the Commission to receive such material; and

5. The licensee shall within 24 hours after such transfer notify the Commission of the facility, or the name, address and location of the licensee, to which the byproduct material has been transferred.

V. The issues to be considered at the hearing will include:

1. Whether the licensee violated the Atomic Energy Act of 1954, as amended, the Commission's regulations and Conditions of License No. 42–7236–1(G–63) as specified in Section II above; and

2. Whether License No. 42–7236–1 (G–63) should be revoked.

VI. The hearing will be conducted by a presiding officer to be designated by the Chief Hearing Examiner, Office of the Hearing Examiners, Atomic Energy Commission. The presiding officer will render a decision pursuant to § 2.751(a) of the Commission's "Rules of Practice."

VII. An answer shall be filed and served by the licensee pursuant to § 2.736 of the "Rules of Practice," 10 CFR Part 2, on or before December 22, 1961. Upon failure of the licensee to file and serve an answer within the time specified herein or to appear at the hearing, an Order revoking License No. 42–7236–1 (G–63) may be issued without further notice.

Dated at Germantown, Md., this 12th day of December 1961.

For the Atomic Energy Commission.

ROBERT LOWENSTEIN,
Director, Division of Licensing and Regulation.

[F.R. Doc. 61–11916; Filed, Dec. 15, 1961; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13275, etc.; Order E–17833]

AMERICAN AIRLINES, INC., ET AL.

Transcontinental Excursion and Economy Fares; Order of Investigation and Suspension

In the matter of transcontinental excursion and economy fares proposed by American Airlines, Inc., Continental Air Lines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Docket Nos. 13275, 13198, 13199, 13226, 13227, and 13228.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of December 1961.

Trans World Airlines, Inc. (TWA), by tariff marked to become effective December 15, 1961, proposes extension to March 15, 1962, of its round-trip excursion fares in coach service between various points on the East and West Coasts, respectively; addition of a new round trip jet coach excursion fare between Chicago and Los Angeles/San Francisco; addition of Saturday to the days of the week in which the fares are applicable; and cancellation of all transcontinental excursion fares applicable on propeller aircraft, and inauguration of piston aircraft economy fares. American Airlines, Inc. (American), Continental Air Lines, Inc. (Continental), and United Air Lines, Inc. (United), have filed competitive tariffs, effective December 15, 1961, December 27, 1961, and December 17, 1961, respectively, proposing excursion fares to new cities and extension to March 15, 1962, of existing fares. The proposed fares and provisions are similar to those proposed by TWA.[1]

The proposed excursion fares are $198.00 round trip for coast-to-coast jet travel to which the jet surcharge will not apply, and $160.00 round trip for travel in jet service between Chicago and West Coast cities. The fares are not subject to the children's discount. Travel at the excursion fares must be undertaken on weekday periods between midnight Sunday and midnight Thursday, and between midnight Friday and midnight Saturday. The return portion of the trip must be made not earlier than 13 days nor later than 30 days from the date of departure from point of origin. TWA's proposed economy fares are applicable between New York or Newark, Washington, Denver, Detroit, and Kansas City, on one hand, and San Francisco and Los Angeles, on the other, on flights designated as "Economy Flights" operated with 92-seat L–1049G aircraft. These fares range from 57 percent to 80 percent of piston first class fares. No food is served without charge.

American and United have filed complaints against TWA's tariff stating that their respective tariffs are defensive in nature, and requesting investigation and suspension thereof. Continental has filed complaints requesting investigation and suspension of these tariff proposals. In summary, the complaints allege that the excursion and economy fares would divert substantially from regular fare services and that there is serious doubt that the transcontinental vacation market will develop additional traffic in the amount necessary to compensate for the revenue loss occasioned by such diversion. American further contends that extension of these fares to March 15, 1962 would subject it to additional losses; that TWA's experiment has been unsuccessful and that this carrier has failed to justify continuation of such fares; that the transcontinental carriers' load factors on Saturday are among the highest of any day in the week; that extension of fare reductions to Saturday is unsound and would only serve to aggravate the industry's financial position; and that no useful purpose would be served by extending the experiment with excursion fares to additional times and markets. Continental states that the proposed piston economy fares are at the same level as Continental's economy fares recently suspended by the Board; that piston aircraft have higher unit costs and less public attraction than jets; that the break-even passenger load factor of the 92-seat L–1049G aircraft at the yields derived from the economy fares will be 115 percent; that TWA itself has acknowledged diversion from regular to lower fares; and that it cannot be established that the lower fares will produce an over-all improvement in revenues.

TWA contends that in its computations United overstates the number of new passengers required to recover the revenue loss caused by reduced fares; that data comparable to those submitted by United show that reduction of fares generated new traffic; that TWA's total transcontinental traffic between Los Angeles and San Francisco, on the one hand, and certain cities in the East, on the other hand, declined substantially in 1961; that the purposes of its proposed fares are twofold: (1) To conduct a limited experiment as to the ability of lower fares to attract traffic; and (2) to attempt at the same time to obtain proper utilization of equipment; that the proposed service has a lower value than regular service; that the time since the start of the fare experiment is too short to be conclusive; and that the low fare experiment should continue at least until March 15, 1962.

Upon consideration of the matters of record, the Board finds that the proposed transcontinental excursion and economy fares of TWA may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, and that the tariffs should be investigated.

There has been an opportunity to experiment with the transcontinental excursion fares and the evaluation of their merits has ranged from highly unfavorable to a mild support. There has been no showing to the Board of a demonstrated economic productivity of these fares based on recent results which would persuade us that there is sufficient generative potential in the fares to offset their diversionary impact.

TWA's proposed economy fares for piston powered equipment would effect a significant fare differential between piston and jet aircraft service based primarily upon the differences in equipment types. While the Board has permitted a differential in fares where agreeable to the operators of both the older and the newer equipment, it has not endorsed an equipment differential in the face of opposition by the operators of more modern equipment where it appears that the newer aircraft is no more costly to operate.[2] The proposed piston economy fares effect significant reductions in existing coach fare levels and are of questioned economic validity when considered from the viewpoint of the industry.

In view of the questionable economic validity of the TWA proposals, and the competitive impact these fares might have upon the industry, we have concluded to suspend the use of the excursion fares and the economy fares pending investigation.

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

1. An investigation be instituted to determine whether the proposals of American Airlines, Inc., on 1st Revised Title Page of its C.A.B. No. 149; Continental Air Lines, Inc., in its C.A.B. No. 36; Northwest Airlines, Inc., on 2d Revised Title Page of its C.A.B. No. 325; Trans World Airlines, Inc., on 1st Revised Title Page of its C.A.B. No. 67; and United Air Lines, Inc., in its C.A.B. No. 106 to continue round trip coach excursion fares and provisions for an additional period of time and/or to add new fares and provisions and the proposal of Trans World Airlines, Inc. to establish new economy fares on 1st, 2d and 3d Revised Pages 270–J of Agent C. C. Squire's C.A.B. No. 44 are, or will be, unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and if found to be unlawful to determine and prescribe the lawful fares and provisions.

2. Pending hearing and decision by the Board, the 1st Revised Title Page of C.A.B. No. 149 of American Airlines, Inc.; C.A.B. No. 36 of Continental Air Lines, Inc.; the 2d Revised Title Page of C.A.B. No. 325 of Northwest Airlines, Inc.; the 1st Revised Title Page of C.A.B. No. 67 of Trans World Airlines, Inc.; C.A.B. No. 106 and 1st Revised Pages 5, 7 and 10 thereto of United Air Lines, Inc.; and 1st, 2d and 3d Revised Pages 270–J of Agent C. C. Squire's C.A.B. No. 44, are suspended and their use deferred to and including March 14, 1962, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. The complaints are dismissed except to the extent granted herein.

4. The complaints in Dockets 13198, 13199, 13226, 13227, and 13228, to the extent granted, are consolidated herein.

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

6. Copies of this order shall be filed with the tariffs and shall be served upon American Airlines, Inc., Continental Air Lines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61–11945; Filed, Dec. 15, 1961; 8:47 a.m.]

