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FEDERAL REGISTER

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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3518

NATIONAL POISON PREVENTION WEEK, 1963

By the President of the United States of America

A Proclamation

WHEREAS approximately a half-million young children are accidentally poisoned each year by common household products and medicines; and

WHEREAS such accidents result in permanent damage—even death—to many of these children; and

WHEREAS parents and others responsible for the care of children can prevent such accidents through proper storage, handling, and disposal of potentially toxic substances; and

WHEREAS, by a joint resolution approved September 26, 1961 (75 Stat. 681), the Congress requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby proclaim the week beginning March 17, 1963, as National Poison Prevention Week.

I direct the appropriate agencies of the Federal Government, and I invite State and local governments and organizations interested in child safety, to participate actively in programs intended to promote better protection against accidental poisonings.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of February in the year of our Lord nineteen hundred and sixty-three, and [SEAL] of the Independence of the United States of America the one hundred and eighty-seventh.

JOHN F. KENNEDY

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 63-1544; Filed, Feb. 8, 1963; 10:18 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Navel Orange Reg. 26]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.326 **Navel Orange Regulation 26.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907; 27 F.R. 10087), 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 Navel 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.

(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 February 7, 1963.

(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., February 10, 1963, and ending at 12:01 a.m., P.s.t., February 17, 1963, are hereby fixed as follows:

(i) District 1: 300,000 cartons;
(ii) District 2: 300,000 cartons;
(iii) District 3: Unlimited movement;
(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: February 8, 1963.

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

[F.R. Doc. 63–1546; Filed, Feb. 8, 1963; 11:25 a.m.]

[Lemon Reg. 49]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.349 **Lemon Regulation 49.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), 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 February 5, 1963.

(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., February 10, 1963, and ending at 12:01 a.m., P.s.t., February 17, 1963, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 139,500 cartons;
(iii) District 3: Unlimited movement.

(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: February 7, 1963.

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

[F.R. Doc. 63–1512; Filed, Feb. 8, 1963; 8:52 a.m.]

[Grapefruit Reg. 14]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

§ 912.314 **Grapefruit Regulation 14.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912; 27 F.R. 87; 28 F.R. 23), regulating the handling of grapefruit grown in the Indian River District 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 and information submitted by the Indian River Grapefruit 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 grapefruit, 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 Indian River grapefruit, 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 Indian River grapefruit; 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 February 7, 1963.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period beginning at 12:01 a.m., e.s.t., February 11, 1963, and ending at 12:01 a.m., e.s.t., February 18, 1963, is hereby fixed at 250,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" 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 February 7, 1963.

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

[F.R. Doc. 63–1545; Filed, Feb. 8, 1963; 11:25 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 1]

PART 122—BUSINESS LOANS

The Business Loan Regulation (13 CFR Part 122, 23 F.R. 10520) as amended (26 F.R. 4192, 5175, 5956, 8169, and 11353, and 27 F.R. 733) is hereby revised by deleting Part 122 in its entirety and substituting the following in lieu thereof:

Sec.
122.0 Statutory provisions.

FINANCIAL ASSISTANCE

122.1 General.
122.2 Eligibility.
122.3 Interest rates.

TYPES OF BUSINESS LOANS

122.4 Introduction.
122.5 Deferred participation loans.
122.6 Immediate participation loans.
122.7 Direct loans.
122.8 Group corporation loans.
122.9 Limited loan participations.
122.10 [Reserved]
122.11 Simplified bank loan participations.
122.12 Early maturities participations.
122.13 Simplified early maturities participations.
122.14 Purpose of loans.
122.15 Extension of RFC loans.
122.16 Step-by-step procedure for a business loan applicant.
122.17 Credit requirements.

TERMS AND CONDITIONS OF LOANS

122.18 Maturities.
122.19 Charges, commissions and fees.
122.20 Loan closing.

LOAN ADMINISTRATION

122.21 Loan administration.
122.22 Collection policy.
122.23 Sale and conversion of loans.

LIQUIDATION OF LOANS AND SECURITY

122.24 Liquidation policy.
122.25 Foreclosure of collateral.
122.26 Sale of acquired collateral.

AUTHORITY: §§ 122.0 through 122.26 issued under sec. 5, of Pub. Law 85–536, 72 Stat. 385.

§ 122.0 Statutory provisions.

SEC. 7. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies, or materials for war, defense, or civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. The foregoing powers shall be subject, however, to the following restrictions and limitations:

(1) No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

(2) No immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

(3) In agreements to participate in loans on a deferred basis under the subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

(4) Except as provided in paragraph (5), (A) no loan under this subsection shall be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this Act would exceed $350,000; (B) the rate of interest for the Administration's share of any such loan shall be no more than 5½ per centum per annum; and (C) no such loan, including renewals or extensions thereof, may be made for a period or periods exceeding ten years except that a loan made for the purpose of constructing facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction.

(5) In the case of any loan made under this subsection to a corporation formed and capitalized by a group of small-business concerns with resources provided by them for the purpose of obtaining for the use of such concerns raw materials, equipment, inventories, supplies or the benefits of research and development, or for establishing facilities for such purpose, (A) the limitation of $350,000 prescribed in paragraph (4) shall not apply, but the limit of such loan shall be $250,000 multiplied by the number of separate small businesses which formed and capitalized such corporations; (B) the rate of interest for the Administration's share of such loan shall be no less than 3 nor more than 5 per centum per annum; and (C) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding ten years except that if such loan is made for the purpose of constructing facilities it may have a maturity of twenty years plus such additional time as is required to complete such construction.

(6) The Administrator is authorized to consult with representatives of small-business concerns with a view to encouraging the formation by such concerns of the corporation referred to in paragraph (5). No act or omission to act, if requested by the Administrator pursuant to this paragraph, and if found and approved by the Administration as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the FEDERAL REGISTER. The authority granted in this paragraph shall be exercised only (A) by the Administrator, (B) upon the condition that the Administrator consult with the Attorney General and with the Chairman of the Federal Trade Commission, and (C) upon the condition that the Administrator obtain the approval of the Attorney General before exercising such authority. Upon withdrawal of any request or finding hereunder or upon withdrawal by the Attorney General of his approval granted under the preceding sentence, the provisions of this paragraph shall not apply to any subsequent act or omission to act by reason of such finding or request.

(7) All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

* * * * *

(c) The Administration may further extend the maturity of or renew any loan made pursuant to this section, or any loan transferred to the Administration pursuant to Reorganization Plan Numbered 2 of 1954, or Reorganization Plan Numbered 1 of 1957, for additional periods not to exceed ten years

beyond the period stated therein, if such extension or renewal will aid in the orderly liquidation of such loan.

FINANCIAL ASSISTANCE

§ 122.1 General.

(a) It is the intent of Congress that government funds should be lent only after all other possible avenues for solving a small firm's financial problems have been explored. Frequently firms do not need a loan but are in need most of counseling on financial management problems. In such cases SBA provides assistance through its Financial Counseling Program.

(b) In response to requests for aid, or in examining applications for SBA loans, consideration is given to (1) possible assistance available from local development corporations; (2) possible means of obtaining credit on reasonable terms from banks, other private financing sources, or from utilization of the personal credit or resources of the applicant's owners or management; (3) adequacy of accounting methods and other aspects of financial management; (4) means of increasing equity capital; (5) eligibility for V-loan financing of defense contracts; (6) feasibility of obtaining advance or partial payments on contracts.

(c) All business loans shall be of such sound value, or so secured as reasonably to assure repayment. Security may include, but shall not be limited to, mortgage on real or personal property, assignment of accounts receivable or monies due on contracts, pledge of inventories or warehouse receipts, and guaranties.

§ 122.2 Eligibility.

As a public agency using taxpayers' funds, SBA has an unusual responsibility as a lender. SBA's loans must meet requirements established by Congress, must be for essential purposes, and must be fully justified. Accordingly, in order to be eligible, a business must qualify under the Loan Policy Statement, Part 120 of this chapter, and the small business size standards requirements, Part 121 of this chapter.

§ 122.3 Interest rates.

Interest rates on business loans are set forth in Part 120, § 120.3(b)(2).

TYPES OF BUSINESS LOANS

§ 122.4 Introduction.

Financial assistance by SBA to a borrower, including all affiliates, may not exceed $350,000 outstanding at any one time except that those loans in participation with banks or other lending institutions may exceed $350,000 in total so long as the amount of the participation by SBA does not exceed that amount. In Group Corporation Loans the limitation on SBA's share is $250,000 for each small business concern which formed and capitalized the Group Corporation.

§ 122.5 Deferred participation loans.

Deferred participation loans are those in which a bank or other private credit institution advances the capital needed, and SBA agrees to purchase, upon demand by the lending institution, an agreed portion of the unpaid balance then outstanding. SBA's participation in a deferred participation loan shall not exceed 90 percent of the principal balance of the loan outstanding at the time SBA disburses its funds. In such loans, SBA makes a charge to the lending institution based on a sliding scale set forth in Part 120, § 120.3(b)(1). The participation charges shall not be charged by the participating institution to the borrower. In deferred participation loans the interest rate on the bank's share applies to the entire loan until SBA purchases its share of such loan. Outstanding direct and immediate participation loans may be converted to deferred participation loans.

§ 122.6 Immediate participation loans.

Immediate participation loans are those where either SBA or a private lending institution agrees to purchase from the other, immediately upon disbursement, an agreed percentage of each disbursement. SBA's participation shall not exceed 90 percent of the amount of the loan. An immediate participation loan may not be made if a deferred participation is available. Outstanding direct loans may be converted to immediate participation loans.

§ 122.7 Direct loans.

Direct loans are those made wholly and directly by SBA to the borrower when no participation by a lending institution is available.

§ 122.8 Group corporation loans.

(a) *Loan limits.* In the case of a corporation formed and capitalized by a group of small-business concerns with resources provided by them to obtain for their own use raw materials, equipment, inventories, supplies or benefits of research and development or to establish facilities for such purposes, (1) the loan limitation on SBA's share is $250,000 multiplied by the number of separate small businesses participating in the Group Corporation; and (2) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding ten years except that, if such loan is made for the purpose of constructing facilities, it may have a maturity of twenty years plus such additional time as is required to complete the construction. These loans may be made either on a participation or direct basis.

(b) *Use of proceeds.* Under the provisions of paragraph (a) of this section, the raw materials, equipment, inventories, or supplies, or the benefits of research and development must be primarily for the use of the concerns organizing the Group Corporation.

(c) *Eligibility.* The applicant corporation shall be owned by a group of small-business concerns, including corporations, partnerships, individuals or any combination of the foregoing, each of which shall itself qualify as a small-business concern which would be eligible for a small-business loan. Each such concern shall share a need in common with the other small-business concerns forming said corporation, the satisfaction of which need is the purpose for which the Group Corporation is being organized. Such Group Corporation shall file its application in the same manner as other eligible business concerns according to procedures set forth in § 122.16.

(d) *Antitrust exemption.* In the event that such a corporation desires exemption from the prohibitions of the antitrust laws or the Federal Trade Commission laws, it may obtain such exemption by using the procedures prescribed in paragraph (e) of this section.

(e) *Procedures for obtaining antitrust exemptions.*

(1) A Group Corporation desiring an antitrust exemption, pursuant to section 7(a)(6) of the Small Business Act, as amended, will include a specific request for such exemption in its application.

(2) On reviewing an application containing an antitrust exemption request, the Administrator of SBA will consult with the Attorney General and the Chairman of the Federal Trade Commission with respect to the exemption. Upon receipt of the written approval of the Attorney General, the Administrator may make a finding that the formation of the group corporation will contribute to the needs of small business, and may approve the exemption.

(3) Upon the making of any such finding and approval, a copy of the finding and approval by the Administrator shall be furnished to the Attorney General and Chairman of the Federal Trade Commission and shall be published in the FEDERAL REGISTER. No action by such Group Corporation which has been approved by the Administrator, and which act is in furtherance of the purpose approved by the findings published in the FEDERAL REGISTER, shall be construed to be within the prohibitions of the antitrust laws or Federal Trade Commission Act of the United States.

(f) *Withdrawal of Exemption.* In the event that the Group Corporation withdraws its request for the exemption, or the Administrator withdraws his finding that the Group Corporation contributes to the needs of small business, or upon the withdrawal of the approval granted by the Attorney General, the antitrust exemption shall not apply to any subsequent act or omission to act by reason of such finding or request.

§ 122.9 Limited loan participations.

This loan plan is designed especially to assist small retail, wholesale, and service establishments (other types of business may also be eligible) which are unable to pledge as much collateral as is required for regular business loans, but which have a good earnings record, competent management, and a creditable record with local banks for meeting their obligations. Loans under this plan are made only in participation with private lending institutions and either on a deferred or immediate basis. Limited participation loans are authorized for maturity of not more than five years, generally repayable monthly, subject to the following limitations:

(a) SBA's share in any such loan shall not exceed $25,000 or 75 percent of the

total amount of the loan, whichever is the lesser.

(b) The participating institution's minimum share of the loan shall be the greater of (1) 25 percent of the loan, or (2) an amount equal to the participating bank's loan(s) to be refinanced with a part of the LLP loan. Such bank loans may be so refinanced provided the bank certifies that such debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(c) Emphasis shall be placed on the repayment ability of the borrower as determined from its record of past earnings.

§ 122.10 [Reserved]

§ 122.11 **Simplified bank loan participations.**

This loan plan is designed to provide greater expediency in the processing of SBA participation loan applications. It is a procedure whereby SBA may make a speedy evaluation of a loan and purchase its share of the loan as soon as the loan is ready for disbursement. It is especially designed to accommodate strong credit risks, not weak ones.

(a) The participating institution shall agree to disburse and service the loan initially.

(b) An immediate participation loan may be made where a deferred participation loan is not available.

(c) The participating institution's minimum share of the loan must be the greater of (1) 25 percent of the total amount of the loan, or (2) an amount equal to the bank's loan(s) to be refinanced under this plan.

(d) SBA reserves the option to require that the loan be processed or disbursed under alternative procedures.

(e) Where refinancing is proposed, SBA may require the participating institution's share of the loan to exceed the total amount of existing debts owed to the participating institution. The participating institution must certify, in writing, that such existing debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(f) Immediately after disbursement of the loan the participating institution shall submit the closing documents and memorandum of disbursement to SBA for review.

§ 122.12 **Early maturities participations.**

Early Maturities Participation loans are authorized on an immediate participation basis whereby the full amount of the early scheduled principal payments on a loan may be applied toward reduction of the participating financial institution's share of the total loan subject to the following limitations:

(a) The financial institution shall participate in an amount not less than the greater of the following sums: (1) The aggregate of the level amortized principal payments due in the first two years of the loan; (2) 25 percent of the loan; or (3) the full amount of any existing debt owed by the borrower to the participating financial institution, the remaining term of which is more than one year, and of any debt the remaining term of which is less than one year upon which payments, if required, have not been made as originally agreed.

(b) All such loans shall be amortized on a level principal payment basis, plus interest, and only such principal payments as are made within 60 days of due date may be applied toward early reduction of the participating institution's share of the total loan. Upon expiration of 60 days after default of any payment of principal or interest due on the loan, unless the default is cured by payment within that period, the proportionate interests of the SBA and the institution participating in the loan shall be frozen or fixed in amounts equal to their respective percentages of exposure in the loan as of the date of the last principal payment received prior to the default. All future payments on the loan from any source shall be paid over to, or credited to, the participating institution and SBA according to their respective percentages of the frozen or fixed participation.

(c) No such agreement shall establish any preference in favor of the lending institution in any collateral or security for the loan. At any time during the term of the loan while the participating institution continues to have an interest regardless of whether bank's participation has been declared frozen or fixed, the proceeds from the liquidation or sale of any collateral or security supporting the loan, including payments by guarantors, or any other principal payments due to be applied in inverse order of maturity, shall be paid over to, or credited to, the participating institution and SBA in amounts according to their respective percentages of interest or exposure in the loan based upon the outstanding balance of the loan as of the date such principal payment is received.

(d) Upon the repayment of the aggregate amount of amortized payments due the participating institution, SBA shall assume servicing of the loan and sole custody and control of all collateral, provided that at the option of the participating institution it may purchase or enter into a new participation in the loan in an amount not less than its original participation and continue to service the loan. The new participation shall then be liquidated in the same manner as the original participation. The participating institution shall have additional options throughout the term of the loan periodically to enter into new participations in the loan in an amount not less than its original participation, or may at any time purchase or acquire the entire outstanding loan.

§ 122.13 **Simplified early maturities participations.**

This loan plan combines the features of the Early Maturities Participation plan and the Simplified Bank Loan Participation plan. It is designed primarily to encourage a larger percentage of participation by private lending institutions in immediate participation loans. It is designed for preferred credit risks.

(a) The participating institution must agree to service the loan initially.

(b) The participating institution's minimum share must be not less than the greater of: (1) 50 percent of the total amount of the loan, or (2) an amount not less than the participating institution's loan(s) to be repaid with a part of the new loan. The participant must certify, in writing, that such refinanced debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(c) All such loans shall be amortized on a level principal payment basis plus interest. Only payments made within 90 days of the due date can be applied toward early reduction of the participating institution's share of the total loan. Upon expiration of 90 days after default of any payment of principal or interest due on the loan, unless default is cured by payment within that period, the proportionate interests of the SBA and the institution participating in the loan shall be frozen or fixed in amounts equal to their respective percentages of interest or exposure in the loan as of the date of the last principal payment received prior to the default. All future payments on the loan from any source shall be paid over to, or credited to, the participating institution and SBA according to their respective percentages of the frozen or fixed participation.

(d) The period of time during which the participating institution's share will be repaid shall be based on the same proportion of loan maturity that the institution's participation bears to the total amount of the loan; e.g., a bank would be repaid over a period of 3 years if it participates 50 percent in a 6 year loan; or repaid in 6 years by participating 60 percent in a 10 year loan.

(e) No agreement under this loan plan shall establish any preference in favor of the lending institution in any collateral or security for the loan. At any time during the term of the loan while the participating institution continues to have an interest, regardless of whether bank's participation has been declared frozen or fixed, the proceeds from the liquidation or sale of any collateral or security supporting the loan, payments by guarantors, or any other principal payments due to be applied in inverse order of maturity, shall be paid over to, or credited to, the participating institution and SBA according to their respective percentages of interest or exposure in the loan based upon the outstanding balance of the loan as of the date such principal payment is received.

(f) Upon the repayment of the aggregate amount of amortized payments due the participating institution SBA shall assume servicing of the loan and sole custody and control of all collateral, provided that at the option of the participating institution it may purchase or enter into a new participation in the loan in a percentage of participation not less than its original percentage of participation in the loan and it shall continue to service the loan. The new participation shall then be liquidated in the same manner as the original participa-

tion. The participating institution shall have additional options throughout the term of the loan periodically to enter into new participations in the loan at a percentage of participation not less than its original percentage of participation or may at any time purchase or acquire the full outstanding loan.

§ 122.14 Purposes of loans.

SBA makes loans to small manufacturers, wholesalers, retailers, service establishments and other firms when financing is not otherwise available on reasonable terms. Loans are made by SBA to: (a) Finance construction, conversion, or expansion; (b) finance the purchase of equipment, facilities, machinery, supplies or materials; or (c) supply working capital.

§ 122.15 Extension of RFC loans.

Actions taken by SBA pursuant to the authority of section 7(c) of the act are limited to such periods of time as appear necessary to avoid forced liquidation of loans. Extensions are granted under this section only when it appears that no other course of liquidation will result in a greater and earlier recovery of the indebtedness.

§ 122.16 Step-by-step procedure for a business loan applicant.

(a) Before applying to SBA, an applicant should make every effort to obtain the loan elsewhere.

(b) If unable to obtain the entire loan from a bank or other source, the applicant should ascertain whether a bank will make the loan if SBA agrees to purchase a participation.

(c) If the applicant is unable to obtain the loan or a participation in a loan from any other source, then SBA will consider an application for a direct loan.

(d) An applicant desiring to obtain a loan from SBA should apply to SBA's office serving the territory in which the applicant is located. Addresses of offices may be obtained from SBA.

(e) When an applicant first communicates with SBA's office it should be able to furnish a history of its business, the amount of the loan desired, how it will be secured, the purpose of the loan and the nature of its business. It should also be able to present current operating and financial statements and, if available, the statements for the previous several years.

(f) Applicant should furnish the names of banks to which it has applied for financial assistance, the reason it was unable to obtain the financing applied for, and whether the bank, if unable to make the loan without SBA's participation, would make the loan on condition that SBA agree to purchase a participation.

(g) SBA's office will furnish appropriate application forms and any necessary preparation information.

(h) After filing application with either bank or SBA, the applicant will then be notified of the decision either to grant or deny the requested financial assistance.

§ 122.17 Credit requirements.

A loan applicant must meet certain practical credit requirements established by SBA. Principal requirements are as follows:

(a) An applicant must be of good character.

(b) There must be evidence that he has ability to operate his business successfully.

(c) He must have enough capital in the business so that, with loan assistance from SBA, it will be possible for him to operate on a sound financial basis.

(d) As required by the Small Business Act, as amended, the proposed loan must be "of such sound value or so secured as reasonably to assure repayment."

(1) *Loan appraisals.* Regional Directors are responsible for the proper evaluation of collateral offered to secure a proposed loan and of collateral pledged in connection with the administration and liquidation of loans. Such evaluation may be based upon an appraisal made by a competent independent appraiser approved by SBA or upon an appraisal made by an employee of SBA. Appraisal also may include, in addition to collateral values, an evaluation of the productive and earning potential of an applicant in those cases where it has been determined necessary.

(e) The past earnings record and future prospects of the firm must indicate ability to repay a loan out of income from the business. In the event that an engineering survey of a company's operation, earnings, management, competitive position, and related factors is desired in connection with a loan application, the nature and extent of such a survey shall be determined by review of the case. A technical evaluation will contain a report on the following kinds of subjects. The list is not all-inclusive, merely indicative:

(1) Principal company products.
(2) Productive capacity.
(3) Break-even point.
(4) Sales.
(5) Market or potential sales of the product.
(6) Competitive factors.
(7) Suitability of present plant and equipment.
(8) New machinery needed.

(f) Security may include: Mortgage on land, buildings and equipment; assignment of warehouse receipts for marketable merchandise stored in satisfactory warehouses; mortgage on chattels; or assignment of current receivables (accounts, notes or trade acceptances). The applicant may offer as additional collateral any other assets of sound value. A pledge of inventories generally will not be regarded as satisfactory collateral unless stored in a bonded or otherwise acceptable warehouse, or unless the applicable State law provides for creating and maintaining a satisfactory lien upon inventory not so warehoused.

(g) While the questions of security and collateral are important in determining whether a loan will be made, they do not alone constitute the factors upon which the approval or rejection of an application is determined. SBA attaches great importance to management; the inherent soundness of the business enterprise; its earnings record and prospects; its long-range possibilities of successful operation; and whether the granting of a loan will increase employment or have other favorable effects upon the economic life of the community.

TERMS AND CONDITIONS OF LOANS

§ 122.18 Maturities.

The maturity of each loan (except as specifically stated for special programs) is limited to ten years but shall be restricted to the minimum consistent with sound business practice. Loans are generally repayable monthly with payments to include both principal and interest. Special repayment plans may be arranged to meet those situations where income is seasonal.

§ 122.19 Charges, commissions and fees.

(a) Payment of bonus, or brokerage fees or commissions for the purpose of, or in connection with, obtaining loans from SBA or loans in which SBA participates is prohibited. The applicant, subject to SBA approval, may pay actual reasonable costs incurred in connection with the application, including such items as compensation for services rendered by attorneys, appraisers and accountants, but in no event may an applicant make any payment in the nature of a fee or commission.

(b) The applicant is required to certify the names of all attorneys, accountants and other representatives engaged by him in connection with the loan and all such attorneys, accountants and representatives are required to execute an agreement relating to the compensation paid or to be paid for their services. All compensation or other charges must be approved by SBA before payment is made, or if payment has been made, a refund of any excessive portion of the charge must be made to the applicant. See Part 103 of this chapter for further regulations with respect to representatives and their compensation.

§ 122.20 Loan closing.

If SBA approves a loan application, a formal loan authorization is issued by SBA. This authorization is not a contract to lend or a loan agreement. Instead, it states the condition which the borrower must meet before loan funds will be disbursed. When the borrower is prepared to meet these conditions, SBA or the participating institution will arrange a date, time and place for closing the loan.

LOAN ADMINISTRATION

§ 122.21 Loan administration.

Participation loans which are closed by the bank will be administered by the bank, and participation loans or direct loans closed by SBA will be administered by SBA. However, SBA reserves the right to transfer the servicing of a participation loan from the bank to SBA.

§ 122.22 Collection policy.

It is the policy of SBA to insist upon prompt payment of due installments and

upon compliance with all terms and conditions of the note, mortgage and loan agreements. Any request for relief should be directed to the participating bank or SBA field office, whichever is servicing the loan. No deviation in the terms and conditions of the note or other instruments will be condoned without the written approval of the participating bank, if a bank has participated in the loan. However, in order to aid and assist borrowers in the discharge of their financial obligations, it is the policy of SBA to advise and counsel with borrowers in the management, production and financial aspects of their business, with a view of encouraging the development of a healthy, growing concern.

§ 122.23 Sale and conversion of loans.

(a) Directors of the regional offices are authorized to effect the sale of any direct loan upon receipt of the written consent of the borrower and payment in the amount of the borrower's indebtedness. Loans made pursuant to the Small Business Act, as amended, and those loans which were transferred to SBA in accordance with Reorganization Plans No. 2 of 1954 and No. 1 of 1957 will not be sold for less than the amount of the borrower's obligation.

(b) Direct loans may be converted to participation loans in which a bank or other lending institution will purchase a participating interest. Such a conversion may be to either the form of a deferred participation loan or of an immediate participation loan.

(c) An immediate participation loan may be converted to a deferred participation loan or a loan wholly owned by the participating bank without the borrower's approval upon payment of the unpaid amount of SBA's participation in such loan, together with the accrued interest due thereon and any advances that may have been made by SBA.

(d) Any deferred participation agreement may be terminated upon receipt of a written request from the participating institution, provided SBA has not purchased its participation and the participation charges are paid to the date of termination.

LIQUIDATION OF LOANS AND SECURITY

§ 122.24 Liquidation policy.

(a) It is the policy of SBA to aid, counsel, assist and protect small-business concerns to which loans have been made. Ordinarily, the liquidation of the property securing a loan will not be resorted to if there appears to be any reasonable probability that the loan may be repaid by the borrower or a guarantor within a reasonable period.

(b) Liquidation of the security may be authorized or approved when any one of the following conditions exists:

(1) A borrower is in default in the payment of one or more installments due under a note or has defaulted in the performance of conditions contained in the note, loan agreement, other instrument, or a security instrument, and its failure to cure such default or defaults or to make acceptable arrangements to cure the same is due to (i) lack of diligence; (ii) lack of managerial ability which the borrower has failed or refused to correct; (iii) other circumstances within the borrower's control; or (iv) the inability of the borrower to remedy the default;

(2) Foreclosure or other proceedings have been instituted which may jeopardize the interest of the Government;

(3) A borrower has filed a voluntary petition or an involuntary petition has been filed against the borrower pursuant to any of the provisions of the Bankruptcy Act, as amended;

(4) A receiver has been appointed or other judicial action taken for the purpose of liquidating the borrower's assets;

(5) The borrower has made an assignment for the benefit of creditors which may result in the liquidation of his assets;

(6) The borrower is in default and has discontinued or abandoned the business and has not submitted an acceptable plan of payment;

(7) The failure of the borrower to disclose in his loan application any fact deemed by SBA to be material or the making of any false statement or material misrepresentation by, on behalf of, or for the benefit of, the borrower in the loan application, in any of the loan agreements or in any affidavit or other document submitted in connection with such application.

