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1962-63 Edition

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[Revised as of June 1, 1962]

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Presidential Documents

Title 3—THE PRESIDENT

Memorandum of May 21, 1963

STANDARDS OF CONDUCT FOR EMPLOYEE ORGANIZATIONS AND CODE OF FAIR LABOR PRACTICES

Memorandum for the Heads of Executive Departments and Agencies

On January 17, 1962, I issued Executive Order No. 10988, which gives effect to a new and affirmative Executive Branch policy looking toward participation by employee organizations in the formulation and implementation of personnel policies affecting the well-being of Federal employees. If this policy is to be truly effective, not only must the Executive agencies carry out their duties in a manner consistent with the terms and spirit of Executive Order No. 10988, but the employee organizations must also conduct their own affairs in a way which will promote orderly and constructive relationships with management officials and satisfy their inherent commitments to high standards of ethical and democratic conduct.

It is, therefore, in the public interest to require that such organizations adhere to standards of conduct which will insure the administration of their internal affairs in a manner consistent with this public trust, while at the same time recognizing their right to independence in the internal management of their affairs.

Accordingly, there is hereby prescribed, pursuant to Executive Order 10988, for application by all agencies subject to the Order, the Standards of Conduct for Employee Organizations and the Code of Fair Labor Practices in the Federal Service. They are designed to assist in securing the uniform and effective implementation of the policies, rights, and responsibilities described in the Order. The Standards and Code will assist in the implementation of the Order by fixing more definitely the responsibility of employee organizations and agencies, providing more detailed criteria for the protection of rights secured under the Order and establishing procedures in both of these areas which will assure a necessary measure of uniformity within the Executive Branch of the Federal Government.

In keeping with the spirit and intent of the Executive Order to promote cooperation in the conduct of relationships between agencies and employee organizations in the Federal service, it should, of course, be emphasized that primary reliance must be placed on informal settlement of differences and disputes by discussions between the parties. The procedures provided in the Standards and Code are intended to supplement such informal discussions and procedures, not to replace them.

This memorandum, including the Standards of Conduct for Employee Organizations and the Code of Fair Labor Practices, will be published in the FEDERAL REGISTER.

JOHN F. KENNEDY

STANDARDS OF CONDUCT FOR EMPLOYEE ORGANIZATIONS AND CODE OF FAIR LABOR PRACTICES

SECTION 1.1 Purpose and Scope. These Standards of Conduct for Employee Organizations and the Code of Fair Labor Practices in Employee-Management Cooperation in the Federal Service are issued pursuant to Executive Order No. 10988. Their purpose is to assist in securing the uniform and effective implementation of the policies, rights, and responsibilities described in the Order by fixing more definitely the responsibilities of employee organizations and agencies, providing more detailed criteria for the protection of rights secured under the Order, and establishing procedures in both of these areas which will assure a necessary measure of uniformity within the Executive Branch of the Federal Government.

SEC. 1.2 *Definitions.*

- (a) "Order" means Executive Order No. 10988.
- (b) "Agency," "employee organization," and "employee" have the same meaning as in the Order.
- (c) "Agency management" includes the agency head, and all management officials and representatives of management having authority to act for the agency on any matters relating to the implementation of the agency employee-management cooperation program as established under the Order.
- (d) "Recognition" means recognition which is or may be accorded to an employee organization pursuant to the provisions of the Order.

SEC. 1.3 *General Responsibilities of the Civil Service Commission.* The Civil Service Commission, in accordance with the provisions of section 12 of the Order, shall be responsible for the dissemination of information with respect to the Standards of Conduct and Code of Fair Labor Practices, and shall insure an adequate exchange of information between agencies as to its application and enforcement.

PART A

STANDARDS OF CONDUCT FOR EMPLOYEE ORGANIZATIONS

SEC. 2.1 *Application.* The provisions of this Part are applicable to all agencies subject to the provisions of the Order and to all employee organizations accorded recognition under the Order.

SEC. 2.2 *Standards of Conduct.* No agency shall accord recognition to any employee organization unless the employee organization is subject to governing requirements, adopted by the organization or by a national or international employee organization or federation of employee organizations with which it is affiliated or in which it participates, containing explicit and detailed provisions to which it subscribes calling for the following:

- (a) The maintenance of democratic procedures and practices, including provisions for periodic elections to be conducted subject to recognized safeguards and provisions defining and securing the right of individual members to participation in the affairs of the organization, to fair and equal treatment under the governing rules of the organization, and to fair process in disciplinary proceedings;
- (b) The exclusion from office in the organization of persons affiliated with Communist or other totalitarian movements and persons identified with corrupt influences;
- (c) The prohibition of business or financial interests on the part of organization officers and agents which conflict with their duty to the organization and its members; and
- (d) The maintenance of fiscal integrity in the conduct of the affairs of the organization, including provision for accounting and financial controls and regular financial reports or summaries to be made available to members.

SEC. 2.3 *Adoption of Standards.* No agency shall deny, suspend, or withdraw recognition by reason of any alleged failure to adopt or subscribe to standards of conduct as provided in section 2.2 of this Part unless it has first notified the organization and the national or international organization with which it is affiliated of such alleged deficiency and has afforded the organization a reasonable opportunity to make any amendments or modifications or take any action that may be required. In the event that any question arising under any provision of section 2.2 is not resolved in a mutually acceptable manner, the agency shall consult with the Secretary of Labor prior to making a final determination that an organization has failed to comply with such provisions.

SEC. 2.4 Procedure for Denial, Suspension or Withdrawal of Recognition.

(a) An employee organization which has adopted or subscribed to standards of conduct as provided in section 2.2 of this Part shall not be required to furnish other evidence of its freedom from influences described in section 3(a) of the Order unless (1) the agency has cause to believe that the organization has been suspended or expelled from or is subject to other sanction by a parent employee organization or labor organization or federation of such organizations with which it had been affiliated because it has demonstrated an unwillingness or inability to comply with governing requirements comparable in purpose to those required by section 2.2 of this Part, or (2) recognition in any form has been denied, suspended, or withdrawn by any other agency pursuant to this Part or section 3(a) of the Order and such denial, suspension, or withdrawal remains in effect, or (3) there is reasonable cause to believe that the organization, notwithstanding its compliance with section 2.2, is in fact subject to influences such as would preclude recognition pursuant to the Order.

(b) In any case where additional evidence is required pursuant to (1), (2), or (3) of subsection (a) of this section, the agency shall not deny, suspend, or withdraw recognition on the basis of the exception stated in section 3(a) of the Order unless it has afforded the employee organization an opportunity to present to the agency such reasons or considerations as it has to offer relating to why recognition should not be denied, suspended, or withdrawn. If this opportunity is requested, the agency shall promptly hold a hearing. Upon request the agency shall make available to the employee organization for use in the hearing a concise and accurate summary of the facts on which the agency intends to rely in reaching its decision, together with a statement of the reasons for the agency action. In lieu of a summary statement, the agency may make available to the employee organization the entire report of the agency investigation. In any dispute over the accuracy or sufficiency of information so provided, the final determination shall be made by the agency head. The employee organization shall have an opportunity to be present at the hearing, to be represented by counsel, and to offer such oral and documentary evidence as may be relevant to the issue or issues in controversy. Any determination to deny, suspend or withdraw recognition shall be made in writing by the agency head.

(c) The agency may consult with the Secretary of Labor before instituting any proceedings pursuant to clause (3) of subsection (a) of this section and shall consult with the Secretary of Labor prior to taking any final action with respect to the denial, suspension, or withdrawal of recognition.

(d) Where an agency determination denying, suspending or withdrawing recognition of an employee organization is made in accordance with subsections (b) and (c) of this section after consultation with the Secretary of Labor, any other agency may thereafter deny, suspend or withdraw recognition as to such employee organization or subordinate affiliate thereof without regard to the procedures prescribed in subsection (b) if such other agency has afforded such employee organization or subordinate affiliate thereof an opportunity to present such reasons and considerations as it may have to offer as to why such prior determination should not be followed, and such agency, on the basis of such submission and after consultation with the Secretary of Labor, finds that further procedures are unnecessary.

SEC. 2.5 Effective Dates.

(a) The provisions of this part, other than section 2.4 (b) and (c) as hereinafter provided, shall become effective immediately. No later than 6 months from such effective date, each agency shall adopt such permanent procedures as may be necessary to implement this Part. Insofar as may be practicable and appropriate, agencies shall consult with representatives of recognized employee organizations in the formulation of such procedures. Copies of any implementing regulations shall be made available to recognized employee organizations upon request.

(b) Prior to the adoption of such permanent procedures, in making determinations under the Order with respect to employee organizations which seek or have been accorded recognition, no agency shall deny, suspend or withdraw such recognition on the basis of the exception stated in the Order except in accordance with procedures conforming as nearly as possible to the requirements of section 2.4 (b) and (c) of this Part.

PART B

CODE OF FAIR LABOR PRACTICES

SEC. 3.1 *Application.* The provisions of this Part are applicable to all agencies subject to the provisions of the Order and to all employee organizations accorded recognition under the Order.

SEC. 3.2 *Prohibited Practices.*

(a) Agency management is prohibited from:

(1) Interfering with, restraining or coercing any employee in the exercise of the rights assured by Executive Order No. 10988, including those set forth in section 1 of the Order;

(2) Encouraging or discouraging membership in any employee organization by discrimination in regard to hiring, tenure, promotion or other conditions of employment;

(3) Sponsoring, controlling or otherwise assisting any employee organization, except that an agency may furnish customary and routine services and facilities pursuant to section 10 of the Order where consistent with the best interests of the agency, its employees and the organization, and where such services and facilities are furnished, if requested, on an impartial basis;

(4) Disciplining or otherwise discriminating against any employee because he has filed a complaint or given testimony under the Order or under the Standards of Conduct for Employee Organizations or Code of Fair Labor Practices;

(5) Refusing to accord appropriate recognition to an employee organization qualified for such recognition;

(6) Refusing to hear, consult, confer or negotiate with an employee organization as required by the Order.

(b) Employee organizations are prohibited from:

(1) Interfering with, restraining or coercing any employee in the exercise of the rights assured by Executive Order No. 10988, including those set forth in section 1 of the Order;

(2) Attempting to induce agency management to coerce any employee in the enjoyment of his rights under the Order;

(3) Coercing or attempting to coerce, or disciplining, any member of the organization as punishment or reprisal for, or for the purpose of hindering or impeding his discharge of his duties owed as an officer or employee of the United States;

(4) Calling or engaging in any strike, work stoppage, slowdown, or related picketing engaged in as a substitute for any such strike, work stoppage or slowdown, against the Government of the United States;

(5) Discriminating against any employee with regard to the terms or conditions of membership because of race, color, creed, or national origin.

(c) No employee organization which is accorded exclusive recognition shall deny membership to any employee in the appropriate unit except for failure to meet reasonable occupational standards uniformly required for admission, or for failure to tender initiation fees and dues uniformly required as a condition of acquiring and retaining membership, but nothing contained in this subsection shall preclude an employee organization from enforcing discipline in accordance with procedures under its constitution or bylaws which conform to the requirements set forth in section 2.2(a) of the Standards of Conduct for Employee Organizations.

SEC. 3.3 General Procedures for Enforcement.

(a) Each agency shall provide fair and adequate procedures for the filing, investigation, and processing of complaints of violations of section 3.2 which will cover all cases, except as provided in subsection (c) of this section, whether initiated by employees, an agency, or an employee organization, as follows:

(1) In cases initiated by an employee or several employees with the same complaint, in which the matter in issue is subject to an applicable grievance or appeals procedure within the agency, such procedure shall be the exclusive procedure used.

(2) All cases not covered by subsection (a) (1) and (c) of this section shall be processed under procedures which shall include provisions for the informal resolution or adjustment of complaints where possible; for the designation of an impartial hearing officer or panel of such officers; and, in cases where it appears that there is substantial basis for a complaint and the matter is not informally adjusted, for an opportunity for a hearing before a hearing officer or panel of such officers upon notice, for the right to be represented by counsel, and for findings of fact, or for findings of fact and recommendations, by such officers or panel. Such procedures shall not, however, be available for the rehearing of issues processed under the provisions of the Standards of Conduct or Section 11 of the Order. In performing the function provided for in this subsection, hearing officers shall be responsible directly to the agency head.

(b) Hearings held pursuant to subsection (a) (2) shall be informal, but rights of confrontation and cross-examination shall be preserved so far as may be necessary for the development of the facts, and the findings of fact or findings of fact and recommendations of the hearing officer or panel shall be based upon the record developed in the hearing. Copies of such findings of fact or findings of fact and recommendations shall be made available to the parties. In any proceeding under this section, the complainant or respondent shall be entitled to receive a concise and accurate summary of the facts relating to the complaint, and upon which the agency intends to rely, together with a statement of the reasons for the agency's action. The agency may, in lieu of a summary statement, make available to the complainant or respondent the entire report of the agency's investigation of the complaint. In a case in which the complainant or respondent is provided with a summary statement, the hearing officer shall have the right, upon request, to examine the entire record in such case, including all data gathered pursuant to an investigation, to determine that the summary is fair and accurate.