[1] Northwest has filed tariffs proposing extension of their competitive excursion fares to March 15, 1962. These tariffs provide joint fares between points in continental United States and points in Hawaii, and the Orient via Portland and Seattle.

[2] States Alaska Fare Case, 21 CAB 354 (1955).

[Docket No. 13272; Order E–17826]

FLYING TIGER LINE, INC.

Reduced Freight Rates; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of December 1961.

By tariff revisions marked to become effective December 15, 1961, The Flying Tiger Line Inc. (Tiger), proposes to reduce rates on electronic equipment and instruments from San Francisco to New York City and on other commodities eastbound from Los Angeles to several points.

Upon consideration of the matters of record, the Board finds that the rates proposed by Tiger to apply to electronic equipment and instruments from San Francisco to New York City may be unjust or unreasonable, or unduly discriminatory or unduly preferential, or unduly prejudicial, and should be investigated. The foregoing rates are significantly below those in effect for other carriers and are on a low level, without adequate justification therefor. We have, for the same reasons, recently set for investigation, as well as suspended, similar rates on the same commodities proposed by Tiger in numerous other markets. (Order E–17806, adopted December 5, 1961.) We likewise conclude to suspend the instant proposals on electronic equipment and instruments, as set forth in the tariff revisions described below and defer their use pending investigation.

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

1. An investigation is instituted to determine whether the rates on 2d Revised Page 105 of Agent B. H. Smith's C.A.B. No. 24 from San Francisco, or Oakland, California to Newark, New Jersey or New York, New York for Commodity Group No. 3006 subject to minimum weights of 1,000, 2,000 and 5,000 pounds 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 rates and provisions.

2. Pending hearing and decision by the Board, the rates on 2d Revised Page 105 of Agent B. H. Smith's C.A.B. No. 24 from San Francisco, or Oakland, California, to Newark, New Jersey, or New York, New York, for Commodity Group No. 3006 subject to minimum weights of 1,000, 2,000, and 5,000 pounds are suspended and their use deferred to and including March 14, 1962, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission by the Board.

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

4. Copies of this order shall be filed with the tariff and shall be served upon The Flying Tiger Line Inc., which is hereby made a party 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. 61–11946; Filed, Dec. 15, 1961; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14251; FCC 61–1431]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Memorandum Opinion and Order Remanding

In the matter of American Telephone and Telegraph Company; Docket No. 14251; regulations and charges for TELPAK Services and Channels.

1. The proceedings which constitute the subject matter of this order were instituted as a result of a motion filed September 29, 1961, by Motorola, Inc. (Motorola) requesting separation from the remainder of the proceedings for an expedited decision under certain factual assumptions the issue set forth in our order of investigation and suspension of September 7, 1961 (FCC 61–1039)[1] as to whether the suspended revised provisions of American Telephone and Telegraph Company's (A.T. & T.) Tariff F.C.C. No. 250 filed August 3, 1961, are, or will be, unjustly or unreasonably discriminatory within the meaning of section 202(a) of the Communications Act of 1934, as amended.

2. In granting this request, the Commission by Memorandum Opinion and Order of October 25, 1961 (FCC 61–1256)[2] provided that, assuming the suspended revised tariff charges are compensatory and competitively necessary, evidence would be taken before the Commission, en banc, as to:

(1) Whether services under the suspended revised tariff schedules are distinguishable in any material respects from services offered under Tariff F.C.C. Nos. 135, 140, 208, 220, 231, and 237; and

(2) Whether there are any material cost differences associated with furnishing a given number of channels to one customer as opposed to furnishing the same number of channels to as many customers.

The receipt of such evidence was had on November 13, 1961. On November 17, 1961, in accordance with the above-mentioned Memorandum Opinion and Order of October 25, the Commission heard oral argument on the issue of whether, in the light of the evidence adduced, the TELPAK rates under the suspended revised tariff schedules are unlawfully discriminatory or preferential under Section 202(a) of the Act. The parties were also permitted to file briefs.[3]

3. The proponent of these separated proceedings, Motorola, has urged upon us the theory that under section 202(a) of the Act[4] a determination as to whether volume rates such as those provided for in the suspended revised tariff schedules are unlawfully discriminatory can be made if, supposing the non-volume and volume rates constitute a "like communication service," any one of the following questions is answered in the negative:

(1) Are the volume rates compensatory?

(2) Are the volume rates competitively necessary, but not destructive of competition?

(3) Are the volume rates "properly related" to the non-volume rates?

As mentioned previously, we assumed, for the purposes of these separated proceedings solely, that the answers to the first two questions are in the affirmative; i.e., that the revised TELPAK rates are compensatory and competitively necessary. Thus, the only question to be decided under the Motorola theory, after the problem of "like communication service" has been met, is whether the volume rates are properly related to the non-volume rates. Motorola maintains that in this case the relationships are clearly improper since the evidence does not show the requisite material cost savings to the telephone companies in furnishing the volume service.

4. What Motorola in effect is asking us to do is to hold that, in any case involving volume rates, the differential in rates must be correlated to a difference in cost of furnishing service, regardless of the degree of competitive necessity. This we do not believe is consonant with the holding of the Supreme Court in Eastern Central Motor Carriers Assn. v. U.S., 321 U.S. 194 (1944). In that case the court said at p. 210:

> Appellants' broadest contention must be rejected at this stage. It is, in effect, that as a matter of law, in the particular circumstances competitive necessity becomes the controlling consideration, and costs of op-

---

[1] Published Sept. 14, 1961, 26 F.R. 8607 (Errata published Sept. 16, 1961, 26 F.R. 8684).

[2] Published Nov. 2, 1961, 26 F.R. 10314.

[3] All parties of record, excepting the Common Carrier Bureau, were represented both on the briefs and in the argument; such parties being Motorola, A.T. & T., The Western Union Telegraph Company, National Association of Manufacturer's Committee on Manufacturers Radio Use, American Trucking Association, Bethlehem Steel Company, General Services Administration, Aeronautical Radio, Inc., and National Association of Motor Bus Owners.

[4] Section 202(a) of the Act provides that: "It shall be unlawful for any common carrier to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communication service, directly or indirectly, by any means or device, or to make or give any undue or unreasonable preference or advantage to any particular person, class of persons, or locality, or to subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage."

erations, that is the requirement that minimum volume rates be geared to loading capacity, become immaterial. That view must be rejected for the same reason as requires rejection, on this record and until further buttressed, of the Commission's converse view that costs exclusively control and competition becomes immaterial. Conceivably particular circumstances might make one or the other factor predominant and, in such a situation, the choice would be for the Commission to make, upon a proper weighing of the facts and opposing policies possibly applicable.

Were we to assume, arguendo, the fact of competitive necessity and nonetheless hold TELPAK rates unlawful, as we are asked to do here, we would in effect be saying that competition is immaterial. This as the court has said in the above quotation we may not do. Nor do we think that as a matter of policy we are justified in making such a conclusion at this stage without full consideration of all pertinent factors. As the Interstate Commerce Commission said in Coal to New York Harbor Area, 311 I.C.C. 355, 371: "* * * the lawfulness of innovations of this kind must be determined based upon the controlling circumstances and conditions, including the material economic as well as the physical facts of record, in particular situations."

5. As the above shows, we are of the opinion that a decision on the ultimate question of unjust discrimination cannot be made at this time. It follows that there is no need for us to decide the questions subject to evidentiary showings under the October 25 order.

6. *Accordingly, it is ordered*, This 6th day of December 1961, that the questions raised by our Memorandum Opinion and Order of October 25 are remanded to the Presiding Examiner in the above-entitled matter for further evidentiary hearings and that these expedited proceedings are hereby terminated.

Released: December 7, 1961.

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

[F.R. Doc. 61-11954; Filed, Dec. 15 1961; 8:48 a.m.]