§ 122.25 Foreclosure of collateral.

Real and personal property, including contracts and claims, hypothecated as security for the payment of a loan which is in default may be sold in accordance with the provisions of the pledge or security instrument whereby such property was hypothecated.

§ 122.26 Sale of acquired collateral.

(a) The property acquired by SBA or the servicing bank in the liquidation of loans will be offered for sale by the director of the regional office or bank which is servicing the loan. All sales, unless otherwise authorized, will be effected through competitive bids at either a sealed bid sale or an auction sale. In those instances where property which has been acquired cannot be sold advantageously at a sealed bid or auction sale, the regional director may be authorized to negotiate with prospective purchasers for the sale of the property.

(b) The right, title and interest of SBA in property sold will be conveyed by an appropriate bill of sale or deed, without representation or warranty.

(c) SBA does not look with favor upon renting or leasing acquired property nor the granting of options to purchase, inasmuch as it is desirous of selling such property and thereby liquidating its investment in same as soon after acquisition as possible. In those instances where the property cannot be sold advantageously and it appears to be in the interests of the Government to lease the same proposals for a lease will be considered. Any such proposal must provide for termination by SBA upon the giving of reasonable notice so that the sale of the property may not be unduly delayed.

This revision of Part 122 shall become effective upon publication in the FEDERAL REGISTER without prejudice to any actions initiated prior to publication.

Dated: January 31, 1963.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 63-1457; Filed, Feb. 8, 1963; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1490; Amdt. 534]

PART 507—AIRWORTHINESS DIRECTIVES

Sud Aviation SE-210 Caravelle Mark III and VIR Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring installation of a guard to retain the control rod on Sud Aviation SE-210 Caravelle Mark III and VIR aircraft was published in 27 F.R. 11675.

Interested persons have been afforded an opportunity to participate in the making of the amendment. A comment was received recommending that the AD not be issued since the sole United States operator would accomplish the modification prior to the proposed compliance time. Since there is no certainty that other aircraft of this type will not be obtained by other U.S. operators, the AD is still considered necessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

SUD AVIATION. Applies to all SE-210 Caravelle Mark III and VIR aircraft except Serial Numbers 117, 120, 125 and subsequent.

Compliance required as indicated.

To prevent the flight control system push-pull rod from jamming adjacent components in the event of loss of a connecting bolt, and thereby preventing emergency control of the aircraft by means of trim controls, accomplish the following:

(a) For aircraft with 2,700 or more hours' time in service as of the effective date of this AD, compliance with (c) is required within the next 300 hours' time in service.

(b) For aircraft with less than 2,700 hours' time in service as of the effective date of this AD, compliance with (c) is required prior to 3,000 hours' time in service.

(c) Install push-pull rod guards at each aileron, elevator and rudder control rod in accordance with Sud Aviation Caravelle Service Bulletins Nos. 27-130, revised May 9, 1962, and 27-157 dated July 20, 1962, or an FAA approved equivalent.

This amendment shall become effective March 12, 1963.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on February 5, 1963.

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

[F.R. Doc. 63-1437; Filed, Feb. 8, 1963; 8:45 a.m.]

Chapter V—National Aeronautics and Space Administration

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

Subpart 5—Delegations and Designations

1. New § 1204.503 is added to read as follows:

§ 1204.503 Determination and delegations of authority concerning the granting of easements.

(a) *Scope.* This § 1204.503 sets forth the determination of the Administrator, National Aeronautics and Space Administration (NASA), that the granting of easements under certain conditions will not be adverse to the interests of the United States, and sets forth his delegations of authority to the Director of Administration, NASA Headquarters and Directors of NASA field installations to grant such easements.

(b) *Determination.* I hereby determine that an easement will not be adverse to the interests of the United States if and to the extent that the interest in real property conveyed thereunder is not required for a NASA program and the grantee's exercise of rights under such easement will not interfere with NASA operations. However, no easement shall be granted under this authority unless:

(1) The officer granting such easement determines that the interest in real property to be conveyed thereunder is not required for a NASA program and that the grantee's exercise of rights under such easement will not interfere with NASA operations; and

(2) Monetary or other benefit, including any interest in real property, is received by the Government as consideration for the granting of such easement; and

(3) The instrument granting such easement provides:

(i) For the termination of the easement, in whole or in part, if there has been:

(*a*) A failure to comply with any term or condition of the grant; or

(*b*) A non-use of the easement for a consecutive two-year period for the purpose for which granted; or

(*c*) An abandonment of the easement; or

(*d*) A determination by the officer granting such easement that the interests of the national space program, the national defense, or the public welfare require the termination of such easement; and a 30-day notice, in writing, to the grantee that such determination has been made; and

(ii) That written notice of such termination shall be given to the grantee, or its successors or assigns, by the officer granting such easement, and that termination shall be effective as of the date of such notice; and

(iii) For any other reservations, exceptions, limitations, benefits, burdens, terms, or conditions which the officer granting such easement deems necessary to protect the interests of the United States.

(c) Delegation of authority—(1) *Authority.* The Director, Office of Administration, NASA Headquarters, and the Directors of field installations with respect to real property under their supervision and management, may, subject to the restrictions in paragraph (b) of this section, exercise all of the authority of the National Aeronautics and Space Administration under the Act of Congress approved October 23, 1962 (40 U.S.C. 319 to 319c), including the authority to grant on behalf of the United States, to a State or political subdivision or agency thereof or to any person applying therefor, such easements in, over, or upon real property of the United States controlled by NASA as will not be adverse to the interests of the United States.

(2) *Deviations.* If, in connection with a proposed granting of an easement, the Director, Office of Administration, NASA Headquarters, or a Director of a field installation determines that a deviation from the restrictions in paragraph (b) of this section is appropriate, he may request authority for such deviation from the Administrator, NASA.

(42 U.S.C. 2473(b)(1))

Effective date. This section is effective upon publication in the FEDERAL REGISTER.

JAMES E. WEBB,
Administrator.

[F.R. Doc. 63-1448; Filed, Feb. 8, 1963; 8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart E—Listing of Color Additives for Drug Use Subject to Certification

D. & C. GREEN NO. 6; CONFIRMATION OF EFFECTIVE DATE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), notice is hereby given that no objections were filed to the order published in the FEDERAL REGISTER of December 28, 1962 (27 F.R. 12828), with reference to the color additive D. & C. Green No. 6. Accordingly, the amendments promulgated by that notice will become effective February 26, 1963.

(Sec. 706 (b), (c), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c))

Dated: February 5, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-1461; Filed, Feb. 8, 1963; 8:50 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ADHESIVES

Subsequent to the promulgation of § 121.2520 *Adhesives* in the FEDERAL REGISTER of July 27, 1962, certain comments were received relating to components. In addition, petitions were received from the following persons requesting changes to clarify the identification of certain items and the addition of several new items to the list "Components of Adhesives":

Celanese Corporation of America, 522 Fifth Avenue, New York 36, New York (FAP 932);

Chemirad Corporation, Post Office Box 187, East Brunswick, New Jersey (FAP 895);

The Dow Chemical Company, Midland, Michigan (FAP 940);

Eastman Chemical Products, Inc., Kingsport, Tennessee (FAP 927);

Esso Research and Engineering Company, Post Office Box 172, Linden, New Jersey (FAP 906);

Pennsylvania Industrial Chemical Corporation, 120 State Street, Clairton, Pennsylvania (FAP 452, 454, 457, 768, 929 and 930);

Rubber Corporation of America, New South Road, Hicksville, Long Island, New York (FAP 870);

Shell Chemical Company, 50 West Fiftieth Street, New York 20, New York (FAP 888); and

Tennessee Products and Chemical Corporation, 2611 West End Avenue, Nashville 5, Tennessee (FAP 902).

The Commissioner of Food and Drugs has evaluated the comments received, the data contained in the petitions filed, and other relevant material, and has concluded that the food additive regulations should be amended as hereinafter provided, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409(c)(1), 701, 52 Stat. 1055 as amended, 72 Stat. 1786; 21 U.S.C. 348(c)(1), 371), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625).

In § 121.2520(c)(5), the list "Components of adhesives" is amended as follows:

1. Under the item "Polymers: Homopolymers and copolymers * * *", the

monomer "Ethyl cyanohydrin" is changed to read "Ethylene cyanohydrin".

2. The item "Polyurethane resins produced by * * *" is changed to read:

Polyurethane resins produced by reacting diisocyanates with one or more of the polyols or polyesters named in this subparagraph.

3. The item "Rosin salts (salts of rosin, wood, gum, and tall oil, and the dimers thereof, decarboxylated rosin, disproportionated rosin) * * *" is changed to read:

Rosin salts (salts of wood, gum, and tall oil rosin, and the dimers thereof, decarboxylated rosin, disproportionated rosin, hydrogenated rosin):
Aluminum.
Ammonium.
Calcium.
Magnesium.
Potassium.
Sodium.
Zinc.

4. The item "Sodium mercaptobenzol" is deleted.

5. By inserting in the list, in alphabetical order, the following new items:

Anhydroenneaheptitol.
1,3-Butanediol.
Dihexyl phthalate.
Dipentene resins.
4,4'-Methylenebis(2,6-di-*tert*-butylphenol).
α-Methylstyrene-vinyl toluene copolymer.
Petroleum hydrocarbon resin (cyclopentadiene type), hydrogenated.
Pine oil.
Polyethylenimine.
Polyisoprene.
Polypropylene, noncrystalline.
Sodium capryl polyphosphate.
Sucrose benzoate.
Xylene (or toluene) alkylated with dicyclopentadiene.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Secs. 409(c)(1), 701, 52 Stat. 1055 as amended, 72 Stat. 1786; 21 U.S.C. 348(c)(1), 371)

Dated: February 5, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-1462; Filed, Feb. 8, 1963; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

FILTERS, RESIN-BONDED

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 745) filed by Nopco Chemical Company, 60 Park Place, Newark 1, New Jersey, and other relevant material, has concluded that the food additive regulations should be amended as hereinafter provided to permit the use of additional substances employed in the finishing of fibers used in the production of resin-bonded filters intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR 121.2536) are amended as follows:

Section 121.2536(d)(2) is amended to read as follows:

§ 121.2536 Filters, resin-bonded.

* * * * *

(d) * * *

(2) *Substances employed in fiber finishing:*

BHT.
Butyl (or isobutyl) palmitate or stearate.
Dimethylpolysiloxane.
Fatty acid (C_{10}–C_{18}) diethanolamide condensates.
Fatty acids derived from animal or vegetable fats and oils, and salts of such acids, single or mixed, as follows:
Aluminum.
Ammonium.
Calcium.
Magnesium.
Potassium.
Sodium.
Triethanolamine.
Fatty acid (C_{10}–C_{18}) mono- and diesters of polyoxyethylene glycol (molecular weight 400–3,000).
Methyl esters of fatty acids (C_{10}–C_{18}).
Mineral oil.
Polyoxyethylene (9–10 mols) ether of octyl- or nonylphenol.
Ricebran oil.
Titanium dioxide.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

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

Dated: February 5, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-1463; Filed, Feb. 8, 1963; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SURFACE LUBRICANTS USED IN THE MANUFACTURE OF METALLIC ARTICLES

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Wilson-Martin, Division of Wilson and Company, Inc., Snyder Avenue and Swanson Street, Philadelphia 48, Pennsylvania, and other relevant material, has concluded that the food additive regulations should be amended as hereinafter provided, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625). In § 121.2531 *Surface lubricants used in the manufacture of metallic articles*, paragraph (c) is amended in the list of substances by inserting after the item "*tert*-Butyl alcohol" the new item "Butyl stearate".

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

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

Dated: February 5, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-1464; Filed, Feb. 8, 1963; 8:50 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

In Part 200 the entries in the Table of Contents for § 200.78 and §§ 200.81–200.84 are amended as follows:

Sec.
200.78 Accounts Officer and Deputy.
200.81 Home Property and Mortgage Officer and Deputy.
200.82 Reports Officer and Deputy.
200.83 Assistant Commissioner for Property Disposition and Deputy.
200.84 Assistant Commissioner for Congressional Liaison and Public Information.

In § 200.77 paragraphs (a), (i), (k), (p) and (t) are amended as follows:

§ 200.77 Assistant Commissioner-Comptroller and Deputy.

* * * * *

(a) To be responsible to the Commissioner for coordination and general supervision of the Procedures Branch, Financial Reports Branch, the Accounting Branch, the Home Property and Mortgage Branch, the Insurance Branch, and the Fiscal Branch.

* * * * *

(i) To certify financial statements, and to execute and submit or to cause to be executed and submitted under his direction to the Treasury Department and/or to the Bureau of the Budget inter-governmental financial reports required by applicable statutes or regulations of the Treasury Department or Bureau of the Budget.

* * * * *

(k) To submit or cause to be submitted under his direction to the Treasury Department (1) authorizations for (i) purchase of U.S. Government securities, pursuant to agreements between mortgagors or other depositors and FHA and (ii) sale and disposition of U.S. Government securities purchased for mortgagors or other depositors, received as a result of assignment of insured mortgages or as a result of other agreements; (2) for safekeeping, U.S. Government securities deposited in accordance with mortgagor corporate charters, regulatory or special agreements; and (3) requests for withdrawal of U.S. Government securities.

* * * * *

(p) To endorse or cause to be endorsed under his direction mortgage notes for insurance; to take or cause to be taken under his direction any action necessary to consummate the sale of Commissioner-held mortgages to purchasers of such mortgages; and to execute satisfactions of Commissioner-held mortgages when the mortgage indebtedness has been paid in full.

* * * * *

(t) To approve or disapprove or cause to be approved or disapproved under his direction amounts claimed by mortgagees in their claim for insurance benefits, including amounts claimed for operating, protecting and preserving properties prior to conveyance to the Commissioner; to execute or cause to be executed under his direction Certificates of Claim and certify or cause to be certified under his direction the requisitions to the Treasury Department for the issuance of debentures; to certify or cause to be certified under his direction vouchers for cash settlement of claims; and to approve or disapprove the purchase of debentures submitted by mortgagees in connection with mortgage insurance premiums.

Section 200.78 is amended to read as follows:

§ 200.78 Accounts Officer and Deputy.

To the position of Accounts Officer, and under his general supervision to the position of Deputy Accounts Officer, there is delegated the following basic authority and functions:

(a) To direct the activities of the Accounting Branch.

(b) To devise and establish accounting procedures and policies and to maintain official accounting records for all activities of the Administration.

(c) To devise and establish accounting and automatic data processing procedures and policies and to provide an integrated electronic data processing service to all organizational elements of the FHA including consultative and advisory services relating to surveying, programming and cost analysis of proposed conversions to such processing.

(d) To provide technical advice and guidance to all organizational elements of the Administration in the field of accounting and data processing.

(e) To maintain liaison with the General Accounting Office, Treasury Department and other agencies of the Government on accounting matters and to collaborate with such departments and agencies in the formation of accounting programs.

(f) To maintain liaison with the Interagency ADP Committee, the Bureau of the Budget, the General Services Administration, the Office of the Administrator and other agencies of the Government on data processing matters, and to collaborate with such departments and agencies in the development of data processing programs and policies.

(g) To act with the Assistant Commissioner-Comptroller and under his direction in the determination of basic accounting policy.

In § 200.80 paragraph (d) is amended to read as follows:

§ 200.80 Fiscal Officer and Deputy.

* * * * *

(d) To certify that all required documents, information and approvals with respect to operating and property expense and debenture transactions are present; to verify the accuracy of the computations and the consistency of the information included in the various documents; to determine that the transactions are in strict accordance with all applicable regulations, decisions and laws; to execute Certificates of Claim; to certify requisitions to the Treasury Department for the issuance of debentures; and to certify vouchers for cash settlement of claims.

Former §§ 200.81 and 200.82 are renumbered § 200.83 and § 200.84 respectively. As renumbered, the headings for §§ 200.83 and 200.84 read as follows:

§ 200.83 Assistant Commissioner for Property Disposition and Deputy.

§ 200.84 Assistant Commissioner for Congressional Liaison and Public Information.

Part 200 is amended by adding a new § 200.81 as follows:

§ 200.81 Home Property and Mortgage Officer and Deputy.

To the position of Home Property and Mortgage Officer and under his general supervision to the position of Deputy Home Property and Mortgage Officer, there is delegated the following basic authority and functions:

(a) To direct the activities of the Home Property and Mortgage Branch.

(b) To devise and establish procedures and policies and to maintain official records for all home properties and mortgages held by the Commissioner.

(c) To provide technical advice and guidance to all organizational elements of the Administration in the fields of home property accounting and mortgage note servicing.

(d) To maintain liaison with the General Accounting Office, the Treasury Department, the Federal National Mortgage Association and other agencies of the Government on matters pertaining to the acquisition and sale of home properties, the servicing of mortgage notes and the sale and insurance of Commissioner-held mortgages.

(e) To endorse mortgage notes for insurance and to take any action necessary to consummate the sale of Commissioner-held mortgages to purchasers of such mortgages.

(f) To develop and maintain a program for the fiscal servicing of Commissioner-held home mortgages including the execution of vouchers for all related expenditures from mortgagors' escrow accounts.

(g) To execute vouchers for payment of taxes, insurance and repairs on home properties where title is vested in the Commissioner and for payment of excess proceeds to effect final settlement with mortgagees on certificates of claim and to mortgagors under provisions of the National Housing Act.

(h) To act with the Assistant Commissioner-Comptroller and under his direction in the determination of basic home property and mortgage note servicing fiscal policies.

Part 200 is amended by adding a new § 200.82 as follows:

§ 200.82 Reports Officer and Deputy.

To the position of Reports Officer, and under his general supervision to the position of Deputy Reports Officer, there is delegated the following basic authority and functions:

(a) To direct the activities of the Financial Reports Branch.

(b) To devise and establish basic policies, practices, and procedures with respect to the preparation, analysis, and

interpretation of the financial statements and fiscal reports of the Administration.

(c) To maintain effective control over the management of the various FHA insurance funds and accounts and to provide adequate financial information pertaining thereto.

(d) To submit to the Treasury Department authorizations for purchase of U.S. Government securities, pursuant to agreements between mortgagors or other depositors and FHA, and sale and disposition of U.S. Government securities purchased for mortgagors or other depositors, received as a result of assignment of insured mortgages or as a result of other agreements; U.S. Government securities deposited in accordance with mortgagor corporate charters, regulatory or special agreements, for safekeeping; and requests for withdrawal of U.S. Government securities.

(e) To execute and certify vouchers in payment of U.S. Government securities invested for the various insurance funds and/or pursuant to agreements between mortgagors or other depositors and FHA.

(f) To execute and certify vouchers to provide funds in the account of the Treasurer of the United States for payment of principal and interest on FHA debentures.

(g) To execute and submit to the Treasury Department and/or to the Bureau of the Budget inter-governmental financial reports required by applicable statutes or regulations of the Treasury Department or Bureau of the Budget.

(h) To maintain liaison with the General Accounting Office, Treasury Department, Bureau of the Budget, and HHFA on matters pertaining to financial activities, and with the Federal National Mortgage Association concerning the acceptance of debentures in exchange for Commissioner-held mortgages.

(i) To act with the Assistant Commissioner-Comptroller and under his direction in the determination of basic financial management and reporting policy.

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., February 5, 1963.

PAUL E. FERRERO,
Acting Federal Housing Commissioner.

[F.R. Doc. 63-1459; Filed, Feb. 8, 1963; 8:49 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Fox River, Wisconsin

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.460 governing the use, administration, and navigation of the locks and canals on the Fox River, Wisconsin, is hereby amended to accomplish desired changes and revisions effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.460 Fox River, Wisconsin.

(a) *Use, administration, and navigation of the locks and canals.*

* * * * *

(2) *Authority of lockmaster.* The movement of all boats, vessels, tows, rafts and floating things, both powered and nonpowered, in the canals and locks, approaches to the canals, and at or near the dams, shall be subject to the direction of the Project Engineer, Corps of Engineers, Fox River Area, Appleton, Wisconsin, or his duly authorized representatives in charge at the various locks.

* * * * *

(4) *Provisions for lockage service.* (i) Commercial vessels, barges, rafts and tows engaged in commerce will be provided lockages during the same period as provided for pleasure boats (see subdivision (iv) of this subparagraph).

(ii) Pleasure boats, powered and nonpowered, houseboats and similar craft will be provided with not more than one lockage each way through the same lock in a 24-hour period.

(iii) All small vessels or craft, such as skiffs, sculls, sailing boats, etc., shall be passed through locks in groups of not less than six at one lockage, or may be granted separate lockage if the traffic load at the time permits.

(iv) All craft will be given lockage at DePere and Menasha Locks between 8:00 a.m. and 12 midnight daily during the recreational boating season as established by the District Engineer. At all intermediate locks above DePere and below Menasha, lockages without prior notice will be provided between the hours of 10:00 a.m. and 7:00 p.m. daily. In addition, lockages will be provided during certain other hours at the intermediate locks provided prior requests are made to the Corps of Engineers, Appleton Project Office.

NORMAL AND ADDITIONAL LOCKAGE TIMES

Lock location	Normal lockage times without prior request	Additional lockage with prior request (Note 1)	Notes
Menasha	8:00 a.m. to 12 midnight	None	None.
Appleton	10:00 a.m. to 7:00 p.m.	8:00 a.m. to 10:00 a.m.	2.
		7:00 p.m. to 12 midnight	3 and 4.
Cedars	10:00 a.m. to 7:00 p.m.	7:00 p.m. to 12 midnight	Do.
Little Chute	do	do	Do
Combined	do	do	Do.
Kaukauna	do	do	2, 3, and 4.
Rapid Crouche	do	8:00 a.m. to 10:00 a.m.	
		7:00 p.m. to 12 midnight	Do.
Little Kaukauna	do	8:00 a.m. to 10:00 a.m.	
		7:00 p.m. to 12 midnight	3, 4 and 5.
DePere	8:00 a.m. to 12 midnight	7:00 p.m. to 11:00 p.m.	
		None	None.

NOTE 1. a. Requests may be made either in writing, by telephone or in person to the U.S. Army, Corps of Engineers, Appleton Project Office, 905 South Oneida Street, Appleton, Wisconsin.

b. Regular business hours of the Appleton Project Office are from 8:15 a.m. to 4:45 p.m., Monday through Friday.

c. During the period from the Saturday before the 4th of July to Sunday after Labor Day, the Appleton Project Office will be operational between 11:00 a.m. and 1:00 p.m., on Saturdays, Sundays and holidays to receive requests for additional lockages.

d. Requests will include name, address, business and home telephone numbers as well as name and registration number of the boat and the approximate time of lockage requirements at each of the locks involved.

e. Only one request need be given for groups of boats.

f. If, for any reason, a requested lockage will not be made or must be delayed unreasonably, prompt advice must be given to the Appleton Project Office, or, if after office hours (see "b" and "c" above), to the lockmaster at either Menasha or DePere Locks.

NOTE 2. For lockages between 8:00 a.m. and 10:00 a.m. at the Appleton, Rapid Crouche and Little Kaukauna Locks:

a. Requests for lockages during these hours must be received in the Appleton Project Office no later than 1:00 p.m. on the day before lockage is required.

b. Requests for lockages on Sundays and Mondays must be received no later than 1:00 p.m. on preceding Fridays except as noted in "c" below.

c. During period covered by Note 1c above, requests will be received no later than 1:00 p.m. on the day before lockage is required.

NOTE 3. For lockages between 7:00 p.m. and 12:00 midnight—at all intermediate locks:

a. Requests for lockages during this period must be received in the Appleton Project Office no later than 1:00 p.m. on the day lockage is required.

b. Requests for lockages on Saturdays and Sundays must be received no later than 1:00 p.m. on preceding Fridays except as noted in "c" below.

c. During the period covered by Note 1c above, requests will be received no later than 1:00 p.m. on the day lockage is required.

NOTE 4. In order for a boat to complete a trip delayed by breakdown or weather, lockage service at any of the intermediate locks will be made available after 7:00 p.m. without the prior request described in Note 3 above, provided notice or requirement is given any lockmaster prior to 7:00 p.m.

NOTE 5. In order for a boat to complete a trip, northbound lockage service at the Little Kaukauna Locks will be made available between 7:00 p.m. to 11:00 p.m., without the prior request described in Note 3 above, provided notice of requirement is given to the lockmaster at this lock prior to 7:00 p.m.

* * * * *

(6) *Delays in canals.* No boat, barge, raft or other floating craft shall tie up or in any way obstruct the canals or approaches, or delay entering or leaving the locks, except by permission from proper authority. Boats wishing to tie up for some hours or days in the canals must notify the Project Engineer directly or through a lock tender, and

proper orders on the case will be given. Boats so using the canals must be securely moored in the places assigned, and if not removed promptly on due notice, will be removed, as directed by the Project Engineer at the owner's expense. Boats desiring to tie up in the canals for the purpose of unloading cargoes over the canal banks must, in each case, obtain permission in advance from the District Engineer. Request for such permission shall be submitted through the Project Engineer.

* * * * *

(9) *Draft of boats.* No boat shall enter a canal or lock whose actual draft exceeds the least depth of water in the channel of the canal as given by the Project Engineer.

* * * * *

(15) *Commercial statistics.* (i) * * * (ii) The report shall be mailed promptly to the Great Lakes Regional Statistical Office, 536 South Clark Street, Chicago 5, Illinois, on forms furnished free of charge by that office. On written request, persons or corporations making frequent use of the waterway may be granted permission to submit monthly statements in lieu of reports by trips.

* * * * *

[Regs., January 29, 1963, 285/111—ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-1435; Filed, Feb. 8, 1963; 8:45 a.m.]

PART 207—NAVIGATION REGULATIONS

Great Lakes

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.510 governing the use, administration and navigation of the connecting waters of the Great Lakes from Lake Huron to Lake Erie is hereby amended to accomplish desired changes, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.510 Connecting waters of the Great Lakes from Lake Huron to Lake Erie; use, administration and navigation.

(a) *General*—(1) *Application and supervision.* The regulations in this section shall apply to such of those waters as are within the United States. These waters are under the general supervision of the District Engineer, U.S. Army Engineer District, Detroit, Michigan, hereafter designated "The District Engineer".

(2) *Local arrangements.* The District Engineer may make local arrangements with authorized Canadian officials in the interest of safety of operations, to facilitate movement of traffic, to avoid disputes as to jurisdiction and to take necessary action and render assistance in emergencies.

(3) *Patrol vessels.* The anchorage and movement of all vessels shall be under the direction and subject to the orders of officers in charge of patrol vessels. The following sound signals shall be used by patrol vessels as required:

(i) Three long blasts of a whistle or horn, which signal may also be used by dredges, drill scows, derrick scows, sweep scows, and other floating plant engaged in the maintenance and improvement or investigation of channels, to indicate that the vessel to which it is given is moving at too high a rate of speed; such vessel shall immediately slacken its speed.

(ii) Four long blasts of a whistle or horn, to indicate that the vessel to which the signal is given must stop until further orders are received from the patrol vessel.

(iii) One long blast, followed by four short blasts, of a whistle or horn, to indicate that the vessel to which the signal is given may proceed on its course. (Radio telephone may be used in lieu of sound signals.)

(4) *Other obligations.* The regulations in this section shall not be considered to cover all the obligations imposed by law upon vessels and their operators, and shall not be construed as relieving the owners or operators of vessels from any penalties which may be incurred in the violation of the laws relating to navigation on the Great Lakes and their connecting waters or the regulations issued pursuant to such laws.

(5) *Definitions.* As used in this section, the terms:

(i) "St. Clair River" shall apply to the connecting waters of the Great Lakes from the Lakeward limits of the improved navigation channels at the foot of Lake Huron to the St. Clair Flats Canal Light 2 at the upper end of Lake St. Clair.