(c) Cases involving any strike, work stoppage, slowdown or related picketing engaged in as a substitute for any such strike, work stoppage or slowdown, shall be covered by such procedures and subject to such remedies and sanctions consistent with law as the agency head determines to be appropriate to the situation without regard to the limitations of this section or section 3.4.

SEC. 3.4 Final Decision and Notice. All final decisions shall be in writing and shall be furnished to the organization and the national or international organization with which it is affiliated. Such decisions shall include a statement of the findings and reasons in support of the decision. If the decision is that agency management has engaged in a prohibited practice, the agency shall immediately take necessary action in accordance with the decision to remedy the violation. If the decision is that an employee organization has engaged in a prohibited practice, the agency head shall notify the employee organization of the existence of such violation and request appropriate corrective action. Failure of an employee organization to comply with such request after the date on which it becomes effective shall be grounds for the withholding or suspension of recognition until the violation has been remedied, or for the withdrawal of recognition in appropriate cases as determined by the agency head.

SEC. 3.5 *Effective Date.*

(a) The provisions of section 3.2 of this Part shall be effective immediately. No later than six months from such effective date, each agency shall adopt permanent procedures to implement this Part. Insofar as may be practicable and appropriate, agencies shall consult with representatives of employee organizations in the formulation of such procedures. Copies of any implementing regulations shall be made available to recognized employee organizations upon request.

(b) In making determinations under section 3.2 prior to the adoption of such permanent procedures, agencies shall as nearly as possible conform to the basic procedural requirements of this Part, and in no case where an opportunity for hearing, or a final notice as described in section 3.4, is required under this Part shall an agency withhold, suspend, or withdraw recognition without an opportunity for such hearing or without such a final notice.

[F.R. Doc. 63-5574; Filed, May 22, 1963; 11:31 a.m.]

Rules and Regulations

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 34-7078]

PART 241—INTERPRETATIVE RELEASES RELATING TO SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER

Proxy Rules; Interpretation

During the recent proxy season four questions arose which warrant immediate publication of the position of the Securities and Exchange Commission under its rules relating to the solicitation of proxies.

1. Where a company has significant subsidiaries, would an annual report to stockholders which contains only the parent's financial statements comply with the requirement of Rule 14a-3(b) that such report contain " * * * such financial statements for the last fiscal year as will, in the opinion of management, adequately reflect the financial position and operations of the issuer. Such annual report, including financial statements, may be in any form deemed suitable by the management"?

While the requirement of Rule 14a-3(b) gives an issuer considerable latitude as to the form and detail of financial statements included in its annual report to stockholders, it is the opinion of the Commission that the financial position and operating results of the issuer are not adequately reflected unless the financial position and results of operations of significant subsidiaries are reflected in an appropriate manner, which may be by inclusion in consolidated financial statements or separate or group statements, as the circumstances in a particular situation require.

2. Does the sending of the proxy statement of the issuer by first-class mail and simultaneously sending the annual report to stockholders by fourth-class mail comply with the requirements of Rule 14a-3(b) that the proxy statement be accompanied or preceded by an annual report to stockholders?

Since it may be anticipated that an annual report sent by fourth-class mail will ordinarily not be received by the addressee at the same time or earlier than the proxy statement, it is the position of the Commission that such mailings would not comply with the rule.

3. May the management include a piece of its own proxy soliciting material in the envelope containing material being mailed on behalf of a stockholder under the provisions of Rule 14a-7(b)?

It is the position of the Commission that a security holder is entitled to a

separate mailing of material which he supplies under the rule and that the management's material may not be included without his knowledge and consent.

4. Can management solicit and receive proxies containing instructions for voting for or against a single proposal embracing several substantive charter amendments, and thereafter (a) vote such proxies to separate the charter amendments into several motions, each covering one of the principal changes to be effected in the charter provisions, and (b) vote such proxies separately upon each such motion?

Where management has elected to submit severable charter amendments as a single package, it represents to shareholders that their proxies will be voted for or against that package. A shareholder favoring the package as a whole may therefore instruct management to vote "for" the package, even though he might have given an instruction to vote "against" one or more of the amendments had management afforded him the opportunity so to do. Under these circumstances, management cannot, under our rules, construe proxies marked "for" the package as conveying authority to vote to separate the package into its component parts and thereupon to vote for the adoption of each part.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

MAY 15, 1963.

[F.R. Doc. 63-5476; Filed, May 22, 1963;
8:49 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Plant Quarantine Division by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective October 16, 1962 (7 CFR 354.1), administrative instructions (7 CFR 354.2) effective April 29, 1961, as amended effective August 1, 1961, February 2, 1962, March 9, 1962, April 27, 1962, June 21, 1962, August 11, 1962, October 10, 1962, and December 6, 1962 (26 F.R. 3671, 6833, 27 F.R. 964, 2267, 4011, 5849, 8025, 9938, 12044), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby amended by adding "Toledo, Ohio," to the "Two-Hour" list therein and by adding "Any undesignated Ohio port served from Cleveland, Ohio," to the "Three-Hour" list therein.

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

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

This amendment shall become effective May 23, 1963.

Done at Washington, D.C., this 20th day of May 1963.

[SEAL]

F. A. JOHNSTON,
Acting Director,
Plant Quarantine Division.

[F.R. Doc. 63-5513; Filed, May 22, 1963;
8:53 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—Wheat Diversion Program for 1964 and 1965

On page 4515 of the FEDERAL REGISTER of May 4, 1963, there was published a Notice of Intention to Issue Regulations for the Wheat Diversion Program for 1964 and 1965. The full text of the proposed regulations was published on pages 4567 through 4581 of the FEDERAL REGISTER of May 7, 1963.

After consideration of the views and recommendations received, the proposed regulations as submitted are adopted with the following changes:

1. A new paragraph (e) is added at the end of § 728.50.
2. The figure "1.0" in the second sentence of § 728.51(b)(2) is changed to "0.1."
3. The word "named" in the third sentence of § 728.52(b)(2) is changed to "determined."
4. Section 728.51(b)(4) is changed.
5. The word "prior" in the first sentence of § 728.52(d) is deleted.

6. The period at the end of § 728.53(a) (1) is changed to a colon and a proviso is added.

7. The word "then" in the last sentence of § 728.53(a) (11) is changed to "than".

8. The period at the end of § 728.55(a) (3) is changed to a comma and material is added.

9. The figure "710" in § 728.63(a) is changed to "718".

10. Section 728.72(d) (2) (i) is changed.

In order that these regulations may be applied to land use determinations for the 1964 crop of wheat and that farm operators may be notified as soon as possible of the minimum diversion, payment rates, conserving base acreage and other provisions of the program, it is essential that these regulations be made effective at the earliest possible date. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of Section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impractical and contrary to the public interest and these regulations shall be effective upon publication in the FEDERAL REGISTER.

E. A. JÄENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

MAY 20, 1963.

Subpart—Wheat Diversion Program for 1964 and 1965

Sec.	
728.50	General.
728.51	Requirements for eligibility.
728.52	Designation, use, and care of diverted acreage.
728.53	Approved conservation uses for diverted acreage.
728.54	Non-cropland used for crops in the current year.
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AUTHORITY: §§ 728.50 to 728.73 issued under sec. 339 of the Agricultural Adjustment Act of 1938, as amended, 76 Stat. 622; and sec. 326 of the Food and Agriculture Act of 1962, 76 Stat. 631.

§ 728.50 General.

(a) The regulations in this subpart provide terms and conditions for the

wheat diversion program for 1964 and 1965 (herein called "the program") under which payments are made to producers who divert acreage from the production of wheat to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices, including summer fallow and idle land (hereinafter called "conserving base"), by an equal amount. Payments will be made by the issuance of negotiable Commodity Credit Corporation (CCC) sight drafts, which may be redeemed in cash. In accordance with section 339(a) of the Agricultural Adjustment Act of 1938, as amended, these regulations also provide in § 728.72 for a land use penalty if any unauthorized crop is produced on acreage required to be diverted from the production of wheat.

(b) If the operator of the farm elects to participate in the program, payments shall be made available to the producers on such farm only if such producers divert from the production of wheat, within such tolerances as are permitted in amendments to these regulations to be promulgated at a later date, an acreage on the farm equal to the number of acres stated on Form-ASCS-477 Wheat (Intention to Participate and Application for Payment).

(c) The program is applicable in the commercial wheat-producing area which includes all of the States in the United States except Hawaii.

(d) As used in the regulations in this subpart and in all instructions, forms, and documents in connection therewith, the words and phrases defined in § 728.10 shall have the meanings assigned to them therein unless the context or subject matter otherwise requires, except that "current year" shall mean the calendar year in which the crop of wheat with respect to which payment would be made under this subpart would normally be harvested.

(e) The regulations in this subpart are applicable only if marketing quotas are in effect.

§ 728.51 Requirements for eligibility.

(a) *General.* A person is eligible to participate for payment in the program if he is a producer on a farm which meets the requirements of paragraph (b) of this section and he fulfills the requirements of paragraph (c) of this section.

(b) *Farm requirements.* (1) An Intention to Participate and Application for Payment (herein called Form ASCS-477 Wheat) must be filed for the farm by the operator in accordance with § 728.61.

(2) A minimum acreage on the farm shall be diverted from the production of wheat equal to the number of acres determined by multiplying the farm wheat acreage allotment by the national diversion factor. This factor is determined by dividing (i) the number of acres by which 55 million acres exceeds the national allotment by (ii) the national allotment: *Provided*, That the acreage diverted shall in no event be less than the smaller of 0.1 acre or the farm allotment. For 1964, the diversion factor has been determined to be 11.11 percent.

Notwithstanding the foregoing, in the case of any farm under a conservation reserve contract, if the total permitted acreage of soil bank base crops is less than the minimum acreage otherwise required for participation in this program, participation to the extent of such acreage shall satisfy the minimum acreage requirements, and, in the case of any farm under a cropland conversion program agreement, if the number of acres which could be devoted to nonconserving crops is less than the minimum acreage otherwise required for participation in this program, participation to the extent of such acreage shall satisfy the minimum acreage requirements.

(3) An acreage equivalent in area to the acreage diverted from the production of wheat must be devoted to one or more of the approved conservation uses specified in § 728.53 and must comply with the limitations on use of such acreage specified in § 728.52.

(4) In addition to the acreage referred to in subparagraph (3) of this paragraph, the acreage diverted under any authorized feed grain program, and the designated acreage under the cropland conversion program, an acreage equal to the conserving base established for the farm under § 728.55 must be devoted to one or more of the conservation uses specified in such section.

(5) A farm on which a conservation reserve contract has been cancelled since January 1 of the year preceding the program year because of a scheme or device to exceed the \$5,000 payment limitation under the Conservation Reserve Program shall not be eligible for participation: *Provided*, That in any case where the Deputy Administrator determines that participation in the program would not be against the public interest, acceptance of such farm may be authorized.

(6) Land owned by the Federal Government which has been leased subject to restrictions prohibiting the production of wheat or requiring the use of land for other purposes, or prohibiting the receipt of Federal payments for diversion of such acreage, will not be eligible for participation in the program. Any other land owned by the Federal Government which is being occupied without a lease, permit or other right of possession shall not be eligible for participation in the program.

(7) Producers on farms on which a new farm wheat allotment is established for the current crop shall not be eligible for payment under the program.

(8) Producers on farms with allotments of less than 15.0 acres on which the operator has failed to sign the election statement on the reverse side of Form MQ-24 by not later than 7 days prior to the date of the referendum held with respect to the current crop of wheat, shall not be eligible to participate in the program: *Provided*, That if a bona fide change of operator occurs on the farm or a farm allotment notice is mailed to the operator of a missed farm after the closing date for filing Form MQ-24, operators of such farms may sign the election statement on Form MQ-24 prior

to the close of the signup period in § 728.61(c).

(c) *Producer requirements.* (1) The producer must be a person who would have had an interest as a producer in the acreage diverted from wheat.

(2) The producer shall not knowingly exceed the allotment established for the farm for any commodity. (Compliance with the farm acreage allotments on any other farm for any crop in which the producer has a share is not required.)

(3) A minor will be eligible to participate in the program only if (i) the right of majority has been conferred on him by court proceedings; or (ii) a guardian has been appointed to manage his property and the applicable documents are signed by the guardian; or (iii) a bond is furnished under which a surety guarantees to protect ASCS from any loss incurred for which the minor would be liable had he been an adult. Notwithstanding the foregoing, payment may be made to a minor after December 31 of the current year upon a determination by the county committee that the minor has met the requirements of the program.