[Mexican List 224]

MEXICAN BROADCAST STATIONS

Changes, Proposed Changes, and Corrections in Assignments

OCTOBER 16, 1961.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Mexican broadcast stations modifying the appendix containing assignments of Mexican broadcast stations (mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commence of operation
		690 kilocycles				
XETRA (change in call letters from XEAK).	Tijuana, Baja California.	50	DA-N	U	I-B	10-16-61.
		790 kilocycles				
XEQV (new)	Linares, Nuevo Leon	1	ND	D	III	4-16-62.
		810 kilocycles				
XEUX (originally notified for change to 820 kc/s; PO: 1340 kcs.).	Tuxpan, Nayarit	5	ND	D	II	4-16-62.
		820 kilocycles				
XEBA (PO: 840 kc, 1 kw, ND, D).	Guadalajara Jalisco	1	ND	D	II	4-16-62
		850 kilocycles				
XEWI (PO: 860 kc, 1 kw, ND, D).	Chapala, Jalisco	1	ND	D	II	4-16-62.
		860 kilocycles				
XEAL (originally notified for change to 850 kc; PO: 1490 kc).	Manzanillo, Colima	1	ND	D	II	4-16-62.
XETW (now in operation).	Tampico, Tamaulipas	0.500	ND	D	II	10-16-61.
XENL (Provisional operation 0.5 kw D/0.1 kw N, ND, U, II).	Monterrey, Nuevo Leon	5 D/2 N	DA-N	U	II	1-16-62.
		920 kilocycles				
XEXK (PO: 0.5 kw D).	Ensenada, Baja California.	2.5 D/0.200 N	ND	U	III-D, IV-N	1-16-62.
		970 kilocycles				
XEUG (now in operation).	Leon, Guanajuato	0.500	ND	D	III	10-16-61.
XEDF (provisional operation 5 kw D/0.5 kw N, ND, U, III).	Mexico, D.F	10 D/2.5 N	DA-N	U	III	1-16-62.
		1010 kilocycles				
XEEB (PO: 1500 kc 0.25 kw, ND, D, II).	Esperanza, Sonora	0.25	ND	U	II	4-16-62.
		1080 kilocycles				
XEMI (now in operation on new frequency).	Minatitlan, Vera Cruz	0.500	ND	D	II	10-16-61.
		1170 kilocycles				
XEOV (correction in classification).	Orizaba, Vera Cruz	0.100	ND	D	II	10-16-61.
		1180 kilocycles				
XELV (new)	Sn. Luis de la Paz, Guanjuato.	0.500	ND	D	II	4-16-62.
		1190 kilocycles				
XEWK (provisional operation with 50 kw D/10 kw N, ND, U, I-B).	Guadalajara, Jalisco	50	DA-N	U	I-B	1-16-62.
XEDO (new)	Jojutla, Morelos	0.500	ND	D	II	4-16-62.
		1240 kilocycles				
XETC (now in operation).	Torreon, Coahuila	0.250	ND	U	IV	10-16-61.
XENG (PO: 1400 kc 0.250 kw, ND, U, IV).	Huauchinango, Puebla	1 D/.200 N	ND	U	IV	4-16-62.
		1290 kilocycles				
XEAP (correction of classification with respect to daytime operation).	Ciudad Obregon, Sonora.	1 D/.100 N	ND	U	III-D, IV-N	10-16-61.
		1420 kilocycles				
XEEW (PO: 1 kw, DA-1).	Matamoros, Tamaulipas.	5 D/2.5 N	DA-2	U	III	1-16-62.
		1430 kilocycles				
XETI (new)	Tampico, Tamaulipas	0.500	ND	D	III	4-16-62.
		1450 kilocycles				
XEPY (new)	Progreso, Yucatan	0.250	ND	U	IV	4-16-62.
XEXD (now in operation).	Atlixco, Puebla	0.500 D/.250 N	ND	U	IV	10-16-61.
		1460 kilocycles				
XEJT (now in operation at new location).	Altamira, Tamaulipas	1	ND	U	III	10-16-61.
XEJH (new)	Jalapa, Vera Cruz	1	ND	D	III	4-16-62.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commence of operation
		1470 kilocycles				
XEYA (new)	Irapuato, Guanajuato	1	ND	D	III	4-16-62.
XEAY	Parras de la Fuente, Coahuila.	1 D/0.25 N	ND	U	III-D, IV-N	4-16-62.
		1480 kilocycles				
XENS (provisional operation 0.5 kw, ND, D).	Navojoa, Sonora	1	DA-N	U	III	1-16-62.
XEDY (previously notified 1460 kc, 1 kw D/0.5 kwN).	Cuervos, Baja California.	0.500 D/0.100 N.	ND	U	III-D, IV-N	4-16-62.
		1490 kilocycles				
XEED (PO: 1490 kc 0.250 kw, ND, U, IV).	Ameca, Jalisco	1 D/0.25 N	ND	U	IV	1-16-62.
		1530 kilocycles				
XESD (new)	Silao, Guanajuato	1	ND	D	II	4-16-62.
		1590 kilocycles				
XEST (new)	Sn Miguel Allende, Guanajuato.	1	ND	D	III	4-16-62.
XETE (provisional operation 0.2 kw, ND, D).	Cd. Madero, Tamaulipas.	1	DA-D	D	III	1-16-62.
		1600 kilocycles				
XEMI (delete assignment; vide 1080 kc).	Minatitlan, Veracruz	0.250	ND	U	IV	10-16-61.
		860 kilocycles				
New (new)	Cd Juarez, Chihuahua	1 D/0.25 N	ND	U	II	1-18-62.
		920 kilocycles				
XEXK (increase in day power).	Ensenada, Baja California.	2.5 D/200 N	ND	U	III-D, IV-N	1-16-62.

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

[F.R. Doc. 61-11955; Filed, Dec. 15, 1961; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP61-296]

EL PASO NATURAL GAS CO.

Notice of Application and Date of Hearing

DECEMBER 11, 1961.

Take notice that on May 22, 1961, El Paso Natural Gas Company (Applicant), Post Office Box 1492, El Paso, Texas, filed an application, as supplemented on August 28, 1961, in Docket No. CP61-296, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of approximately 8.2 miles of 34-inch diameter pipeline loop on the eastern end of its San Juan pipeline system near Applicant's Gallup Compressor Station, McKinley County, New Mexico, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

The application shows that Applicant presently operates, as part of its over-all system, a pipeline extending from the Permian Basin area of Texas to a point known as Valve City, near Gallup, south of the San Juan Basin, northwestern New Mexico; this pipeline is known as the San Juan Crossover. Applicant also operates a pipeline system connecting available gas supplies in the San Juan-Aneth area to Valve City; this system is known as the San Juan Mainline. Applicant proposes herein to loop a segment of the San Juan Mainline located between Gallup Compressor Station and Valve City.

Applicant states that the proposed facilities will allow full utilization of its existing production and gas treating facilities in the San Juan and Aneth areas and that said facilities will make available additional sources of supply in the event casinghead and residual gas supplies from the Permian Basin area become restricted. Further, the proposed facilities will make available additional sources of supply in the event of facility breakdown in other portions of the system.

The proposed facilities will increase the present transport capacity of Applicant's San Juan-Aneth area outlet facilities by approximately 100,000 to 109,000 Mcf of natural gas per day.

Applicant states that the proposed facilities will not increase the transmission or delivery capacity of its over-all transmission system.

The total estimated over-all cost of construction of the proposed facilities is $1,148,000, which cost will be financed from current working funds supplemented by short-term bank loans as required.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulation and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 11, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 2, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-11942; Filed, Dec. 15, 1961; 8:47 a.m.]

[Docket No. CP62-52]

HOUSTON TEXAS GAS AND OIL CORP.

Notice of Application

DECEMBER 12, 1961.

Take notice that on August 24, 1961, Houston Texas Gas and Oil Corporation (Applicant), P.O. Box 10400, St. Petersburg, Florida, filed in Docket No. CP62-52 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the increase in quantities of natural gas to be delivered to nine of its existing resale and direct sale customers above the volumes authorized to be delivered to said customers in Docket Nos. G-9262, et al., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed increases in deliveries would be under Applicant's preferred interruptible rate schedules and involve an additional 9,509,586 Mcf per year or an average of 26,000 Mcf per day. No additional facilities are proposed.