(ii) "Lake St. Clair" shall apply to the channels lying westerly from the International Boundary from the St. Clair Flats Canal Light 2 to Windmill Point Light at the head of the Detroit River.

(iii) "Upper Detroit River" shall apply to that portion of the Detroit River extending from Windmill Point Light to Fighting Island North Light.

(iv) "Lower Detroit River" shall apply to that portion of the river between Fighting Island North Light and the lakeward limits of the improved navigational channels at the head of Lake Erie.

(v) "Patrol Vessel" means a vessel operated by the United States Coast Guard, the Canadian Coast Guard, the Royal Canadian Mounted Police or a harbor master.

(b) *Length of towlines.* On the connecting waters of the Great Lakes between the Lake Huron Lightship and the southerly limits of the improved channels of the Detroit River, terminating in Lake Erie, the length of towlines shall not exceed by more than 50 feet the length of the scow, barge, vessel, or other craft being towed: *Provided,* That no scow, barge, vessel or other craft shall be required to have a towline less than 250 feet. The length of the towline shall be measured from the stern of one vessel to the bow of the following vessel.

(c) *Routes*—(1) *St. Clair River in vicinity of Port Huron and Sarnia.* Vessels in transit shall pass to right of the black and white vertical striped buoy, situated just above the mouth of the Black River and known as Port Huron Traffic Lighted Buoy. Downbound vessels shall navigate the west or American Channel below Sarnia Elevator Light. Upbound vessels shall navigate the Canadian Channel east of the Port Huron Traffic Lighted Buoy.

NOTE: Channels east of Stagg Island, east of the St. Clair Middle Ground and the South East Bend Channel below the St. Clair Cut-Off are no longer maintained.

(2) *Lower Detroit River south of Livingstone Channel Upper Entrance Light.* Downbound vessels shall navigate the Livingstone Channel (west of Bois Blanc Island) except that downbound passenger vessels may use the Amherstburg Channel (east of Bois Blanc Island) and except as hereinafter provided. All downbound vessels shall enter Lake Erie through the East Outer Channel east of Detroit River Light except those whose draft permits may enter Lake Erie through the West Outer Channel west of Detroit River Light. Upbound vessels shall enter from Lake Erie by way of the East Outer Channel east of Detroit River Light and shall use the Amherstburg Channel, except that under certain conditions during the winter navigation season two-way traffic will be allowed in Livingstone Channel and in the West Outer Channel west of Detroit River Light. The conditions for use of these downbound channels, including the opening and closing dates for two-way traffic, will be established each year by the District Engineer.

(3) *Vessels exempted.* The regulations in this paragraph do not apply to public vessels of the United States, craft employed upon river and harbor improvement work, and vessels under 100 gross tons or vessels making local stops along these routes.

(d) *Speed.* (1) In the St. Clair River between the blue Water Bridge and Stagg Island Upper Lighted Junction Buoy, vessels shall not exceed nine statute miles per hour over the bottom.

(2) In the St. Clair River, the speed of vessels of 500 gross tons or over shall not exceed 12 statute miles per hour over the bottom within the following limits:

(i) Between Stagg Island Upper Lighted Buoy and Courtright Light.

(ii) Between Woodtick Island Upper End Buoy and St. Clair Flats Canal Light 2.

(3) In the Lower Detroit River, the speed of vessels of 500 gross tons or over shall not exceed twelve (12) statute miles per hour over the bottom between Livingstone Channel Upper Entrance Light and Bar Point Pier Light 29D.

(4) In the St. Clair River when the stage of Lake Huron exceeds two (2) feet above International Great Lakes Datum, the District Engineer may, if he deems it necessary to protect life and property, including floating plant or shore installations, reduce the allowable maximum speed in all or any part of the river. Temporary speed limits so prescribed shall become effective through publication in a Notice to Mariners and may be modified or likewise rescinded by

the District Engineer as changing water stages permit or make necessary.

(e) *Passing.* (1) In the St. Clair River and the Lower Detroit River, any vessel overtaking a tug with a tow moving in the same direction may pass such tow after an exchange of signals indicating on which side the vessel desires to pass, and the pilot of the tug shall haul with the tow to the proper side of the channel to provide passing room.

(2) In the St. Clair River, no vessel of 500 gross tons or over shall pass or attempt to pass another vessel of 500 gross tons or over moving in the same direction within the following limits: (i) *Downbound.* From the first buoy above Fort Gratiot Light to Port Huron Traffic Lighted Buoy; and from Walpole Island Upper Light to the St. Clair Flats Canal Light 2.

(ii) *Upbound.* From the St. Clair Flats Canal Light 2 to Walpole Island Upper Light; and from Port Huron Traffic Lighted Buoy to the first buoy above Fort Gratiot Light.

(3) In the Lower Detroit River between Fighting Island South Light and Bar Point Pier Light 29D, no vessel shall pass or attempt to pass another vessel or vessels moving in either the same or opposite direction when more than two vessels would be abreast.

(4) There shall be a time interval of not less than five (5) minutes between any two vessels entering or navigating the Livingstone Channel between the Upper Entrance Light and Bar Point Pier Light 29D except that tugs without tows and vessels under 100 gross tons are exempted from this rule. This requirement shall not apply under emergency conditions such as might exist when the vessel ahead is proceeding below the speed limits due to engine breakdown or other difficulties, provided the vessel ahead assents to the passing, the overtaking vessel remains within the speed limits, and the passing may be safely undertaken.

(f) *Obstruction of traffic.* (1) No person shall willfully or carelessly obstruct the free navigation of any of the waterways to which the regulations in this section apply, or delay any vessel having the right to use the waterway.

(2) No vessel shall anchor within the limits of any of the improved channels nor west of the International Boundary Line in the area of the Detroit River between the upstream limits of the Windsor Harbor Anchorage Area north of Fighting Island and the aerial cable across the Detroit River at Fort Wayne except in distress or under stress of weather. Any vessel forced to anchor in this forbidden area shall leave the area as soon as possible.

(3) No vessel of 500 gross tons or over shall anchor in the Detroit River between Belle Isle and Fighting Island so as to have any part of the vessel extended riverward more than 300 feet from shore nor in such position as will interfere with easy movement to and from any dock except in distress or under stress of weather. Vessels unable to comply with this subparagraph and subparagraph (2) of this paragraph shall request anchorage instructions from the U.S. Coast Guard, Belle Isle Lifeboat Station or the Windsor Harbor Master.

(4) Motorboats (as defined by the Motorboat Act of April 25, 1940), sailboats, rowboats, and other small crafts shall not anchor or drift in the regular ship channels except under stress of weather or in case of breakdown. Such craft shall be so operated that they shall not interfere with the safe passage of a vessel which can navigate only inside such channels.

(5) Whenever vessels collect in any of the channels by reasons of fog, smoke, ice, or other obstruction, their anchorage and movement shall be under the direction and control of an officer of the United States Coast Guard or patrol vessel, except as provided in subparagraph (6) of this paragraph. Regular scheduled vessels carrying passengers or mail may be advanced in order, and any vessel not ready to move when directed to do so may lose its position. The masters of all vessels shall comply promptly with the orders of the patrol vessels.

(6) When, as determined by the District Engineer or by an officer of the United States Coast Guard, there is a stoppage of, interference with or danger to navigation by reasons of the sinking or grounding or unnecessary delay in any channel of any vessel, boat, water craft or raft or other obstruction, they or either of them may stop all vessels and direct their anchorage, clear the channel, designate the order in which all vessels shall proceed after the channel is open, and shall do all things deemed necessary to safeguard and expedite the passage of vessels.

(g) *Vessels aground or not under command.* (1) A vessel over sixty-five feet in length aground or disabled in or near the channel, in addition to displaying the lights or day signals required by Rule 30, Pilot Rules for the Great Lakes, upon the approach of another vessel bound up or down the channel, shall sound the danger signal of several short and rapid blasts of the whistle, not less than five. If the approaching vessel cannot pass with safety, it shall stop at a safe distance from, and make proper dispositions to avoid fouling the grounded or disabled vessel, and upon the approach of another vessel coming up astern shall repeat the danger signal. Each additional vessel approaching from the same direction shall be similarly warned, in turn, by the vessel preceding. Each vessel shall keep a safe distance from the vessel ahead until the channel has been cleared, and shall pass a grounded or disabled vessel at reduced speed and with caution.

(2) Any vessel passing a stranded or disabled vessel shall report the location and nature of the casualty to the U.S. Coast Guard.

[Regs., January 22, 1963, 285/111—ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-1436; Filed, Feb. 8, 1963; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 9—Atomic Energy Commission

PART 9-16—PROCUREMENT FORMS

PART 9-54—CONTRACT REPORTING

1. Part 9-16—Procurement Forms is hereby added.

Sec.
9-16.951-3 Illustrations of forms.
9-16.951-4 Illustrations for preparation of Form AEC-330.

AUTHORITY: §§ 9-16.951-3 and 9-16.951-4 issued under sec. 161, Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486.

§ 9-16.951-3 Illustrations of forms.

Instructions for Preparation of Form AEC-328

The following information shall be reported for each procurement action. If data reported are classified, the form will be handled in accordance with security regulations.

Item *Information to be reported*

A. The name and address (city and state) (street address not required) of the contractor, subcontractor or vendor with whom the order is placed. (If an award is made to a subsidiary, also show name of parent firm.)

B. For reports on actions by AEC procurement offices or prime contractors furnish (1) AEC office (name), (2) AEC procurement office, and (3) month and year in which action is reported.

C. Depending on the nature of the procurement, the work location should be (1) the location (city-state) at which work will be performed or services rendered, (2) the location (city-state) of the factory which will manufacture, fabricate and ship a product, or (3) the location (city-state) from which shipment from stock will be made. If more than one location is involved, show that location involving the larger dollar value of work.

D. For reports on actions by AEC procurement offices leave this space blank. For reports on actions by prime cost-type contractors, give subcontract or purchase order number. If action reported is a modification, also give the modification number. For reports on actions by subcontractors, the sub-subcontract or purchase order number shall be noted in Item P.

E. For reports on actions by AEC procurement offices, give the "AT" number assigned, or the purchase order number assigned, or the number assigned by the Manhattan Engineer District if not superseded. If action reported is a modification, also show the modification number. For reports on actions by prime contractors or subcontractors, show prime contract number.

F. Indicate by appropriate number in the space provided the type of action being reported. Preliminary contractual documents of any form are to be classified as "Letter contracts." (F-1) Actions are to be classified as "Definitive contracts" (F-3) only when a Definitive contract has been executed. The term "modification" includes amendments, supplements, changes, and terminations. Modifications to a letter contract should be identified as "L-4."

G. Show the total amount (committed in the case of subcontracts) under the contract (or subcontract) including the amount of the action now being reported. The amount reported under cost-type contracts should be based on funds committed under the contracts.

Item	Information to be reported
H.	Show the total amount involved (committed or changed in commitment in the case of subcontracts) in the action reported. For terminations show the dollar value of work terminated or canceled.
I.	Insert the applicable number indicating type of contract in the space provided in accordance with the following: 1. "Fixed-price" denotes fixed, lump-sum, or unit-price contracts. 2. "Cost-type" denotes cost or cost-plus-a-fixed-fee or time and material contracts.
J.	Indicate the number of bids or proposals formally requested and the number of written bids or price proposals received. In the case of emergency procurements, the number of proposals received should include only written or confirming proposals, including telegraphic confirmations. Unconfirmed oral quotations shall not be included as proposals received. (This term is applicable only to procurements coded N–3 and N–4.)
K.	Insert the applicable number indicating the source of procurement in the space provided. Business concerns shall be classified either "big" or "small" in accordance with applicable small business size standards. On subsequent modifications to a contract or subcontract the source of procurement (big or small business) shall be the same as reported on the original contract or subcontract.
L.	"Date of this action" means the date the procurement action being reported on the card was entered into. The date normally shown should be the date of the original commitment to the contractor. If an effective date is shown in the contract, this should be used; otherwise, the date of this action should normally be the contract date as shown by the contract. On conversions of letter contracts and for amendments, modifications, or supplements to contracts, the date of conversion or the date of the amendment, modification, or supplement, *rather than the original contract date,* should be inserted.
M.	"Completion date" means the date specified or estimated on which contract products are to be delivered or contract services completed. On service or research contracts, this date should be the date shown in the contract as the date on which services or research work are to cease. In some cases the dollar amount shown in Item H above may cover work over a shorter period of time. In this case, the amount should be asterisked and a footnote inserted in Item P showing the period covered by the action.
N.	Insert the applicable number indicating type of procurement in the space provided in accordance with the following: 1. "Interdepartmental" denotes orders placed against a Government agency with payments to be made directly to that agency. "Intracompany" denotes orders placed by a prime contractor against itself, against a company in which it has a controlling interest, or against a company which has a controlling interest in the prime contractor, *except* that any such orders which may, in fact, be awarded on a straight competitive basis, may be coded either as "Advertised" or "Negotiated-competitive" as the case may be. 2. "Government schedule" denotes purchase orders executed against an existing contract of a Government agency with payment to be made directly to the contractor.

Item	Information to be reported
	3. "Advertised" denotes actions which meet the requirements for formal advertising. Such a procurement will be reported as "Advertised" regardless of the number of bids received. 4. "Negotiated competitive" denotes actions in the placement of which price proposals (quotations) were requested and received from two or more qualified firms but all the criteria for formal advertising were not met. Actions should be included in this category when proposals were received from a number of sources to obtain competitive prices, and award was made on either a lowest price or a negotiated price basis. 5. "Negotiated noncompetitive" denotes those actions on which a single proposal was requested and received from a sole source, or a single proposal was received after requesting multiple proposals. (NOTE: On modifications the type of procurement shall be reported the same as on the original contract when such modifications are made pursuant to an Article or an option provision contained in the original contract. All other modifications will be reported in accordance with the criteria for reporting new contracts.)
O.	Insert the applicable number indicating type of work in the space provided in accordance with the following: 1. "Architect-engineer" services so identified under P. 2. "On-site construction" denotes construction and fabrication involving labor at the site so identified under P. 3. "Research and development." Contracts for research shall be so identified under Item P. 4. "Material, supplies and equipment" (construction). (However, contracts for equipment which include a substantial amount of on-site installation by the equipment contractor's own labor forces, and which are thus subject to the Davis-Bacon Act, shall be coded "2", "On-site construction.") Under Item P such material, supplies and equipment shall be further identified specifically. 5. "Material, supplies and equipment (other)" denotes procurement of such items other than for construction. Under Item P such material, supplies and equipment shall be further identified specifically. 6. "Rents and utility services" denotes rental of real property and procurement of water, gas, electricity, communications, and other utility services. Rental of equipment shall be reported under items (0–4) or (0–5) as appropriate. Under Item I (TYPE OF CONTRACT), utility services shall be coded 1, "Fixed-price." 7. "Other services" denotes all services other than utility services including contracts for the operation of AEC facilities, consultant contracts, and other services which do not fall in any of the above categories.
P.	Adequately describe the materials or services, giving quantities where practicable and where possible on an unclassified basis. Indicate whenever possible the construction (building or facility) or operating activity for which materials or services are being procured, giving name and location. For achitect-engineer procurement actions, indicate whether Titles I, II, and/or III, and in addition show estimated cost of related construction. The initial procurement action shall show the entire scope of work under the contract, while subsequent actions under the same contract need describe only the work covered by the individual subsequent actions.
Q.	The following information shall be reported for cost-type contracts and cost-type subcontracts only. 1. Fixed fee agreed on for the individual action reported. If no fee, so indicate. 2. Estimated cost on which fee is based for the individual action reported. (On A–E contracts, the related construction cost shall be reported.) 3. Total fixed fee agreed on for all work under the contract. If no fee, so indicate. 4. Total estimated cost on which fee is based for all work under the contract. This will not necessarily be the same as Item G "Accumulated amount." (On A–E contracts the related construction cost shall be reported.)

§ 9–16.951–4 Instructions for preparation of Form AEC–330.

This form shall be used by all AEC offices and by all cost-type contractors subject to the reporting requirements of Part 9–54 of this chapter.

Item	
1	For summaries prepared by AEC procurement offices, show the name of the procurement office (or division) preparing the summary, and the Field Office. For summaries prepared by contractors, show the name of the AEC office administering the contract under which the procurement actions summarized have been taken.
2 and 3	For summaries prepared by AEC offices, leave space blank. For summaries prepared by contractors, give contractor's or subcontractor's name and contract or subcontract number.
4–6	Indicate by checks in appropriate boxes the nature of the summary submitted.
7	Give the period and year in which the actions summarized were taken. *Lines A through H.* Data reported shall cover all procurement actions of $25.00 or more. Actions under $25.00 shall be excluded. Actions which result in a decrease in the contract or purchase order amount shall also be excluded. Dollar value figure shall be reported to the nearest dollar only. Number of actions shall be shown in parentheses to separate them from dollar value. *Line I.* All procurement actions, including those under $25.00 shall be included. Number of actions shall be reported as above. Actions which do not involve dollar commitments, or actions which result in a decrease in the contract or purchase order amount shall not be reported.

General

All terms used on this summary form carry the meanings given them in the instructions for the preparation of contract data card Form AEC–328. Summaries for cost-type actions shall include cost, cost-plus-a-fixed-fee and time and material contracts. Summaries for fixed-price actions shall include all actions not included on summaries for cost-type actions. Data reported in each space on this form shall be arrived at by the following methods:

(a) Whenever practicable, and particularly where punch-card equipment is available, summaries should be on an actual basis.

(b) When preparation on an actual basis is not practicable:

(1) Sampling methods shall be employed for actions under $2500 and samples shall be taken monthly.

(2) Actions of $2500 or more shall be on an actual basis.

2. Part 9–54—Contract Reporting is hereby added.

Sec.
9–54.000 Scope of part.
9–54.001 Applicability.
9–54.002 Responsibilities.
9–54.003 Definition of "Procurement action".
9–54.004 Reports required.
9–54.005 Preparation of reports.
9–54.006 Submission of reports.

AUTHORITY: §§ 9–54.000 to 9–54.006 issued under sec. 161, Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486.

§ 9–54.000 Scope of part.

This part sets forth the policies and procedures established for uniform reporting to Headquarters of essential data on procurement actions by AEC offices and cost-type contractors. Such data will be used for management purposes, for informational reports and to furnish information on procurement required by Congressional Committees, General Services Administration, Small Business Administration, Department of Labor, Renegotiation Board, and the President's Committee on Equal Employment Opportunity.

§ 9–54.001 Applicability.

(a) *Field Offices.* Managers of Field Offices shall report data for each AEC procurement office and shall require reports from each cost-type prime contractor (except when total procurement actions under the contract are estimated at less than $250,000 on an annual basis) and each first-tier cost-type subcontractor under a cost-type prime contract (except when procurement actions under the subcontract are estimated at less than $250,000 on an annual basis).

(b) *Contractors.* If a contractor has more than one procurement office, data will be reported separately for each office. Also, if a contractor has more than one contract subject to these reporting requirements, data will be reported separately for each contract.

§ 9–54.002 Responsibilities.

(a) *The Director, Division of Contracts,* is responsible for maintaining a central file of contract data and for the issuance of all reports and analyses of procurement actions on an AEC-wide basis.

(b) Division Directors, Heads of Offices, Headquarters, are responsible for the preparation of all reports covering direct procurement actions taken by Headquarters divisions and offices and the collection, summarization, and review of all reports required from cost-type prime and subcontractors under contracts administered by Headquarters divisions.

(c) Managers of Field Offices are responsible for the preparation of:

(1) All reports covering direct procurement actions by their offices and the collection, summarization and review of all cost-type prime and subcontractor reports under contracts administered by their offices, and

(2) Reports on Headquarters-designated contracts, and contracts directed by other offices under procurement directives; the office which executes and administers the contract (regardless of where funds are obligated) shall report that contract as one of its procurement actions.

§ 9–54.003 Definition of "Procurement action".

(a) "Procurement action" as used in relation to the contract reporting system for prime contracts and subcontracts includes:

(1) All contracts and subcontracts (including both new contracts and contracts superseding preliminary instruments) and purchase orders;

(2) All preliminary contractual instruments such as letter contracts;

(3) All amendments, supplements, modifications, changes, cancellations, and terminations including letters changing the contract amount;

(4) Contracts which cover guaranteed rental;

(5) All orders placed against other Government agencies (such as orders on Federal Supply centers or working fund agreements covering work or services performed for AEC by other Government agencies);

(6) All payments to utility companies. Payments against such contracts are to be reported on the basis of estimated annual expenditures, with an adjustment made at the end of each year to indicate actual payments under the contract or subcontract during the fiscal year;

(7) All orders against existing open-end or indefinite quantity contracts, including contracts with any other Government agency, such as job orders, task orders, or delivery orders. Orders against such contracts should be reported under the basic contract. Individual orders may be reported when placed for the articles, supplies, or services rendered, or as an alternative, the estimated total amount under the contract may be reported. If an estimate is used, adjustments should be reported pursuant to 9–54.004; and

(8) Contracts for the acquisition of uranium bearing ores, concentrates, and other source materials.

(b) The term "procurement action" excludes:

(1) Contracts for the acqusiition of land;

(2) Purchases paid for in cash;

(3) Orders placed against other AEC offices or contractors involving transfers of excess equipment or surplus material; and

(4) Transportation by Government bill of lading and transportation of personnel by Government travel order.

With respect to contract purpose, contractual arrangements falling within object classifications 01 Personal Services; 11 Grants, Subsidies, and Contributions; 13 Refunds, Awards, and Indemnities; 15 Taxes and Assessments; and 16 Investments and Loans, shall be excluded.

§ 9–54.004 Reports required.

(a) Form AEC–328 Contract Data Card (see § 9–16.951–3) shall be prepared, in quintuplicate, by AEC offices and cost-type contractors (prime and sub) except as provided in § 9–53.001 (a), for each of the following:

(1) Each procurement action (initial, increase, or decrease) of $25,000 or more;

(2) When the accumulated amount of a series of procurement actions under a previously unreported contract, subcontract, or purchase order totals $25,000 or more; and

(3) Each conversion of a letter contract reportable under subparagraph (1) or (2) of this paragraph, which results in a definitive contract.

(b) Form AEC–330 "Summary of Procurement Actions" (see § 9–16.951–4) shall be prepared by each AEC office, and cost-type contractors and subcontractors required to submit reports as follows:

(1) 1 copy of Form AEC–330 summarizing all fixed-price procurement actions by number of actions and dollar value; and

(2) 1 copy of Form AEC–330 summarizing all cost-type procurement actions by number of actions and dollar value.

(c) Form AEC–330: In addition, each AEC office shall:

(1) In those cases where more than one AEC office is maintained, submit separate summaries of the cost-type and fixed-price actions on Form AEC–330, for the office's procurement actions in total;

(2) Submit separate summaries of the cost-type and fixed-price actions on Form AEC–330, showing totals for all procurement actions by all cost-type prime contractors under the jurisdiction of the office;

(3) Submit separate summaries of the cost-type and fixed-price actions on Form AEC–330 showing totals for all procurement actions by cost-type subcontractors under cost-type prime contracts administered by the office.

(d) A Listing of Completed Contracts shall be prepared for those actions previously reported on Form AEC–328, showing contract number or purchase order number, name of contractor, or vendor, and the actual date for each prime, sub, or sub-subcontract on which delivery of products was accepted or services completed during the quarter for which the report is filed. Report the final amount, or, if this is not available, report the latest estimated amount.

§ 9–54.005 Preparation of reports.

Detailed instructions for completion of Forms AEC–328 and AEC–330 are con-

tained in §§ 9–16.951–3 and 9–16.951–4, respectively.

(a) Form AEC–328: In order to prepare the required number of copies of each form, provision has been made for duplication of Forms AEC–328 from master stencils to be stocked and requisitioned in accordance with AECM Chapter 0260. All forms are designed for preparation by hand, by typewriter or by punch-card tabulating equipment, and reproduction of Forms AEC–328 may be accomplished by either multilith or ditto process. Form AEC–328 shall be reproduced on card stock color coded as follows:

(1) Prime actions (contracts or purchase orders placed directly by AEC)—white;

(2) Subactions (subcontracts or purchase orders placed by AEC cost-type prime contractors)—buff;

(3) Sub-subactions (sub-subcontracts or purchase orders placed by first-tier subcontractors under AEC cost-type prime contracts)—salmon.

(b) Form AEC–330 will be stocked and requisitioned in the same manner as Form AEC–328.

§ 9–54.006 Submission of reports.

All reports required by this part shall be forwarded by Field Offices and Headquarters Divisions and Offices to the Director, Division of Contracts, Headquarters, as follows:

(a) Form AEC–328 shall be forwarded either (1) on a current basis as soon as practicable after the date the individual procurement action is transacted or (2) monthly, in time to reach Headquarters no later than the 15th day following the close of the month in which the procurement actions are transacted.

(b) Form AEC–330 shall be forwarded semiannually in time to reach Headquarters no later than the 15th day following the close of the six months covered by the report (July thru December—January thru June).

(c) The Listing of Completed Contracts shall be forwarded once a quarter in time to reach Headquarters no later than the 15th day following the close of the quarter covered by the listing.

NOTE: Forms AEC 328 and 330 may be obtained from AEC Headquarters.

Effective date. These regulations are effective 45 days after publication in the FEDERAL REGISTER, but may be observed earlier.

Dated at Germantown, Md., this 25th day of January 1963.

For the U.S. Atomic Energy Commission.

JAMES SCAMMAHORN,
Acting Director,
Division of Contracts.

[F.R. Doc. 63–1458; Filed, Feb. 8, 1963; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 939, Rev. 2]

PART 95—CAR SERVICE

Utilization of Fifty-Foot Long or Longer Plain Box Cars and Plain Box Cars Forty-Foot Long or Longer With Side Door Openings Eight-Foot Wide or Wider

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held in Washington, D.C., on the 5th day of February A.D. 1963.

It appearing, that an acute shortage of box cars fifty-foot long or longer and box cars forty-foot long or longer with side door openings eight-foot wide or more; and it appearing, that the present carrier rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of box cars of these dimensions to the railroads owning such cars are ineffective; the Commission is of the opinion that an emergency exists requiring immediate action in all parts of the country, and that notice and public procedure are impracticable and contrary to the public interest and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 95.939 Utilization of fifty-foot long or longer plain box cars and plain box cars forty-foot long or longer with side door openings eight-foot wide or wider.

(a) *Special and general permit; appointment of agent.* (1) Paragraph (b) of this section shall be subject to any special or general permits issued by the Permit Agent named below.

(2) Charles W. Taylor, Director, Bureau of Safety and Service, Interstate Commerce Commission, Washington 25, D.C., is hereby designated and appointed as Permit Agent of the Interstate Commerce Commission with authority to issue special and general permits to meet exceptional circumstances.

(b) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) The provisions of this order apply to plain (XM, XME, and XI) forty-foot or longer box cars with side door openings of eight-foor or wider and plain (XM, XME and XI) fifty-foot or longer box cars with any size door opening of all ownerships, including all box cars with plug doors.

(2) For purposes of this order, districts as shown in the Official Railway Equipment Register, ICC R.E.R.-No. 343, supplements thereto or subsequent reissues thereof govern. These districts are identified as Association of American Railroads car selection chart showing home districts for all principal freight car ownership.

(3) Cars locating in a home district may be used only for loading to a destination on or via owner's rails or to a junction with the owner.

(4) Cars locating in a district adjacent to a home district may be used only for loading to a home district or beyond if routed via the owner.

(5) Cars locating in other districts (not home districts or districts adjacent thereto) may be used for loading to, via, or in the direction of the owner, or to any destination within a home district or within a district adjacent or intermediate to a home district.

(6) Cars locating empty at a junction with the owner must be loaded to or via the owning road or delivered owner empty at that junction.

(7) In the absence of proper loading, cars must be moved, to the owner empty under Association of American Railroads Car Service Rules or Special Car Order 90.