§ 728.52 Designation, use, and care of diverted acreage.

(a) *Cropland eligible for designation as diverted acreage.* Land diverted from the production of wheat under the program must be designated by the operator of the farm and must be cropland (1) which was intensively cultivated during at least one of the four years immediately preceding the current year, or (2) which was devoted to a conservation use, other than a water storage facility or trees under a conservation reserve contract, a cropland conversion agreement, or a great plains conservation contract, or (3) which was devoted to a tame hay crop during the four years immediately preceding the current year in a normal rotation pattern and is at least equal in productivity to the land on the farm which would qualify under subparagraph (1) of this paragraph, or (4) which was designated and approved as diverted acreage under a prior Feed Grain or Wheat Program, except acreage devoted to trees or to a water storage facility. Any land which, because of its physical condition or other reasons, the county committee determines could not reasonably be expected to be used for crop production in the current year in the absence of the program shall not be eligible for designation as diverted acreage. Any land returned to permanent cover in accordance with § 728.54 and any land devoted in the current year to asparagus, strawberries or bush fruits (including new planting of such crop) shall not be eligible for designation as diverted acreage. Any land which, at the time the diverted acreage is designated, is expected to be utilized in the current year for industrial development, housing, highway construction or other non-farm use shall not be eligible for designation as diverted acreage.

(b) *Diverted acreage applicable only to one program.* Any acreage diverted from the production of wheat for which payment is made under this program

shall be in addition to any acreage diverted for which payment is made under any other Federal program except that the foregoing shall not preclude the making of cost-sharing payments under the agricultural conservation program or the great plains conservation program for conservation practices carried out on an acreage diverted under this program.

(c) *Restriction on harvesting of crops from diverted acreage.* No crop other than the crops specified in paragraph

(e) of this section shall be harvested from the designated diverted acreage in the current year, except (1) on acreage approved for double cropping (information as to such areas and the conditions under which such harvesting is permitted may be obtained from the county office), (2) where the crop is one which matured in the year preceding the program year on land which was not designated as diverted acreage in such year under the feed grain or wheat program, and the harvesting was delayed because of adverse weather or other conditions beyond the control of the farm operator, or (3) where the Secretary determines that it is necessary to permit the harvesting of crops from the diverted acreage for use in the area in order to alleviate a shortage of forage resulting from severe drought, flood or other natural disaster. If there is unauthorized harvesting of a crop from the designated diverted acreage and it is determined that such harvesting was intentional or was the result of gross negligence, the entire amount of payment to the operator and other producers on the farm shall be forfeited or refunded: *Provided*, That such forfeiture or refund shall not apply to a producer other than the operator if it is determined that such producer did not cause, aid in or benefit from the harvesting of the crop. If there is unauthorized harvesting of a crop from the designated diverted acreage and it is determined that such harvesting was not intentional and was not the result of gross negligence, payments shall be forfeited or refunded in an amount determined by multiplying the number of acres from which a crop is harvested without authorization by the smaller of (i) the additional wheat payment rate per acre, or (ii) the lowest additional feed grain payment rate per acre established for the farm if the farm is participating in the feed grain program: *Provided*, That such forfeiture or refund shall apply first to the extent possible to payments for producers who caused, aided in or benefited from the harvesting of the crop, in the proportion in which they share in the payment to such producers under the program. In addition, no grain or oilseed crop (other than any oilseed crops which may be specified in paragraph (e) of this section) which matures in the current year shall be harvested from the designated diverted acreage after December 31 of such year. If there is harvesting in violation of the preceding sentence, the entire amount of payment to the operator and other producers on the farm shall be forfeited or refunded: *Provided*, That such forfeiture or refund shall not apply to a pro-

ducer other than the operator if it is determined that such producer did not cause, aid in or benefit from the harvesting of the crop.

(d) *Restriction on grazing.* The designated diverted acreage shall not be grazed between April 30 and November 1 of the current year, or upon recommendation of the State committee, approval by the Deputy Administrator, and notice to the operator, the period between March 31 and October 1 or the period between April 14 and October 15, except (1) where the Secretary considers it necessary to permit the diverted acreage to be grazed in order to alleviate a shortage of forage in the area resulting from severe drought, flood or other natural disaster or (2) where the county committee, upon request, grants approval to graze the diverted acreage. If grazing is authorized under subparagraph (2) of this paragraph, there shall be deducted from the payments earned on the farm an amount equal to one-half the minimum acre payment rate for wheat for the farm times the number of acres grazed, and such deductions shall apply first to payments of producers who benefited from the grazing. If there is unauthorized grazing of the designated diverted acreage and it is determined that such grazing was intentional or was the result of gross negligence, the entire amount of payment to the operator and other producers on the farm shall be forfeited or refunded: *Provided*, That such forfeiture or refund shall not apply to a producer, other than the operator, if it is determined that such producer did not cause, aid in or benefit from the grazing of the designated diverted acreage. If there is unauthorized grazing of the designated diverted acreage and it is determined that such grazing was not intentional and was not the result of gross negligence, payments shall be forfeited or refunded in an amount representing the value of the grazing on the diverted acreage not to exceed the wheat diversion payment: *Provided*, That such forfeiture or refund shall apply first to the extent possible to payments for producers who caused, aided in, or benefited from, the grazing in the proportion in which they share in the payment to such producers. If the grazing is determined to have no practical value, no forfeiture or refund of payment is required.

(e) *Diverted acreage devoted to designated crops planted for harvest in lieu of conservation uses.* In accordance with law, the Secretary will designate the crops which may be planted for harvest in lieu of conservation uses in an amendment to this paragraph.

(f) *Use of Land.* New orchards consisting of fruit or nut trees may be planted in the current year on diverted acreage provided other required conservation measures are carried out on such land. Measures normally carried out in the fall in the area in connection with the production of a crop for harvest in a subsequent year may be carried out on the diverted acreage in the fall of the current year.

(g) *Control of erosion, insects, weeds and rodents.* The county committee

shall prescribe measures and methods of application that normally are needed in the county for the control of erosion, insects, weeds and rodents on the diverted acreage. The county committee may grant specific exemptions from the prescribed measures and methods of application if it finds that they are unnecessary, or that because of existing conditions they would not be effective if applied. In addition, if abnormal needs for such controls develop, the county committee shall prescribe such additional measures or methods as are needed. If erosion, insects, weeds and rodents are not timely controlled in accordance with instructions received from the county committee, the designated diverted acreage shall, for purposes of determining the total diverted acreage on which payment is based under § 728.64, be reduced by the number of acres on which erosion, insects, weeds and rodents are not satisfactorily controlled.

§ 728.53 Approved conservation uses for diverted acreage.

(a) Subject to the provisions for the use and care of diverted acreage as specified in § 728.52, the conservation uses and practices approved for diverted acreage are as follows:

(1) Summer or winter cover crops consisting principally of small grains, annual legumes or annual grasses, including volunteer stands of such crops which are normally seeded in the area. In the case of winter cover crops, seedings may be made in the fall of the preceding year or in the fall of the current year; however, other approved conservation uses will be required if necessary to protect the land throughout the current year. Wheat or barley may be used as a cover crop only when plowed down as green manure or clipped and left on the land not later than the disposal date for wheat set forth in the wheat marketing quota regulations for the current year: *Provided*, That plowing or clipping of wheat or barley is not required in those cases where the county committee determines that the wheat or barley has been destroyed by natural causes prior to the disposition date.

(2) Corn and grain sorghums plowed down as green manure. However, other approved conservation uses will be required if necessary to protect the land throughout the current year.

(3) Clean tillage carried out in a workmanlike manner to control noxious weeds, provided prior approval of the county committee is obtained and such measures as are prescribed by the county committee for the control of erosion are carried out.

(4) Corn or grain sorghums, while still green, undercut with a subsurface tiller type machine or clipped at specified heights and left on the surface. Such use may be approved only in the counties where the State committee determines that the use of corn or grain sorghums is necessary in order to provide practicable protective cover on the diverted acreage.

(5) Volunteer cover, predominantly native grasses and legumes (not weeds), which is acceptable to the county committee and which will be as effective as seeded cover in preventing wind and water erosion.

(6) Protected summer fallow in areas approved by the State committee as areas in which a part of the cropland is summer fallowed each year on most farms. This use is applicable only in relatively dry areas such as those in which it is a normal practice to follow a wheat-summer fallow rotation.

(7) Guar which is not harvested, provided the farm operator notifies the county office that the crop will be used only for cover.

(8) Permanent or rotation cover of grasses and legumes consisting of perennial grasses, perennial or biennial legumes or mixtures of legumes and perennial grasses.

(9) Trees or shrubs planted in the current year or in the fall of the preceding year for erosion control, shelterbelts, or other forestry purposes, or for wildlife habitat.

(10) Water storage developed in the current year or in the fall of the preceding year for any purpose, including fish or wildlife habitat.

(11) Plantings for wildlife food plots (other than acreages of wheat, barley or rice) or establishment of wildlife habitat. Corn and grain sorghums will qualify only if planted in small plots which are designated by the operator and approved by the county committee for such purpose prior to planting and no grazing or harvesting other than by wildlife is permitted.

(12) Grain sorghums planted as a cover or litter crop in preparation of a seedbed for establishing permanent cover of a type provided for under ACP practice A-2 or GPCP practice GP-1, provided the grain sorghums are clipped while green and left on the land in preparation of the seedbed. Such use may be approved only in those counties approved by the State committee where the practice is applicable and is customarily carried out.

(13) Other uses recommended by the State committee which are not in conflict with other provisions of the program and which are approved in advance by the Deputy Administrator. Information as to such uses, if any, may be obtained at the county ASCS office.

(b) Otherwise eligible cropland which is designated as diverted acreage but which is not devoted to one of the conservation uses specified in paragraph (a) of this section will qualify as being devoted to an approved conservation use only if the county committee determines that, due to flood, drought or other natural disaster, serious illness, or other cause not due to the fault or negligence of the producer, it would not be practicable to devote the land to any of the foregoing conservation uses in the current year, and provided such measures for the control of erosion, insects, weeds and rodents as are prescribed by the county committee are carried out.

§ 728.54 Non-cropland used for crops in the current year.

The number of acres of non-cropland which is planted to crops for harvest in the current year, excluding non-cropland planted to perennial grasses and perennial legumes on which no nurse crop is harvested for grain or oilseed, shall be subtracted from the diverted acreage otherwise eligible for payment to the extent that an equal acreage of cropland on the farm is not returned in the current year to permanent cover of trees, perennial grasses or perennial legumes. Any acreage so returned to permanent cover of trees, perennial grasses or perennial legumes shall not be eligible for designation as diverted acreage or considered as meeting the conserving base requirements for the farm in the current year.

§ 728.55 Farm conserving base.

(a) *Conservation uses for establishing the conserving base.* Subject to the provisions of paragraph (d) of this section, cropland devoted to the conservation uses set forth in this paragraph shall count toward establishing the conserving base.

(1) The conservation uses set forth in subparagraph (8) of § 728.53(a).

(2) Summer or winter cover crops consisting principally of small grains, annual legumes or annual grasses, including volunteer stands of such crops, which are normally seeded in the area. (An acreage of annual grasses (including millet) and soybeans, cowpeas, field and canning peas and field and canning beans, which is harvested as seed or grain or for processing purposes, shall not be considered as devoted to a conservation use.)

(3) Small grain cover crops when left standing, when grazed off before maturity, when clipped green or when mechanically incorporated into the soil before maturity. Also, small grain seeded as a nurse crop with grass or legumes and cut green for hay or silage by a date well ahead of maturity of the grain as established for the area by the State committee, and in the case of wheat and barley, not later than the disposal date for wheat set forth in the wheat marketing quota regulations for the current year. An acreage of small grain used as a nurse crop and harvested for any purpose after such date shall not be considered as devoted to a conservation use. An acreage of barley, wheat or rice which is left standing as of the established disposition date, shall not be considered as devoted to a conservation use, except in those cases where the county committee determines that such crop has been destroyed by natural causes prior to the disposition date for such crop.

(4) Idle cropland and summer-fallowed cropland.

(b) *Determining farm conserving base.* The conserving base for a farm shall be the average acreage on the farm devoted to the conservation uses named in paragraph (a) of this section in the years 1959 and 1960, adjusted by the county committee so as to obtain for the farm a conserving base which is reason-

able when compared with the conserving bases established for farms which are similar with respect to tillable acreage, type of soil, topography and operation. Adjustments shall be made when the county committee determines the conserving base for the current year is too low or too high because of: (i) A substantial change in the crop-rotation system for the farm has occurred since the base period, (ii) abnormal weather conditions or other abnormal factors in the base period, (iii) established crop-rotation practices, (iv) participation in other Federal farm programs, (v) the effect of legislative provisions relating to release and reapportionment or preservation of history acreage for allotment crops, (vi) underplanting of allotment crops or permitted acreage of soil bank base crops in the base period, (vii) loss of cropland acreage to an agency having the right of eminent domain where there is no reconstitution of the farm, or (viii) cropland classified as non-cropland due to planting of trees since the base period.