The proposed increased sales and deliveries are as follows:

Customer	Annual preferred interruptible service (Mcf)		
	Column (1) G–9262 Authorized volumes	Column (2) CP62–52 proposed increase	Column (1) plus column (2)
Resale:			
Peoples Gas System:			
West Coast Division [1]	113,000	1,438,000	1,551,000
Gulf Natural Gas Co.:			
Ocala Division [2]	53,436	137,946	191,382
Panama City Division [3]	346,093	801,162	1,147,255
The Houston Corp.:			
Orlando Division [4]	[5] None	73,250	73,250
Miami Division [6]	[5] None	49,640	49,640
Florida Public Utilities Co	330,000	216,900	546,900
Florida Home Gas Co	[5] None	14,600	14,600
Direct sale (power plants):			
City of Blountstown	3,324	58,676	62,000
City of Tallahassee	115,045	3,534,955	3,650,000
City of Lakeland	140,610	3,071,390	3,212,000
City of Starke	5,113	113,337	118,450
Total	1,106,621	9,509,856	10,616,477

[1] Formerly Tampa Gas Co.
[2] Formerly Ocala Gas Co.
[3] Formerly West Florida Gas and Fuel Co.
[4] Formerly South Atlantic Gas Co.
[5] These customers purchase gas from Houston under other service categories, i.e., firm, primary interruptible.
[6] Formerly Florida Power & Light Co.

Applicant states that in the cases of Peoples Gas System, Inc., West Coast Division, Gulf Natural Gas Company, both divisions, and Florida Public Utilities Company, industrial and commercial gas requirements have grown far beyond those existing as the time of the hearings in Docket Nos. G–9262, et al., similarly, in the cases of the Orlando and Miami divisions of The Houston Corporation and in the case of Florida Home Gas Company, requirements have developed that were not previously anticipated. Requirements of the four municipalities for gas for electric generation have increased as a result of the growth in population and industrial activity in their respective service areas, the application states.

Applicant proposes to make the additional deliveries possible as a result of (1) cancelling 194,063 Mcf per year of the preferred interruptible sales to the cities of Avon Park, Graceville, and Green Cove Springs, for which authorizations were revoked by the Commission's letter order dated May 11, 1961, and (2) upgrading of the remaining balance by reducing existing primary interruptible sales and correspondingly increasing the preferred interruptible service.

Protests or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 5, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61–11954; Filed, Dec. 15, 1961; 8:47 a.m.]

[Docket No. G–14407 etc.]

TEXAS PACIFIC COAL AND OIL CO., ET AL.

Notice of Applications and Date of Hearing

DECEMBER 12, 1961.

Texas Pacific Coal and Oil Company, Docket No. G–14407; John L. Welsh, Jr., Operator, et al., Docket No. G–15705; Sun Oil Company, Docket No. G–18910; J. C. Williamson, Operator, et al., Docket No. CI61–214; Dixilyn Drilling Corporation, Operator, Docket No. CI61–394; Prior Oil & Gas Company, Docket No. CI61–395; A. R. Dillard, Operator, et al., Docket No. CI61–402; Southwest Natural Production Company, Docket No. CI61–409; David W. Law, et al., Docket No. CI61–410; Roy Heidelberg II, Docket No. CI61–414; M. J. Moran, Docket No. CI61–415; St. Clair Oil Company, Docket No. CI61–420; St. Clair Oil Company, Docket No. CI61–421; Bert Fields, Docket No. CI61–422; Harvey Gas Company, Docket No. CI61–430; Brannon Gas Company, Docket No. CI61–431; Edward Starcher No. 1 Well, Docket No. CI61–442; Philip Lemon, et al., Docket No. CI61–443; Tomlinson-Kathol, Inc., Operator, et al., Docket No. CI61–606; K. Baker, Receiver for Curtis Hickey, et al., Docket No. CI61–902; Inco 3, Inc., Docket No. CI61–928; W. R. Nohe, Docket No. CI61–935; Howard Olsen Development Company, Operator, Docket No. CI61–939; Maxwell Oil Company, Operator, et al., Docket No. CI61–995; The Pure Oil Company, Docket No. CI61–1071; Zephyr Oil Company, Docket No. CI61–1080; C. O. Bower, James H. Hall & Olin B. Wetzel, Docket No. CI61–1083; I. Nadel and Herbert Gussman, d.b.a., Nadel and Gussman, Docket No. CI61–1089; Frank Zickefoose, et al., Docket No. CI61–1120; C. I. West Virginia Corporation, Docket No. CI61–1126; J. Hiram Moore, Docket No. CI61–1135; Shell Oil Company, Operator, Docket No. CI61–1143; Cecil Meadows, et al., Docket No. CI61–1144; Highland Oil Company, Docket No. CI61–1149; Panhandle Development Co., Inc., Operator, et al., Docket No. CI61–1151; Prior Oil Company, Docket No. CI61–1155; Prior Oil Company, Docket No. CI61–1156; Kirby Production Company, et al., Docket No. CI61–1160; A. C. Glassell, Docket No. CI61–1164; Glen W. Roberts, Docket No. CI61–1170.

Monsanto Chemical Company, Docket No. CI61–1174; John A. Egan (Operator), et al., Docket No. CI61–1175; Humble Oil & Refining Company, Docket No. CI61–1177; Acco Oil & Gas Co. (Operator), et al., Docket No. CI61–1183; Ambassador Oil Corporation, Docket No. CI61–1190; Sam Y. Dorfman, Jr., et al., Docket No. CI61–1193; P. & J. Development Co., Inc., Docket No. CI61–1194; George T. Ritsos, Docket No. CI61–1198; John Franks, Milton Crow, Inc., Ralph R. Gilster, T. F. Hodge, and Sklar Oil Company, Docket No. CI61–1199; Philip Lemon, et al., Docket No. CI61–1200; Stekoll Panhandle Limited Partnership, Docket No. CI61–1203; Christie, Mitchell and Mitchell Co., et al., Docket No. CI61–1222; Jewel Daffin Rivers, et al., Docket No. CI61–1241; St. Clair Oil Company, F. L. Bott, et al., Docket No. CI61–1242; Sunnyside Oil and Gas Company, Docket No. CI61–1292; Hinkle Gas Company, Docket No. CI61–1298; Pace Bower Construction Company, Docket No. CI61–1299; Brannon 84-Acre Lease, Docket No. CI61–1305; Pan American Petroleum Corporation, Docket No. CI61–1307; Morris Cannan, Docket No. CI61–1310; West Branch, Docket No. CI61–1311; Harkins & Company, Operator, et al., Docket No. CI61–1320; George E. Brogan, Trustee for Edna W. Merrion Trusts Nos. 1, 2 and 3, Docket No. CI61–1324; Alfred-Villers Well No. 1, Docket No. CI61–1365; Panhandle Development Co., Inc. (Operator), et al., Docket No. CI61–1386; Southwest Natural Production Company, et al., Docket No. CI61–1396; George Jackson, Docket No. CI61–1410; Texas Gas Exploration Corporation (Operator), et al., Docket No. CI61–1427; The Atlantic Refining Company, Docket No. CI61–1439; El Paso Natural Gas Products Company, Docket No. CI61–1461; Backerhouse Oil & Gas Company, Docket No. CI61–1580; Woods Exploration & Producing Company, Inc., Docket No. CI61–1583; Texaco Seaboard Inc., Docket No. CI61–1589; Warner & Goebl, et al., Docket No. CI61–1601; R. Olsen, et al., Docket No. CI61–1602; Hopeful Oil and Gas Company, Docket No. CI61–1619; Delbert Goff, et al., Docket No. CI61–1668.