(c) *Application.* The provisions of this order shall apply to intrastate and interstate commerce.

(d) *Effective date.* This order shall become effective at 12:01 a.m., February 6, 1963.

(e) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1963, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1 (10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4))

It is further ordered, That this order vacates and supersedes Revised Service Order No. 939 and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and filing it with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 1.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63–1446; Filed, Feb. 8, 1963; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Fiscal Service

[31 CFR Part 306]

[1962 Dept. Circular No. 300, 2nd Rev.]

UNITED STATES SECURITIES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in Department Circular No. 300, Revised (31 CFR Part 306), are proposed to be prescribed by the Secretary of the Treasury in a revised form as tentatively shown below. However, prior to their final adoption, consideration will be given to any data, views, or arguments pertaining thereto, which are submitted in writing, in duplicate, to the Commissioner of the Public Debt, Washington 25, D.C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. This proposed second revision of the regulations is to be issued under the authority of Revised Statutes, section 161 (5 U.S.C. 22), and the Second Liberty Bond Act, both as amended.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

PART 306—GENERAL REGULATIONS WITH RESPECT TO UNITED STATES SECURITIES

AUTHORITY: §§ 306.0 to 306.118 issued under R.S. 3706, 40 Stat. 288, 290, 1309, 48 Stat. 343, 50 Stat. 481; 31 U.S.C. 738a, 739, 752, 752a, 753, 754, 754a, 754b.

Subpart A—General Information

§ 306.0 Applicability of regulations.

The regulations of this part apply to all United States transferable and nontransferable securities,[1] other than United States Savings Bonds, to the extent specified in the regulations of this part, the offering circulars or special regulations governing such securities.

§ 306.1 Official agencies.

(a) *Subscriptions.* Securities subject to the regulations of this part are issued from time to time pursuant to public offering by the Secretary of the Treasury, through the Federal Reserve Banks, fiscal agents of the United States, and the Treasurer of the United States. Only the Federal Reserve Banks and Branches and the Treasury Department are authorized to act as official agencies, and subscriptions may be made direct to them, although banking institutions may assist customers with their subscriptions.

(b) *Transactions after issue.* Transactions in securities after original issue are largely conducted by the Bureau of the Public Debt, Division of Loans and Currency, Washington 25, D.C., and inquiries concerning such transactions should be directed to it. The Federal Reserve Banks and Branches are also official agencies for the receipt of securities for transactions after issue. The

[1] Bonds and other securities issued by certain agencies of the United States and the former government of Puerto Rico are subject to these regulations, so far as applicable, under special arrangements with the issuing authorities. Information as to their application to any particular transaction in any designated security will be furnished by the Bureau of the Public Debt, Division of Loans and Currency, Washington 25, D.C., upon request.

Federal Reserve Banks and Branches are located in the cities indicated by their names, as follows:

Federal Reserve Bank of Boston.
Federal Reserve Bank of New York, Buffalo Branch.
Federal Reserve Bank of Philadelphia.
Federal Reserve Bank of Cleveland:
Cincinnati Branch,
Pittsburgh Branch.
Federal Reserve Bank of Richmond:
Baltimore Branch,
Charlotte Branch.
Federal Reserve Bank of Atlanta:
Birmingham Branch,
Jacksonville Branch,
Nashville Branch,
New Orleans Branch.
Federal Reserve Bank of Chicago, Detroit Branch.
Federal Reserve Bank of St. Louis:
Little Rock Branch,
Louisville Branch,
Memphis Branch.
Federal Reserve Bank of Minneapolis:
Helena (Montana) Branch.
Federal Reserve Bank of Kansas City:
Denver Branch,
Oklahoma City Branch,
Omaha Branch.
Federal Reserve Bank of Dallas:
El Paso Branch,
Houston Branch,
San Antonio Branch.
Federal Reserve Bank of San Francisco:
Los Angeles Branch,
Portland (Oregon) Branch,
Salt Lake City Branch,
Seattle Branch.

§ 306.2 Definitions.

Certain words and terms, as used in the regulations of this part, are defined as follows:

(a) "Department" refers to the Treasury Department.

(b) "Bureau" refers to the Bureau of the Public Debt, Division of Loans and Currency, Washington 25, D.C.

(c) "Treasury securities," "Treasury bonds," "Treasury notes," "Treasury certificates of indebtedness," and Treasury bills," or simply "securities," "bonds," "notes," "certificates" and "bills," unless otherwise indicated by the context, refer only to transferable securities.

(d) "Transferable securities" are securities title to which may be transferred by delivery, or by assignment and delivery, and which may be sold on the market.

(e) "Registered securities" are either transferable or nontransferable, payable on their face at maturity or call for redemption before maturity in accordance with their terms to certain persons whose names and addresses are recorded. Nontransferable securities, issued only in registered form, are payable according to their terms to the registered owners or recognized successors in title to the extent and in the manner provided in the offering circulars or applicable regulations.

(f) "Bearer securities" are those which are payable on their face at maturity or call for redemption before maturity in accordance with their terms to "bearer," the ownership of which is not recorded. Title to such securities may pass by delivery without endorsement and without notice. "Coupon securities" are bearer securities which are issued with interest coupons attached.

(g) "Securities assigned in blank" or "securities so assigned as to become, in effect, payable to bearer" refers to registered securities which are assigned by the owner or his authorized representative without designating the assignee. Registered securities assigned simply to "The Secretary of the Treasury" or in the case of Treasury Bonds, Investment Series B–1975–80, to "The Secretary of the Treasury for exchange for the current Series EA or EO Treasury notes" are considered to be so assigned as to become, in effect, payable to bearer.

(h) "Face maturity date" is the payment date specified in the text of a security.

(i) "Call date" is the date on which the obligor may make payment before maturity pursuant to a call for redemption in accordance with the terms of the security.

(j) "Payment" and "redemption," unless otherwise indicated by the context, are used interchangeably for payment at maturity or payment before maturity pursuant to a call for redemption in accordance with the terms of the securities.

(k) "Redemption-exchange" is any authorized redemption of securities for the purpose of applying the proceeds in payment for other securities offered in exchange.

(l) "Advance refunding offer" is an offer to a holder of a security, in advance of its call or maturity, to exchange it for another security.

(m) "Coownership" and "coowner" are used for convenience only to describe any permitted form of joint ownership.

(n) "Incompetent" refers to a person under any legal disability except minority.

(o) "Court" means one which has jurisdiction over the parties and the subject matter.

§ 306.3 Transportation charges and risks in the shipment of securities.

The following rules of this section will govern transportation to, from and between the Treasury Department and the Federal Reserve Banks and Branches of securities issued on or presented for authorized transactions:

(a) The securities may be presented or received by the owners or their agents in person.

(b) Securities issued on original issue, unless delivered in person, will be delivered by registered mail or by other means at the risk and expense of the United States.

(c) The United States will assume the risk and expense of any transportation of securities which may be necessary between the Federal Reserve Banks and Branches and the Treasury.

(d) Securities submitted for any transaction after original issue, if not presented in person, must be forwarded at the owner's risk and expense.

(e) Bearer securities issued on transactions other than original issue will be delivered by registered mail, covered by insurance, at the owner's risk and expense, unless called for in person by the owner or his agent. Registered securities issued on such transactions will be delivered by registered mail at the risk of, but without expense to, the registered owner. Should delivery by other means be desired, advance arrangements should be made with the official agency to which the original securities were presented.

Subpart B—Registration

§ 316.10 General.

The registration used must express the actual ownership of the security, and may not include any restriction on the authority of the owner to dispose of it in any manner, except as otherwise specifically provided in these regulations. The Treasury Department reserves the right to treat the registration as conclusive of ownership. Requests for registration and assignments for transfer should be clear, accurate and complete and conform substantially with one of the forms set forth in this subpart, and must include appropriate identifying numbers as required on tax returns and other documents submitted to the Internal Revenue Service, i.e., an individual's social security account number or an employer identification number. The registration of all securities owned by the same person, organization or fiduciary estate should be uniform. The address must include the street and number, postal zone, rural route or any other local feature. Individual owners should be designated by the names by which they are ordinarily known or under which they do business, preferably including at least one full given name. The name of an individual may be preceded by any applicable title, such as "Dr." or "Rev.," or followed by "M.D.," "D.D." or other similar designation. "Sr." or "Jr." or any similar suffix should be used when necessary to distinguish the owner from another person. The name of a woman must be preceded by "Miss" or "Mrs.," unless some other applicable title or designation is used. A married woman's own given name, not that of her husband, must be used, for example, "Mrs. Mary A. Jones," not "Mrs. Frank B. Jones."

§ 306.11 Forms of registration for transferable securities.

The forms of registration described in this section are authorized for transferable securities.

(a) *Natural persons in their own right.* In the names of natural persons who are not under any legal disability, in their own right, substantially as follows:

(1) *One person.* In the name of one individual, for example:

John A. Doe (000–00–0000)
Mrs. Mary C. Doe (000–00–0000)
Miss Mary Ann Doe (000–00–0000)

If an individual is the sole proprietor of a business conducted under a trade name, his name may be followed by reference to the trade name, for example:

John A. Doe, doing business as Doe's Home Appliance Store (00–0000000)

or

John A. Doe (000–00–0000), doing business as Doe's Home Appliance Store

(2) *Two or more persons with right of survivorship.* In the names of two or more individuals with right of survivorship, for example:

John A. Doe (000–00–0000) or Mrs. Mary C. Doe or the survivor
John A. Doe (000–00–0000) and Mrs. Mary C. Doe or the survivor
John A. Doe (000–00–0000) or Mrs. Mary C. Doe or Miss Mary Ann Doe or the survivors or survivor
John A. Doe (000–00–0000) or Mrs. Mary C. Doe
John A. Doe (000–00–0000) and Mrs. Mary C. Doe

(3) *Two or more persons without right of survivorship.* In the names of two or more individuals in such manner as to preclude the right of survivorship, for example:

John A. Doe (000–00–0000) and William B. Doe, as tenants in common
John A. Doe (000–00–0000) or Robert B. Doe without right of survivorship

Securities will not be registered in the name of one person payable on death to another, or in any form which purports to authorize transfer by less than all the persons named in the registration as owners (or all the survivors).[2]

(b) *Natural guardians of minors.* A security may be registered in the name of a natural guardian of a minor for whose estate no legal guardian or similar representative has legally qualified, for example: John Jones as natural guardian of Henry Jones, a minor (000–00–0000). Either parent with whom the minor resides, or, if he does not reside with either parent, the person who furnishes his chief support, will be recognized as his natural guardian and will be considered a fiduciary. Registration in the name of a minor as owner or coowner is not authorized. Securities so registered, upon qualification of the natural guardian, will be treated as though registered in the name and title of the natural guardian.

(c) *Incompetents not under guardianship.* Registration in the name of an incompetent is not authorized, except to the extent provided in § 306.57(c)(2).

(d) *Private organizations (corporations; unincorporated associations and partnerships).* A security may be registered in the name of any private corporation, unincorporated association or partnership. The full legal name of the organization, as set forth in its charter, articles of incorporation, constitution, partnership agreement or other authority from which its powers are derived, must be included in the registration, and may be followed, if desired, by a parenthetical reference to a particular account or fund other than a trust fund, in accordance with the rules and examples given in this paragraph.

(1) *A corporation.* The name of a business, fraternal, religious or other private corporation must be followed by descriptive words indicating the corporate status unless the term "corporation" or the abbreviation "Inc." is part of the name or the name is that of a corporation or association organized under Federal law, such as a National bank or a Federal savings and loan association, for example:

Smith Manufacturing Company, a corporation (00–0000000)
The Standard Manufacturing Corp. (00–0000000)
Jones & Brown, Inc. (00–0000000) (Depreciation Acct.)
First National Bank of ---------- (00–0000000)

(2) *An unincorporated association.* The name of a lodge, club, labor union, veterans' organization, religious society or similar self-governing organization which is not incorporated (whether or not it is chartered by or affiliated with a parent organization which is incorporated) must be followed by the words "an unincorporated association," for example:

American Legion Post No. ------, Department of the D.C., an unincorporated association (00–0000000)
Local Union No. 100, Brotherhood of Locomotive Engineers, an unincorporated association (00–0000000)

Securities should not be registered in the name of an unincorporated association if the legal title to its property in general, or the legal title to the funds with which the securities are to be purchased, is held by trustees. In such a case the securities should be registered in the title of the trustees in accordance with paragraph (h) of this section. The term "unincorporated association" should not be used to describe a trust fund, a partnership or a business conducted under a trade name.

(3) *A partnership.* The name of a partnership must be followed by the words "a partnership," for example:

Smith & Brown, a partnership (00–0000000)
Acme Novelty Co., a limited partnership (00–0000000)

(e) *States, public bodies and corporations and public officers.* A security may be registered in the name of a State or county, city, town, village, school district or other political entity, public body or corporation established by law (including a board, commission, administration, authority or agency) which is the owner or official custodian of public funds, other than trust funds, or in the full legal title of the public officer having custody, for example:

State of Maine (00–0000000)
Town of Rye, N.Y. (00–0000000)
Maryland State Highway Commission (00–0000000)
Treasurer, City of Springfield, Ill. (00–0000000)
Treasurer of Rhode Island as Custodian of the State Forestry Fund (00–0000000)

(f) *States, public officers, corporations or bodies as trustees.* A security may be registered in the title of a public officer or in the name of a State or county, a public corporation or public body acting as trustee under express authority of law, followed by appropriate reference to the statute creating the trust, for example:

State Sinking Fund Commission, trustee of State Highway Certificates of Indebtedness Sinking Fund under Sec. --, Code of S.C. (00–0000000)
Insurance Commissioner of Pennsylvania, trustee for the benefit of the policyholders of the Blank Insurance Co. (00–0000000), under sec. ------, Penna. Stats.

(g) *Executors, administrators, guardians and similar representatives or fiduciaries.* A security may be registered in the names of legally qualified executors, administrators, guardians, conservators or similar representatives or fiduciaries of a single estate. The names of all the representatives or fiduciaries, in the form shown in their letters of appointment, must be included in the registration and must be followed by an adequate identifying reference to the estate, for example:

John Smith, executor of the will (or administrator of the estate) of Henry J. Jones, deceased (00–0000000)
William C. Jones, guardian (or conservator, etc.) of the estate of James D. Brown, a minor (or an incompetent) (000–00–0000)
William C. Jones, as custodian for John Smith, a minor (000–00–0000), under the California Gifts of Securities to Minors Act

(h) *Private trust estates.* A security may be registered in the name and title of the trustee or trustees of a single duly constituted private trust, followed by an adequate identifying reference to the authority governing the trust, for example:

John Jones and Blank Trust Company, Albany, N.Y., trustees under the will of Sarah Jones, deceased (00–0000000)
John Doe and Richard Roe, trustees under agreement with Henry Jones dated 2/9/50 (00–0000000)

The names of all trustees, in the form used in the trust instrument, must be included in the registration, except as follows:

(1) If there are several trustees designated as a board or authorized to act as a unit, their names should be omitted and the words "Board of Trustees" should be substituted for the word "trustees," for example:

Board of Trustees of Blank Company Retirement Fund under collective bargaining agreement dated 6/30/50 (00–0000000)

(2) If the trustees do not constitute a board or otherwise act as a unit, and are either too numerous to be designated in the inscription by names and title, or serve for limited terms, some or all of the names may be omitted, for example:

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[2] Warning: Difference between transferable Treasury securities registered in the names of two or more persons and United States Savings Bonds in coownership form. The effect of registering transferable Treasury securities in the names of two or more persons differs decidedly from registration of savings bonds in coownership form. Savings bonds are virtually redeemable on demand at the option of either coowner on his signature alone. Transferable Treasury securities are redeemable only at maturity or upon prior call by the Secretary of the Treasury. Accordingly, if cash is needed before such time, it can be realized only by sale on the market. This involves a transfer of ownership which can be accomplished only upon proper assignment by or in behalf of all coowners.

John Smith, Henry Jones, et al., trustees under the will of Henry J. Smith, deceased (00–0000000)
Trustees under the will of Henry J. Smith, deceased (00–0000000)
Trustees of Retirement Fund of Industrial Manufacturing Co., under directors' resolution of 6/30/50 (00–0000000)

§ 306.12 Nontransferable securities.

Upon authorized reissue, Treasury Bonds, Investment Series B–1975–80, may be registered in the forms set forth in § 306.11.

§ 306.13 Errors in registration.

If an erroneously inscribed security is received it should not be altered in any respect but the Bureau or a Federal Reserve Bank or Branch should be promptly furnished full particulars concerning the error and requested to furnish instructions.

Subpart C—Transfers, Exchanges and Reissues

§ 306.15 Transfers and exchanges of securities—closed periods.

(a) *General.* The transfer of registered securities should be made by assignment in accordance with Subpart F. Transferable registered securities are eligible for denominational exchange and exchange for bearer securities. Bearer securities are eligible for denominational exchange, and when so provided in the offering circular, are eligible for exchange for registered securities. Specific instructions for the issuance and delivery of the new securities, signed by the owner or his authorized representative, must accompany the securities presented. (Form PD 1642, 1643, 1644, or 1827, as appropriate, may be used.) Securities presented for transfer or for exchange for bearer securities of the same issue must be received by an official agency not less than one full month before the date on which the securities mature or become redeemable pursuant to a call for redemption before maturity, and any security so presented which is received too late to comply with this provision will be accepted for payment only.

(b) *Closing of transfer books.* The transfer books are closed for one full month preceding interest payment dates. If the date set for the closing of the transfer books falls on Saturday, Sunday or a legal holiday, the books will be closed as of the close of business on the last business day preceding that date. If registered securities forwarded for transfer, for reissue, or for exchange for coupon securities, or coupon securities forwarded for exchange for registered securities are received by the Bureau during the time the books are closed, the transaction will not be completed until the first business day following the date on which interest falls due, when the books are reopened for all purposes. However, denominational exchanges, exchanges of Treasury Bonds, Investment Series B–1975–80, for the current series of EA or EO 1½ percent 5-year Treasury notes, and optional redemption of bonds at par as provided in § 306.28, may be made at any time.

§ 306.16 Denominational exchanges of registered securities.

No assignment will be required for the authorized exchange of registered securities for like securities in the same names in other authorized denominations.

§ 306.17 Exchanges of registered securities for coupon securities.

Registered securities submitted for exchange for coupon securities should be assigned to "The Secretary of the Treasury for exchange for coupon securities to be delivered to (inserting the name and address of the person to whom delivery of the coupon securities is to be made)." Assignments to "The Secretary of the Treasury for exchange for coupon securities," or assignments in blank will also be accepted. The coupon securities issued upon exchange will have all unmatured coupons attached.

§ 306.18 Exchanges of coupon securities for registered securities.

Coupon securities presented for exchange for registered securities should have all matured interest coupons detached. All unmatured coupons should be attached, except that if presented when the transfer books are closed (in which case the exchange will be effected on or after the date on which the books are reopened), the next maturing coupons should be detached and held for collection in ordinary course when due. If any coupons which should be attached are missing, the securities must be accompanied by a remittance in an amount equal to the face amount of the missing coupons. The new registered securities will bear interest from the interest payment date next preceding the date on which the exchange is made.

§ 306.19 Denominational exchanges of coupon securities.

All matured interest coupons and all unmatured coupons likely to mature before an exchange can be completed should be detached from securities presented for denominational exchange. All unmatured coupons should be attached. If any are missing, the securities must be accompanied by a remittance in an amount equal to the face amount of the missing coupons. The new coupon securities will have all unmatured coupons attached.

§ 306.20 Reissue of registered transferable securities.

Assignments are not required for reissue of registered transferable securities in the name(s) of (a) the surviving coowner or coowners of securities registered in the names of or assigned to two or more persons, unless the registration or assignment includes words which preclude the right of survivorship, or the words "or either of them," (b) a succeeding fiduciary or other lawful successor, (c) an individual, corporation, or unincorporated association whose name has been legally changed, (d) a corporation or unincorporated association which is the lawful successor to another corporation or unincorporated association, and (e) a successor in title to a public officer or body. Evidence of survivorship, succession, or change of name, as appropriate, must be furnished. No evidence will be required to support assignments for redemption for the account of the registered owner(s) or assignee(s), or for redemption-exchange or pursuant to an advance refunding offer if the securities offered in exchange are to be registered in substantially the same form.

§ 306.21 Reissue of nontransferable securities.

(a) *Treasury Bonds, Investment Series A–1965.* Bonds of this series may be reissued only when (1) the name of an owner has been changed, (2) the trustees in whose names the bonds are registered have been succeeded by other trustees, and (3) the corporation, unincorporated association or fund in whose name the bonds are registered has been succeeded by another corporation or unincorporated association or fund, by operation of law or otherwise, whereby the business or activities of the original organization or fund are continued without substantial change in the successor. Bonds presented for reissue must be accompanied by pertinent evidence and an appropriate request for reissue. (Form PD 2168 should be used.)

(b) *Treasury Bonds, Investment Series B–1975–80.* Bonds of this series may be reissued only in the names of (1) lawful successors in title, (2) the legal representatives or distributees of a deceased owner's estate, or the distributees of a trust estate, and (3) State supervisory authorities in pursuance of any pledge required of the owner under State law, or upon termination of the pledge in the names of the pledgors or their successors. Bonds presented for reissue must be accompanied by evidence of entitlement.

§ 306.22 Exchange of Treasury Bonds, Investment Series B–1975–80.

Bonds of this series presented for exchange for 1½ percent 5-year Treasury notes must bear duly executed assignments to "The Secretary of the Treasury for exchange for the current series of EA or EO Treasury notes to be delivered to (inserting the name and address of the person to whom the notes are to be delivered)." The notes will bear the April 1 or October 1 date next preceding the date the bonds, duly assigned with supporting evidence, if necessary, are received by the Bureau or a Federal Reserve Bank or Branch. Interest accrued at the rate of 2¾ percent on the bonds surrendered from the next preceding interest payment date to the date of exchange will be credited, and interest at the rate of 1½ percent on the notes for the same period will be charged and the difference will be paid to the owner.

Subpart D—Redemption or Payment

§ 306.25 Presentation and surrender.

(a) *General.* Securities, whether in registered or bearer form, are payable in due course at maturity unless called for redemption before maturity, in which case they will be payable on the redemption date fixed in the call. The Secretary of the Treasury may provide for the

exchange of maturing or called securities, or pursuant to an advance refunding offer, may afford owners the opportunity of exchanging a security, in advance of call or maturity, for another security. Registered securities should be presented and surrendered for redemption to a Federal Reserve Bank or Branch or to the Bureau, and bearer securities to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington 25, D.C.[3]

(b) *"Overdue" securities.* If a bearer security or a registered security assigned in blank, or to bearer or so assigned as to become, in effect, payable to bearer, is presented and surrendered for redemption after it has become overdue, the Secretary of the Treasury may require satisfactory proof of ownership. A security shall be considered overdue after the lapse of the following periods of time from its face maturity date:

(1) One year for Treasury bonds.

(2) Six months for Treasury notes and certificates of indebtedness.

(3) Three months for Treasury bills.

(4) Other securities:

(i) One year for securities issued for a term of five years or longer.

(ii) Six months for securities issued for a term of one year or more but less than five years.

(iii) Three months for securities issued for a term of less than one year.

§ 306.26 Redemption of registered securities at maturity, upon prior call, or for advance refunding.

Registered securities presented and surrendered for redemption at maturity or pursuant to a call for redemption before maturity should be assigned to "The Secretary of the Treasury for redemption," unless the assignor desires that payment be made to some other person, in which case assignments should be made to "The Secretary of the Treasury for redemption for the account of (inserting the name and address of the person to whom payment is to be made)." Assignments in blank or other assignments having similar effect will be accepted but specific instructions for the issuance and delivery of the redemption check, signed by the owner or his authorized representative, must accompany the securities, unless included in the assignment. (Form PD 1705 may be used.) Payment will be made by check drawn on the Treasurer of the United States to the order of the person entitled and mailed in accordance with the instructions received. Interest payable on the maturity date, or call redemption date, unless otherwise provided in the notice of call, will be paid with the principal. Securities presented for advance refunding should be assigned as provided in the advance refunding offer. Adjustment of interest will be made as provided in the offer.

§ 306.27 Redemption of bearer securities at maturity, upon prior call, or for advance refunding.

All interest coupons due and payable on or before the date of maturity or date fixed in the call for redemption before maturity should be detached from coupon securities presented for redemption and should be collected separately in regular course. All coupons bearing dates subsequent to a date fixed in a call for redemption, or an offer of advance refunding, should be left attached to the securities. If any such coupons are missing the full face amount thereof will be deducted from the payment to be made upon redemption or the advance refunding adjustment unless satisfactory evidence of their destruction is submitted. Any amounts so deducted will be held in the Department to provide for adjustments or refunds in the event that the missing coupons should be subsequently presented or their destruction is later satisfactorily established. In the absence of other instructions, payment of bearer securities will be made by check drawn to the order of the person presenting and surrendering the securities and mailed to him at his address, as given in the advice which should accompany the securities. (Form PD 1704 may be used.) A Federal Reserve Bank, upon appropriate request, may make payment to a member bank from which bearer securities are received by crediting the amount in the member bank's account.

§ 306.28 Optional redemption of Treasury bonds at par (before maturity or call redemption date) and application of the proceeds in payment of Federal estate taxes.

(a) *General.* All Treasury bonds to be redeemed at par for the purpose of applying the proceeds to payment of Federal estate taxes on a decedent's estate[4] must be presented and surrendered to a Federal Reserve Bank or Branch or the Bureau. They should be accompanied by Form PD 1782, fully completed and duly executed in accordance with the instructions on the form, and evidence as described therein. Redemption will be made at par plus accrued interest from the last preceding interest payment date to the date of redemption, except that if registered bonds are received by a Federal Reserve Bank or Branch or the Bureau within one month preceding an interest payment date for redemption before that date a deduction will be made for interest from the date of redemption to the interest payment date, and a check for the full six months' interest will be paid in due course. The proceeds of redemption will be deposited to the credit of the District Director, Internal Revenue Service, designated in Form PD 1782, the representative of the estate will be notified of the deposit, and the District Director will forward a formal receipt.

(b) *Conditions.* The bonds presented for redemption under this section must have been owned by the decedent at the time of his death and thereupon constituted part of his estate, as determined by the rules of this paragraph in the case of coownership, partnership and trust holdings:

(1) *Coownership holdings.* Bonds held by the decedent at the time of his death in coownership with another person or persons will be deemed to have met the above conditions either (i) to the extent to which the bonds actually became the property of the decedent's estate, or (ii) in an amount not to exceed the amount of the Federal estate taxes which the surviving coowner or coowners are required to pay on account of such bonds and other jointly held property.[5]

(2) *Partnership holdings.* Bonds held at the time of the decedent's death by a partnership in which he had an interest will be deemed to have met the above conditions to the extent of his fractional share of the bonds so held proportionate to his interest in the assets of the partnership.

(3) *Trust holdings.* Bonds held in trust at the time of the decedent's death will be deemed to have met the above conditions in an amount not to exceed: The amount of the Federal estate taxes which the trustee as such is required to pay under the terms of the trust instrument or otherwise; or, if the trust actually terminated in favor of the decedent's estate, the amount of such estate taxes.

(c) *Transactions permitted after owner's death.* If the bond or bonds are in excess of the amount of the taxes and are not in the lowest authorized denominations, they may be exchanged for bonds of lower denominations. Other transactions, involving no change of ownership, which may be conducted after the death of the owner without affecting the eligibility of the bonds for redemption at par, include (1) exchange of registered bonds for coupon bonds, (2) transfer to the names of the representative of his estate, and (3) exchange of coupon bonds for bonds registered in the name of the representative of the estate; but such transactions must be explained on Form PD 1782 or in a supplemental statement.

Subpart E—Interest

§ 306.35 Computation of interest.