(c) *Eligible conservation uses for maintaining the conserving base.* Subject to the provisions of paragraph (d) of this section, the following uses of cropland will qualify as eligible conservation uses for the purpose of maintaining the conserving base:

(1) The conservation uses set forth in paragraph (a) of this section.

(2) Trees or shrubs planted for erosion control, shelterbelts, or other forestry purposes or for wildlife habitat.

(3) The conservation uses set forth in subparagraphs (10) through (13) of § 728.53(a).

(d) *Additional provisions relating to the conserving base.* (1) Cropland devoted to both a depleting and a conserving use in the same year shall not be counted toward establishing the conserving base or maintaining the conserving base.

(2) Measures normally carried out in the area in connection with the production of a crop for harvest in a subsequent year may be carried out in the fall of the current year on acreage used in maintaining the conserving base.

(3) New orchards consisting of fruit or nut trees may be planted on such acreages provided other required conservation measures are carried out on such land.

§ 728.56 Permitted acreage of wheat.

The acreage of wheat planted on the farm for harvest in the current year shall not exceed the farm acreage allotment minus the number of acres which the producer agrees to divert from the production of wheat in excess of the required minimum diversion. Notwithstanding the foregoing, in the case of any farm participating in the conservation reserve program, the acreage of wheat and other soil bank base crops (excluding acreage designated as diverted under this and any authorized feed grain program (a) which is devoted to substitute crops in lieu of conservation uses, (b) which is approved for double cropping, or (c) on which soil bank base crops are planted as a conservation use) shall not exceed the acreage determined by subtracting the sum

of the acreages designated as diverted under this and any authorized feed grain program from the acreage of soil bank base crops permitted under such program.

§ 728.57 Determination of payment rates.

(a) The minimum acre and additional acre payment rates for the farm shall be obtained by multiplying the applicable county bushel minimum and additional payment rates by the farm normal yield determined under § 728.21. The county bushel minimum and additional payment rates are specified in § 728.73. Except as provided in paragraphs (b) and (c) of this section, the minimum acre payment rate shall apply to the minimum acreage required to be diverted under § 728.51(b)(2), and the additional acre payment rate shall apply to the acreage diverted in excess of such minimum.

(b) On farms where the sum of the allotment and the required minimum diversion is not more than 15 acres and the operator diverts all of such acreage, the payment rate shall be at the additional payment rate for the farm.

(c) The rate of payment under the program with respect to land which is leased or rented on a cash-rent basis from the Federal, State, county or local government, or subdivisions thereof, if such land is not otherwise ineligible for participation in the program, shall not exceed a fair payment rate as determined by the county committee. Such payment rate shall be the smaller of (1) the average per acre payment rate for which the farm would have qualified if the exception for land cash-rented from a governmental unit were not in effect, or (2) one-half the average per acre payment determined in subparagraph (1) of this paragraph plus the actual cash rent per acre of the land, adjusted to take into account the quality of the acres actually diverted when compared with the total acres rented and the services performed and capital improvements made at the producer's expense which are in addition to rent.

§ 728.58 Maximum diverted acres.

The maximum number of acres which may be diverted from wheat on the farm for which payment may be received shall be the larger of (a) the sum of the required minimum diversion determined in § 728.51(b)(2) and 20 per centum of the farm allotment, or (b) 15 acres, but not to exceed the sum of the farm allotment and the required minimum diversion. Notwithstanding the foregoing, in case of a farm participating in the conservation reserve program, the total number of acres which may be diverted under this program and any authorized feed grain program shall not exceed the permitted acreage of soil bank base crops.

§ 728.59 Notice of payment rates, normal yield, minimum diversion requirement and conserving base.

Each operator and owner interested in the wheat crop on a farm for which an old farm wheat allotment is established will be notified in writing on Form ASCS-865 of the wheat normal yield and

on Form ASCS-471 (Wheat) of the payment rates, minimum required diversion acreage and the conserving base, except that Form ASCS-471 (Wheat) will not be mailed to producers on farms having allotments of less than 15 acres for which the operator has not signed the election provision of Form MQ-24 by the prescribed time.

§ 728.60 Appeals.

(a) A producer may request reconsideration of any determination made by a county committee concerning a question of fact under this subpart, including the conserving base as determined under § 728.55, and the farm normal yield as determined under § 728.21, and he may appeal such determination in accordance with the provisions of this paragraph. The producer shall first request reconsideration by the county committee. If the producer is dissatisfied with a determination of the county committee with respect to his request for reconsideration, he may then appeal the determination to the State committee. The producer may also request reconsideration of any determination of a State committee concerning a question of fact. The determination of the State committee shall be final: *Provided*, That, if the producer is dissatisfied with a determination of the State committee made under the provisions of § 728.66(1) with respect to his appeal from the determination of the county committee or (2) with respect to his request for reconsideration by the State committee, he may appeal such determination to the Deputy Administrator, in which case the determination of the Deputy Administrator shall be final. Each request for reconsideration or appeal shall be in writing and shall be supported by a written statement of facts upon which it is based. Any request for reconsideration or appeal shall not operate to extend the applicable closing date for filing Form ASCS-477 (Wheat). Each request for reconsideration or appeal shall be filed within 15 days after notice of the determination is mailed to or is otherwise made available to the producer: *Provided*, That a request for reconsideration or appeal may be accepted and acted upon even though it is not filed within such time limit if, in the judgment of the committee or person to whom such request for reconsideration or appeal is made, the circumstances warrant such action. Nothing herein shall preclude the county committee or the State committee, on its own motion or upon request at any time, from revising or requiring revision of any determination for any farm to correct mechanical or clerical errors resulting solely from action by a county or State committee representative.

(b) To the extent that a producer proves the actual yields for the farm for each of the five years preceding the year in which the normal yield is determined, either prior to receipt of Form ASCS-471 (Wheat) or pursuant to a request for reconsideration by the county committee or pursuant to an appeal thereof under paragraph (a) of this section, the yields so proven shall be used in establishing the farm normal yield in

accordance with § 728.21: *Provided*, That, if the producer had an interest in the farm during such period, he shall be required to furnish production data for all other farms in the county or adjoining counties in which he had an interest, and such data shall be used in making determinations for such other farms in which the producer has an interest in the current year.

§ 728.61 Intention to participate in the program.

(a) *Who may file.* A Form ASCS-477 (Wheat) must be filed by the operator of an eligible farm if he wishes to participate in the program.

(b) *Where to file.* Form ASCS-477 (Wheat) shall be filed with the office of the county committee for the county where the farm is located.

(c) *When to file.* Form ASCS-477 (Wheat) shall be filed not later than the date established by the Administrator, ASCS. Notwithstanding the foregoing, the closing date may be extended by the county committee if the producers on the farm establish to the satisfaction of the county committee that they intended to participate in the program and their failure to file by such date was not due to the fault or negligence of the producers.

(d) *Contents.* The operator or owner shall provide on Form ASCS-477 (Wheat) the following information: The acreage which is intended to be diverted from the production of wheat for the farm for which the form is filed; the names of the producers entitled to share in diversion payments and the proportionate share of each; the double-cropping intentions, if any; and whether or not an advance payment is desired for the farm.

(e) *Withdrawal and revision.* The operator may withdraw Form ASCS-477 (Wheat) by filing a written notice of withdrawal of the form with the county committee on or before the closing date established under paragraph (c) of this section. If Form ASCS-477 (Wheat) is withdrawn, the producers on the farm may, not later than the closing date, file a new Form ASCS-477 (Wheat). Notwithstanding the foregoing, (1) a producer on a farm receiving an increased allotment for cotton, peanuts or rice under the regulations governing release and reapportionment of such allotments may, within 15 days of receipt of notice of the revised allotment, adjust the intended diverted acreage downward to the extent of the increase of the allotment but not below the minimum diversion acreage requirement specified in § 728.51(b)(2), and (2) a producer on a farm with respect to which a cropland conversion program agreement is approved may, not later than the disposal date for wheat set forth in the wheat marketing quota regulations, adjust the intended diverted acreage downward but not below the number of acres which could be devoted to nonconserving crops under the terms of the cropland conversion program agreement.

§ 728.62 Advance payment.

(a) *Requirements.* Before an advance payment is made to a producer,

the producer must sign Form ASCS-477 (Wheat). If the amount of advance payment made to any producer with respect to any particular farm is greater than the total payment earned by the producer under the program with respect to such farm, the producer shall refund the excess of the advance payment over the total amount earned and if the producer earns no payment under the program, he shall refund the entire advance payment with interest at the rate of six percent per annum from the issue date of the advance payment to the date it is refunded.

(b) *Amount of advance payment.* The total advance payment to be made on a farm shall be 50 per centum of the estimated total payment to be earned. Each producer's share of the advance payment for the farm shall be obtained by multiplying his percentage share of the payment as specified on Form ASCS-477 (Wheat) by the total advance payment for the farm.

§ 728.63 Determination of compliance.

(a) Determination with respect to the acreage planted to wheat and the designated diverted acreage shall be made by a representative of the county or State committee in accordance with the regulations governing Determination of Acreage and Performance, Part 718 of this chapter, as amended.

(b) Before final payments are made, producers on the farm shall be required to certify that they have complied with all requirements of such program. If the county committee has reason to question whether the producer has maintained the conserving base, or whether the producer has otherwise complied with the program, it shall take the necessary action to verify the facts.

(c) A representative of the county or State committee or any authorized representative of the Secretary shall have the right at any reasonable time to enter a farm, concerning which representations have been made on any forms filed under the program, in order to measure the acreage planted to wheat and the acreage which the operator designated as devoted to approved conservation uses on the farm, to examine any records pertaining thereto, and otherwise to determine the accuracy of a producer's representations and the performance of his obligations under the program.

§ 728.64 Final payment.

Regulations prescribing the procedure for computation of the total diversion payment earned for the farm will be published at a later date.

§ 728.65 Division of payment.

(a) Payments made under this program for acreage diverted shall be divided in such a way that all eligible producers will share in the payments on a fair and equitable basis. The names of all persons on the farm who would have had an interest as producers in the acreage of wheat diverted shall be entered on Form ASCS-477 (Wheat). If all such producers agree to their respective percentage shares of the payment and certify that their shares of the payment are fair and equitable, the division of

payment so determined shall be approved by a representative of the county committee, subject to the provisions of this section, §§ 728.66 and 728.67.

(b) The following factors should be given consideration in arriving at the division of the diversion payment:

(1) The basis on which producers would have shared in the production of the acreage of wheat diverted.

(2) The savings or benefits accruing to each producer as a result of not producing the acreage of wheat diverted.

(3) The respective contributions of each producer to the establishing and maintenance of the conservation use on the acreage designated as diverted from production.

(4) The respective relationship of the diverted acreage and increased conservation acreage to the various ownership tracts comprising a farm.

(c) In those cases where a person who would have had an interest as a producer in the acreage of wheat diverted refuses or fails to sign an application for payment, the share of the payment to which he would otherwise be entitled shall be shown on Form ASCS-477 (Wheat). Payment shall not be made for the farm until the sum of the percentage shares equals 100 percent.

(d) If producers whose names are listed on Form ASCS-477 (Wheat) cannot agree on the division of the payment among eligible producers on the farm, the county committee will determine the division of payments among such producers on a fair and equitable basis in accordance with the factors provided in this section. Payments of amounts so determined shall be made to eligible producers upon their request.

§ 728.66 Additional provisions and requirements relative to tenants and sharecroppers.

(a) Form ASCS-477 (Wheat) shall not be approved by the county committee or payments made for any individual farm if the county committee determines that:

(1) The landlord or operator has not afforded his tenants and sharecroppers, if any, an opportunity to participate in the program.

(2) The landlord or operator has, in anticipation or because of participation in the program, reduced the number of tenants and sharecroppers on the farm (if a tenant or sharecropper leaves the farm voluntarily, or for some reason other than being forced off the farm by the landlord or operator in anticipation or because of participating in the program, the failure to replace such tenant or sharecropper shall not be considered as a reduction in anticipation or because of participating in the program).

(3) There exists between the operator or landlord and any tenant or sharecropper any lease, contract, agreement or understanding unfairly exacted or required by the operator or landlord which was entered into in anticipation of participating in the program, the effect of which is to:

(i) Force the tenant or sharecropper to pay over to the landlord or operator any payment earned by him under the program.

(ii) Change the status of any tenant or sharecropper so as to deprive him of any payment or right which he would otherwise have had under the program.

(iii) Reduce the size of the tenant's or sharecropper's producer unit.

(iv) Increase the rent to be paid by the tenant or decrease the share of the crop or its proceeds to be received by the sharecropper.