Joe Rubin & Sons, Docket No. CI61–1675; Floyd E. Emrick, et al., Docket No. CI61–1715; F & I Gas Company—Ayers No. 1, Docket No. CI61–1716; Southwest Gas Producing Company, Inc., Docket No. CI61–1731; Dominion Oil & Gas Company, Docket No. CI61–1732; Sutton Producing Co., et al., Docket No. CI61–1741; Vaughey and Vaughey, Docket No. CI61–1744; Pace Bower Construction Company, Docket No. CI61–1758; Brannon 16-Acre Lease, Docket No. CI61–1759; Texaco Seaboard Inc., Docket No. CI61–1760; Stonestreet Lands Company, Docket No. CI61–1763; Sinclair Oil & Gas Company, Docket No. CI61–1766; Panhandle Development Co., Inc., (Operator), et al., Docket No. CI61–1771; Southern Triangle Oil Company and J. M. L. Smith, Docket No. CI61–1776; Monsanto Chemical Company, Docket No. CI61–1778; Tidewater Oil Company, Docket No. CI61–1789; Skelly Oil Company, Docket No. CI61–1795; James I. Shearer, et al., Docket No. CI61–1805; W. H. Hudson, Docket No. CI61–1806; Northern Pump Company, Docket No. CI61–1807; David Law, Docket No. CI61–1814; Forest Oil Corporation, Docket No.

CI62–31; Gulf Oil Corporation, Docket No. CI62–47.

Take notice that each of the above Applicants has filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities and the sale of natural gas in interstate commerce, as hereinafter described, all as more fully represented in the respective applications, amendments and supplements thereto which are on file with the Commission and open to public inspection.

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

Docket Nos.; Field and Location; Purchaser; Price per Mcf

G–14407; King Mountain Field, Upton County, Tex.; El Paso Natural Gas Co. and Hunt Oil Co.; 7.0 cents at 14.65 psia.

G–15705; North Willman Field, San Patricio County, Tex.; Coastal States Gas Producing Co.; 10.0 cents at 14.65 psia.

G–18910 (as Supp.); Camrick S. E. Gas Pool, Beaver County, Okla.; Natural Gas Pipeline Co. of America; 16.6 cents at 14.65 psia.

CI61–214; Willrode Field, Upton County, Tex.; El Paso Natural Gas Co. and Hunt Oil Co.; 8.0 cents at 14.65 psia.

CI61–394; Jack Herbert Field, Upton County, Tex.; El Paso Natural Gas Co.; 10.64175 cents at 14.65 psia.

CI61–395; West Union District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–402; Horizon Field, Ochiltree County, Tex.; Northern Natural Gas Co.; 16.5 cents at 14.65 psia.

CI61–409; North Colquitt Field, Claiborne Parish, La.; Arkansas Louisiana Gas Co.; 12.554 cents at 15.025 psia.

CI61–410; West Union District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–414; Calhoun Field, Ouachita Parish, La.; Arkansas Louisiana Gas Co.; 18.75 cents at 15.025 psia.

CI61–415; Court House District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–420; Collins Settlement and Skin Creek Districts, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–421; Hackers Creek District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–422; South Blanco Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Co.; 12.0 cents at 15.025 psia.

CI61–430; Clear Fork District, Wyoming County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–431; Washington District, Calhoun County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–442; Barnes Run Field, Lee District, Calhoun County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–443; Union District, Ritchie County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–606; S. W. Haynes Field, Stafford County, Kans.; Panhandle Eastern Pipe Line Co.; 15.0 cents at 14.65 psia.

CI61–902; Bethany Field, Panola County, Tex.; Tennessee Gas Transmission Co.; 12.0 cents at 14.65 psia.

CI61–928; West Union District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–935; Central District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–939; Atoka Field, Eddy County, N. Mex.; Transwestern Pipeline Co.; 16.0 cents at 14.65 psia.

CI61–995; Jack Herbert Field, Upton County, Tex.; El Paso Natural Gas Co.; 15.70925 cents at 14.65 psia.

CI61–1071; Calhoun Field, Ouachita Parish, La.; Arkansas Louisiana Gas Co.; 18.75 cents at 15.025 psia.

CI61–1080; Henderson Field, Rusk County, Tex.; United Gas Pipe Line Co.; 10.128 cents at 14.65 psia.

CI61–1083; West Union District, Doddridge County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1089; Wil Field, Edwards County, Kans.; Panhandle Eastern Pipe Line Co.; 15.0 cents at 14.65 psia.

CI61–1120; Troy District, Gilmer County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1126; DeKalb District, Gilmer County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1135; Eumont Pool, Lea County, N. Mex.; Permian Basin Pipeline Co.; 9.7432 cents at 15.025 psia.

CI61–1143; Siloam Field, Clay County, Miss.; Texas Eastern Transmission Corp.; 20.618 cents at 15.025 psia.

CI61–1144 (as Supp.); Troy District, Gilmer County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1149; North Donna Area, Hidalgo County, Tex.; Texas Eastern Transmission Corp.; 15.0 cents at 14.65 psia.

CI61–1151; South Kismet Field, Seward County, Kans.; Panhandle Eastern Pipe Line Co.; 16.0 cents at 14.65 psia.

CI61–1155; Court House District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1156; Collins Settlement District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1160; Jacksonville Field, Cherokee County, Tex.; United Gas Pipe Line Co.; 9.6216 cents at 14.65 psia.

CI61–1164; Calhoun Field, Ouachita Parish, La.; Arkansas Louisiana Gas Co.; 18.75 cents at 15.025 psia.

CI61–1170; Burning Springs District, Wirt County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1174; Ada Field, Bienville Parish, La.; Arkansas Louisiana Gas Co.; 13.0033 cents at 15.025 psia.

CI61–1175; San Juan Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Co.; 11.0 cents at 15.025 psia.

CI61–1177; Cheniere Creek, Ouachita Parish, La.; Arkansas Louisiana Gas Co.; 18.3333 cents at 15.025 psia.

CI61–1183; East Bernard Area, Wharton County, Tex.; Tennessee Gas Transmission Co.; 16.16947 cents at 14.65 psia.

CI61–1190; Acreage in Beaver County, Okla.; Panhandle Eastern Pipe Line Co.; 16.0 cents at 14.65 psia.

CI61–1193; Willow Springs Field, Gregg County, Tex.; Texas Eastern Transmission Corp.; 15.0 cents at 14.65 psia.

CI61–1194; Elk District, Kanawha County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1198; Acreage in McKean County, Pa.; United Natural Gas Co.; 27.5 cents at 15.325 psia.

CI61–1199; Calhoun Field, Lincoln Parish, La.; Texas Gas Transmission Corp.; 18.75 cents at 15.025 psia.

CI61–1200; Murphy District, Ritchie County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1203; Mocane Field, Beaver County, Okla.; Northern Natural Gas Co.; 17.0 cents at 14.65 psia.

CI61–1222; South Slocum Field, Anderson County, Tex.; United Gas Pipe Line Co.; 10.128 cents at 14.65 psia.

CI61–1241; Calhoun Area, Ouachita Parish, La.; Texas Gas Transmission Corp.; 18.75 cents at 15.025 psia.

CI61–1242; Skin Creek District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1292; Central District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1298; Clearfork District, Wyoming County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1299; Freeman's Creek District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1305; Washington District Calhoun County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1307; Huerfano Gallup Field, San Juan County, N. Mex.; El Paso Natural Gas Co.; 11.0 cents 250# at 15.025 psia, 13.0 cents 500# at 15.025 psia.

CI61–1310; Kittle Field, Live Oak County, Texas Eastern; Texas Eastern Transmission Corp.; 11.6 cents at 14.65 psia.

CI61–1311; Central District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1320; Albrecht Field, Goliad County Tex.; United Gas Pipe Line Co.; 12.1536 cents at 14.65 psia.

CI61–1324; Devil's Fork Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Co.; 11.0 cents at 15.025 psia.

CI61–1365; Freeman's Creek District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1386; Greenough Field, Beaver County, Okla.; Michigan Wisconsin Pipe Line Co.; 17.0 cents at 14.65 psia.

CI61–1396; North Choudrant Field, Lincoln Parish, La.; Texas Eastern Transmission Corp.; 15.8007 cents at 15.025 psia.