The interest on Treasury securities accrues and is payable on a semiannual basis unless otherwise provided in the circular offering them for sale or exchange. If the period of accrual is an exact six months, the interest accrual is an exact one-half year's interest, without regard to the number of days in the period. If the period of accrual is less than an exact six months, the accrued interest is computed by determining the daily rate of accrual on the basis of the exact number of days in the full interest period and multiplying the daily rate by the exact number of

[3] See § 306.28 for presentation and surrender of securities eligible for use in payment of Federal estate taxes.

[4] Certain issues of Treasury bonds are redeemable at par and accrued interest upon the death of the owner, at the option of the representative of, or if none, the persons entitled to, his estate, for the purpose of having the entire proceeds applied in payment of the Federal estate taxes on the decedent's estate, in accordance with the terms of the offering circulars cited on the face of the bonds. A current list of eligible issues may be obtained from any Federal Reserve Bank or Branch or the Bureau of the Public Debt.

[5] Substantially the same rule applies to community property except that upon the death of either spouse bonds which constitute part of the community estate are deemed to meet the required conditions to the extent of one-half of each bond.

days in the fractional period for which interest has actually accrued. A full interest period does not include the day as of which the securities were issued or the day on which the last preceding interest became due, but does include the day on which the next succeeding interest payment is due. A fractional part of an interest period does not include the day as of which the securities were issued or the day on which the last preceding interest payment became due, but does include the day as of which the transaction terminating the accrual of interest is effected. The 29th of February in a leap year is included whenever it falls within either a full interest period or a fractional part thereof.[6]

§ 306.36 Termination of interest.

Securities will cease to bear interest on the date of their maturity unless they have been called for redemption prior to maturity in accordance with their terms, in which case they will cease to bear interest on the date fixed for redemption in the call.

§ 306.37 Interest on registered securities.

(a) *Method of payment.* The interest on registered securities is payable by checks drawn on the Treasurer of the United States to the order of the registered owners, except as otherwise provided in this section. Interest checks are prepared by the Department in advance of the interest payment date and are ordinarily mailed in time to reach the addressees on that date. Upon receipt of notice of the death or incompetency of an individual named as registered owner, a change in the name or in the status of a partnership, corporation or unincorporated association, the removal, resignation, succession or death of a fiduciary or trustee, delivery of interest checks will be withheld pending receipt and approval of evidence showing who is entitled to receive the interest checks. If the inscriptions on securities do not clearly identify the owners, delivery of interest checks will be withheld pending reissue of the securities in the correct registration. The final instalment of interest will be paid with the principal at maturity, or upon call, unless otherwise provided in the notice of call.[7]

(b) *Change of address.* To assure timely delivery of interest checks, owners should promptly notify the Bureau of any change of address. (Form PD 345 may be used.) The notification must be signed by the registered owner or a co-owner or an authorized representative, and should show the old and new addresses, the serial number and denomination of each security, the title of the securities (for example, 3¼ percent Treasury Bonds of 1978–83, dated May 1, 1953), and the registration of each security. Notifications by attorneys in fact or by legal representatives of the estates of deceased, incompetent or minor owners should be supported by proof of their appointment unless, in the case of legal representatives, they are named in the registration.

(c) *Collection of interest checks—(1) General.* Interest checks may be collected in accordance with the regulations governing the endorsement and payment of Government warrants and checks, which are contained in Department Circular No. 21, Revised, as amended.

(2) *By voluntary guardians of incompetents.* Interest checks drawn to the order of an incompetent for whose estate no legal guardian or similar representative has been appointed should be returned to the Bureau with a full explanation of the circumstances. For collection of interest, the Department will recognize the relative responsible for the incompetent's care and support or some other person as voluntary guardian for the incompetent. (Application may be made on Form PD 1461.)

(d) *Nonreceipt, loss, theft or destruction of interest checks.* If an interest check is not received within a reasonable period after an interest-payment date, or if a check is lost, stolen or destroyed after receipt, the Bureau should be notified. The notification should include the name and address of the owner, the serial number, denomination, and titles of the securities upon which the interest was payable. If the check is subsequently received or recovered, the Treasurer of the United States, Washington 25, D.C., should be advised.

§ 306.38 Interest on bearer securities.

Unless the terms of the securities provide that final interest is payable with the principal at maturity, interest on coupon securities is payable upon presentation and surrender of the interest coupons as they mature. Interest coupons are payable at the Office of the Treasurer of the United States and at any Federal Reserve Bank or Branch.[8] The interest on some issues is payable with the principal at maturity, and no coupons are attached. The interest on Treasury bills, which are sold on a discount basis and are payable at par at maturity, is represented by the difference between the purchase price and the par value, and no coupons are attached.

Subpart F—Assignments of Registered Securities—General

§ 306.40 Execution of assignments.

The assignment of a registered security should be executed by the owner or his authorized representative in the presence of an officer authorized to witness the assignment. All assignments must be made on the backs of the securities, unless otherwise authorized by the Department or a Federal Reserve Bank or Branch. An assignment by mark (X) must be witnessed not only by a witnessing officer but also by at least one other person, who should add an endorsement substantially as follows: "Witness to signature by mark," followed by his signature and address.

§ 306.41 Form of assignment.

Registered securities may be assigned in blank, to bearer, to a specified transferee, to the Secretary of the Treasury for exchange for coupon securities, or to the Secretary of the Treasury for redemption or for exchange for other securities offered at maturity, upon call or pursuant to an advance refunding offer. Assignments to "The Secretary of the Treasury," "The Secretary of the Treasury for transfer," or "The Secretary of the Treasury for exchange" will not be accepted, unless supplemented by specific instructions.

§ 306.42 Alterations and erasures.

If an alteration or erasure has been made in an assignment, an explanation satisfactory to the Treasury Department, usually in the form of an affidavit by the person responsible, will be required.

306.43 Voidance of assignments.

An assignment of a security to or for the account of another person, not completed by delivery, may be voided by a disclaimer of interest from that person. The disclaimer should be executed in the presence of an officer authorized to witness assignments of securities. Unless otherwise authorized by the Treasury Department or a Federal Reserve Bank or Branch the disclaimer must be written, typed, or stamped on the back of the security, in substantially the following form:

The undersigned as assignee of this security hereby disclaims any interest herein.

(Signature)

I certify that the above-named person as described, whose identity is well known or proved to me, personally appeared before me the ____ day of _____

(Month and year)

at _____ and signed the above disclaimer of interest.

(Place)

(SEAL)

(Signature and official designation of witnessing officer)

In the absence of a disclaimer, an affidavit or affidavits should be submitted for consideration explaining why a disclaimer cannot be obtained, reciting all other material facts and circumstances relating to the transaction, including whether or not the security was delivered to the person named as assignee and whether or not the affiants know of any basis for the assignee claiming any right, title or interest in the security.

§ 306.44 Discrepances in names.

The Department will ordinarily require an explanation of discrepancies in the names which appear in inscriptions, assignments, supporting evidence or in the signatures to any assignments. (Form PD 385 may be used for this purpose.) However, where the variations in the name of the registered owner,

[6] Copies of the Appendix to these regulations containing a complete explanation as to the method of computing interest on Treasury bonds, notes and certificates of indebtedness in any given situation may be obtained from the Bureau. The Appendix also outlines the method of computing the discount rate on Treasury bills.

[7] See § 306.20(b) for presentation of securities during periods transfer books are closed.

[8] Banking institutions will usually cash the coupons without charge as an accommodation to their customers.

as inscribed on securities of the same or different issues, are such that both may properly represent the same person, for example, "J. T. Smith" and "John T. Smith," no proof of identity will be required if the assignments are signed exactly as the securities are inscribed and are duly certified by the same witnessing officer.

§ 306.45 Officers authorized to witness assignments.

(a) *Officers authorized generally.* Officers authorized to witness assignments include:

(1) Officers and employees of banks and trust companies chartered by or incorporated under the laws of the United States or those of any State, Commonwealth or Territory of the United States, and Federal Savings and Loan Associations or other organizations which are members of the Federal Home Loan Bank System, who have been authorized generally to bind their respective institutions by their acts.

(2) Officers of Federal Reserve Banks and Branches.

(3) Officers of Federal Land Banks, Federal Intermediate Credit Banks and Banks for Cooperatives, the Central Bank for Cooperatives, and Federal Home Loan Banks.

(4) United States attorneys, collectors of customs, and regional commissioners and District Directors, Internal Revenue Service.

(5) Judges and clerks of United States courts.

(b) *Authorized officers in foreign countries.* The following officers are authorized to witness assignments in foreign countries:

(1) United States diplomatic or consular representatives.

(2) Managers, assistant managers and other officers of foreign branches of banks or trust companies chartered by or incorporated under the laws of the United States or any State, Commonwealth or Territory of the United States.

(3) Notaries public and other officers authorized to administer oaths. The official position and authority of any such officer must be certified by a United States diplomatic or consular representative under seal of his office.

(c) *Officers having limited authority.* The following officers are authorized to witness assignments to the extent set forth in connection with each class of officers:

(1) Postmasters, acting postmasters, assistant postmasters, inspectors-in-charge, chief and assistant chief accountants, and superintendents of stations of any post office, notaries public and justices of the peace in the United States, its territories and possessions, the Commonwealth of Puerto Rico and the Canal Zone, but only for assignment of securities for redemption for the account of the assignor, or for redemption-exchange, or pursuant to an advance refunding offer for other securities to be registered in his name, or in his name with a coowner. The signature of any post office official, other than a postmaster, must be in the following form: "John A. Doe, Postmaster, by Richard B. Roe, Superintendent of Station."

(2) Commissioned officers and warrant officers of the Armed Forces of the United States for assignments of securities of any class for any authorized transaction, but only with respect to assignments executed by (i) Armed Forces personnel and civilian field employees, and (ii) members of the families of such personnel or civilian employees.

(d) *Special provisions for witnessing assignments.* The Commissioner of the Public Debt, the Chief of the Division of Loans and Currency, or any Federal Reserve Bank or Branch is authorized to make special provisions for any case or class of cases.

§ 306.46 Duties and responsibilities of witnessing officers.

The witnessing officer must require execution of the assignment in his presence after he has established the identity of the assignor. He must then complete the certification and impress or imprint the official seal or stamp, if any. The witnessing officer and, if he is an officer or employee of an organization, the organization will be held responsible for any loss which the United States may suffer as the result of his fault or negligence.

§ 306.47 Evidence of witnessing officer's authority.

The authority of a witnessing officer may be established by his affixing the seal of his organization to his certification of an assignment. If such officer does not have access to the seal, his signature and authority must be certified to the Department, under seal, by an officer having access to the records and will be recognized until notice is received that his authority has been terminated. (Form PD 835–B may be used.) Any post office official must use the official stamp of his office. A commissioned or warrant officer or any of the armed forces of the United States should indicate his rank and state that the person executing the assignment is one of the class whose signature he is authorized to witness. A judge or clerk of court must use the seal of the court. Any other witnessing officer must use his official seal or stamp, if any, but, if he has neither, his official position and a specimen of his signature must be certified by some other authorized officer under official seal or stamp or otherwise proved to the satisfaction of the Department.

§ 306.48 Interested person not to act as witness or witnessing officer.

Neither the assignor, the assignee, nor any person having an interest in a security may act as witnessing officer or as witness to an assignment by mark. However, a bank officer may witness an assignment to the bank, or an assignment executed by another officer in its behalf.

§ 306.49 Nontransferable securities.

The provisions of this subpart, so far as applicable, govern transactions in Treasury Bonds, Investment Series B–1975–80.

Subpart G—Assignments by or in Behalf of Individuals

§ 306.55 Signatures, minor errors and change of name.

The owner's signature to an assignment should be in the form in which the security is inscribed or assigned, unless such inscription or assignment is incorrect or the name has since been changed. In case of a change of name, the signature to the assignment should show both names and the manner in which the change was made, for example, "John Young, formerly John Jung (changed by court order)." Evidence of the change will be required. However, no evidence is required to support an assignment if the change resulted from marriage and the signature, which must be duly witnessed by an authorized officer, is written to show that fact, for example, "Mrs. Mary J. Brown, before marriage Miss Mary Jones."

§ 306.56 Assignment of securities registered in the names of or assigned to two or more persons.

(a) *For transfer or exchange.* The transfer or exchange for coupon securities of securities registered in the names of or assigned to two or more persons may be made during the lives of all the coowners only upon assignments by all or in their behalf by authorized representatives. Upon proof of the death of one, the Department will accept an assignment by or in behalf of the survivor or survivors, unless the regisration or assignment includes words which preclude the right of survivorship, or the words "or either of them." In such cases, in addition to assignment by or in behalf of the survivor or survivors, an assignment in behalf of the decedent's estate will be required.

(b) *For advance refunding exchanges.* Securities registered in the names of or assigned to two or more persons, whether jointly or in the alternative, may be assigned by one where the securities offered in exchange are to be inscribed in their names in substantially the same form. If bearer securities or securities in a different form are to be issued, all persons named must assign, except that in case of death paragraph (a) of this section shall apply.

(c) *For redemption or redemption-exchange*—(1) *Alternative registration or assignment.* Securities registered in the names of or assigned to two or more persons in the alternative, for example, "John Smith or Mrs. Mary Smith" or "John Smith or Mrs. Mary Smith or the survivor," may be assigned by one coowner at maturity or upon call, for redemption or redemption-exchange (as defined in § 306.2(k)), for his own account or otherwise, whether or not the other coowner or coowners are deceased. This provision also applies to securities registered in or assigned to the form "John Smith and Mrs. Mary Smith or either of them."

(2) *Joint registration or assignment.* Securities registered in the names of or assigned to two or more persons jointly, for example, "John Smith and Mrs. Mary Smith," "John Smith and Mrs. Mary

Smith or the survivor," or "John Smith and Mrs. Mary Smith as tenants in common," may be assigned by one coowner during the lives of all only (i) for redemption at maturity or upon call, and then only for redemption for the account of all, or (ii) for exchange for other securities to be registered in their names in substantially the same form as appears in the registration or assignment of the securities surrendered. Upon proof of the death of one coowner, the survivor or suvivors may assign securities so registered or assigned for redemption or redemption-exchange for any account, except that, if the words "as tenants in common" or other words having the same effect appear in the registration or assignment, assignment in behalf of the decedent's estate also will be required.

§ 306.57 Minors and incompetents.

(a) *Assignments of securities registered in name of minor.*

(1) *By minor.* Securities registered in the name of a minor for whose estate no guardian or similar representative is legally qualified, may be assigned by the minor at maturity or call for redemption if the total face amount of the matured or called securities so registered does not exceed $500, and if the minor, in the opinion of the witnessing officer, is of sufficient competency to execute the assignments and understand the nature of the transaction.

(2) *By natural guardian.* Securities registered in the name of a minor for whose estate no legal guardian or similar representative has qualified may be assigned by the natural guardian upon qualification. Form PD 2481 may be used for this purpose.

(b) *Assignments of securities registered in name of natural guardian of minor.* Securities registered in the name of a natural guardian of a minor may be assigned by the natural guardian for any authorized transaction except one for the apparent benefit of the natural guardian. If the natural guardian in whose name the securities are registered is deceased or is no longer qualified to act as natural guardian, the securities may be assigned by the person then acting as natural guardian. The assignment by the new natural guardian should be supported by proof of the death or disqualification of the former natural guardian and by evidence of his own status as natural guardian. (Form PD 2481 may be used for this purpose.) No assignment by a natural guardian will be accepted after receipt of notice of the minor's attainment of majority, removal of his disability of minority, disqualification of the natural guardian to act as such, qualification of a legal guardian or similar representative, or the death of the minor.

(c) *Assignments by voluntary guardians of incompetents.* Registered securities belonging to an incompetent for whose estate no legal guardian or similar representative is legally qualified may be assigned by the relative responsible for his care and support or some other person as voluntary guardian:

(1) For redemption or exchange for bearer securities, if the proceeds of the securities are necessary and will be used for the care and support of the incompetent or that of his legal dependents and the total face amount of such securities for which redemption or exchange is requested in any 90-day period does not exceed $1,000.

(2) For redemption-exchange, if the securities are matured or have been called, or pursuant to an advance refunding offer, for reinvestment in other securities to be registered in the form "A, an incompetent (000–00–0000), under voluntary guardianship."

An application on Form PD 1461 by the person seeking authority to act as voluntary guardian will be required.

(d) *Assignments by legal guardians of minors or incompetents.* Securities registered in the name and title of the legal guardian or similar representative of the estate of a minor or incompetent may be assigned by the representative for any authorized transaction without proof of his qualification. Assignments by a representative of any other securities belonging to a minor or incompetent must be supported by properly certified evidence of qualification. The evidence must be dated not more than one year before the date of the assignments and must contain a statement showing the appointment is in full force unless it shows the appointment was made not more than one year before the date of the assignment or the representative or a corepresentative is a corporation. An assignment by the representative will not be accepted after receipt of notice of termination of the guardianship, except for transfer to the former ward.

§ 306.58 Nontransferable securities.

The provisions of this subpart, so far as applicable, govern transactions in Treasury Bonds, Investment Series B–1975–80.

Subpart H—Assignments in Behalf of Estates of Deceased Owners

§ 306.65 In course of administration.

A security belonging to the estate of a decedent which is being administered by a duly qualified executor or general administrator will be accepted for any authorized transaction upon assignment by such representative. If the security is not registered in the name and title of the representative, the assignment must be supported by a certificate or a copy of the letters of appointment, under court seal. The certificate or certification, if required, must be dated not more than six months before the date of the assignment and must contain a statement that the appointment is in full force, unless (a) it shows the appointment was made not more than one year before the date of the assignment, or (b) the representative or a corepresentative is a corporation, or (c) redemption is being made for application of the proceeds in payment of Federal estate taxes as provided by § 306.28.

§ 306.66 Temporary or special administrators.

Temporary or special administrators may assign securities for any authorized transaction within the scope of their authority. The assignments must be supported by:

(a) *Temporary administrators.* A certificate, under court seal, showing the appointment in full force within thirty days preceding the date of receipt of the securities.

(b) *Special administrators.* A certificate, under court seal, showing the appointment in full force within six months preceding the date of receipt of the securities.

Authority for assignments for transactions not within the scope of appointment must be established by a duly certified copy of a special order of court.

§ 306.67 After settlement through court proceedings.

Securities belonging to the estate of a decedent which has been settled will be accepted for any authorized transaction upon assignments by the person or persons entitled, as determined by the court. The assignments should be supported by a copy, certified under court seal, of the decree of distribution, the representative's final account as approved by the court, or similar court records.

§ 306.68 Without administration.

When it appears that no legal representative of an estate to which securities belong has been or is to be appointed, the securities may be duly disposed of pursuant to an agreement and assignment by all persons entitled to share in the securities under the laws of the State of the decedent's domicile. (Form PD 1646 may be used.) However, all debts of the decedent and his estate must be paid or provided for and the interests of any minors or incompetents in the estate must be protected.

§ 306.69 Special provisions applicable to small amounts of securities, interest checks or redemption checks.

Entitlement to, or the authority to dispose of, a small amount of public debt securities and checks issued in payment thereof or in payment of interest thereon, belonging to the estate of a decedent, may be established through the use of certain short forms, according to the aggregate amount of securities and checks involved (excluding checks representing interest on the securities), as indicated by the following table:

Amount	Circumstances	Form	To be executed by—
$100	No administration	PD 2216	Person who paid burial expenses.
$500	Estate being administered	PD 2488	Executor or administrator.
$500	Estate settled	PD 2458A	Former executor or administrator, attorney or other qualified person.

§ 306.70 Nontransferable securities.

The provisions of this subpart, so far as applicable, govern transactions in Treasury Bonds, Investment Series B–1975–80.

Subpart I—Assignments by or in Behalf of Trustees and Similar Fiduciaries

§ 306.75 Individual fiduciaries.

Securities registered in, or assigned to, the names and titles of individual fiduciaries will be accepted for any authorized transaction upon assignment by the designated fiduciaries without proof of their qualification. If the fiduciaries in whose names the securities are registered, or to whom they have been assigned, have been succeeded by other fiduciaries, evidence of successorship must be furnished. If the appointment of a successor is not required under the terms of the trust instrument or otherwise and is not contemplated, assignments by the surviving or remaining fiduciary or fiduciaries must be supported by appropriate proof. This requires (a) proof of the death, resignation, removal or disqualification of the former fiduciary and (b) evidence that the surviving or remaining fiduciary or fiduciaries are fully qualified to administer the fiduciary estate, which may be in the form of a certificate by them showing the appointment of a successor has not been applied for, is not contemplated and is not necessary under the terms of the trust instrument or otherwise. Assignments of securities registered in the titles, without the names of the fiduciaries, for example, "Trustees of the George E. White Memorial Scholarship Fund under deed of trust dated 11/10/40, executed by John W. White," must be supported by proof that the assignors are the qualified and acting trustees of the designated trust estate, unless they are empowered to act as a unit in which case the provisions of § 306.76 shall apply. (Form PD 2446 may be used to furnish proof of incumbency of fiduciaries.) Assignments by fiduciaries of securities not registered or assigned in such manner as to show that they belong to the estate for which the assignors are acting must also be supported by evidence that the estate is entitled to the securities.

§ 306.76 Fiduciaries acting as a unit.

If the fiduciaries of any trust estate, public or private, constitute a board, committee or other body empowered to act as a unit, securities registered in its name, or assigned to it, may be assigned for any authorized transaction by anyone authorized to act in its behalf. Except as otherwsie provided in this section, the assignments must be supported by a copy of a resolution adopted by the body, properly certified under its seal, or, if none, sworn to by a member of the body having access to its records. (Form PD 2495 may be used.) If the person assigning is designated in the resolution by title only, his incumbency must be duly certified by another member of the body. (Form PD 2446 may be used.) If the fiduciaries of any trust estate are empowered to act as a unit, although not designated as a board, committee or other body, securities registered in their names or assigned to them as such, or in their titles without their names, may be assigned by anyone authorized by the group to act in its behalf. Such assignments must be supported by a sworn copy of a resolution adopted by the group in accordance with the terms of the trust instrument, and proof of their authority to act as a unit may be required. As an alternative, assignments by all the fiduciaries, supported by proof of their incumbency if not named on the securities, will be accepted.

§ 306.77 Corepresentatives and fiduciaries.

If there are two or more executors, administrators, guardians or similar representatives, or trustees of an estate, all must unite in the assignment of any securities belonging to the estate. However, when a statute, a decree of court, or the instrument under which the representatives or fiduciaries are acting provides otherwise, assignments in accordance with their authority will be accepted. If the securities have matured or been called and are submitted for redemption for the account of all, or for redemption-exchange or pursuant to an advance refunding offer and the securities offered in exchange are to be registered in the names of all, only one representative or fiduciary need execute the assignment.

§ 306.78 Nontransferable securities.

The provisions of this subpart, so far as applicable, govern assignments of Treasury Bonds, Investment Series B–1975–80.

Subpart J—Assignments in Behalf of Private or Public Organizations

§ 306.85 Private corporations and unincorporated associations.

Securities registered in the name of, or assigned to, an unincorporated association, or a private corporation in its own right or in a representative or fiduciary capacity, may be assigned in its behalf for any authorized transaction by any duly authorized officer or officers. Evidence, in the form of a resolution of the governing body, authorizing the assigning officer to assign, or to sell, or to otherwise dispose of the securities will ordinarily be required to support assignments. Resolutions may relate to any or all registered securities owned by the organization or held by it in a representative or fiduciary capacity. (Form PD 1009 or 1010, or any substantially similar form, may be used for securities owned by an organization in its own right; Form PD 1011 or 1012, or any substantially similar form, may be used for securities held in a representative or fiduciary capacity.) If the officer or officers derive their authority from the charter, constitution or bylaws, a copy or a pertinent extract therefrom, properly certified, will be required in lieu of a resolution. If the resolution or other supporting document shows only the title of the authorized officer, without his name, it must be supplemented by a certificate of incumbency. (Form PD 1014 may be used.)

§ 306.86 Change of name and succession of private organizations.

If a private corporation or unincorporated association changes its name or is lawfully succeeded by another corporation or unincorporated association, its securities may be assigned in behalf of the organization in its new name or that of its successor by an authorized officer in accordance with § 306.85. The assignment must be supported by evidence of the change of name or successorship.

§ 306.87 Partnerships.

An assignment of a security registered in the name of or assigned to a partnership must be executed by a general partner. Upon dissolution of a partnership, assignment by all living partners and by the persons entitled to assign in behalf of any deceased partner's estate will be required unless the laws of the jurisdiction authorize a general partner to bind the partnership by any act appropriate for winding up partnership affairs. In those cases where assignments by or in behalf of all partners are required this fact must be shown in the assignment; otherwise, an affidavit by a former general partner must be furnished identifying all the persons who had been partners immediately prior to dissolution. Upon voluntary dissolution, for any jurisdiction where a general partner may not act in winding up partnership affairs, an assignment by a liquidating partner, as such, must be supported by a duly executed agreement among the partners appointing the liquidating partner.

§ 306.88 Political entities and public corporations.

Securities registered in the name of, or assigned to, a State, county, city, town, village, school district or other political entity, public body or corporation, may be assigned by a duly authorized officer, supported by evidence of his authority.

§ 306.89 Public officers.

Securities registered in the name of, or assigned to, a public officer, designated by title, may be assigned by such officer, supported by evidence of incumbency. Assignments for the officer's own apparent individual benefit will not be recognized.

§ 306.90 Nontransferable securities.

The provisions of this subpart apply to Treasury Bonds, Investment Series B–1975–80.

Subpart K—Attorneys in Fact

§ 306.91 Attorneys in fact.

(a) *General.* Assignments by an attorney in fact will be recognized if supported by an adequate power of attorney. Every power must be executed in the presence of an authorized witnessing officer. The original power, or a photocopy certified by an authorized witnessing officer, must be filed with the Treasury Department. An assignment by a substituted attorney in fact must be sup-

ported by an authorizing power of attorney and power of substitution. An assignment by an attorney in fact or a substituted attorney in fact for the apparent benefit of either will not be accepted unless expressly authorized. (Form PD 1001, 1002, 1003, or 1004, as appropriate, may be used to appoint an attorney in fact. An attorney in fact may use Form PD 1006 or 1008 to appoint a substitute. However, any form sufficient in substance may be used.) If there are two or more joint attorneys in fact or substitutes, less than all may assign for redemption for the account of the owner, or for redemption-exchange, or pursuant to an advance refunding offer provided the new securities are to be registered in the owner's name. Otherwise, all must unite in the assignment unless the power authorizes less than all to act. A power of attorney or of substitution not coupled with an interest will be recognized until the Bureau receives proof of revocation or proof of the grantor's death or incompetency.

(b) *For legal representatives or fiduciaries.* Assignments by an attorney in fact or substitute attorney in fact for a legal representative or fiduciary, in addition to the power of attorney and of substitution, must be supported by evidence, if any, as required by §§ 306.57(d), 306.65, 306.75, and 306.76. Powers must specifically designate the securities to be assigned.

(c) *For corporation or unincorporated association.* Assignments by an attorney in fact or a substitute attorney in fact in behalf of a corporation or unincorporated association, in addition to the power of attorney and power of substitution, must be supported by one of the following documents certified under seal of the organization, or, if it has no seal, sworn to by an officer who has access to the records:

(1) A copy of the resolution of the governing body authorizing an officer to appoint an attorney in fact, with power of substitution if pertinent, to assign, or to sell, or to otherwise dispose of, the securities, or

(2) A copy of the charter, constitution or bylaws, or a pertinent extract therefrom, showing the authority of an officer to appoint an attorney in fact, or

(3) A copy of the resolution of the governing body directly appointing an attorney in fact.

If the resolution or other supporting document shows only the title of the authorized officer, without his name, a certificate of incumbency must also be furnished. (Form PD 1014 may be used.) The power may not be broader than the resolution or other authority.