(4) Any other scheme or device has been adopted for the purpose of depriving any tenant or sharecropper of the payment to which he would otherwise be entitled to receive under this program.

(b) If prior to making an advance payment, the county committee determines that the Form ASCS-477 (Wheat) has been improperly prepared, it shall not approve the application for payment. The producers will be afforded an opportunity to agree mutually to a proper division of payments in accordance with the factors specified in § 728.65. If the producers cannot agree to a proper division of payment, the county committee shall determine the division of payments among eligible producers on the farm on a fair and equitable basis in accordance with such factors specified in § 728.65.

(c) If the county committee determines after affording the producers on a farm an opportunity to present evidence that any payment which it has made has been improperly divided among the eligible producers for the reasons specified in paragraph (a) of this section, the county committee shall determine the sharing of payments to be made among the eligible producers on the farm on a fair and equitable basis in accordance with the factors specified in § 728.65. Persons shall refund to the county committee any payment received to which they are not entitled. In the event of fraud, the person involved shall be subject to the provisions of § 728.68.

§ 728.67 Successors-in-interest.

(a) In the case of the death, incompetency, or disappearance of any producer who is entitled to a payment under this program, the payment due him shall be made to his successor, as determined in accordance with provisions of the regulations in ACP 122, issued by the Secretary, Part 707 of this chapter, and any amendments thereto, for payments made pursuant to section 8 of the Soil Conservation and Domestic Allotment Act, as amended.

(b) When any person who would have had an interest as producer (herein called "predecessor") in the diverted acreage of wheat leaves the farm after Form ASCS-477 (Wheat) has been filed and is succeeded on the farm by another producer (herein called "successor"), their share of the advance and final payment shall be divided on such basis as the predecessor and successor agree is fair and equitable. If such persons are unable to agree to a division of the payments, the county committee shall determine the division, taking into consideration the following, among other factors it deems pertinent:

(1) The respective interests which the predecessor and successor would have had in the diverted acreage of wheat;

(2) The respective contributions to the diversion in acreage which have been made by the predecessor and by the successor; and

(3) The respective contributions of the predecessor and successor to the establishment and maintenance of the conservation uses on the designated diverted acreage.

(c) Notwithstanding the foregoing, if a tenant or sharecropper who would have had an interest in the diverted acreage of wheat leaves a farm after Form ASCS-477 (Wheat) has been filed for the farm, but before the final payment has been made and is not succeeded on the farm by another person, his name shall be included on Form ASCS-477 (Wheat) and the division of payment to which he is entitled shall be determined as provided in § 728.65.

§ 728.68 Scheme or device and fraudulent representation.

(a) A producer who is determined by the State committee, or the county committee with the approval of the State committee, to have adopted any scheme or device which tends to defeat the purposes of the program shall not be entitled to receive a payment under the program and shall refund any payment received by him.

(b) The making of a fraudulent representation by a person in the payment documents or otherwise for the purpose of obtaining a payment from the county committee shall render the person liable, aside from any additional liability under criminal and civil frauds statutes, for a refund of the payments received by him with respect to which the fraudulent representation was made.

§ 728.69 Reconstitution of farms.

(a) Reconstitution of farms shall be in accordance with the regulations governing Reconstitution of Farms, Farm Allotments, and Farm History and Soil Bank Base Acreages, Part 719 of this chapter and any amendments thereto. If under such regulations, two or more farms as constituted at the time a yield was established are combined into one farm, or if one farm is constituted at such time is later divided into two or more farms, a yield for such farms will be determined by the county committee in accordance with § 728.21.

(b) The yield established for a combined farm shall not exceed the weighted average of the yields established for the component parts. When a parent farm is divided into two or more parts, the weighted average of the yield established for the component parts shall not exceed the yield established for the farm prior to being divided. The conserving base shall be credited to the reconstituted farm(s) by the county committee in a fair and equitable manner.

§ 728.70 Performance in reliance on advice or action of a representative of a county or State committee.

Notwithstanding any other provisions hereof, performance rendered in good faith in reliance upon action or advice of a representative of a county or State committee may be accepted by the Deputy Administrator as meeting the

requirements of these regulations and payment may be made therefor in accordance with such action or advice to the extent the Deputy Administrator deems it desirable in order to provide fair and equitable treatment.

§ 728.71 Supervisory authority of State committee.

The State committee may take any action required by these regulations which has not been taken by a county committee. The State committee may also (1) correct, or require a county committee to correct, any action taken by such county committee which is not in accordance with the regulations of this part, or (2) require a county committee to withhold taking any action which is not in accordance with the regulations of this part.

§ 728.72 Land use penalty.

(a) *General.* Except as otherwise provided in this section, the producers on any farm on which any crop is produced on acreage required to be diverted from the production of wheat shall be subject to a land use penalty on such crop.

(b) *Acreage required to be diverted.* The acreage required to be diverted from the production of wheat on the farm shall be an acreage of cropland equal to the number of acres determined by multiplying the farm acreage allotment by the diversion factor determined by dividing the number of acres by which the national acreage allotment is reduced below 55 million acres by the number of acres in the national acreage allotment. For 1964, the diversion factor has been determined to be 11.11 percent.

(c) *Penalty not applicable under certain circumstances.* The provisions of paragraph (a) of this section shall not be applicable if:

(1) The farm is a new farm receiving an allotment from the reserve for new farms;

(2) The farm is one for which a small farm base is established under § 728.17 and the operator has not elected to be subject to the farm acreage allotment and marketing quota;

(3) No wheat is produced on the farm and the producers on the farm have not filed a Form ASCS-477 (Wheat) under § 728.61; or

(4) The crop produced on the acreage required to be diverted is designated by the Secretary and specified under paragraph (d) of this section as one which is not in surplus supply and will not be in surplus supply if it is permitted to be grown on the diverted acreage, or as one the production of which will not substantially impair the purpose of the program.

(d) *Crops which may be produced on diverted acreage.* The following crops may be produced on the diverted acreage for purposes of paragraph (c) (4) of this section:

(1) Crops specified in § 728.52(e);

(2) Wheat in excess of the allotment subject to the following conditions: (i) Any wheat grown on the farm on acreage in excess of the allotment must be stored or delivered to the Secretary in accordance with regulations hereafter to be

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issued and may be withdrawn from storage only by underplanting or underproduction in accordance with such regulations, and (ii) the conserving base established for the farm under § 728.55 must be maintained;

(3) Crops specified in §§ 728.53 and 728.55(c) when used as authorized therein;

(4) Crops which are harvested or grazed under circumstances specified in paragraphs (c) and (d) of § 728.52 which do not require the refund or forfeiture of the entire wheat diversion payment or would not require the refund or forfeiture of the entire wheat diversion payment if the farm had been placed in the program; and

(5) Any additional crops which may be produced for purposes of paragraph (c)

(4) of this section will be specified in an amendment to this paragraph.

(e) *Rate of penalty.* The production of any crop subject to penalty under this section shall be considered as available for marketing and the penalty on such crop shall be computed on the actual acreage of such crop at the rate of 65 per centum of the parity price per bushel of wheat as of May 1 of the calendar year in which such crop is harvested, multiplied by the normal yield of wheat per acre established for the farm in accordance with § 728.21.

(f) *Payment of and lien for penalty.* Until the producers on any farm pay the penalty provided by this section, the entire crop of wheat produced on the farm and any subsequent crop of wheat subject to marketing quotas in which the producer has an interest shall be subject to a lien in favor of the United States for the amount of the penalty. Each producer having an interest in the crop or crops on acreage diverted or required to be diverted from the production of wheat shall be jointly and severally liable for the entire amount of the penalty. The persons liable for the payment or collection of the penalty under this section shall be liable also for interest thereon at the rate of six per centum per annum from the date the penalty becomes due until the date of payment of such penalty.

§ 728.73 County bushel payment rates.

The county diversion payment rates per bushel for minimum (mandatory) and additional (voluntary) diversion under the 1964 Wheat Program shall be 30 and 50 per centum, respectively, of the estimated basic county support rate for the 1964 crop of wheat and shall be as follows for each county:

ALABAMA			
[Amounts shown in dollars]			
State and county	Base rate (100%)	Division rate per bushel	
		Mandatory rate (30%)	Voluntary rate (50%)
	(1)	(2)	(3)
All counties.....	2.11	0.63	1.06

ARIZONA			
[Amounts shown in dollars]			
State and county	Base rate (100%)	Division rate per bushel	
		Mandatory rate (30%)	Voluntary rate (50%)
	(1)	(2)	(3)
Apache.....	1.67	0.50	0.84
Cochise.....	1.97	.59	.98
Cocconino.....	1.67	.50	.84
Gila.....	1.75	.52	.88
Graham.....	1.90	.57	.95
Greenlee.....	1.75	.52	.88
Maricopa.....	2.05	.62	1.02
Mohave.....	1.74	.52	.87
Navajo.....	1.67	.50	.84
Pima.....	2.02	.61	1.01
Pinal.....	2.05	.62	1.02
Santa Cruz.....	1.99	.60	1.00
Yavapai.....	1.78	.53	.89
Yuma.....	2.07	.62	1.04

ARKANSAS			
State and county	Base rate (100%)	Division rate per bushel	
		Mandatory rate (30%)	Voluntary rate (50%)
	(1)	(2)	(3)
Arkansas.....	2.14	0.64	1.07
Ashley.....	2.06	.62	1.03
Baxter.....	1.96	.59	.98
Benton.....	1.91	.57	.96
Boone.....	1.94	.58	.97
Bradley.....	2.05	.62	1.02
Calhoun.....	2.04	.61	1.02
Carroll.....	1.92	.58	.96
Chicot.....	2.06	.62	1.03
Clark.....	2.03	.61	1.02
Clay.....	2.14	.64	1.07
Cleburne.....	2.14	.64	1.07
Cleveland.....	2.02	.61	1.01
Columbia.....	2.07	.62	1.04
Conway.....	2.11	.63	1.06
Craighead.....	2.14	.64	1.07
Crawford.....	1.92	.58	.96
Crittenden.....	2.14	.64	1.07
Cross.....	2.14	.64	1.07
Dallas.....	2.03	.61	1.02
Desha.....	2.13	.64	1.06
Drew.....	2.07	.62	1.04
Faulkner.....	2.12	.64	1.06
Franklin.....	1.93	.58	.96
Fulton.....	2.01	.60	1.00
Garland.....	2.00	.60	1.00
Grant.....	2.02	.61	1.01
Greene.....	2.14	.64	1.07
Hempstead.....	2.06	.62	1.03
Hot Spring.....	2.01	.60	1.00
Howard.....	1.98	.59	.99
Independence.....	2.07	.62	1.04
Izard.....	1.98	.59	.99
Jackson.....	2.14	.64	1.07
Jefferson.....	2.11	.63	1.06
Johnson.....	1.95	.58	.98
Lafayette.....	2.07	.62	1.04
Lawrence.....	2.13	.64	1.06
Lee.....	2.14	.64	1.07
Lincoln.....	2.12	.64	1.06
Little River.....	2.06	.62	1.03
Logan.....	1.92	.58	.96
Lonoke.....	2.14	.64	1.07
Madison.....	1.92	.58	.96
Marion.....	1.95	.58	.98
Miller.....	2.07	.62	1.04
Mississippi.....	2.14	.64	1.07
Monroe.....	2.14	.64	1.07
Montgomery.....	1.96	.59	.98
Nevada.....	2.05	.62	1.02
Newton.....	1.94	.58	.97
Ouachita.....	2.05	.62	1.02
Perry.....	1.97	.59	.98
Phillips.....	2.14	.64	1.07
Pike.....	1.97	.59	.98
Poinsett.....	2.14	.64	1.07
Polk.....	1.96	.59	.98
Pope.....	1.96	.59	.98
Prairie.....	2.14	.64	1.07
Pulaski.....	2.13	.64	1.06
Randolph.....	2.14	.64	1.07
St. Francis.....	2.14	.64	1.07
Saline.....	2.01	.60	1.00
Scott.....	1.96	.59	.98
Searcy.....	1.94	.58	.97
Sebastian.....	1.95	.58	.98
Sharp.....	1.98	.59	.99
Stone.....	2.01	.60	1.00
Union.....	1.99	.60	1.00
Van Buren.....	2.07	.62	1.04
Washington.....	2.04	.61	1.02
White.....	1.92	.58	.96
Woodruff.....	2.14	.64	1.07
Yell.....	1.96	.59	.98