CI61–1410; DeKalb District, Gilmer County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1427; Cartwright Field, Jackson Parish, La.; Texas Gas Transmission Corp.; 18.75 cents at 15.025 psia.

CI61–1439; Cartwright Field, Jackson Parish, La.; Texas Gas Transmission Corp.; 18.75 cents at 15.025 psia.

CI61–1461; Patrick Draw Area, Sweetwater County, Wyo.; Colorado Interstate Gas Co.; 15.0 cents at 14.65 psia.

CI61–1580; Union District, Ritchie County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1583; Marrs-McLean Field, Jefferson County, Tex.; Texas Eastern Transmission Corp.; 15.0 cents at 14.65 psia.

CI61–1589; Lassater Field, Marion County, Tex.; Arkansas Louisiana Gas Co.; 12.10985 cents at 14.65 psia.

CI61–1601; Freeman's Creek District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1602; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Co.; 6.5 cents at 14.65 psia.

CI61–1619; Union District, Ritchie County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1668; Freeman's Creek District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1675; Freeman's Creek District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1715; Spencer District, Roane County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1716; Murphy District, Ritchie County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.

CI61–1731; Vixen Field, Caldwell Parish, La.; Arkansas Louisiana Gas Co.; 18.5 cents at 15.025 psia.

CI61–1732 (as Supp.); Salt Lick District, Braxton County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.

CI61–1741; Southeast Dilworth Area, McMullen County, Tex.; Transcontinental Gas Pipe Line Corp.; 14.189 cents at 14.65 psia.
CI61–1744; Basin Dakota and Blanco Mesaverde Fields, Rio Arriba County, N. Mex.; El Paso Natural Gas Co.; 12.0 cents at 15.025 psia.
CI61–1758; Collins Settlement District, Lewis County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.
CI61–1759; Washington District, Calhoun County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.
CI61–1760; Patrick Draw-Desert, Springs Area, Sweetwater County, Wyo.; Colorado Interstate Gas Co.; 15.0 cents at 14.65 psia.
CI61–1763; Smithfield District, Roane County, W. Va.; Hope Natural Gas Co.; 25.0 cents at 15.325 psia.
CI61–1766; Guyman-Hugoton Fields, Texas County, Okla.; Panhandle Eastern Pipe Line Co.; 16.8 cents at 14.65 psia.
CI61–1771; Acreage in Meade County, Kans.; Panhandle Eastern Pipe Line Co.; at 16.0 cents at 14.65 psia.
CI61–1776; West Union District Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.
CI61–1778; Hansford Field, Hansford County, Tex.; Northern Natural Gas Co.; 17.0 cents at 14.65 psia.
CI61–1789; Mercedes Field, Hidalgo County, Tex.; Texas Eastern Transmission Corp.; 15.0 cents at 14.65 psia.
CI61–1795; Eva Pool Area, Texas County, Okla.; Panhandle Eastern Pipe Line Co.; 16.0 cents at 14.65 psia.
CI61–1805; Central District, Doddridge County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.
CI61–1806; Acreage in San Juan County, N. Mex.; El Paso Natural Gas Co.; 12.0 cents at 15.025 psia.
CI61–1807; Mercedes Field, Hidalgo County, Tex.; Texas Eastern Transmission Corp.; 15.0 cents at 14.65 psia.
CI61–1814; Freemansburg District, Lewis County, W. Va.; Equitable Gas Co.; 25.0 cents at 15.325 psia.
CI62–31; Patrick Draw Area, Sweetwater County, Wyo.; Colorado Interstate Gas Co.; 15.0 cents at 14.65 psia.
CI62–47; Patrick Draw Area Sweetwater County, Wyo.; Colorado Interstate Gas Co.; 15.0 cents at 14.65 psia.

The public convenience and necessity require that these matters be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 16, 1962, at 9:30 a.m. e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 5, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made: *Provided, further,* If a protest, petition to intervene, or notice of intervention be timely filed in any of the above dockets, the above hearing date as to that docket will be vacated and a new date for hearing will be fixed as provided in § 1.20(m) (2) of the rules of practice and procedure.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61–11944; Filed, Dec. 15, 1961; 8:47 a.m.]

[Project No. 955—Oregon]

DIAMOND LAKE IMPROVEMENT CO.

Notice of Vacation of Withdrawal; Correction

DECEMBER 12, 1961.

Notice of vacation of withdrawal under section 24 of the Federal Power Act issued by this Commission on May 24, 1960, and appearing in the FEDERAL REGISTER issued Saturday, May 28, 1960 (25 F.R. 4780–1) is corrected to read:

WILLAMETTE MERIDIAN, OREGON

T. 27 S., R. 6 E.,
Sec. 29: SW¼SW¼;
Sec. 30: lots 3, 4, 5, N½SE¼, SE¼SE¼, NE¼SW¼;
Sec. 31: lots 1, 2, 3;
Sec. 32: lot 2, W½NW¼, NE¼NW¼.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61–11919; Filed, Dec. 15, 1961; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3997]

ALLEGHENY POWER SYSTEM, INC.

Notice of Filing Regarding Acquisition of Common Stock of a Public-Utility Company

DECEMBER 11, 1961.

Notice is hereby given that Allegheny Power System, Inc. ("Allegheny") 320 Park Ave., New York 22, N.Y., a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") and has designated sections 6(a), 7, 9(a), 10, and 12(c) of the Act and Rule 42 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, as amended, on file in the office of the Commission for a statement of the proposed transactions which are summarized as follows:

Allegheny proposes to issue to Republic Service Corporation ("Republic"), an exempt holding company under the Act, 62,589 shares of its authorized but unissued $5 par value common stock, of which 9,276,000 shares are presently outstanding. Such shares are to be issued in exchange for (1) all of the oustanding shares of common stock of Cumberland Valley Electric Company ("Cumberland") consisting of 33,500 shares of $10 par value common stock and (2) 90-day U.S. Treasury bills in the principal amount of $217,500, less capital contributions, if any, made by Republic to Cumberland between the agreement date, October 4, 1961, and the closing date. For purposes of illustration, Allegheny has estimated such capital contributions at $85,000, thereby reducing the amount of Treasury bills to be received to $132,500.

The agreement provides that, promptly after the exchange, Republic will distribute the Allegheny shares to its stockholders, except for 2,000 of the Allegheny shares to be deposited with a bank as escrow agent for possible return to Allegheny, if, among other events, Allegheny should be subject to any liability because of a breach of Republic's representations in the agreement.

Republic and its subsidiary company, Cumberland, are Pennsylvania corporations and are not affiliated with Allegheny, a Maryland corporation. Negotiations between Allegheny and Republic with respect to the acquisition by Allegheny of the Cumberland stock began prior to 1960 and were resumed in the spring of 1961 resulting in the exchange agreement dated October 4, 1961.

Cumberland is an electric utility company purchasing all of its electric energy requirements from South Penn Power Company, an electric utility subsidiary company of The Potomac Edison Company, which, in turn, is an electric utility subsidiary company of Allegheny. Cumberland serves about 6,000 customers in a service area which is located in the northernmost part of, and is surrounded on the east, south, and west by the service area of The Potomac Edison Company and its subsidiary companies. The application-declaration, as amended, states that Cumberland is a natural geographical addition to the Allegheny System and has favorable possibilities of future development from the standpoint of electric power sales. Cumberland's present rate schedules will be continued and all Cumberland employees (except certain retiring officers) have been asked to remain.

At August 31, 1961, Cumberland's total utility plant, stated at original cost, amounted to $2,920,594 and the reserve for depreciation amounted to $595,333 or approximately 20 percent thereof. It has outstanding $776,000 principal amount of 3¼ percent first mortgage bonds, due July 1, 1970, and $350,000 principal amount of 5 percent promissory notes payable to a bank, due December 21, 1961. At August 31, 1961, the book value of the Cumberland stock, plus the $217,500 principal amount of treasury bills, aggregated $1,362,218. As at the same date the pro forma consolidated book value of the Allegheny shares of common stock to be issued was $1,190,756. For the twelve months ended August 31,

1961, Cumberland's net income was $125,368.