(d) *For public corporations.* A general power of attorney in behalf of a public corporation will be recognized only if it is authorized by statute.

§ 306.92 Nontransferable securities.

The provisions of this subpart shall apply to nontransferable securities, subject only to the limitations imposed by the terms of the particular issues.

Subpart L—Transfer Through Judicial Proceedings

§ 306.95 Transferable securities.

The Department will recognize valid judicial proceedings affecting the ownership of or interest in transferable securities, upon presentation of the securities together with evidence of the proceedings. In the case of securities registered in the names of two or more persons, the extent of their respective interests in the securities must be determined by the court in proceedings to which they are parties or must otherwise be validly established.[9]

§ 306.96 Evidence required.

Copies of a final judgment, decree or order of court and of any necessary supplementary proceedings must be submitted. Assignments by a trustee in bankruptcy or a receiver of an insolvent's estate must be supported by evidence of his qualification. Assignments by a receiver in equity or a similar court officer must be supported by a copy of an order authorizing him to assign, or to sell, or to otherwise dispose of, the securities. Where the documents are dated more than six months prior to presentation of the securities, there must also be submitted a certificate dated within six months of presentation of the securities, showing the judgment, decree or order, or evidence of qualification, is in full force. Any such evidence must be certified under court seal.

§ 306.97 Nontransferable securities.

(a) *Treasury Bonds, Investment Series A–1965.* The provisions of this subpart shall apply to bonds of this series, except that reference to assignments shall be deemed only to refer to requests for payment. With the exception of a trustee in bankruptcy or a receiver of an insolvent's estate, payment will be limited to the redemption value current thirty days after termination of the judicial proceedings or current at the time the bonds are surrendered for redemption, whichever is less. No judicial proceedings will be recognized if they would give effect to an attempted voluntary transfer inter vivos of the bonds.

(b) *Treasury Bonds, Investment Series B–1975–80.* The provisions of this subpart shall apply to bonds of this series, except that prior to maturity any reference to assignments shall be deemed to refer to assignments of the bonds for exchange for the current series of 1½ percent 5-year EA or EO Treasury notes.

Subpart M—Requests for Suspension of Transactions

§ 306.100 Requests for suspension of transactions in securities.

(a) *Registered securities*—(1) *Reports of loss, theft or destruction of registered securities.* Reports of lost, stolen or destroyed registered securities not so assigned as to become, in effect, payable to bearer, will be accepted from the owner or his authorized agent at any time and records will be maintained of the reports. If such a registered security is presented to the Department, the owner will be duly advised and given all available information.

(2) *Reports of assignments affected by fraud.* The Department reserves the right to suspend any transaction in a registered security bearing an apparently valid assignment, if prior to the time it is received in the Department a report is received from and a claim is filed by an assignor that his assignment was affected by fraud. The interested parties will be notified of the suspension and given a reasonable period of time within which to effect settlement by agreement or institute judicial proceedings. If subsequent to the time the Department has transferred, exchanged or redeemed a registered security in reliance on an apparently valid assignment, a report or claim is received that the assignment was obtained by fraud, the Department will undertake only to furnish all available information.

(3) *Reports of forged assignments.* If it is claimed that the assignment of a registered security is a forgery, the Department will investigate the matter and if it is established that the assignment was forged and the owner did not authorize or ratify the assignment, or receive any benefits therefrom, the Department will recognize his ownership and grant appropriate relief.

(b) *Bearer securities or registered securities so assigned as to become, in effect, payable to bearer*—(1) *Securities not overdue.* Neither the Department nor any of its agents will accept notice of any claim or of pending judicial proceedings by any person for the purpose of suspending transactions in bearer securities, or registered securities so assigned as to become, in effect, payable to bearer which are not overdue as defined in § 306.25.[10] However, if the securities are received and retired, the Department will undertake to notify persons who appear to be entitled to any available information concerning the

[9] A finder claiming the ownership of a bearer security or a registered security assigned in blank or so assigned as to become, in effect, payable to bearer, must perfect his title in accordance with the provisions of State law. If there are no such provisions, the Department will not recognize his title to the security.

[10] This has been the longstanding policy of the Department. As early as April 27, 1867, the Secretary of the Treasury issued the following statement:

"In consequence of the increasing trouble, wholly without practical benefit, arising from notices which are constantly received at the Department respecting the loss of coupon bonds, which are payable to bearer, and of Treasury notes issued and remaining in blank at the time of loss, it becomes necessary to give this public notice, that the Government can not protect and will not undertake to protect the owners of such bonds and notes against the consequences of their own fault or misfortune.

"Hereafter all bonds, notes, and coupons, payable to bearer, and Treasury notes issued and remaining in blank, will be paid to the party presenting them in pursuance of the regulations of the Department, in the course of regular business; and no attention will be paid to caveats which may be filed for the purpose of preventing such payment."

source from which the securities were received.

(2) *Overdue securities.* Reports that bearer securities, or registered securities so assigned as to become, in effect, payable to bearer, were lost, stolen or possibly destroyed after they became overdue as defined in § 306.25 will be accepted by the Bureau for the purpose of suspending redemption of the securities if the person claiming ownership thereof establishes his interest. If the securities are presented, their redemption will be suspended and the presenter and the claimant will each be given an opportunity to establish ownership.

Subpart N—Claims on Account of Loss, Theft, Destruction, Mutilation or Defacement of Securities

§ 306.105 Statutory authority and requirements.

Section 8 of the Act of July 8, 1937 (50 Stat. 481), as amended (31 U.S.C. 738a), provides for relief, under certain conditions, on account of the loss, theft, destruction, mutilation or defacement of United States interest-bearing securities. To obtain relief the security must be fully identified and the pertinent facts proved to the satisfaction of the Secretary of the Treasury, and generally, a bond of indemnity in such form and with such surety, sureties or security as may be required to protect the interests of the United States, must be filed.

§ 306.106 Reports of loss, theft, destruction, mutilation or defacement of securities.

(a) *Loss or theft.* Report of the loss or theft of a security should be made promptly to the Bureau. The report should include:

(1) The name and present address of the owner, and his address at the time the security was issued, and, if the report is made by any other person, the capacity in which he represents the owner;

(2) The identification of the security by title of loan, issue date, interest rate, serial number and denomination, and in the case of a registered security, the exact form of inscription and a full description of any assignment, endorsement or other writing thereon; and

(3) A statement of the circumstances.

(b) *Destruction, mutilation or defacement.* If a security is destroyed, or becomes so mutilated or defaced as to impair its value to the owner, a report of the circumstances, as outlined in paragraph (a), of this section must be made to the Bureau. All available portions of the mutilated or defaced security must also be submitted. In any appropriate case, a form for use in applying for relief will be furnished.

§ 306.107 Relief authorized for lost, stolen, destroyed, mutilated or defaced securities.

(a) *Registered securities.* Relief will be granted for a registered security not assigned in blank or not so assigned as to become, in effect, payable to bearer, when it has been established that the security has been lost, stolen, destroyed, mutilated or defaced. Relief will be granted in the same manner for bearer securities restrictively endorsed in accordance with the provisions of the current revision of Department Circular No. 853.

(b) *Bearer securities or registered securities so assigned as to become, in effect, payable to bearer.* Relief will be granted for bearer securities and registered securities so assigned as to become, in effect, payable to bearer, proved to have been destroyed, mutilated or defaced. Relief will also be granted for such securities if they were lost or stolen under such circumstances and have been missing for such period of time after they have matured or become redeemable pursuant to a call for redemption as in the judgment of the Secretary of the Treasury establishes that they (1) have been destroyed or have become irretrievably lost, (2) are not held by any person as his own property and (3) will never become the basis of a valid claim against the United States.

(c) *Interest coupons.* Relief will be granted for interest coupons only when it is established they were attached to a security at the time they were destroyed, mutilated or defaced.

§ 306.108 Type of relief granted.

When relief is authorized for a lost, stolen, destroyed, mutilated or defaced security, it will be granted by either (a) the issue of a substitute marked "Duplicate," bearing the same issue date and showing the serial number of the original security, if the security for which relief is being granted has not matured or become redeemable pursuant to a call, or (b) payment, if the security has matured or become redeemable pursuant to a call. When a substitute is issued to replace a destroyed, mutilated or defaced coupon security it will have attached all coupons corresponding to those proved to have been attached thereto at the time of the mishap, except that any matured coupons will not be attached but will be paid by check. Relief will not be granted in any case before the expiration of six months from date of loss or theft.

§ 306.109 Nontransferable securities.

The provisions of this subpart shall apply to all nontransferable securities, other than United States Savings Bonds, subject only to the limitations imposed by the terms of the particular issues.

Subpart O—Miscellaneous Provisions

§ 306.115 Additional requirements.

In any case or any class of cases arising under the regulations of this part the Secretary of the Treasury may require such additional evidence and a bond of indemnity with or without surety, as may in his judgment be necessary for the protection of the interests of the United States.

§ 306.116 Waiver of regulations.

The Secretary of the Treasury reserves the right, in his discretion, to waive or modify any provision or provisions of the regulations of this part in any particular case or class of cases for the convenience of the United States or in order to relieve any person or persons of unnecessary hardship, if such action is not inconsistent with law, does not impair any existing rights, and he is satisfied that such action would not subject the United States to any substantial expense or liability.

§ 306.117 Preservation of existing rights.

Nothing contained in this part shall limit or restrict any existing rights which holders of securities heretofore issued may have acquired under the circulars offering such securities for sale or under the regulations in force at the time of acquisition.

§ 306.118 Supplements, amendments or revisions.

The Secretary of the Treasury may at any time, or from time to time, prescribe additional, supplemental, amendatory or revised regulations with respect to United States securities.

[F.R. Doc. 63-1479; Filed, Feb. 8, 1963; 8:51 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1002]

[Docket No. AO-71-A44]

MILK IN NEW YORK-NEW JERSEY MARKETING AREA

Supplemental Notice of Hearing on Proposed Amendments To Tentative Marketing Agreement and Order

Notice was issued on August 23, 1962 (27 F.R. 8597), and August 31, 1962 (27 F.R. 8926), of a public hearing beginning at 10:00 a.m., e.d.t., September 18, 1962, at Woodridge Motor Lodge, Woodridge, New Jersey, on proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey marketing area. On September 7, 1962 (27 F.R. 9066) notice was given that the hearing was postponed until further notice.

Notice is hereby given pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and order (7 CFR Part 900), of the scheduling of such hearing to be held at the Woodbridge Motor Lodge, U.S. Route 9, Woodbridge, New Jersey, beginning at 10:00 a.m., e.s.t., on April 1, 1963.

Evidence will be received on all the proposals as contained in this notice and in the notices issued August 23 and August 31, 1962. With one exception, all the proposals contained in such previous notices are set forth below. Subsequent to the postponement of the hearing, the Department was advised by the proponent of Proposal No. 2, as contained in the notice issued August 23, 1962, that they no longer support this proposal. Therefore, that proposal is not repeated in this notice.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Hudson-Mohawk Independent Milk Producers' Cooperative, Inc., and Mutual Federation of Independent Cooperatives, Inc.:

Proposal No. 1. Provide in § 1002.71 (c) for direct-delivery differentials at the same rates and applicable to the same zones as specified in the order as effective prior to December 1, 1961, at the pasteurizing and bottling plant where the milk of producers is first received or delivered, either in cans or from farm bulk tanks.

Proposed by Metropolitan Cooperative Milk Producers Bargaining Agency, Inc., and United Milk Producers of New Jersey:

Proposal No. 3. Direct-delivery differentials as contained in § 1002.71(c) should be retained and apply to all milk received at plants located within the specified areas regardless of whether it is delivered in cans or in bulk tanks.

Proposed by Dairymen's League Cooperative Association, Inc.:

Proposal No. 4. Direct-delivery differentials should be applicable on can milk produced and delivered to pasteurizing and bottling plants only. The rate per hundredweight to be paid as a direct-delivery differential on can milk produced in the 0–80 mileage zone is to be determined by the availability of milk. Class I–A and I–B utilization percentage of total Federal Order No. 2 pool will be the determining factor as to the rate to be paid by handlers to producers as a direct-delivery differential. For plants located in the areas specified, the following flexible table should be applicable:

DIRECT-DELIVERY DIFFERENTIAL

Mileage zone	Percentage utilization in Class I–A and I–B				
	Under 45	45 and over but under 50	50 and over but under 55	55 and over but under 60	60 and over
	Dollars per hundredweight				
1–10	0.10	0.15	0.20	0.25	0.30
11–30	.05	.10	.15	.20	.25
31–50	-------	.05	.10	.15	.20
51–70	-------	-------	.05	.10	.15
71–80	-------	-------	-------	.05	.10

NOTE 1. Utilization percentages above are based on a twelve month moving average.

2. When the direct-delivery differential was established, the Class I–A and I–B utilization percentage was 55 to 60 percent. Since August 1961 the percentage is in the bracket 45 to 50.

3. This table for direct-delivery differentials will work in the opposite direction from the one used for nearby differentials; that is, under the direct-delivery the lower the percent of Class I–A and I–B the lower the differential to be paid while under the nearby differential the lower the percent of Class I–A and I–B the higher the differential to be paid.

Proposal No. 5. Direct-delivery differentials should be applicable on bulk tank milk received at pasteurizing and bottling plants, the rates for which to be determined on the evidence presented at the hearing and in conformity with Proposal No. 4.

Proposal No. 6. Clarification is sought as to whether cooperative associations marketing bulk tank milk may establish the pricing point of such milk as (1) the township zone of the farm, or (2) the zone location of the handler's plant.

Proposed by Association of Ice Cream Manufacturers of New York State; Milk Dealers Association of Metropolitan New York, Inc., and Mifflin Creamery Co., Inc., et al.:

Proposal No. 7. Amend § 1002.70 as follows: Delete the second proviso which reads: *"Provided further,* That for milk received in a bulk tank unit there may be no charge to the producer for service incident to moving the milk off the farm, if such charge reduces the net price to the farmer below that specified in this section" and substitute therefor the following: *"Provided further,* That for milk received in a bulk tank unit there may be deducted a tank service charge when it is authorized in writing by the producer and it is made not later than the date on which the producer is required to be paid."

Proposed by the Milk Dealers Association of Metropolitan New York, Inc., and Mifflin Creamery Co., Inc., et al.:

Proposal No. 8. Delete § 1002.71(c) (Direct-Delivery Differentials).

Proposed by the Consumer-Farmer Milk Cooperative, Inc.:

Proposal No. 9. Class III milk under Order No. 2 shall not be subject to any direct-delivery differential.

Proposed by the Milk Marketing Orders Division, Agricultural Marketing Service:

Proposal No. 10. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereof that may result from this hearing.

Copies of this supplemental notice of hearing, the notice of hearings issued August 23 and August 31, 1962, the notice of postponement issued September 7, 1962, and the order may be procured from the Market Administrator, 205 East 42d Street, New York 17, New York, or from the Hearing Clerk, Room 112, Administration Building, United State Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on February 6, 1963.

CLARENCE H. GIRARD,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 63–1480; Filed, Feb. 8, 1963; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 62–WE–133]

CONTROL ZONES

Proposed Alteration and Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 11.65), notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Los Angeles, Calif., control zone is designated within a 5-mile radius of the Los Angeles International Airport, excluding the portion north of a line between the points of intersection of the circumference of this control zone and the circumference of the Santa Monica, Calif., control zone; and within 2 miles either side of the Los Angeles ILS localizer east course extending from the 5-mile radius zone to the outer marker.

The Federal Aviation Agency has under consideration the following airspace actions in the Los Angeles terminal area:

1. Redesignate the Los Angeles control zone within a 5-mile radius of the Los Angeles International Airport (latitude 33°56′25″ N., longitude 118°24′10″ W.); within a 3-mile radius of the Hawthorne Municipal Airport (latitude 33°55′20″ N., longitude 118°20′05″ W.); within 2 miles either side of the Los Angeles ILS localizer east course extending from the Los Angeles 5-mile radius zone to the outer marker; within 2 miles either side of the Los Angeles VOR (latitude 33°55′59″ N., longitude 118°25′52″ W.) 096° True radial extending from the Hawthorne 3-mile radius zone to 4 miles east of the lift-off end of Hawthorne's Runway 7, excluding the portion north of a line drawn between the points of intersection of the Los Angeles 5-mile radius zone and the Santa Monica, Calif., 3-mile radius control zone, and excluding the portion which would coincide with the Hawthorne Municipal Airport control zone during the hours of its effectiveness, as proposed for designation herein.

2. Designate a control zone effective from 0700 to 2300 hours, local time, daily, within a 3-mile radius of the Hawthorne Municipal Airport and within 2 miles either side of the Los Angeles VOR 096° True radial extending from the 3-mile radius zone to 4 miles east of the lift-off end of Hawthorne's Runway 7, excluding the portion north of latitude 33°55′30″ N. and west of longitude 118°21′40″ W. Communications and weather service would be provided during the hours of operation of the control zone by FAA personnel at the Hawthorne control tower.

The redesignation of the Los Angeles control zone would provide protection for aircraft executing instrument arrival and departure procedures at the Los Angeles International Airport. During the period when the Hawthorne control zone is not effective, the Los Angeles control zone would include the Hawthorne control zone with communications and weather services being provided by the facilities at Los Angeles International Airport.

The designation of the Hawthorne control zone would provide protection for aircraft executing instrument arrival and departure procedures at the Hawthorne Municipal Airport and would expedite the flow of air traffic at this airport by utilization of communication and weather facilities provided by the Hawthorne FAA control tower.

Due to the immediate requirement by Air Traffic Service for additional controlled airspace as proposed herein, the implementation of Amendments 60–21/60–29 to the Los Angeles terminal area is being deferred pending further review.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington D.C., on February 4, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–1399; Filed, Feb. 8, 1963; 8:45 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 101–125, 201–221]

[Docket No. R–232]

INVESTMENT TAX CREDIT FOR PUBLIC UTILITIES, LICENSEES AND NATURAL GAS COMPANIES

Proposed Accounting Treatment; Notice of Extension of Time

FEBRUARY 4, 1963.

Upon consideration of a request filed January 29 by Counsel on behalf of some natural gas pipeline companies for an extension of time for filing data, comments, and views with respect to the proposed rules proposed in the notice issued January 15, 1963, in the above-designated matter, an extension is hereby granted to and including March 1, 1963, within which to file data, comments, and views in this matter.

By direction of the Commission. Commissioners Morgan and Ross dissenting.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–1466; Filed, Feb. 8, 1963; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 55824]

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN SPAIN

Restrictions on the Entry or Withdrawal From Warehouse Above Certain Allowed Levels

FEBRUARY 5, 1963.

There is published below a letter of January 24, 1963, from the Chairman, President's Cabinet Textile Advisory Committee, directing that the amounts of certain categories of cotton textiles and cotton textile products produced or manufactured in Spain which may be entered, or withdrawn from warehouse, for consumption in the United States during the period January 14, 1963, through October 17, 1963, be limited to certain designated levels. This direction is in accordance with procedures outlined in Executive Order 11052, dated September 28, 1962 (27 F.R. 9691).

Collectors of customs and appraisers of merchandise have been advised of procedures to be followed in carrying out the directives in the letter and have been instructed to bring such procedures to the attention of all brokers, importers, and others concerned.

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

THE SECRETARY OF COMMERCE,
Washington 25, D.C.

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

JANUARY 24, 1963.

DEAR MR. COMMISSIONER: The United States Government on October 18, 1962, in furtherance of the objectives of, and under the terms of, the Long Term Arrangement Regarding International Trade done at Geneva on February 9, 1962, requested the Government of Spain to restrain the exports of cotton textiles and cotton textile products in Categories 22 and 58 to the United States during the twelve-month period beginning October 18, 1962. The Long Term Arrangement is an agreement contemplated by Section 204 of the Agricultural Act of 1956, as amended.

Under the terms of the Long Term Arrangement and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit during the period January 14 through October 17, 1963, entry into the United States for consumption and withdrawals from warehouse for consumption of cotton textiles and cotton textile products of the listed categories, produced or manufactured in Spain, in excess of the levels of restraint provided:

Category	*Level of restraint*
22	581,789 square yards
58	219,000 dozen

The levels of restraint have been corrected to reflect entries made during the period October 18, 1962, through January 13, 1963. Corrections have not been made to reflect entries, if any, subsequent to January 13, 1963.

A detailed description of the listed categories in terms of Schedule A numbers and U.S.I.D.A. numbers is attached.

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Spain and with respect to imports of Spanish cotton textiles and cotton textile products have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of Section 4 of the Administrative Procedure Act. You are requested to publish this letter in the FEDERAL REGISTER.

Sincerely yours,

Secretary of Commerce, and
Chairman, President's Cabinet
Textile Advisory Committee.

Enclosure.

SCHEDULE A AND U.S.I.D.A. COMPONENTS OF SELECTED INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATAGORIES

Category	Description	Schedule A number	U.S.I.D.A. number
22	Twill and Sateen, carded	3048 764	0904–0905 144*
			444*
			744*
		3048 768	0904–0905 172*
			472*
			772*
		3058 764	0904–0905 224*
			544*
			844*
		3058 768	0904–0905 272*
			572*
			872*
		3068 760	0904–0905 304*
			604*
			904*
		3068 764	0904–0905 344*
			644*
			944*
		3068 768	0904–0905 372*
			672*
			972*
58	Drawers, shorts, and briefs, knit, not elsewhere specified	3112 562	0917 5010
		567	5050
		662	7010
		667	7050
		3114 880	1529 1118
		882	1122
		885	1125
		890.	1127

*The last digit represents average yarn number groups (e.g., *0* represents average yarn numbers 10 or lower; *3* represents average yarn numbers 21 through 25; *9* represents average yarn numbers over 60, etc.).

NOTE: Items shall be classified separately, whether or not imported in suits, sets, or in other combinations.

[F.R. Doc. 63–1477; Filed, Feb. 8, 1963; 8:51 a.m.]

[T.D. 55825]

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE PHILIPPINES

Restrictions on the Entry or Withdrawal From Warehouse Above Certain Allowed Levels

FEBRUARY 5, 1963.

There is published below a letter of January 24, 1963, from the Chairman, President's Cabinet Textile Advisory Committee, directing that the amounts of certain categories of cotton textiles and cotton textile products produced or manufactured in the Philippines which may be entered, or withdrawn from warehouse, for consumption in the United States during the period January 14, 1963, through October 24, 1963, be limited to certain designated levels. This direction is in accordance with procedures outlined in Executive Order 11052, dated September 28, 1962 (27 F.R. 9691).

Collectors of customs and appraisers of merchandise have been advised of procedures to be followed in carrying out the directives in the letter and have been instructed to bring such procedures to the attention of all brokers, importers, and others concerned.

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

THE SECRETARY OF COMMERCE,
WASHINGTON 25, D.C.

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

JANUARY 24, 1963.

DEAR MR. COMMISSIONER: The United States Government on October 25, 1962, in furtherance of the objectives of, and under the terms of, the Long Term Arrangement Regarding International Trade done at Geneva on February 9, 1962, requested the

Government of the Philippines to restrain the exports of cotton textiles and cotton textile products in Categories 53 and 61 to the United States during the twelve-month period beginning October 25, 1962. The Long Term Arrangement is an agreement contemplated by Section 204 of the Agricultural Act of 1956, as amended.

Under the terms of the Long Term Arrangement, including Article 6 relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit during the period January 14 through October 24, 1963, entry into the United States for consumption and withdrawals from warehouse for consumption of cotton textiles and cotton textile products of the listed categories, produced or manufactured in the Philippines, in excess of the levels of restraint provided:

Category	*Level of restraint*
53	90,942 dozen
61	901,864 dozen

The levels of restraint have been corrected to reflect entries made during the period October 25, 1962, through January 13, 1963. Corrections have not been made to reflect entries, if any, subsequent to January 13, 1963.

A detailed description of the listed categories in terms of Schedule A numbers and U.S.I.D.A. numbers is attached.

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Philippines and with respect to imports of Philippine cotton textiles and cotton textile products have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of Section 4 of the Administrative Procedure Act. You are requested to publish this letter in the FEDERAL REGISTER.

Sincerely yours,

Secretary of Commerce, and
Chairman, President's Cabinet
Textile Advisory Committee.

Enclosure.

SCHEDULE A AND U.S.I.D.A. COMPONENTS OF SELECTED INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES

Category	Description	Schedule A number	U.S.I.D.A. number
53	Dresses (including uniforms) not knit	3113 985	0919 4712
		986	4715
		987	4717
		988	4722
		989	4725
		990	4727
		3114 185	1529 1202
		190	1207
		195	1208
		205	1212
61	Brassieres and other body-supporting garments	3967 305	1529 6320
		310	6330
		330	8520
			8560
		3967 340	1529 8530
			8580

NOTE: Items shall be classified separately, whether or not imported in suits, sets, or in other combinations.

[F.R. Doc. 63-1478; Filed, Feb. 8, 1963; 8:51 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

GERTRUDE M. BAUER

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Gertrude M. Bauer, Calle 12, Nr. 4-31, Bogotá, Colombia; Claim No. 3262, Vesting Orders Nos. 1991 and 2868; $128,669.25 in the Treasury of the United States.

All right, title, interest and claim of any kind or character whatsoever of Gertrude Bauer in and to a certain trust estate of 185 shares of common stock of the Ajax Metal Company, Philadelphia, Pennsylvania, created under the will of Francis J. Clamer, deceased, and administered by the Norristown-Penn Trust Company of Norristown, Pennsylvania, and Guilliam H. Calmer, Co-trustees, acting under the judicial supervision of the Orphan's Court of Montgomery County, Pennsylvania.

Executed at Washington, D.C., on February 4, 1963.

For the Attorney General.

[SEAL] JOSEPH D. GUILFOYLE,
Acting Director,
Office of Alien Property.

[F.R. Doc. 63-1439; Filed, Feb. 8, 1963; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 23, 1963.

The United States Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 064413, for the withdrawal from location and entry under the General Mining Laws, subject to existing valid claims, certain public lands in the sections and townships described below.

The applicant desires the land for use as a recreation area, located in the Arapaho National Forest. The specific area is: Winter Park Recreation Area.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Land Office Manager of the Bureau of Land Management, Department of the Interior, Colorado Land Office, Gas and Electric Building, 910—15th Street, Denver 2, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands affected are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 75 W.
In Secs. 2, 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 27, 28.

Lands proposed to be withdrawn in the above designated area aggregate approximately 4743.13 acres.

J. ELLIOTT HALL,
Acting Manager,
Land Office, Denver.

[F.R. Doc. 63-1456; Filed, Feb. 8, 1963; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

MEADOW BROOK STABLES ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and were, therefore, subject to the Act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name and Location of Stockyard—Date of Posting

CALIFORNIA

Meadow Brook Stables, Novato—September 12, 1962.

COLORADO

Town & Country Auction Service, Ltd., Gunnison—November 26, 1962.

IOWA

Carpenter Livestock, Carpenter—September 15, 1962.

Massena Livestock Auction Market, Massena—October 26, 1962.

KANSAS

Stewart's Auction Barn, Bronson—October 26, 1962.

Pratt Livestock Commission Co., Pratt—December 4, 1962.

MINNESOTA

Granite City Livestock Sales, St. Cloud—October 26, 1962.

MISSOURI

Lockwood Community Sale, Inc., Lockwood—August 30, 1962.

NEBRASKA

Beatrice 77 Livestock Sales Co., Beatrice—October 30, 1962.

NEW JERSEY

Roosevelt Sales Stables, Edison—October 12, 1962.

OKLAHOMA

Clinton Livestock Auction, Clinton—October 26, 1962.

TEXAS

Johnson County Commission Sales, Cleburne—September 11, 1961.
Dublin Auction Sale, Dublin—September 12, 1962.
North Houston Livestock Auction Company, Houston—August 30, 1962.
Karnes City Livestock Auction, Inc., Karnes City—November 14, 1962.
East Texas Livestock Commission Company, Palestine—November 29, 1962.