CALIFORNIA			
[Amounts shown in dollars]			
State and county	Base rate (100%)	Division rate per bushel	
		Mandatory rate (30%)	Voluntary rate (50%)
	(1)	(2)	(3)
Alameda.....	2.13	0.64	1.06
Alpine.....	2.02	.61	1.01
Amador.....	2.13	.64	1.06
Butte.....	2.10	.63	1.05
Calaveras.....	2.13	.64	1.06
Colusa.....	2.12	.64	1.06
Contra Costa.....	2.13	.64	1.06
El Dorado.....	2.10	.63	1.05
Fresno.....	2.08	.62	1.04
Glenn.....	2.11	.63	1.06
Humboldt.....	1.96	.59	.98
Imperial.....	2.09	.63	1.04
Inyo.....	1.92	.58	.96
Kern.....	2.05	.62	1.02
Kings.....	2.08	.62	1.04
Lake.....	2.08	.62	1.04
Lassen.....	1.95	.58	.98
Los Angeles.....	2.12	.64	1.06
Madera.....	2.10	.63	1.05
Marin.....	2.13	.64	1.06
Mariposa.....	2.10	.63	1.05
Mendocino.....	2.04	.61	1.02
Merced.....	2.11	.63	1.06
Modoc.....	1.99	.60	1.00
Mono.....	1.88	.56	.94
Monterey.....	2.09	.63	1.04
Napa.....	2.12	.64	1.06
Orange.....	2.09	.63	1.04
Placer.....	2.12	.64	1.06
Plumas.....	2.02	.61	1.01
Riverside.....	2.08	.62	1.04
Sacramento.....	2.13	.64	1.06
San Benito.....	2.11	.63	1.06
San Bernardino.....	2.11	.63	1.06
San Diego.....	2.07	.62	1.04
San Joaquin.....	2.15	.64	1.08
San Luis Obispo.....	2.07	.62	1.04
San Mateo.....	2.13	.64	1.06
Santa Barbara.....	2.06	.62	1.03
Santa Clara.....	2.12	.64	1.06
Santa Cruz.....	2.10	.63	1.05
Shasta.....	2.00	.60	1.00
Sierra.....	1.94	.58	.97
Siskiyou.....	2.00	.60	1.00
Solano.....	2.12	.64	1.06
Sonoma.....	2.12	.64	1.06
Stanislaus.....	2.14	.64	1.07
Sutter.....	2.11	.63	1.06
Tehama.....	2.05	.62	1.02
Tulare.....	2.08	.62	1.04
Tuolumne.....	2.14	.64	1.07
Ventura.....	2.11	.63	1.06
Yolo.....	2.13	.64	1.06
Yuba.....	2.11	.63	1.06

COLORADO			
State and county	Base rate (100%)	Division rate per bushel	
		Mandatory rate (30%)	Voluntary rate (50%)
	(1)	(2)	(3)
Adams.....	1.87	0.56	0.94
Alamosa.....	1.76	.53	.88
Arapahoe.....	1.87	.56	.94
Archuleta.....	1.70	.51	.85
Baca.....	1.92	.58	.96
Bent.....	1.88	.56	.94
Boulder.....	1.87	.56	.94
Chaffee.....	1.75	.52	.88
Cheyenne.....	1.89	.57	.94
Conejos.....	1.75	.52	.88
Costilla.....	1.77	.53	.88
Crowley.....	1.87	.56	.94
Custer.....	1.81	.54	.90
Delta.....	1.68	.50	.84
Denver.....	1.87	.56	.94
Dolores.....	1.70	.51	.85
Douglas.....	1.87	.56	.94
Eagle.....	1.72	.52	.86
Elbert.....	1.77	.53	.88
El Paso.....	1.87	.56	.94
Fremont.....	1.82	.55	.91
Garfield.....	1.72	.52	.86
Grand.....	1.72	.52	.86
Huerfano.....	1.84	.55	.92
Jackson.....	1.75	.52	.88
Jefferson.....	1.87	.56	.94
Kiowa.....	1.92	.58	.96
Kit Carson.....	1.89	.57	.94
La Plata.....	1.70	.51	.85
Larimer.....	1.87	.56	.94
Las Animas.....	1.86	.56	.93
Lincoln.....	1.87	.56	.94
Logan.....	1.87	.56	.94
Mesa.....	1.72	.52	.86
Moffat.....	1.68	.50	.84
Montezuma.....	1.70	.51	.85

COLORADO—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Montrose.....	1.68	0.50	0.84
Morgan.....	1.87	.56	.94
Otero.....	1.87	.56	.94
Ouray.....	1.68	.50	.84
Phillips.....	1.89	.57	.94
Pitkin.....	1.72	.52	.86
Prowers.....	1.89	.57	.94
Pueblo.....	1.87	.56	.94
Rio Blanco.....	1.70	.51	.84
Rio Grande.....	1.75	.52	.88
Routt.....	1.68	.50	.84
Saguache.....	1.75	.52	.88
San Miguel.....	1.68	.50	.84
Sedgwick.....	1.90	.57	.95
Summit.....	1.72	.52	.86
Washington.....	1.87	.56	.94
Weld.....	1.87	.56	.94
Yuma.....	1.89	.57	.94

CONNECTICUT

All counties.....	2.18	0.65	1.09
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DELAWARE

Kent.....	2.23	0.67	1.12
New Castle.....	2.23	.67	1.12
Sussex.....	2.22	.67	1.11

FLORIDA

All counties.....	2.14	0.64	1.07
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GEORGIA

All counties.....	2.14	0.64	1.07
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IDAHO

Ada.....	1.89	0.57	0.94
Adams.....	1.87	.56	.94
Bannock.....	1.85	.56	.92
Bear Lake.....	1.82	.55	.91
Benewah.....	1.95	.58	.98
Bingham.....	1.83	.55	.92
Blaine.....	1.85	.56	.92
Boise.....	1.89	.57	.94
Bonner.....	1.87	.56	.94
Bonneville.....	1.82	.55	.91
Boundary.....	1.87	.56	.94
Butte.....	1.83	.55	.92
Camas.....	1.85	.56	.92
Canyon.....	1.89	.57	.94
Caribou.....	1.83	.55	.92
Cassia.....	1.88	.56	.94
Clark.....	1.78	.53	.89
Clearwater.....	1.92	.58	.96
Custer.....	1.83	.55	.92
Elmore.....	1.88	.56	.94
Franklin.....	1.86	.56	.93
Fremont.....	1.78	.53	.89
Gem.....	1.89	.57	.94
Gooding.....	1.87	.56	.94
Idaho.....	1.91	.57	.96
Jefferson.....	1.80	.54	.90
Jerome.....	1.88	.56	.94
Kootenai.....	1.94	.58	.97
Latah.....	1.95	.58	.98
Lemhi.....	1.81	.54	.90
Lewis.....	1.92	.58	.96
Lincoln.....	1.86	.56	.93
Madison.....	1.79	.54	.90
Minidoka.....	1.88	.56	.94
Nez Perce.....	1.95	.58	.98
Oneida.....	1.87	.56	.94
Owyhee.....	1.89	.57	.94
Payette.....	1.89	.57	.94
Power.....	1.85	.56	.92
Shoshone.....	1.83	.55	.92
Teton.....	1.78	.53	.89
Twin Falls.....	1.90	.57	.95
Valley.....	1.88	.56	.94
Washington.....	1.89	.57	.94

ILLINOIS
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Adams.....	2.03	0.61	1.02
Alexander.....	2.11	.63	1.06
Bond.....	2.10	.63	1.05
Boone.....	2.14	.64	1.07
Brown.....	2.04	.61	1.02
Bureau.....	2.09	.63	1.04
Calhoun.....	2.10	.63	1.05
Carroll.....	2.09	.63	1.04
Cass.....	2.06	.62	1.03
Champaign.....	2.09	.63	1.04
Christian.....	2.11	.63	1.06
Clark.....	2.06	.62	1.03
Clay.....	2.06	.62	1.03
Clinton.....	2.11	.63	1.06
Coles.....	2.08	.62	1.04
Cook.....	2.15	.64	1.08
Crawford.....	2.04	.61	1.02
Cumberland.....	2.08	.62	1.04
De Kalb.....	2.14	.64	1.07
De Witt.....	2.06	.62	1.03
Douglas.....	2.08	.62	1.04
Du Page.....	2.13	.64	1.06
Edgar.....	2.06	.62	1.03
Edwards.....	2.05	.62	1.02
Effingham.....	2.09	.63	1.04
Fayette.....	2.11	.63	1.06
Ford.....	2.06	.62	1.03
Franklin.....	2.11	.63	1.06
Fulton.....	2.06	.62	1.03
Gallatin.....	2.05	.62	1.02
Greene.....	2.11	.63	1.06
Grundy.....	2.10	.63	1.05
Hamilton.....	2.11	.63	1.06
Hancock.....	2.03	.61	1.02
Hardin.....	1.98	.59	.99
Henderson.....	2.03	.61	1.02
Henry.....	2.07	.62	1.04
Iroquois.....	2.11	.63	1.06
Jackson.....	2.11	.63	1.06
Jasper.....	2.05	.62	1.02
Jefferson.....	2.11	.63	1.06
Jersey.....	2.11	.63	1.06
Jo Daviess.....	2.06	.62	1.03
Johnson.....	2.02	.61	1.01
Kane.....	2.14	.64	1.07
Kankakee.....	2.12	.64	1.06
Kendall.....	2.10	.63	1.05
Knox.....	2.05	.62	1.02
Lake.....	2.13	.64	1.06
La Salle.....	2.10	.63	1.05
Lawrence.....	2.05	.62	1.02
Lee.....	2.11	.63	1.06
Livingston.....	2.07	.62	1.04
Logan.....	2.08	.62	1.04
McDonough.....	2.04	.61	1.02
McHenry.....	2.14	.64	1.07
McLean.....	2.06	.62	1.03
Macon.....	2.10	.63	1.05
Macoupin.....	2.11	.63	1.06
Madison.....	2.11	.63	1.06
Marion.....	2.11	.63	1.06
Marshall.....	2.08	.62	1.04
Mason.....	2.06	.62	1.03
Massac.....	2.07	.62	1.04
Menard.....	2.06	.62	1.03
Mercer.....	2.04	.61	1.02
Monroe.....	2.11	.63	1.06
Montgomery.....	2.11	.63	1.06
Morgan.....	2.10	.63	1.05
Moultrie.....	2.10	.63	1.05
Ogle.....	2.14	.64	1.07
Peoria.....	2.07	.62	1.04
Perry.....	2.11	.63	1.06
Pike.....	2.09	.63	1.04
Pitt.....	2.05	.62	1.02
Pope.....	2.01	.60	1.00
Pulaski.....	2.11	.63	1.06
Putnam.....	2.11	.63	1.06
Randolph.....	2.11	.63	1.06
Richland.....	2.05	.62	1.02
Rock Island.....	2.05	.62	1.02
Saint Clair.....	2.11	.63	1.06
Saline.....	2.04	.61	1.02
Sangamon.....	2.10	.63	1.05
Schuyler.....	2.05	.62	1.02
Scott.....	2.11	.63	1.06
Shelby.....	2.10	.63	1.05
Stark.....	2.09	.63	1.04
Stephenson.....	2.13	.64	1.06
Tazewell.....	2.06	.62	1.03
Union.....	2.11	.63	1.06
Vermilion.....	2.10	.63	1.05
Wabash.....	2.03	.61	1.02
Warren.....	2.05	.62	1.02

ILLINOIS—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Washington.....	2.11	0.63	1.06
Wayne.....	2.05	.62	1.02
White.....	2.06	.62	1.03
Whiteside.....	2.09	.63	1.04
Will.....	2.12	.64	1.06
Williamson.....	2.11	.63	1.06
Winnebago.....	2.14	.64	1.07
Woodford.....	2.06	.62	1.03