Allegheny estimates that an additional $13,000 of annual income will be received by it from additional investments in common stock of its subsidiary companies to be made by it from the proceeds of the treasury bills and the advances contributed by Republic to Cumberland after October 4, 1961. For purpose of illustration, Allegheny has estimated that $138,368 of net income would be applicable to the 62,589 shares of Allegheny common stock to be issued, or $2.21 per share. The consolidated net income of Allegheny for the twelve months ended August 31, 1961, was $21,954,768 or $2.367 per share on its presently outstanding 9,276,000 shares. On the basis of the 9,338,589 shares to be outstanding, the pro forma consolidated net income for the same period would amount to $22,093,333, or $2.366 per share.

Allegheny's investment in the common stock of Cumberland is to be recorded at a cost equal to the aggregate value of the Allegheny common stock to be issued (based on $45 per share, the closing sale price on the New York Stock Exchange on October 4, 1961) less the value of the U.S. Treasury bills received by Allegheny from Republic, plus estimated capitalized expenses of $16,000, or an aggregate cost of $2,700,005. The U.S. Treasury bills to be acquired will be recorded at principal amount.

The fees and expenses to be incurred by Allegheny, estimated at $16,000, consist of stock issue tax of $3,130, counsel fees of $9,500, independent accountants fees of $750, stock exchange listing fee of $250, transfer agent's and registrar's fees of $200, and miscellaneous expenses of $2,170.

The application-declaration, as amended, states that the Maryland Public Service Commission has jurisdiction over the proposed issue and sale of common stock by Allegheny and that an appropriate order of that Commission will be supplied by amendment.

Notice is further given that any interested person may, not later than December 27, 1961, request in writing that a hearing be held in respect of the application-declaration, as amended, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant-declarant, and upon Republic Service Corporation, 17 East Seminary Street, Mercersburg, Pa. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after such date the application-declaration, as filed or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 promulgated under the Act; or the Commission may grant exemption from its rules under the Act as provided by Rules 20(a) and 100 thereof or take such other action as is deemed appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-11927; Filed, Dec. 15, 1961; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

UNITIZED INDUSTRIES, INC.

Notice of Withdrawal of Request To Operate as and Participate in a Small Business Defense Production Pool

The request to Unitized Industries, Inc., to operate as a small business defense production pool, and to certain companies to participate in the operations of said pool, and the approval of the voluntary program submitted for the operation of said pool, as set forth in 25 F.R. 13252 (December 22, 1960) are hereby withdrawn.

The following letter of withdrawal was sent to Unitized Industries, Inc. on November 7, 1961:

This refers to the letter dated May 18, 1960, to you from the Administrator of the Small Business Administration, which approved Unitized Industries, Inc., as a small business defense production pool. Letters of the same date were also sent to the three applicant companies approving their membership in the pool.

Since that time, the pool has not obtained any prime or subcontracts on government defense work, which was the purpose in forming the organization. Furthermore, only two of the original three member companies accepted the request to participate in the program, and one of those two later withdrew from the pool. As a result, Bayou Industries, Inc., Galena Park, Texas, is the only member plant remaining in the pool. In effect, there is no pooling organization left, since by definition a pool is a group of small business concerns.

Our Regional Office in Dallas discussed this matter with you July 30, 1961, and suggested you try to obtain additional members for the pool. Inasmuch as there has been no indication from you since that date that you would be able to increase the membership, our Regional Office informed you by letter dated September 20, 1961, of our agency's intent to terminate the pool and requested your comments and concurrence. No reply to that letter has been received from you.

Consequently, this is to notify you that I have decided to dissolve the pool. In my opinion, the voluntary agreement and joint program of Unitized Industries, Inc. to operate as a small business defense production pool is no longer in the public interest as contributing to the national defense or furthering the objectives of the Small Business Act.

Sincerely,

JOHN E. HORNE,
Administrator.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, which was also granted, is terminated, except that nothing stated herein shall affect the immunity of said production pool and its participating members for those acts performed or omitted during the period when such request and approval of said pool were in effect.

Dated: December 11, 1961.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 61-11929; Filed, Dec. 15, 1961; 8:46 a.m.]

APPLICATIONS FOR LOANS IN EXCESS OF $200,000

Notice of Necessity for Certificate as Defense-Oriented Small Business Concern; Correction

In the Notice of Necessity for Certificate as Defense-Oriented Small Business Concern, published at 26 F.R. 12017, the third sentence of the first paragraph beginning "The Deputy Director for Procurement and Technical Assistance shall certify a concern . . .", is corrected to begin as follows: "The Deputy Administrator for Procurement and Technical Assistance shall certify a concern . . .".

Dated the 15th day of December 1961.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 61-12015; Filed, Dec. 15, 1961; 11:34 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 13, 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. 37475: *Vinyl chloride to Pottstown, Pa., and Flemington, N.J.* Filed by Southwestern Freight Bureau, Agent (No. B-8120), for interested rail carriers. Rates on vinyl chloride, with or without inhibitor, in tank-car loads, from Freeport, Houston, Texas City, Tex., Baton Rouge, North Baton Rouge, and Plaquemine, La., to Pottstown, Pa., and Flemington, N.J.

Grounds for relief: Unregulated water-truck and market competition.

Tariffs: Supplements 5 and 25 to Southwestern Freight Bureau tariffs I.C.C. 4450 and 4435, respectively, also

supplement 225 to Southern Freight Association tariff I.C.C. 452 (Marque series).

FSA No. 37476: *Salt from Michigan and Ohio to Memphis, Tenn.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2594), for interested rail carriers. Rates on salt, common (sodium chloride), as more fully described in the application, loose in bulk, or in bulk in 100-pound bags, in carloads, from Manistee, Mich., Akron, Barberton and Rittman, Ohio, to Memphis, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 51 to Traffic Executive Association-Eastern Railroads tariff I.C.C. 4534.

By the Commission.

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

[F.R. Doc. 61-11938; Filed, Dec. 15, 1961; 8:46 a.m.]

[Notice 578]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 13, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 64309. By order of December 8, 1961, the Transfer Board approved the transfer to Conley Motor Express, Inc., Pittsburgh, Pa., of a portion of the operating rights in Certificate No. MC 37840, issued August 23, 1957, to Thomas C. Conley, doing business as Conley Motor Express, Pittsburgh, Pa., authorizing the transportation of: general commodities, with the usual exceptions including household goods and commodities in bulk; iron and steel products and scrap metal, petroleum, fish, vegetable oils and greases, synthetic resins, by-products and compounds of the above-indicated commodities, and empty containers therefor, seeds, and household goods, from, to, or between specified points in New Jersey, New York, Ohio, Pennsylvania, and West Virginia. Arthur J. Disken, 302 Frick Building, Pittsburgh 19, Pa., attorney for applicants.

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

[F.R. Doc. 61-11939; Filed, Dec. 15, 1961; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—DECEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during December.