Done at Washington, D.C., this 31st day of January, 1963.

H. L. JONES,
Chief, Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 63-1443; Filed, Feb. 8, 1963; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 134 Revised (1)]

ASSISTANT SECRETARY FOR ADMINISTRATION

Delegation of Authority

The following order was issued by the Secretary of Commerce effective January 28, 1963. This material supersedes the material appearing at 27 F.R. 7687-7688 of August 3, 1962.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Assistant Secretary of Commerce for Administration, prescribe his duties and responsibilities and prescribe the organization of the Office of the Assistant Secretary of Commerce for Administration.

SEC. 2. *Administrative Designation.* The position of Assistant Secretary of Commerce established by section 304 of Public Law 83-471 of July 2, 1954 (5 U.S.C. 592a-3) is designated as the Assistant Secretary of Commerce for Administration.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950 and subject to such policies and directives as the Secretary of Commerce may prescribe, the Assistant Secretary for Administration is hereby authorized to perform the functions and to exercise the authority of the Secretary of Commerce on all matters of administration and management within the Department of Commerce.

.02 The Assistant Secretary for Administration may redelegate his authority to any officer or employee of the Department of Commerce subject to the conditions in the exercise of such authority as he may prescribe.

SEC. 4. *Organization of Office of Assistant Secretary of Commerce for Administration.* The Office of the Assistant Secretary of Commerce for Administration shall comprise:

1. Immediate Office of the Assistant Secretary of Commerce for Administration:

Assistant Secretary of Commerce for Administration.
Deputy Assistant Secretary of Commerce for Administration.

2. Staff Service Offices:

Office of Administrative Operations.
Office of Audits.
Office of Budget and Management.
Office of Emergency Readiness Planning.
Office of Investigations and Security.
Office of Personnel Management.
Office of Publications Management.
Policy Development Staff.

3. Other Offices:

The United States Commission, New York World's Fair established by Department Order No. 180.
The Appeals Board for the Department of Commerce established by Department Order No. 106 (for Administrative Services only).

SEC. 5. *Duties and Responsibilities of the Assistant Secretary of Commerce for Administration.* .01 The Assistant Secretary for Administration shall be the principal adviser to the Secretary of Commerce on all matters of administration and management and shall be the chief officer of the Department on such matters.

.02 The Deputy Assistant Secretary of Commerce for Administration shall be the principal assistant to the Assistant Secretary for Administration and shall perform the functions of the Assistant Secretary during the latter's absence.

.03 The Assistant Secretary for Administration shall:

1. Prescribe the Department's policies, regulations, and programs with respect to all administrative and management activities and shall direct their execution;

2. Develop and issue Organization and Function Supplements redelegating authority to, and prescribing the internal organization and assignment of functions within, each staff service office;

3. Direct and supervise the staff service offices engaged in activities which include but are not limited to budget planning and administration; management planning and evaluation; organization planning; policy development; personnel administration; audits; administrative operations and services; publications; security and investigations; and continuity of Government and civil defense;

4. Provide central liaison on all budgetary matters, including liaison with the Bureau of the Budget, the Appropriations Committees, and other agencies;

5. Establish policy and prescribe a basic system of administrative control of all funds for the Department;

6. Exercise policy direction and general supervision over the United States Commission—New York World's Fair;

7. Provide administrative services to the Appeals Board;

8. In collaboration with other Secretarial officers and officers of the primary organization units of the Department, define the basic objectives, programs, functions, relationships, and plans of organization of the Department;

9. Develop and provide for the execution of (1) plans to insure continuity of essential functions of the Department in time of emergency, and (2) civil defense plans and programs covering facilities and self-protection, and civil defense assistance;

10. Direct the evaluation of the Department's programs and activities with a view to improving management and effecting economies in operations;

11. Direct all activities of the Department relating to interdepartmental coordination of administrative and management matters;

12. Serve as the representative of and, upon designation, as the alternate to the Secretary of Commerce on all committees, boards, commissions, services, and organizations constituted with authority or responsibilities in the fields of administration and management; and

13. Carry out such other duties and responsibilities as the Secretary of Commerce may assign.

SEC. 6. *Saving provision.* .01 Reference in other orders to the title "Assistant Secretary of Commerce for Administration and Public Affairs" or "Executive Assistant to the Secretary" shall be construed to mean Assistant Secretary of Commerce for Administration.

.02 All orders, delegations of authority and other actions heretofore issued or taken by the Assistant Secretary of Commerce for Administration and Public Affairs, Executive Assistant to the Secretary, or Assistant Secretary of Commerce for Administration and in effect immediately prior to the effective date of this order shall remain in full force and effect until hereafter amended or revoked under appropriate authority.

.03 Upon issuance of a staff service office Organization and Function Supplement, the corresponding Department Order is revoked. All orders, delegations of authority, and other actions heretofore issued or taken by any officer or employee under the authority of any staff service office Department Order and in effect immediately prior to its revocation by an Organization and Function Supplement shall remain in full force and effect until hereafter amended or revoked under appropriate authority.

Effective date: January 28, 1963.

HERBERT W. KLOTZ,
Assistant Secretary for Administration.

[F.R. Doc. 63-1450; Filed, Feb. 8, 1963; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF ARKANSAS

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Arkansas for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Arkansas and summarizing the State's proposed program, was also submitted to the Commission and is attached as Appendix "A" to this notice. A copy of the Arkansas program, including proposed Arkansas regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of Radiation Protection Standards, United States Atomic Energy Commission, Washington 25, D.C. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them in triplicate to the Secretary, U.S. Atomic Energy Commission, Washington 25, D.C., within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuance of February 14, 1962; 27 F.R. 1351. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 6th day of February 1963.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary to the Commission.

Agreement Proposed by the State of Arkansas Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended, for the Assumption of Certain of the Atomic Energy Commission's Regulatory Authority

Whereas the United States Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas the Governor of the State of Arkansas is authorized under Act 8 of 1961, Second Extraordinary Session, section 8, to enter into this Agreement with the Commission; and

Whereas the Governor of the State of Arkansas certified on January 25, 1963, that the State of Arkansas (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas the Commission found on ------, 1963, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas the State recognizes the desirability and importance of maintaining continuing compatibility between its program and the program of the Commission for the control of radiation hazards in the interest of public health and safety; and

Whereas the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

Article I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Article III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

Article VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

Article VIII. This Agreement shall become effective on July 1, 1963, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

APPENDIX "A"

POLICIES AND PROCEDURES FOR THE CONTROL OF SOURCES OF IONIZING RADIATION INCLUDING BYPRODUCT, SOURCE AND SPECIAL NUCLEAR MATERIALS

Introduction—Foreword. It is the policy of the State of Arkansas in furtherance of its responsibility to protect the public health and safety and to encourage insofar as consistent with responsibility, the industrial and economic growth of the State:

(1) To institute and maintain a regulatory program for sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the federal government, (b) an effective system of regulation within the state, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit and encourage development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Pursuant to section 274 of the Atomic Energy Act of 1954, as amended, which authorizes the Atomic Energy Commission to enter into an agreement with the Governor of a state and discontinue licensing and regulatory control over byproduct material, source material, and special nuclear material of less than a critical mass, and to the subsequent designation of the State Board of Health as State Radiation Control Agency by the Arkansas Legislature to become prepared to assume this responsibility, the Arkansas State Board of Health is hereby presenting its program for control of sources of ionizing radiation.

Authority. The Arkansas Legislature in its Second Extraordinary Session passed enabling legislation, Act 8 of Second Extraordinary Session of 1961, designating the Arkansas State Board of Health to administer the licensing and regulatory responsibilities.

The Radiation Control Program. Arkansas radiation control program started in 1948 with the survey and inspection of shoe fit-

ting fluoroscopes and industrial X-rays in the Division of Industrial Hygiene. Regulations were adapted for control of shoe fitting fluoroscopes with the adoption in 1959 of legislation prohibiting their use in the State.

In January 1961, a dental radiological health course was held in cooperation with the U.S. Public Health Service at five locations within the state for the purpose of training members of the dental profession in safe use of dental X-rays. A pilot program will be undertaken in 1963, in cooperation with the U.S. Public Health Service, designed for the medical profession in the safe use of X-rays.

In April 1961, in meetings between the members of the State Health Department, Arkansas Dental Association, and U.S. Public Health Service, a program of inspection and survey of all dental X-ray units in the State was formulated. Since the start of the program approximately 500 dental units have been surveyed. This is approximately 91% of the units in the State. It is anticipated that this program will be completed by February 1, 1963. Also, during this period some medical X-ray installations were surveyed on request.

In September 1961, with the passage of enabling legislation, rules and regulations were proposed. Committees from the Arkansas Medical Association, Arkansas Dental Association, Arkansas Veterinary Association and Arkansas Industrial Development Commission met with members of the State Board of Health and drafted rules and regulations for control of sources of ionizing radiation. These regulations were adopted at a regular session of the Arkansas State Board of Health on October 25, 1962. The registration of X-ray machines is effective January 1, 1963 and the licensing of radioactive material will become effective on the effective date of an agreement with the U.S. Atomic Energy Commission.

In addition to the activities described above, two members of the staff, the Director and one field inspector, received intensive training and experience at Oak Ridge Institute of Nuclear Studies and Oak Ridge National Laboratory which involved handling, using, surveying of, and radiation protection regarding high levels of various types of radioactive material. The training and experience included health physics work around reactors, hot laboratories, and sealed sources.

Members of the staff of the Health Department have accompanied AEC Compliance personnel on inspections of licensed user on various occasions within the State.

The environmental surveillance program started in 1954. Members of the State Health Department received training at U.S. Public Health Service installations and on the job training as members of the offsite monitoring group at the National Test Site, Camp Mercury, Nevada in all test series up to the present time. The environmental program now includes base line studies of all public water supplies, and the sampling of air, precipitation and food for isotopic analysis. A committee has been formed, consisting of members of the American Dairy Association, Arkansas Milk Producers, and Arkansas State Health Department to formulate plans for control of fluid milk during high fallout periods.

The radiation control program of the State is designed to regulate all sources of radiation other than those for which regulatory responsibility is to be retained by the United States Atomic Energy Commission. No agreement will be entered into for discontinuance of any authority or responsibility by the Commission with respect to regulation of:

(1) The construction and operation of any production or utilization facility;

(2) The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility.

(3) The disposal into the ocean or sea of byproduct, source, or special nuclear waste material as defined in regulations or orders of the Commission;

(4) The disposal of such other byproduct, source, or special nuclear material as the Commission determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Sources of radiation are divided into two categories; radiation producing machines and radioactive material. Radiation machines are required to be registered. The right of inspection is granted the Agency. Radioactive materials are regulated under a licensing program patterned after that of the U.S. Atomic Energy Commission, requiring a license prior to acquisition or use of radioactive material.

On consummation of the agreement between the State of Arkansas and the U.S. Atomic Energy Commission an overall radiation program will have been established. The total program will cover:

(1) Licensing and regulation of byproduct, source, special nuclear materials, naturally occurring and machine produced radioisotopes.

(2) Registration and inspection of radiation machines.

(3) Environmental surveillance and monitoring.

The Division of Radiological Health has been established under the Bureau of Local Health Services to carry out the provisions of this program.

Licensing and Registration. Provision is made for the issuance of both specific and general licenses similar to those issued by the United States Atomic Energy Commission. Such licenses are required for the possession of radioactive materials above exempt amounts or concentrations, regardless of the form of such materials. Allowances have been made for exempt concentrations to the extent that any person may receive, possess, use, transfer, own or acquire products or materials containing radioactive material in concentrations not in excess of those listed in the schedule. The Agency may issue general licenses for source, byproduct, and naturally occurring radioactive materials in situations where more individualized control by specific licenses is not necessary. General licenses are effective without the filing of applications with the Agency or the issuance of licensing documents to a particular person. Specific licenses are issued to named persons upon application filed pursuant to the agency regulations. The agency is also authorized to exempt from the licensing requirement quantities and classes of source, byproduct and naturally occurring radioactive materials which are insignificant from a health and safety standpoint.

Persons who acquire radiation machines after the initial registration are required to register with the agency within 30 days of acquisition.

Basically, the regulations require that:

(a) Each licensee or his staff must be qualified by training and experience to possess and use the material safely for the purpose for which it is licensed.

(b) Equipment and facilities of each licensee must be appropriate to protect health and minimize danger to life and property.

(c) The location of the proposed activity must be suitable for the purpose.

(d) The material may be used only for a purpose authorized in the license.

(e) The material may not be transferred except to persons authorized to receive it.

The general health and safety regulation (section 3) applies to all persons who possess source, special nuclear, byproduct, other naturally occurring radioactive material, and radiation machines under registration or a general or specific license from the agency.

It establishes the maximum permissible limits for external exposure of employees to radiation and the maximum permissible concentrations of radioactive material in the air to which licensees may expose employees. It also establishes standards applicable to the amount of radiation and the concentrations of radioactive materials which a licensee may create or release in the environment. Other provisions prescribe requirements for personnel monitoring, protective equipment, caution signs, labels and signals, waste disposal, storage of licensed material, instruction of personnel on safe procedures for handling the material, and records and reports. These standards are based upon recommendations of recognized technical authorities, including the National Committee on Radiation Protection, the United States Atomic Energy Commission, and the United States Public Health Service.

When necessary, the Agency will include in a particular license specific requirement covering those matters not expressly defined in the applicable regulation. If, after a license is issued, the agency finds that some aspect of the licensee's activity has not been appropriately covered by the regulations or by the conditions in the license, the Agency may issue an order to the licensee imposing additional requirements upon him. The agency's regulatory program is designed to assure safety to licensees and their employees, and to the public, and also to avoid unnecessary restrictions.

The Agency will keep interested members of the public and public authorities informed as to its regulatory program by public announcements and personal correspondence. As provided in the enabling legislation, "Administrative Procedure and Judicial Review," and section 5 of the rules and regulations, interested parties are given an opportunity to participate in the issuance and amendments of the Agency's regulations.

Licensing procedures involve the evaluation of a variety of radiation hazards and determination of the adequacy of radiation controls proposed by applicants for licenses. Required controls vary greatly with the type of material and its proposed use. A principal purpose of the licensing requirement is to enable the Agency to determine that the applicant will be able to comply with the Agency's radiation safety regulations and other regulatory requirements. The information required of the applicant is designed to provide the Agency with sufficient knowledge of the proposed program to make this determination.

In connection with license applications a pre-licensing visit is made to the applicant's premises when it is necessary to make an on the spot evaluation of his facilities, equipment, and radiation safety program, and to discuss licensing procedures.

A license will be issued if the facilities and equipment, training and experience, and operating procedures of the applicant appear adequate from the radiation protection standpoint for types, levels of activity, and proposed uses of the radioactive materials.

If pre-evaluation establishes that the design of certain devices containing radioactive material provides a high degree of built-in safety and makes it safe for use by persons not trained in radiation protection, the devices can be made available under general rather than specific licenses. Where the devices are manufactured in accordance with specific licence, no further pre-evaluation notification to the Agency is necessary, on the part of the possessor and user of the device, but he is responsible for compliance with specified portions of the regulations, and is subject to sanctions in the event of misuse.

General licenses will also be issued with respect to limited quantities of the various

source and byproduct materials with certain restrictions as to use. Large quantities require specific licenses. Special nuclear material in quantities not sufficient to form a critical mass are limited to specific licenses.

Staffing. The Arkansas Radiation Control Act of 1961 gives the State Health Officer, Dr. J. T. Herron, as Director of the State Radiation Control Agency, authority to designate a Director of the Radiological Health Program. Administratively, the Director is responsible to Dr. E. J. Easley, Director, Bureau of Local Health Services and assistant State Health officer. The Director of the Radiological Health Program is Mr. Edward F. Wilson, who will supervise the program and review and evaluate applications for licenses.

Mr. John Whitlow, Health Physicist, and one health physicist (position currently vacant) will be used primarily to conduct inspections and surveys and generally administer on site aspects of the licensing and regulatory program. One laboratory staff member will be designated a radiochemist for the environmental phases of the program. In addition to the above staff, arrangements have been made for a USPHS assignee to be designated for duty around July 1, 1963.

When replacement of present personnel or new personnel is necessary, they will be required to have equivalent capabilities as present employees. Personnel replacement is through the State Merit Council which requires they meet minimum education and experience requirements as outlined under personnel job descriptions.

To assist the Agency, there has been established a medical radiation advisory committee composed of Robert L. McDonald, M.D., Joseph D. Calhoun, M.D., Joe A. Norton, M.D., radiologist and Fred Bolen, D.D.S., Dental X-rays. This committee will be utilized in the evaluation of applications for human use of radioisotopes.

In the event that additional personnel are needed for emergencies or for other purposes, Mr. John Blackwell and Mr. James Henry, chemists, with the chemical laboratory have had training and experience in radiation survey and inspection. In addition, Mr. G. T. Kellogg, Chief Engineer, Bureau of Sanitary Engineering, with experience and training in radiological health, is available for field work and consultation.

Inspection. Inspection for compliance with regulations and with license conditions will be carried out by the Division of Radiological Health.

Based upon the existing number and kind of licenses, a priority system will be established under which inspection of the most hazardous activities [will be] conducted once each 6 months, and the remainder on a less frequent basis depending on the relative hazard. It is expected that all licensed activities will be inspected at least once in two years.

Most inspections will be scheduled visits; a significant number may be on an unannounced visit basis. Inspection visits will usually entail a comprehensive review by the inspector of the licensee's equipment, facilities, the handling or storage of radioactive material, the procedures in effect, including actual operation, and interviewing the personnel directly involved. The inspector will review the licensee's survey methods and results, personnel monitoring practices and results, the posting and labeling used, the instructions to personnel and the methods and apparent effectiveness of maintaining control of people in the controlled area. The inspector reviews the licensee's records of receipts, transfers, and inventory of licensed material. He may physically check the inventory. He examines records concerning disposal to the sewage system and burial in soil, if pertinent. He may make measurements of radiation levels. Prior to leaving the licensee's premises the inspector will meet with the management to discuss the results of his inspection. During this meeting, the inspector will attempt to answer questions concerning the regulatory program.

The inspector will prepare a detailed report to inform his supervisor of all the facts and circumstances that he gathered or observed during his inspection.

In addition there will be investigations of all incidents and complaints involving licensed materials and operations to determine the cause, the steps taken by the licensee to cope with the incident, whether or not there was non-compliance with a regulation, and the steps the licensee is taking to avoid recurrence of the incident.

Licensees will be informed of the results of all inspections, first orally at the time of the inspection, and later by letter from the Agency.

Enforcement. Reports of inspections of licensee's activities will be evaluated to determine the status of compliance of the licensees with the Agency regulations and registration or license conditions. If no item of non-compliance was observed, the licensee is so informed. If only minor matters of non-compliance, such as improper signs, failure to label, etc. are involved which the licensee agrees to correct at the time of the inspection, the licensee will be informed by letter of the items of non-compliance and that corrective action will be reviewed during the next inspection. If the inspection revealed non-compliance of a more serious nature, the licensee is required to inform the Agency, in writing, usually within 15–30 days, as to the corrective action taken and the date completed. In these cases the Agency representative will either conduct a prompt follow-up inspection, or the matter is reviewed during a regular inspection to assure that corrective action has in fact been accomplished. If the reply does not satisfactorily explain the non-compliance and assure that further violations will be prevented, the Agency may issue an order to show cause why the license should not be terminated or otherwise modified. If the conditions observed during the inspection should constitute a serious potential or actual hazard, the Agency representative reports by telephone. Enforcement action, such as an injunction order or impounding order to take immediate corrective action, can then be taken without delay.

Provisions are made which entitle an opportunity for a hearing upon the request of any person whose interest may be affected by proceedings, and any person may be allowed as a party to such a hearing.

Waste disposal. Under the regulations there are four ways by which licensees may dispose of wastes: (1) By burial of small quantities in land, (2) by limited disposal in the sanitary sewer system, (3) by release of effluents in specified low concentrations, or (4) by transfer of the material to another licensee for subsequent disposal.

The Agency's regulations provide for consideration of methods such as incineration and for consideration of the disposal of higher levels of wastes on an individual basis. These alternative methods and levels are permitted only upon approval of the Agency of specific applications.

Reciprocal recognition of licenses. Rules and regulations have been adopted to provide for recognition of specific licenses or equivalent licensing documents issued by the U.S. Atomic Energy Commission or any agreement state.

Maintaining compatibility. It is the policy of the State of Arkansas to maintain a regulatory program which is compatible with the standards and regulatory programs of the Federal Government and consonant with those of other States. The State will use its best efforts to cooperate with the U.S. Atomic Energy Commission and other agreement states in the interest of continuing compatibility.

[F.R. Doc. 63–1482; Filed, Feb. 8, 1963; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

RECOVERY OF COST OF HOSPITAL AND MEDICAL CARE AND TREATMENT

Revised Statement of Delegations of Authority

The statement of delegations of the Office of the Secretary published in 22 F.R. 1045 is amended by adding new sections 2–300.50 (a) and (b) and 2–300.50–1 as follows:

SEC. 2–300.50 *Delegation by the Secretary of authority relating to recovery of the cost of hospital and medical care and treatment under Public Law 87–693.* (a) Pursuant to the authority granted by P.L. 87–693 (76 Stat. 593, 42 U.S.C. 2651 et seq.) and in accordance with the regulations of the Attorney General (28 CFR Part 43), the General Counsel is authorized, in connection with any claim for the recovery of the reasonable value of hospital and medical care and treatment furnished by this Department to (1) accept the full amount of a claim and execute a release therefor, (2) compromise or settle and execute a release of any claim, not in excess of $2,500, which the United States has for the reasonable value of such care or treatment, or (3) waive and in this connection release any claim, not in excess of $2,500, in whole or in part, either for the convenience of the Government, or if he determines that collection would result in undue hardship upon the person who suffered the injury or disease for which the care and treatment were furnished, and (4) with the prior approval of the Department of Justice, compromise, settle or waive and claim in excess of $2,500 and execute a release therefor.

(b) The General Counsel may redelegate to other attorneys of the Office of the General Counsel any of the authority delegated to him by paragraph (a).

SEC. 2–300.50–1 *Redelegations by the General Counsel.* The General Counsel has redelegated to the Assistant General Counsel and the Assistant Chief of the Public Health Division, Office of the General Counsel, and the attorney in that Division designated as legal advisor to the Bureau of Medical Services, Public Health Service, the authorities delegated to the General Counsel by section 2–300.50 above.

Dated: February 5, 1963.

[SEAL] ANTHONY J. CELEBREZZE,
Secretary.

[F.R. Doc. 63–1460; Filed, Feb. 8, 1963; 8:49 a.m.]

CIVIL SERVICE COMMISSION

PROFESSIONAL ENGINEERS AND CERTAIN SCIENTISTS

Notice of Increase in Minimum Rates of Pay

1. Under authority of section 504 of the Federal Salary Reform Act of 1962 and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and the rate ranges for professional engineers and certain scientists at grades GS–5 through GS–8. The revised rates for these grades together with a listing of the occupational categories to which they apply are as follows:

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS–5	$5,525	$5,685	$5,845	$6,005	$6,165	$6,325	$6,485	$6,645	$6,805	$6,965
GS–6	5,715	5,885	6,055	6,225	6,395	6,565	6,735	6,905	7,075	7,245
GS–7	6,650	6,835	7,020	7,205	7,390	7,575	7,760	7,945	8,130	8,315
GS–8	6,705	6,910	7,115	7,320	7,525	7,730	7,935	8,140	8,345	8,550

Coverage is worldwide. The occupational categories to which the rates apply are as follows:

All professional Series in the Engineering Group, GS–800–0, including the Architecture Series, GS–808.

Science Series and specializations:

GS–1041 Landscape Architecture.
GS–1221 Patent Adviser.
GS–1224 Patent Examining.
GS–1301.1 Physical Science Subseries.
GS–1306 Health Physics.
GS–1310 Physics.
GS–1313 Geophysics (Seismology).
GS–1313 Geophysics (Geomagnetics).
GS–1313 Geophysics (Earth Physics).
GS–1320 Chemistry.
GS–1321 Metallurgy.
GS–1330 Astronomy and Space Science.
GS–1340 Meteorology.
GS–1360 Oceanography (Physical).
GS–1372 Geodesy.
GS–1380 Forest Products Technology.
GS–1390 Technology, in the following specializations: Rubber, Plastics, Rubber and Plastics, Aviation Survival Equipment, Industrial Radiography, Packaging and Preservation, Photographic Equipment.
GS–1510 Actuary.
GS–1520 Mathematics.
GS–1529 Mathematical Statistics.

Until agencies have an opportunity to change positions from the former GS–1040 Architecture Series and GS–808 Architectural Engineering Series, positions in those series are also included.

2. (a) The rate ranges for positions in the GS–1350 Geology series and in the Geophysics (Exploration) specialty of the GS–1313 series are not changed.

(b) Increased rates at grades GS–6 and GS–8 are extended to GS–1221 Patent Advisor; GS–1224 Patent Examining, GS–1301.1 Physical Science Subseries; GS–1306 Health Physics, GS–1340 Meteorology; GS–1372 Geodesy, and GS–1510 Actuary. Geographic coverage for GS–1306, Health Physics at GS–5 and GS–7 is extended to worldwide for consistency with other authorizations. It is recognized that these changes may have no practical effect because at present there may be no employees in the affected grades or locations.

3. The increased rates will be effective on the first day of the second pay period which begins after February 8, 1963.

4. As of the effective date, all agencies will process a pay adjustment to increase the pay of current employees in the affected occupational classes. If an employee is receiving basic compensation immediately prior to the effective date at one of the rates of the range of rates authorized by FPM Letter 531–16, he shall receive compensation at the corresponding numbered rate authorized by this action on and after such date.

EXAMPLE: The pay of an employee currently paid at the fourth rate of GS–5 on the existing increased rate range, $5,845, will be adjusted to the fourth rate of the rate range provided by this action, $6,005.

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

[F.R. Doc. 63–1481; Filed, Feb. 8, 1963; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 13101 etc.]

CATALINA ISLAND SERVICE INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be heard on February 27, 1963, at 10 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., February 5, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63–1475; Filed, Feb. 8, 1963; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP63–179]

AMERE GAS UTILITIES CO.

Notice of Application and Date of Hearing

FEBRUARY 4, 1963.

Take notice that on December 21, 1962, Amere Gas Utilities Company (Amere) filed in Docket No. CP63–179 an application pursuant to section 7(b) of the Natural Gas Act, for permission and approval to abandon certain natural gas compressor and pipeline facilities.

Amere represents that its Wingrove Compressor Station in Clear Fork District, Raleigh County, West Virginia, is used to compress purchased gas from fields in Raleigh County, West Virginia, which fields are fully developed and the gas production therefrom has declined to the point that one 300 h.p. compressor unit, of the three existing units at Wingrove Compressor Station, can compress all production gas available to Amere. Amere proposes to abandon two 220 h.p. gas engine driven compressor units, complete with the auxiliary equipment and facilities integral thereto, at its Wingrove Compressor Station.

Amere further represents that its line proposed to be abandoned was constructed in 1932, is constructed of 5$\frac{3}{16}$-inch O.D. pipe and extends 16.5 miles from its interconnection with Atlantic Seaboard Corporation's 20-inch line at Pipestem in Summers County, West Virginia to Princeton, in Mercer County, West Virginia. This line is used in conjunction with Amere's 8-inch line to supply the requirements of Princeton and Athens, West Virginia, and wholesale customer Bluefield Gas Company. The 8-inch line can supply all of these present requirements. Because said line is in a deteriorated condition, Amere proposes to retire and abandon it, together with the auxiliary pipe, valves and fittings appurtenant thereto.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 11, 1963, 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 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 February 28, 1963. 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. 63–1467; Filed, Feb. 8, 1963; 8:50 a.m.]