INDIANA

Adams.....	2.02	0.61	1.01
Allen.....	2.02	.61	1.01
Bartholomew.....	2.07	.62	1.04
Benton.....	2.08	.62	1.04
Blackford.....	2.04	.61	1.02
Boone.....	2.03	.61	1.02
Brown.....	2.04	.61	1.02
Carroll.....	2.07	.62	1.04
Cass.....	2.08	.62	1.04
Clark.....	2.11	.63	1.06
Clay.....	2.05	.62	1.02
Clinton.....	2.05	.62	1.02
Crawford.....	2.08	.62	1.04
Daviess.....	2.01	.60	1.00
Dearborn.....	2.04	.61	1.02
Decatur.....	2.06	.62	1.03
De Kalb.....	2.02	.61	1.01
Delaware.....	2.02	.61	1.01
Dubois.....	2.05	.62	1.02
Elkhart.....	2.07	.62	1.04
Fayette.....	2.04	.61	1.02
Floyd.....	2.11	.63	1.06
Fountain.....	2.03	.61	1.02
Franklin.....	2.04	.61	1.02
Fulton.....	2.13	.64	1.06
Gibson.....	2.05	.62	1.02
Grant.....	2.03	.61	1.02
Greene.....	2.02	.61	1.01
Hamilton.....	2.03	.61	1.02
Hancock.....	2.04	.61	1.02
Harrison.....	2.04	.61	1.02
Hendricks.....	2.04	.61	1.02
Henry.....	2.04	.61	1.02
Howard.....	2.05	.62	1.02
Huntington.....	2.02	.61	1.01
Jackson.....	2.08	.62	1.04
Jasper.....	2.13	.64	1.06
Jay.....	2.02	.61	1.01
Jefferson.....	2.05	.62	1.02
Jennings.....	2.06	.62	1.03
Johnson.....	2.04	.61	1.02
Knox.....	2.03	.61	1.02
Kosciusko.....	2.07	.62	1.04
Lagrange.....	2.03	.61	1.02
Lake.....	2.14	.64	1.07
La Porte.....	2.14	.64	1.07
Lawrence.....	2.08	.62	1.04
Madison.....	2.04	.61	1.02
Marion.....	2.04	.61	1.02
Marshall.....	2.13	.64	1.06
Martin.....	2.02	.61	1.01
Miami.....	2.07	.62	1.04
Monroe.....	2.10	.63	1.05
Montgomery.....	2.04	.61	1.02
Morgan.....	2.02	.61	1.01
Newton.....	2.14	.64	1.07
Noble.....	2.03	.61	1.02
Ohio.....	2.04	.61	1.02
Orange.....	2.10	.63	1.05
Owen.....	2.02	.61	1.01
Parke.....	2.03	.61	1.02
Perry.....	2.04	.61	1.02
Pike.....	2.02	.61	1.01
Porter.....	2.14	.64	1.07
Posey.....	2.05	.62	1.02
Pulaski.....	2.14	.64	1.07
Putnam.....	2.03	.61	1.02
Randolph.....	2.03	.61	1.02
Ripley.....	2.05	.62	1.02
Rush.....	2.04	.61	1.02
Saint Joseph.....	2.12	.64	1.06
Scott.....	2.08	.62	1.04
Shelby.....	2.04	.61	1.02
Spencer.....	2.05	.62	1.02
Starke.....	2.14	.64	1.07
Steuben.....	2.02	.61	1.01
Sullivan.....	2.05	.62	1.02
Switzerland.....	2.05	.62	1.02
Tippecanoe.....	2.06	.62	1.03
Tipton.....	2.03	.61	1.02
Union.....	2.04	.61	1.02

RULES AND REGULATIONS

 INDIANA—Continued
 [Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Vanderburgh.....	2.08	0.62	1.04
Vermillion.....	2.10	.63	1.05
Vigo.....	2.10	.63	1.05
Wabash.....	2.05	.62	1.02
Warren.....	2.08	.62	1.04
Warrick.....	2.04	.61	1.02
Washington.....	2.10	.63	1.05
Wayne.....	2.03	.61	1.02
Wells.....	2.02	.61	1.01
White.....	2.14	.64	1.07
Whitley.....	2.04	.61	1.02

IOWA

Adair.....	2.03	0.61	1.02
Adams.....	2.05	.62	1.02
Allamakee.....	2.09	.63	1.04
Appanoose.....	2.00	.60	1.00
Audubon.....	2.06	.62	1.03
Benton.....	2.07	.62	1.04
Black Hawk.....	2.08	.62	1.04
Boone.....	2.06	.62	1.03
Bremer.....	2.08	.62	1.04
Buchanan.....	2.07	.62	1.04
Buena Vista.....	2.07	.62	1.04
Butler.....	2.08	.62	1.04
Calhoun.....	2.07	.62	1.04
Carroll.....	2.05	.62	1.02
Cass.....	2.05	.62	1.02
Cedar.....	2.03	.61	1.02
Cerro Gordo.....	2.10	.63	1.05
Cherokee.....	2.06	.62	1.03
Chickasaw.....	2.09	.63	1.04
Clarke.....	2.02	.61	1.01
Clay.....	2.08	.62	1.04
Clayton.....	2.07	.62	1.04
Clinton.....	2.04	.61	1.02
Crawford.....	2.06	.62	1.03
Dallas.....	2.02	.61	1.01
Davis.....	2.01	.60	1.00
Decatur.....	2.01	.60	1.00
Delaware.....	2.07	.62	1.04
Des Moines.....	2.02	.61	1.01
Dickinson.....	2.06	.63	1.04
Dubuque.....	2.06	.62	1.03
Emmett.....	2.10	.63	1.05
Fayette.....	2.08	.62	1.04
Floyd.....	2.10	.63	1.05
Franklin.....	2.08	.62	1.04
Fremont.....	2.07	.62	1.04
Greene.....	2.06	.62	1.03
Grundy.....	2.08	.62	1.04
Guthrie.....	2.03	.61	1.02
Hamilton.....	2.08	.62	1.04
Hancock.....	2.09	.63	1.04
Hardin.....	2.08	.62	1.04
Harrison.....	2.07	.62	1.04
Henry.....	2.01	.60	1.00
Howard.....	2.10	.63	1.05
Humboldt.....	2.08	.62	1.04
Ida.....	2.03	.61	1.02
Iowa.....	2.05	.62	1.02
Jackson.....	2.03	.61	1.02
Jasper.....	2.06	.62	1.03
Jefferson.....	2.00	.60	1.00
Johnson.....	2.06	.62	1.03
Jones.....	2.06	.62	1.03
Keokuk.....	2.03	.61	1.02
Kossuth.....	2.09	.63	1.04
Lee.....	2.03	.61	1.02
Linn.....	2.07	.62	1.04
Louisa.....	2.02	.61	1.01
Lucas.....	2.01	.60	1.00
Lyon.....	2.07	.62	1.01
Madison.....	2.02	.61	1.04
Mahaska.....	2.04	.61	1.02
Marion.....	2.03	.61	1.02
Marshall.....	2.07	.62	1.04
Mills.....	2.07	.62	1.04
Mitchell.....	2.11	.63	1.06
Monona.....	2.06	.62	1.03
Monroe.....	1.99	.60	1.00
Montgomery.....	2.07	.62	1.04
Muscataine.....	2.02	.61	1.01
O'Brien.....	2.08	.62	1.04
Osceola.....	2.08	.62	1.04
Page.....	2.06	.62	1.03
Palo Alto.....	2.09	.63	1.04
Plymouth.....	2.04	.61	1.02
Pocahontas.....	2.08	.62	1.04
Polk.....	2.06	.62	1.03
Pottawattamie.....	2.07	.62	1.04
Poweshiek.....	2.05	.62	1.02
Ringgold.....	2.02	.61	1.01
Sac.....	2.06	.62	1.03
Scott.....	2.04	.61	1.02
Shelby.....	2.07	.62	1.04
Sioux.....	2.06	.62	1.03

 IOWA—Continued
 [Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Story.....	2.07	0.62	1.04
Tama.....	2.07	.62	1.04
Taylor.....	2.04	.61	1.02
Union.....	2.03	.61	1.02
Van Buren.....	2.01	.60	1.00
Wapello.....	1.99	.60	1.00
Warren.....	2.04	.61	1.02
Washington.....	2.03	.61	1.02
Wayne.....	2.00	.60	1.00
Webster.....	2.08	.62	1.04
Winnebago.....	2.11	.63	1.06
Winneshek.....	2.09	.63	1.04
Woodbury.....	2.06	.62	1.03
Worth.....	2.11	.63	1.06
Wright.....	2.08	.62	1.04

KANSAS

Allen.....	2.07	0.62	1.04
Anderson.....	2.06	.62	1.03
Atchison.....	2.07	.62	1.04
Barber.....	1.96	.59	.98
Barton.....	1.96	.59	.98
Bourbon.....	2.06	.62	1.03
Brown.....	2.06	.62	1.03
Butler.....	1.99	.60	1.00
Chase.....	2.01	.60	1.00
Chautauqua.....	2.01	.60	1.00
Cherokee.....	2.03	.61	1.02
Cheyenne.....	1.92	.58	.96
Clark.....	1.93	.58	.96
Clay.....	2.00	.60	1.00
Cloud.....	1.99	.60	1.00
Coffey.....	2.04	.61	1.02
Comanche.....	1.94	.58	.97
Cowley.....	1.99	.60	1.00
Crawford.....	2.04	.61	1.02
Decatur.....	1.94	.58	.97
Dickinson.....	1.99	.60	1.00
Doniphan.....	2.07	.62	1.04
Douglas.....	2.07	.62	1.04
Edwards.....	1.96	.59	.98
Elk.....	2.01	.60	1.00
Ellis.....	1.96	.59	.98
Ellsworth.....	1.98	.59	.99
Finney.....	1.93	.58	.96
Ford.....	1.95	.58	.98
Franklin.....	2.07	.62	1.04
Geary.....	2.01	.60	1.00
Gove.....	1.94	.58	.97
Graham.....	1.96	.59	.98
Grant.....	1.92	.58	.96
Gray.....	1.94	.58	.97
Greeley.....	1.92	.58	.96
Greenwood.....	2.02	.61	1.01
Hamilton.....	1.92	.58	.96
Harper.....	1.98	.59	.99
Harvey.....	1.99	.60	1.00
Haskell.....	1.93	.58	.96
Hodgeman.....	1.96	.59	.98
Jackson.....	2.05	.62	1.02
Jefferson.....	2.07	.62	1.04
Jewell.....	1.99	.60	1.00
Johnson.....	2.07	.62	1.04
Kearny.....	1.92	.58	.96
Kingman.....	1.98	.59	.99
Kiowa.....	1.96	.59	.98
Labette.....	2.03	.61	1.02
Lane.....	1.94	.58	.97
Leavenworth.....	2.07	.62	1.04
Lincoln.....	1.98	.59	.99
Linn.....	2.07	.62	1.04
Logan.....	1.93	.58	.96
Lyon.....	2.03	.61	1.02
McPherson.....	1.98	.59	.99
Marion.....	1.99	.60	1.00
Marshall.....	2.03	.61	1.02
Meade.....	1.93	.58	.96
Miami.....	2.07	.62	1.04
Mitchell.....	1.98	.59	.99
Montgomery.....	2.03	.61	1.02
Morris.....	2.01	.60	1.00
Morton.....	1.91	.57	.96
Nemaha.....	2.04	.61	1.02
Neosho.....	2.06	.62	1.03
Ness.....	1.96	.59	.98
Norton.....	1.96	.59	.98
Osage.....	2.04	.61	1.02
Osborne.....	1.98	.59	.99
Ottawa.....	1.99	.60	1.00
Pawnee.....	1.96	.59	.98
Phillips.....	1.96	.59	.98
Pottawatomie.....	2.03	.61	1.02
Pratt.....	1.96	.59	.98
Rawlins.....	1.93	.58	.96
Reno.....	1.98	.59	.99
Republic.....	1.99	.60	1.00
Rice.....	1.98	.59	.99

 KANSAS—Continued
 [Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Riley.....	2.03	0.61	1.02
Rooks.....	1.97	.59	.98
Rush.....	1.96	.59	.98
Russell.....	1.97	.59	.98
Saline.....	1.99	.60	1.00
Scott.....	1.93	.58	.96
Sedgwick.....	1.99	.60	1.00
Seward.....	1.92	.58	.96
Shawnee.....	2.05	.62	1.02
Sheridan.....	1.94	.58	.97
Sherman.....	1.92	.58	.96
Smith.....	1.98	.59	.99
Stafford.....	1.96	.59	.98
Stanton.....	1.90	.57	.95
Stevens.....	1.91	.57	.96
Sumner.....	1.99	.60	1.00
Thomas.....	1.93	.58	.96
Trego.....	1.96	.59	.98
Wabaunsee.....	2.03	.61	1.02
Wallace.....	1.92	.58	.96
Washington.....	2.00	.60	1.00
Wichita.....	1.92	.58	.96
Wilson.....	2.03	.61	1.02
Woodson.....	2.03	.61	1.02
Wyandotte.....	2.07	.62	1.04