3 CFR

Page

PROCLAMATIONS:
- May 27, 1907 — 11746
- 3298 — 11937
- 3401 — 11714
- 3440 — 11714
- 3441 — 11937
- 3442 — 12023

EXECUTIVE ORDERS:
- Nov. 10, 1917 — 11906
- Apr. 8, 1919 — 11906
- June 14, 1921 — 11906
- 2711 — 11746
- 3797–A — 12080
- 10717 — 11937
- 10977 — 11471
- 10978 — 11714
- 10979 — 11937
- 10980 — 12059

5 CFR

- 6 — 11347, 11483, 11671, 11813, 11852, 12060
- 29 — 11794
- 401 — 11938

7 CFR

- 319 — 12029
- 718 — 11813
- 719 — 12060
- 722 — 11472, 11481, 11851, 11887
- 728 — 11795
- 729 — 11816
- 750 — 11725
- 775 — 11672
- 776 — 11347, 11407
- 811 — 11963
- 812 — 11817
- 820 — 11965
- 871 — 11968
- 914 — 11417, 11817, 11851, 11890, 12062, 12063
- 933 — 11417–11419
- 937 — 11725
- 938 — 11725, 12063
- 953 — 11419, 11818, 11851, 12030, 12064
- 958 — 11483, 11852, 11970
- 1001 — 12064
- 1032 — 12030
- 1068 — 12064
- 1069 — 12065

PROPOSED RULES:
- 812 — 11838
- 904 — 12037
- 911 — 11495
- 913 — 11839
- 914 — 11435
- 949 — 12037
- 952 — 12037
- 953 — 11363
- 982 — 11498
- 990 — 12037
- 993 — 12037
- 996 — 12037
- 999 — 12037
- 1026 — 11982
- 1028 — 11982

8 CFR

- 212 — 12066
- 214 — 12066
- 237 — 11818
- 243 — 11819
- 252 — 11797
- 253 — 11797

8 CFR—Continued

Page

- 299 — 11819

PROPOSED RULES:
- 242 — 11363

9 CFR

- 74 — 11852, 11970
- 77 — 11971
- 78 — 12067
- 83 — 11483, 11853

PROPOSED RULES:
- 74 — 11804
- 151 — 11870
- 201 — 11988

10 CFR

- 25 — 11726

12 CFR

- 4 — 11353
- 204 — 12031
- 217 — 11798, 11971, 12031
- 327 — 12031
- 329 — 11798, 12031

13 CFR

- 121 — 12069
- 122 — 11353

14 CFR

- 40 — 11354
- 41 — 11355
- 42 — 11356
- 221 — 11819
- 287 — 11890
- 288 — 11483
- 302 — 11820
- 507 — 11672, 11821, 12032, 12033
- 555 — 11672
- 600 — 11357, 11484, 11485, 11674, 11726, 11727, 11822–11824, 11853, 11893, 12069, 12070.
- 601 — 11485, 11674, 11675, 11726–11728, 11822–11825, 11853–11859, 11893, 11894, 12070, 12071, 12073, 12074.
- 602 — 11729
- 608 — 11729, 11730, 11859, 11861, 11894, 12033
- 609 — 11939, 11946, 11951, 11960
- 610 — 12074

PROPOSED RULES:
- 18 — 11804
- 43 — 11804
- 302 — 11685, 11841
- 399 — 11841
- 411 — 12085
- 507 — 11870, 12042
- 600 — 11435, 11494, 11734
- 601 — 11364–11368, 11435, 11436, 11438, 11440–11443, 11445, 11446, 11448, 11449, 11451, 11453–11456, 11494, 11686, 11734, 11988.
- 608 — 11435, 11494, 11988

15 CFR

- 201 — 11357
- 230 — 11360, 11972

16 CFR

- 13 — 11360, 11486, 11675, 11730, 11825, 11895, 11938, 12033, 12034.
- 14 — 11826

17 CFR

Page

- 231 — 11896
- 239 — 11730

PROPOSED RULES:
- 270 — 11738

18 CFR

- 141 — 11897
- 260 — 11900

PROPOSED RULES:
- 2 — 11459

19 CFR

- 3 — 11362
- 5 — 11420
- 21 — 11362
- 54 — 11731

PROPOSED RULES:
- 10 — 11683

20 CFR

- 404 — 11827, 11938

21 CFR

- 20 — 11676
- 120 — 11731, 11799, 12034
- 121 — 11677, 11799, 11800, 11828–11830, 12035, 12077.
- 141a — 11801
- 141c — 11801
- 146 — 12035
- 146a — 11801
- 146c — 11801
- 147 — 11802
- 191 — 12035

PROPOSED RULES:
- 1 — 11734
- 27 — 11988
- 51 — 11988
- 120 — 11684
- 121 — 11684, 11735, 11841, 11870
- 141a — 11684
- 146 — 11684
- 146a — 11684
- 147 — 11684

24 CFR

- 201 — 11731

25 CFR

PROPOSED RULES:
- 221 — 11734

26 CFR

- 1 — 11486, 11677, 12077
- 20 — 11861
- 25 — 11861
- 45 — 11861

PROPOSED RULES:
- 1 — 12085
- 48 — 12085

28 CFR

- 15 — 11420

29 CFR

- 403 — 11678
- 408 — 11678
- 670 — 11420
- 678 — 11420
- 779 — 11802

PROPOSED RULES:
- 545 — 11735

30 CFR

- 222 — 11487

31 CFR

Page

270 ... 11938

32 CFR

272 ... 11830
273 ... 11831
577 ... 11679
701 ... 11715
710 ... 11716
719 ... 11763, 11862
720 ... 11722
755 ... 11792
765 ... 11680, 11794
1453 ... 11972
1470 ... 11972
1472 ... 11972
2011 ... 11421

32A CFR

OIA (CH. X):
OI Reg. 1 ... 11973

33 CFR

125 ... 11862
203 ... 11803
210 ... 11732
212 ... 11421

36 CFR

1 ... 11903
PROPOSED RULES:
1 ... 11363

38 CFR

6 ... 11680
7 ... 11802
8 ... 11680
21 ... 11862

39 CFR

1–204 ... 11513
13 ... 11864
17 ... 11903
27 ... 11903
31 ... 11864
33 ... 11903
47 ... 11864
48 ... 11864
168 ... 11832
PROPOSED RULES:
61 ... 11838
201 ... 11426
202 ... 11431
203 ... 11432
204 ... 11432

41 CFR

2–12 ... 11904
9–7 ... 11488
60–1 ... 11974

43 CFR

161 ... 11975
PROPOSED RULES:
192 ... 11493, 11911
200 ... 11493
PUBLIC LAND ORDERS:
61 ... 11803

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued
842 ... 11361
1058 ... 12082
1238 ... 11863
2323 ... 12080
2543 ... 11361
2544 ... 11361
2545 ... 11803
2546 ... 11361
2547 ... 11803
2548 ... 11803
2549 ... 11803
2550 ... 11863
2551 ... 11863
2552 ... 11906
2553 ... 12079
2554 ... 12080
2555 ... 12080
2556 ... 12080
2557 ... 12080
2558 ... 12081
2559 ... 12082

44 CFR

151 ... 11425

46 CFR

2 ... 11908
34 ... 11908
73 ... 11908
76 ... 11909
78 ... 11909
97 ... 11909
146 ... 12082
157 ... 12082
167 ... 11909
171 ... 11864
PROPOSED RULES:
201 ... 11738
206 ... 11738
221 ... 11738
298 ... 11738
299 ... 11738

47 CFR

1 ... 11909, 11977
2 ... 11833, 11978
3 ... 12024, 12083
7 ... 12083
8 ... 12083
10 ... 11422, 11681, 11978
14 ... 12083
16 ... 11423, 11978
19 ... 11978
PROPOSED RULES:
3 ... 11458, 11495, 11870, 11911, 11989, 11990, 12085.
7 ... 11369
8 ... 11369, 11912
14 ... 11369

49 CFR

43 ... 11835
170 ... 11732
174a ... 11492

50 CFR

32 ... 11733
33 ... 11733, 11836, 11837, 11868, 11869, 11909
270 ... 11979

Checklist

CFR SUPPLEMENTS

(As of January 1, 1961)

1960 Supplement to Title 3 ($0.50); Titles 1–4 (Revised) ($4.00); 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 1–199 (Revised) $3.75; 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, Part 1 (§§ 1.0–1—1.400) (Revised) ($5.50); Part 1 (§§ 1.401–1.860) (Revised) ($5.50); Part 1 (§ 1.861 to end) to Part 19 (Revised) ($5.00); Parts 20–29 (Revised) ($4.25); Parts 30–39 (Revised) ($3.50); Parts 40–169 (Revised) ($4.50); Parts 170–299 (Revised) $6.25; Parts 300–499 (Revised) ($4.00); Parts 500–599 (Revised) ($4.25); Parts 600 to end (Revised) ($3.00); 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 (1961 Supp. 1) ($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); General Index ($1.00).

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

FEDERAL REGISTER

Telephone WOrth 3-3261

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

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.