[Docket No. CP63–191]

CARNEGIE NATURAL GAS CO.

Notice of Application and Date of Hearing

FEBRUARY 1, 1963.

Take notice that on December 26, 1962, Carnegie Natural Gas Company (Applicant), 3904 Main Street, Munhall, Pennsylvania, filed in Docket No. CP63–191 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon certain facilities used in the sale and delivery of natural gas to Hope Natural Gas Company (Hope) in Lincoln District, Marion County, West Virginia and to cancel its Rate Schedule S–2 and its service agreement with Hope, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that deliveries by Carnegie to Hope have declined to a point where service is no longer economical and that Hope notified Carnegie of its intention to remove its metering equipment. No gas has been sold to Hope at this location for the past 12 months.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 7, 1963, 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 noncontested 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 February 25, 1963. 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. 63–1452; Filed, Feb. 8, 1963; 8:48 a.m.]

[Docket No. CP63–109]

COLORADO INTERSTATE GAS CO.

Notice of Application and Date of Hearing

FEBRUARY 4, 1963.

Take notice that on October 29, 1962, as supplemented on January 4, 1963, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado, filed in Docket No. CP63–109 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1963 and the operation of field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally co-extensive with said system described below:

1. Areas adjacent to Applicant's existing Wyoming pipeline extending from Green River, Wyoming, to Denver, Colorado. Supplies of gas connected along this pipeline will not exceed 5,000 Mcf per day for any single project, or 20,000 Mcf per day for all projects.

2. Areas south of Denver, Colorado, from which Applicant presently produces or purchases gas where conditions of drainage and/or lease jeopardy exist.

The total cost of the proposed facilities will not exceed $2,500,000, and no single project will exceed a cost of $500,000. The application states that the proposed facilities will be financed from funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 12, 1963, 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 March 1, 1963. 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. 63–1468; Filed, Feb. 8, 1963; 8:50 a.m.]

[Docket No. G–4324 etc.]

FARRELL & COMPANY OF LOUISIANA ET AL.

Notice of Severance

FEBRUARY 1, 1963.

D. J. Simmons, et al. d.b.a. Farrell & Company of Louisiana, Docket No. G–4324 etc.; Sohio Petroleum Company (Operator), et al., Docket No. G–17012; South-Tex Corporation, Docket No. CI63–33; Graridge Corporation (Operator), et al., Docket No. CI63–369.

Notice is hereby given that the above-entitled matters heretofore scheduled for a hearing to be held in Washington, D.C., on February 14, 1963, in the consolidated proceedings entitled D. J. Simmons, et al. d.b.a. Farrell & Company of Louisiana in Docket Nos. G–4324, et al., are severed therefrom, for such disposition as may hereafter be appropriate.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–1453; Filed, Feb. 8, 1963; 8:48 a.m.]

[Docket Nos. G–11858 etc.]

KEATING-PARKER DRILLING CO. ET AL.

Notice of Applications and Date of Hearing

FEBRUARY 4, 1963.

Keating-Parker Drilling Company (Operator), et al. (successor to Keating Drilling Company (Operator), et al.), Docket Nos. G–11858, G–12255, G–12966, G–14581, and G–18711; Socony Mobil Oil Company, Inc. (successor to General Petroleum Corporation), Docket Nos. G–20610, G–10145, G–10167, G–10525, G–14245; William A. Hudson and Edward R. Hudson, et al. (successor to Hudson & Hudson, Inc., et al.), Docket Nos. CI60–103, G–15093; William A. Hudson and Edward R. Hudson (Operator), et al. (successor to Hudson & Hudson, Inc. (Operator), et al.), Docket Nos. CI60–104, G–8747; Bayview Oil Corporation (Operator), et al. (successor to Roanoke Petroleum Corporation), Docket No. CI61–137; Manco Corporation (Operator), et al. (successor to Calvert & Manley, Inc. (Operator), et al.), Docket Nos. CI61–800, G–20156;

Marathon Oil Company (formerly The Ohio Oil Company) (successor to Aurora Gasoline Company), Docket Nos. CI61–830, G–7678; Mrs. Lucie L. Ray, et al. (successor to W. G. Ray), Docket Nos. CI61–846, G–4228; Exchange Oil Co., Ltd. (Operator), et al. (successor to Exchange Oil Company (Operator), et al), Docket Nos. CI61–1358, G–15092; Northwest Production Corporation (successor to Barnhart Hydrocarbon Corporation), Docket Nos. CI61–1542, G–2543, CI61–1548; South Texas Development Company, Operator, (successor to Wytex Oil Corporation, Operator), Docket Nos. CI61–1773, G–20023; The Texstar Corporation (Operator), et al. (successor to Petroleum Leaseholds, Inc. (Operator), et al.), Docket Nos. CI62–483, G–15483; J. G. Grow d.b.a. Tri-County Producing Company (successor to Edwin C. Meredith d.b.a. Tri-County Producing Company) (successor to Tri-County Producing Company), Docket Nos. CI62–1431, G–18780, G–8168.

Take notice that the above Applicants have filed applications pursuant to section 7(c) of the Natural Gas Act for authorization to continue sales of natural gas in interstate commerce previously covered by certificates of public convenience and necessity issued to or applied for by predecessors in interest. The subject sales, as represented in the respective applications herein which are on file with the Commission and open to public inspection, are proposed to be continued by the assignee Applicants in accordance with the terms of the respective original basic contracts (and any amendments or supplements thereto) which have been accepted for filing and appropriately redesignated in the names of the respective successor Applicants.

The application of Keating-Parker Drilling Company in Docket Nos. G–11858, G–12255, G–12966, G–14581 and G–18711 is a request for amendment of the certificates in those dockets to reflect a corporate name change executed on July 18, 1961.

The application in Docket No. CI61–137 is a request for amendment of the certificate therein to reflect the substitution of Bayview Oil Corporation for Roanoke Petroleum Corporation by reason of the acquisition by Bayview of the assets of Roanoke and the dissolution of the latter. The "et al." parties who are joint certificate holders remain the same.

Barnhart Hydrocarbon Corporation filed in Docket No. CI61–1548 an application pursuant to section 7(b) for abandonment of the service covered by its certificate in Docket No. G–2543. The application of Northwest Production Corporation in Docket No. CI61–1542 requests certificate authorization to continue the service which is the subject of said abandonment application in Docket No. CI61–1548.

In Docket No. CI62–1431, J. G. Grow d.b.a. Tri-County Drilling Company requests certificate authority to continue to render natural gas service which was the subject of temporary authorization granted to Edwin C. Meredith d.b.a. Tri-County Drilling Company in Docket No. G–18780. The application of Meredith in Docket No. G–18780 requested certificate authority to continue service originally authorized to be rendered by Tri-County Producing Company in Docket No. G–8168.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 12, 1963, 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 February 28, 1963. 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. 63–1469; Filed, Feb. 8, 1963; 8:50 a.m.]

[Project No. 346]

MINNESOTA POWER & LIGHT CO.

Notice of Application for Amendment of License

FEBRUARY 4, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Minnesota Power & Light Company, of Duluth, Minnesota (correspondence to: C. H. Seipp, Vice President, Minnesota Power & Light Company, 30 West Superior Street, Duluth 2, Minnesota) for amendment of its license for Project No. 346, known as the Blanchard hydroelectric station, to eliminate from the license the amortization reserve article and to render inapplicable to such license amortization reserve Regulation 17 in effect when the license was issued under the Federal Water Power Act.

The purpose of the amendment is to make the license subject to the current regulations of the Commission with respect to the establishment and maintenance of a reserve for amortization.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 22, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–1470; Filed, Feb. 8, 1963; 8:50 a.m.]

[Project No. 469]

MINNESOTA POWER & LIGHT CO.

Notice of Application for Amendment of License

FEBRUARY 4, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Minnesota Power & Light Company, of Duluth, Minnesota (correspondence to: C. H. Seipp, Vice President, Minnesota Power & Light Company, 30 West Superior Street, Duluth 2, Minnesota) for amendment of its license for Project No. 469, known as the Winton hydroelectric station, to eliminate from the license the amortization reserve article and to render inapplicable to such license amortization reserve Regulation 17 in effect when the license was issued under the Federal Water Power Act.

The purpose of the amendment is to make the license subject to the current regulations of the Commission with respect to the establishment and maintenance of a reserve for amortization.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 22, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–1471; Filed, Feb. 8, 1963; 8:50 a.m.]

[Project No. 2330]

NIAGARA MOHAWK POWER CORP.

Notice of Application for License

FEBRUARY 1, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Niagara Mohawk Power Corporation (correspondence to: Lauman Martin, Vice President and General Counsel, Niagara Mohawk Power Corporation, 300 Erie Boulevard West, Syracuse 2, New York) for license for constructed Project No. 2330, located on the Raquette River, St. Lawrence County, New York.

The project, known as Raquette River Project, consists of: Norwood Development, located about 27 miles upstream from the confluence of the Raquette and St. Lawrence Rivers, and consisting of: a concrete gravity type dam 23 feet high and 188 feet long; a reservoir having an area of 350 acres with normal pool

elevation of 332.3 (USGS datum); a concrete intake; a reinforced concrete and masonry powerhouse containing a hydroelectric unit with a total generating capacity of 2,000 kilowatts; and appurtenant facilities; East Norfolk Development, located just below the Norwood development, and consisting of: a concrete gravity dam 16 feet high and 245 feet long; a reservoir having an area of about 135 acres with normal pool elevation of 291.3 feet; and open steel and concrete intake structure; a reinforced concrete and masonry powerhouse containing one hydroelectric unit capable of delivering 3,000 kilowatts; and appurtenant facilities; Norfolk Development, located just below the East Norfolk development, and consisting of: a timber crib dam 20 feet high and 400 feet long; a reservoir having an area of about 10 acres with normal pool elevation of 258.7 feet; an open flume, wood stave pipeline; a steel penstock with surge tank; a reinforced concrete and masonry powerhouse containing one hydroelectric unit capable of delivering 4,500 kilowatts; and appurtenant facilities; and Raymondville Development, located just below the Norfolk development, and consisting of: a concrete gravity dam 16 feet high and 293 feet long; a reservoir having an area of about 50 acres with normal pool elevation of 215.6 feet; an open flume and concrete intake structure; a reinforced concrete and masonry powerhouse containing one hydroelectric unit capable of delivering 2,000 kilowatts; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 C.F.R. 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 25, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-1454; Filed, Feb. 8, 1963; 8:48 a.m.]

[Project No. 2056]

NORTHERN STATES POWER CO.

Notice of Application for Amendment of License

FEBRUARY 4, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Northern States Power Company, of Minneapolis, Minnesota (Correspondence to: E. A. Willson, Vice-President-Operation, 15 South Fifth, Minneapolis, Minnesota), for amendment of its license for Project No. 2056 located on the Mississippi River, in the City of Minneapolis, Hennepin County, Minnesota.

The application seeks further amendment of Article 11 of the license to provide free of cost to the United States a power requirement of 370,000 kilowatthours per annum with a maximum demand of 300 kilowatts for operation and maintenance of the Upper Lock at St. Anthony Falls which is now under consideration and scheduled to go into operation April 15, 1963. The license Article would be amended also to show that the voltage should be 13,800 for the Upper Lock and 4,160 for the Lower Lock since these are the voltages the licensee is prepared to deliver and the United States is equipped to use.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 C.F.R. 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 18, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-1472; Filed, Feb. 8, 1963; 8:50 a.m.]

[Docket No. CP63-160]

OHIO FUEL GAS CO.

Notice of Application and Date of Hearing

FEBRUARY 4, 1963.

Take notice that The Ohio Fuel Gas Company (Applicant), an Ohio corporation and a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 99 North Front Street, Columbus, Ohio, filed on December 7, 1962, an application pursuant to section 7 of the Natural Gas Act, as amended, for a Certificate of Public Convenience and Necessity authorizing the construction and operation of approximately 0.6 mile of 20'' O.D. and 10.2 miles of 16'' O.D. natural gas transmission line in Montgomery and Miami Counties, Ohio, looping part of existing facilities serving the Troy-Sidney market area, together with valves, fittings and incidental facilities necessary for practical operation. The application is on file with the Commission and open for public inspection.

The southern part of Line Z-167 lies in an area of residential development similar to the northern end of Line A-77 near Vandialia sections of Line Z-167 which have been relocated due to extension of airport runways. Applicant, therefore, proposes to increase capacity by constructing loop facilities to the west of the present route extending from the terminus of 1962 construction northward past the communities of Englewood and Union and thence northeastward to rejoin the present route of Line Z-167 near Tipp City.

The estimated total cost of the construction proposed herein is $580,000, which will be supplied by Applicant's parent, The Columbia Gas System, Inc., in accordance with its customary financing arrangements with its subsidiaries.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 7, 1963, 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 February 25, 1963. 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. 63-1473; Filed, Feb. 8, 1963; 8:50 a.m.]

[Project No. 2333]

RUMFORD FALLS POWER CO.

Notice of Application for License

FEBRUARY 1, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Rumford Falls Power Company (correspondence to: B. Frederick Ayer, Treasurer, 49 Congress Street, Rumford, Maine) for license for constructed Project No. 2333, located on the Androscoggin River, Town of Rumford, County of Oxford, State of Maine.

The project, known as the Rumford Falls Project, consists of: a concrete gravity dam with pin type flashboards, gatehouse with power-operated headgate hoists and gates (2 for each of 4 active penstocks); a reservoir with an area of approximately 400 acres; a powerhouse in two sections, the Old Station 120 feet long and 30 feet wide containing one hydroelectric unit of 4050 kilowatts, and the New Station 140 feet long and 60 feet wide containing two 9,000 horsepower and one 10,000 horsepower units developing a total of 17,920 kilowatts; two transformer substations; a 40 cycle, 2 circuit, 11 kv, and a 60 cycle, 11 kv transmission line each on steel towers extending about one mile between the Upper Station and Oxford Paper Company; an underground 11 kv tie line about 800 feet long from the powerhouse to the substation of Central Maine Power Company; and other mechanical and electrical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10).

The last day upon which protests or petitions may be filed is March 25, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-1455; Filed, Feb. 8, 1963; 8:48 a.m.]

[Docket No. G-20108]

TRUNKLINE GAS CO.

Notice of Application To Amend

FEBRUARY 4, 1963.

Take notice that on October 15, 1962, Trunkline Gas Company (Applicant) filed in Docket No. G-20108 an application in compliance with Paragraph (D) of the Commission's order issued February 23, 1960, in said docket, for authority to operate an experimental compressor unit on a permanent basis, all as more fully set forth in the application on file with the Commission and open to public inspection.

The order of February 23, 1960, authorized Applicant to construct and operate, on an experimental basis, two gas turbine-driven compressor units at its compressor Station No. 31, near Houston, Texas. If Applicant decided to operate the units on a permanent basis, it was required by said order to file an application for such authorization at least 60 days prior to the end of the test period.

Applicant states that testing of the larger of the two units, namely the 1050 horsepower unit, has been completed, and that it now desires to use such facility, as a permanent installation for standby purposes, at its compressor Station No. 66, near Epps, Louisiana.

The total estimated cost of the subject facility will be $240,000, of which $108,000 represents expenditures already made for the compressor unit and related items. Such estimated total cost has been and will be financed from cash on hand.

Protests, petitions to intervene or requests for hearing with respect to the application to amend 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 March 1, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-1474; Filed, Feb. 8, 1963; 8:50 a.m.]

FEDERAL RESERVE SYSTEM

ANN ARBOR BANK

Order Approving Consolidation of Banks

In the matter of the application of Ann Arbor Bank for approval of consolidation with The Dexter Savings Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by Ann Arbor Bank, Ann Arbor, Michigan, a member bank of the Federal Reserve System, for the Board's prior approval of the consolidation of that bank and The Dexter Savings Bank, Dexter, Michigan, under the charter and title of the former. As an incident to the consolidation, the sole office of The Dexter Savings Bank would be operated as a branch of Ann Arbor Bank. Notice of the proposed consolidation, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Department of Justice on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved, provided that said consolidation shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 5th day of February 1963.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 63-1438; Filed, Feb. 8, 1963; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 408]

IDAHO

Declaration of Disaster Area

Whereas, it has been reported that during the month of January, 1963, because of the effects of certain disasters, damage resulted to residences and business property located in Bannock and Caribou Counties in the State of Idaho;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from flood and accompanying conditions occurring on or about January 31, 1963.

OFFICES

Small Business Administration Regional Office,
Smith Tower, Room 1206,
506 Second Avenue,
Seattle 4, Washington.

Small Business Administration Branch Office,
214 Sonna Building,
910 Main Street,
P.O. Box 933,
Boise, Idaho.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1963.

Dated: February 1, 1963.

C. R. LANMAN,
Deputy Administrator.

[F.R. Doc. 63-1476; Filed, Feb. 8, 1963; 8:51 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to the Federal Reserve Bank of Chicago.

[2] Voting for this action: Chairman Martin, and Governors Balderston, Mills, Robertson, Shepardson, and Mitchell. Absent and not voting: Governor King.

DEPARTMENT OF LABOR

Office of Welfare and Pension Plans

EMPLOYERS' LIABILITY ASSURANCE CORP., LTD., ET AL.

Petition for Exemption From Bonding Requirements

Section 13(a) of the Welfare and Pension Plans Disclosure Act as amended, requires administrators, officers, and employees of employee welfare or pension benefit plans covered under that act to be bonded in an amount of not less than 10 percent of the amount of plan funds handled by the particular administrator, officer or employee. To comply with the Act the bond must have as a surety thereon a corporate surety which is an acceptable surety on Federal bonds under authority granted by the Secretary of the Treasury pursuant to the Act of July 30, 1947 (6 U.S.C. 6-13). However, section 13(e), of the Act provides that when, in the opinion of the Secretary of Labor, other bonding arrangements would provide adequate protection for the beneficiaries and participants of a plan, he may exempt such plan from the requirements of section 13. Under the authority of section 13(e), regulations 29 CFR Part 1307 (27 F.R. 8788), have been promulgated establishing the procedure for submitting petitions for exemption from the bonding requirements of the Act.

Accordingly, there is pending before the Department a petition for exemption from the Surety Association of America on behalf of:

The Employers' Liability Assurance Corporation, Ltd., London, England (U.S. Office, Boston, Mass.)

London Guarantee & Accident Company, Ltd., London England (U.S. Office, New York, N.Y.)

The Ocean Accident & Guarantee Corp., Ltd., London, England (U.S. Office, New York, N.Y.)

Zurich Insurance Company, Zurich, Switzerland (U.S. Office, Chicago, Ill.)

The petition requests an exemption which would permit the placing of bonds with these companies under the Act. Said petition is available for inspection in the Public Documents Room at the Office of Welfare and Pension Plans, 8701 Georgia Avenue, Silver Spring, Maryland.

The petition asserts that the first three referenced companies are, with minor exceptions, licensed in all of the states of the United States of America to write fidelity bonds and the last named company is so licensed in the State of New York. It is presented that the only reason the companies could not qualify for inclusion on the Treasury Department list of acceptable primary sureties on Federal bonds is that they are not incorporated under the laws of one of the states of the United States. However, as financially responsible surety companies, they hold Certificates of Authority from the Secretary of the Treasury as acceptable reinsuring companies. A statement accompanying the petition, from the Fiscal Assistant Secretary of the Treasury, attests that the requirements necessary for companies to be listed on the Treasury Department list of acceptable reinsuring companies are substantially the same as the requirements for companies qualified by the Treasury Department as acceptable primary sureties on Federal bonds. Assurance is given that the listed companies will use only those forms and types of bonds which comply with the bonding provisions of the Welfare and Pension Plans Disclosure Act, and with regulations now in force or which will be promulgated by the Department of Labor.

The granting of said petition would have the effect of designating the listed companies as a source through which administrators, officers and employees of employee welfare or pension benefit plans subject to the Act, may make bonding arrangements which would meet the requirements of the Act.

Pursuant to § 1307.6 of 29 CFR Part 1307, interested persons are invited within thirty days of this notice to submit comments with respect to said petition. Such comments should be submitted in writing in triplicate to the Director, Office of Welfare and Pension Plans, U.S. Department of Labor, Washington 25, D.C.

Signed at Washington, D.C., this 5th day of February 1963.

FRANK M. KLEILER,
Director, Office of Welfare and Pension Plans.

[F.R. Doc. 63–1441; Filed, Feb. 8, 1963; 8:46 a.m.]

UNDERWRITERS AT LLOYDS, LONDON

Petition for Exemption From Bonding Requirements

Section 13(a) of the Welfare and Pension Plans Disclosure Act, as amended, requires administrators, officers, and employees of employee welfare or pension benefit plans covered under that Act to be bonded in an amount of not less than 10 percent of the amount of plan funds handled by the particular administrator, officer or employee. To comply with the Act the bond must have as a surety thereon a corporate surety which is an acceptable surety on federal bonds under authority granted by the Secretary of the Treasury pursuant to the Act of July 30, 1947 (6 U.S.C. 6–13). However, section 13(e) of the Act provides that when, in the opinion of the Secretary of Labor, other bonding arrangements would provide adequate protection for the beneficiaries and participants of a plan, he may exempt such plans from the requirements of section 13. Under the authority of section 13 (e), regulations 29 CFR Part 1307, (27 F.R. 8788) have been promulgated establishing the procedure for submitting petitions for exemption from the bonding requirements of the Act.

Accordingly, there is pending before the Department a petition for exemption on behalf of several administrators of employee welfare or pension benefit plans, and Underwriters at Lloyds, London, which would permit the placing of bonds with Lloyds under the Act. Said petition is available for inspection in the public documents room at the Office of Welfare and Pension Plans, 8701 Georgia Avenue, Silver Spring, Maryland.

The petition asserts that a bond with Underwriters at Lloyd's will adequately protect the beneficiaries and participants of a plan because, among other things, Underwriters on any Lloyd's policy agree that in the event of their failure to pay any amount claimed to be due on such policy, at the request of the insured they will submit to the jurisdiction of any court of competent jurisdiction within the United States and will comply with all requirements necessary to give such a court jurisdiction and that all matters arising under the policy shall be determined in accordance with the law and practice of that court. The petition also states that all premiums received on United States dollar policies are deposited in the American Trust Fund, that such premiums may be withdrawn therefrom by an Underwriter only when and to the extent that it is later determined that a profit has been earned in accordance with an audit, and that if it should be determined that reserves on United States dollar underwritings should be increased, the Underwriter must convert sterling or other currency into dollars which are deposited and held in the American Trust Fund.

The granting of said petition would have the effect of designating the Underwriters at Lloyds, London as a source through which administrators, officers and employees of employee welfare or pension benefit plans subject to the Act, may make bonding arrangements which would meet the requirements of the Act.

Pursuant to § 1307.6 of 29 CFR Part 1307, interested persons are invited within 30 days of this notice to submit comments with respect to said petition. Such comments should be submitted in writing in triplicate to the Director, Office of Welfare and Pension Plans, U.S. Department of Labor, Washington 25, D.C.

Signed at Washington, D.C., this 5th day of February 1963.

FRANK M. KLEILER,
Director, Office of Welfare and Pension Plans.

[F.R. Doc. 63–1442; Filed, Feb. 8, 1963; 8:46 a.m.]

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

Region IV

Raylass Department Store, Inc., 112 Pendelton St., Easley, S.C.; effective 1–16–63 to 1–15–64 (department store; seven employees).

Rose's Stores, Inc., 116–118–120 South Broad, Thomasville, Ga.; effective 12–17–62 to 12–16–63 (variety store; 20 employees).

Region VII

Younker Brothers, Inc., 101 South Federal, Mason City, Iowa; effective 12–17–62 to 12–16–63 (department store; 55 employees).

Region X

Raylass Department Store, Inc., 307–9 Main Street, South Boston, Va.; effective 1–12–63 to 1–11–64 (department store; 10 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates below $1.00 an hour in the classes

of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below $1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

S. S. Kresge Co., No. 186, Manor Shopping Center, 1262 Millersville Pike, Lancaster, Pa.; effective 1–17–63 to 1–16–64; sales clerks; 10 percent for each month (variety; 43 employees).

Peebles Department Store, Inc., Marumsco Plaza Shopping Center, Woodbridge, Va.; effective 1–7–63 to 1–6–64; sales clerks, stock clerks, office workers; between 8 percent and 10 percent (department store; 28 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 31st day of January 1963.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 63–1440; Filed, Feb. 8, 1963; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 6, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and field within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38148: *T.O.F.C. service—Iron and steel articles from Houston, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B–8339), for interested rail carriers. Rates on iron or steel articles, as described in the application, loaded in or on trailers and transported on railroad flat cars, from Houston, Tex., to points in southern territory.

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

Tariff: Supplement 28 to Southwestern Freight Bureau tariff I.C.C. 4464.

FSA No. 38149: *Hay, straw, etc., from and to points in Illinois territory.* Filed by Illinois Freight Association, Agent (No. 193), for interested rail carriers. Rates on hay, straw and related articles, as described in the application, in carloads, between points in Illinois Freight Association territory; also between points in Illinois Freight Association territory, on the one hand, and points in southern territory, on the other.

Grounds for relief: Motor-truck competition.

Tariffs: Supplements 33 and 29 to Illinois Freight Association tariffs I.C.C. 986 and 988, respectively.

FSA No. 38150: *Grains from WTL points to Missouri.* Filed by Western Trunk Line Committee, Agent (No. A–2291), for interested rail carriers. Rates on grains, grain products and related articles, in carloads, from points in western trunk-line territory, to SLSF Ry., points in Missouri.

Grounds for relief: Through one-factor rates in lieu of present combination rates.

Tariffs: Suplements 4 and 65 to Western Trunk Line Committee tariffs I.C.C. A–4445 and A–4021, respectively.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–1444; Filed, Feb. 8, 1963; 8:47 a.m.]

[Notice 751]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 6, 1963.

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 65273. By order of January 29, 1963, the Transfer Board approved the transfer to H. F. Campbell & Son, Inc., Millerstown, Pa., of Certificate No. MC 118131, issued March 30, 1960, to Harrisburg Food Terminal Corporation, Harrisburg, Pa., authorizing the transportation of: Frozen fruits, from Winchester, Va., to Chicago, Ill., Milwaukee, Wis., and St. Louis, Mo., and frozen vegetables, from Seabrook and Jersey City, N.J., and Harrisburg and Philadelphia, Pa., to Chicago, Ill., John M. Musselman, 400 North Third Street, Harrisburg, Pa., attorney for transferee. James W. Hagar, Commerce Building, Harrisburg, Pa., attorney for transferor.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–1445; Filed, Feb. 8, 1963; 8:47 a.m.]

[Drouth Order 60, Amdt. 17]

NORTH CAROLINA

Authorization to Railroads To Transport Livestock Feed and Hay at Reduced Rates

In the matter of relief under section 22 of the Interstate Commerce Act.

Present: Donald P. McPherson, Vice-Chairman, to whom the above-entitled matter has been assigned for action thereon.

It appearing, that due to the drouth conditions existing in the States of Pennsylvania, New Jersey, and New York, the Commission issued its Drouth Order No. 60 under Section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport livestock feed and hay to the drouth area at reduced rates;

And it further appearing, that the United States Department of Agriculture has requested the Commission to enter an order authorizing the same authority to four additional counties located in the State of North Carolina:

It is ordered, That Drouth Order No. 60, as amended, be, and it is hereby, further amended by adding thereto the following counties:

NORTH CAROLINA

Four counties, viz.:

Anson.	Stanly.
Mecklenburg.	Union.

It is further ordered, That in all other respects Drouth Order No. 60, as amended, shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, New York, the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 4th day of February A.D. 1963.

By the Commission, Vice-Chairman McPherson.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–1447; Filed, Feb. 8, 1963; 8:47 a.m.]

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