KENTUCKY

Adair.....	2.09	0.63	1.04
Allen.....	2.08	.62	1.04
Anderson.....	2.10	.63	1.05
Ballard.....	2.06	.62	1.03
Barren.....	2.08	.62	1.04
Bath.....	2.10	.63	1.05
Bell.....	2.09	.63	1.04
Boone.....	2.09	.63	1.04
Bourbon.....	2.11	.63	1.06
Boyd.....	2.11	.63	1.06
Boyle.....	2.11	.63	1.06
Bracken.....	2.10	.63	1.05
Breathitt.....	2.09	.63	1.04
Breckinridge.....	2.07	.62	1.04
Bullitt.....	2.09	.63	1.04
Butler.....	2.07	.62	1.04
Caldwell.....	2.07	.62	1.04
Calloway.....	2.06	.62	1.03
Campbell.....	2.09	.63	1.04
Carlisle.....	2.06	.62	1.03
Carroll.....	2.09	.63	1.04
Carter.....	2.10	.63	1.05
Casey.....	2.10	.63	1.05
Christian.....	2.07	.62	1.04
Clark.....	2.11	.63	1.06
Clay.....	2.09	.63	1.04
Clinton.....	2.10	.63	1.05
Crittenden.....	2.06	.62	1.03
Cumberland.....	2.09	.63	1.04
Daviess.....	2.06	.62	1.03
Edmonson.....	2.07	.62	1.04
Elliot.....	2.10	.65	1.05
Estill.....	2.10	.63	1.05
Fayette.....	2.11	.63	1.06
Fleming.....	2.10	.63	1.05
Franklin.....	2.10	.63	1.05
Fulton.....	2.06	.62	1.03
Gallatin.....	2.09	.63	1.04
Garrard.....	2.11	.63	1.06
Grant.....	2.10	.63	1.05
Graves.....	2.06	.62	1.03
Grayson.....	2.08	.62	1.04
Green.....	2.10	.63	1.05
Greenup.....	2.11	.63	1.06
Hancock.....	2.07	.62	1.04
Hardin.....	2.08	.62	1.04
Harrison.....	2.10	.63	1.05
Hart.....	2.08	.62	1.04
Henderson.....	2.06	.62	1.03
Henry.....	2.09	.63	1.04
Hickman.....	2.06	.62	1.03
Hopkins.....	2.07	.62	1.04
Jackson.....	2.09	.63	1.04
Jefferson.....	2.09	.63	1.04
Jessamine.....	2.11	.63	1.06
Johnson.....	2.09	.63	1.04
Kenton.....	2.09	.63	1.04
Knox.....	2.09	.63	1.04
Larue.....	2.09	.63	1.04
Laurel.....	2.10	.63	1.05
Lawrence.....	2.10	.63	1.05
Lee.....	2.10	.63	1.05
Lewis.....	2.11	.63	1.06
Lincoln.....	2.11	.63	1.06
Livingston.....	2.06	.62	1.03
Logan.....	2.07	.62	1.04
Lyon.....	2.07	.62	1.04
McCracken.....	2.06	.62	1.03
McCreary.....	2.09	.63	1.04
McLean.....	2.06	.62	1.03

KENTUCKY—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- ry rate (30%) (2)	Volun- tary rate (50%) (3)
Madison.....	2.11	0.63	1.06
Magoffin.....	2.09	.63	1.04
Marion.....	2.10	.63	1.05
Marshall.....	2.06	.62	1.03
Mason.....	2.10	.63	1.05
Meade.....	2.07	.62	1.04
Menifee.....	2.09	.63	1.04
Mercer.....	2.11	.63	1.06
Metcalfe.....	2.08	.62	1.04
Monroe.....	2.09	.63	1.04
Montgomery.....	2.10	.63	1.05
Morgan.....	2.09	.63	1.04
Muhlenberg.....	2.07	.62	1.04
Nelson.....	2.10	.63	1.05
Nicholas.....	2.10	.63	1.05
Ohio.....	2.07	.62	1.04
Oldham.....	2.09	.63	1.04
Owen.....	2.10	.63	1.05
Owsley.....	2.09	.63	1.04
Pendleton.....	2.10	.63	1.05
Powell.....	2.11	.63	1.06
Pulaski.....	2.10	.63	1.05
Robertson.....	2.11	.63	1.06
Rockcastle.....	2.11	.63	1.06
Rowan.....	2.09	.63	1.04
Russell.....	2.10	.63	1.05
Scott.....	2.09	.63	1.04
Shelby.....	2.08	.62	1.04
Simpson.....	2.09	.63	1.04
Spencer.....	2.01	.63	1.05
Taylor.....	2.07	.62	1.04
Todd.....	2.07	.62	1.04
Trigg.....	2.09	.63	1.04
Trimble.....	2.06	.62	1.03
Union.....	2.07	.62	1.04
Warren.....	2.11	.63	1.06
Washington.....	2.10	.63	1.05
Wayne.....	2.06	.62	1.03
Webster.....	2.09	.63	1.04
Whitley.....	2.09	.63	1.04
Wolfe.....	2.11	.63	1.06
Woodford.....	2.11	.63	1.06

LOUISIANA

All counties.....	2.09	0.63	1.05
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MAINE

All counties.....	2.14	0.64	1.07
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MARYLAND

Allegany.....	2.14	0.64	1.07
Anne Arundel.....	2.22	.67	1.11
Baltimore.....	2.22	.67	1.11
Calvert.....	2.20	.66	1.10
Caroline.....	2.23	.67	1.12
Carroll.....	2.22	.67	1.11
Cecil.....	2.22	.67	1.11
Charles.....	2.20	.66	1.10
Dorchester.....	2.22	.67	1.11
Frederick.....	2.21	.66	1.10
Garrett.....	2.13	.64	1.06
Harford.....	2.23	.67	1.12
Howard.....	2.26	.68	1.13
Kent.....	2.23	.67	1.12
Montgomery.....	2.21	.66	1.10
Prince Georges.....	2.21	.66	1.10
Queen Annes.....	2.23	.67	1.12
St. Marys.....	2.21	.66	1.10
Somerset.....	2.20	.66	1.10
Talbot.....	2.23	.67	1.12
Washington.....	2.18	.65	1.09
Wicomico.....	2.22	.67	1.11
Worcester.....	2.21	.66	1.10

MASSACHUSETTS

All counties.....	2.17	0.65	1.08
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MICHIGAN

Alcona.....	1.88	0.56	0.94
Alger.....	1.99	.60	1.00
Allegan.....	2.01	.60	1.00
Alpena.....	1.87	.56	.94
Antrim.....	1.88	.56	.94
Arenac.....	1.93	.58	.96
Baraga.....	2.06	.62	1.03
Barry.....	2.01	.60	1.00

MICHIGAN—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- ry rate (30%) (2)	Volun- tary rate (50%) (3)
Bay.....	1.98	0.59	0.99
Benzie.....	1.98	.59	.99
Berrien.....	2.10	.63	1.05
Branch.....	2.02	.61	1.01
Calhoun.....	2.05	.62	1.02
Cass.....	2.05	.62	1.02
Charlevoix.....	1.88	.56	.94
Cheboygan.....	1.86	.56	.93
Chippewa.....	1.88	.56	.94
Clare.....	1.98	.59	.99
Clinton.....	2.00	.60	1.00
Crawford.....	1.89	.57	.94
Delta.....	1.99	.60	1.00
Dickinson.....	1.99	.60	1.00
Eaton.....	2.01	.60	1.00
Emmet.....	1.87	.56	.94
Genesee.....	2.00	.60	1.00
Gladwin.....	1.96	.59	.98
Gogebie.....	2.08	.62	1.04
Grand Traverse.....	1.92	.58	.96
Gratiot.....	2.00	.60	1.00
Hillsdale.....	2.01	.60	1.00
Houghton.....	2.01	.60	1.00
Huron.....	1.98	.59	.99
Ingham.....	2.01	.60	1.00
Ionia.....	2.00	.60	1.00
Iosco.....	1.89	.57	.94
Iron.....	2.00	.60	1.00
Isabella.....	1.97	.59	.98
Jackson.....	2.05	.62	1.02
Kalamazoo.....	2.04	.61	1.02
Kalkaska.....	1.88	.56	.94
Kent.....	2.00	.60	1.00
Keweenaw.....	2.01	.60	1.00
Lake.....	1.95	.58	.98
Lapeer.....	2.00	.60	1.00
Leelanau.....	1.88	.56	.94
Lenawee.....	2.02	.61	1.01
Livingston.....	2.01	.60	1.00
Luce.....	1.88	.56	.94
Mackinac.....	1.88	.56	.94
Macomb.....	2.02	.61	1.01
Manistee.....	1.95	.58	.98
Marquette.....	2.03	.61	1.02
Mason.....	1.95	.58	.98
Mecosta.....	1.95	.58	.98
Menominee.....	1.99	.60	1.00
Midland.....	1.98	.59	.99
Missaukee.....	1.94	.58	.97
Monroe.....	2.03	.61	1.02
Montcalm.....	1.98	.59	.99
Montmorency.....	1.87	.56	.94
Muskegon.....	1.98	.59	.99
Newaygo.....	1.97	.59	.98
Oakland.....	2.00	.60	1.00
Oceana.....	1.95	.58	.98
Ogemaw.....	1.96	.59	.99
Ontonagon.....	2.00	.60	1.00
Oscoda.....	1.95	.58	.98
Oshtemo.....	1.96	.59	.99
Otsego.....	1.87	.56	.94
Ottawa.....	2.01	.60	1.00
Presque Isle.....	1.86	.56	.93
Roscommon.....	1.89	.57	.94
Saginaw.....	2.00	.60	1.00
St. Clair.....	2.01	.60	1.00
St. Joseph.....	2.04	.61	1.02
Sanilac.....	1.98	.59	.99
Schoolcraft.....	1.99	.60	1.00
Shiawassee.....	2.00	.60	1.00
Tuscola.....	1.98	.59	.99
Van Buren.....	2.03	.61	1.02
Washtenaw.....	2.01	.60	1.00
Wayne.....	2.01	.60	1.00
Wexford.....	1.95	.58	.98

MINNESOTA

Aitkin.....	2.23	0.67	1.12
Anoka.....	2.15	.64	1.08
Becker.....	2.15	.64	1.08
Beltrami.....	2.17	.65	1.08
Benton.....	2.15	.64	1.08
Big Stone.....	2.15	.64	1.08
Blue Earth.....	2.15	.64	1.08
Brown.....	2.15	.64	1.08
Carlton.....	2.23	.67	1.12
Carver.....	2.15	.64	1.08
Cass.....	2.20	.66	1.10
Chippewa.....	2.15	.64	1.08
Chisago.....	2.15	.64	1.08
Clay.....	2.14	.64	1.07
Clearwater.....	2.16	.65	1.08
Cottonwood.....	2.15	.64	1.08
Crow Wing.....	2.21	.66	1.10
Dakota.....	2.15	.64	1.08
Dodge.....	2.15	.64	1.08
Douglas.....	2.15	.64	1.08

MINNESOTA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- ry rate (30%) (2)	Volun- tary rate (50%) (3)
Faribault.....	2.15	0.64	1.08
Fillmore.....	2.15	.64	1.08
Freeborn.....	2.15	.64	1.08
Goodhue.....	2.15	.64	1.08
Grant.....	2.15	.64	1.08
Hennepin.....	2.15	.64	1.08
Houston.....	2.15	.64	1.08
Hubbard.....	2.17	.65	1.08
Isanti.....	2.15	.64	1.08
Itasca.....	2.22	.67	1.11
Jackson.....	2.13	.64	1.06
Kanabec.....	2.21	.66	1.10
Kandiyohi.....	2.15	.64	1.08
Kittson.....	2.09	.63	1.04
Koochiching.....	2.15	.64	1.08
Lac qui Parle.....	2.15	.64	1.08
Lake of the Woods.....	2.13	.64	1.06
Le Sueur.....	2.15	.64	1.08
Lincoln.....	2.13	.64	1.06
Lyon.....	2.15	.64	1.08
McLeod.....	2.15	.64	1.08
Mahmomen.....	2.14	.64	1.07
Marshall.....	2.11	.63	1.06
Martin.....	2.15	.64	1.08
Meeker.....	2.15	.64	1.08
Mille Lacs.....	2.18	.65	1.09
Morrison.....	2.20	.66	1.10
Mower.....	2.15	.64	1.08
Murray.....	2.13	.64	1.06
Nicollet.....	2.15	.64	1.08
Nobles.....	2.10	.63	1.05
Norman.....	2.12	.64	1.06
Olmsted.....	2.15	.64	1.08
Otter Tail.....	2.16	.65	1.08
Pennington.....	2.13	.64	1.06
Pine.....	2.22	.67	1.11
Pipestone.....	2.12	.64	1.06
Polk.....	2.13	.64	1.06
Pope.....	2.15	.64	1.08
Ramsey.....	2.15	.64	1.08
Red Lake.....	2.14	.64	1.07
Redwood.....	2.15	.64	1.08
Renville.....	2.15	.64	1.08
Rice.....	2.15	.64	1.08
Rock.....	2.08	.62	1.04
Roseau.....	2.11	.63	1.06
Saint Louis.....	2.16	.65	1.08
Scott.....	2.15	.64	1.08
Sherburne.....	2.15	.64	1.08
Sibley.....	2.15	.64	1.08
Stearns.....	2.15	.64	1.08
Steele.....	2.15	.64	1.08
Stevens.....	2.15	.64	1.08
Swift.....	2.15	.64	1.08
Todd.....	2.16	.65	1.08
Traverse.....	2.15	.64	1.08
Wabasha.....	2.15	.64	1.08
Wadena.....	2.18	.65	1.09
Waseca.....	2.15	.64	1.08
Washington.....	2.15	.64	1.08
Watsonwan.....	2.15	.64	1.08
Wilkin.....	2.15	.64	1.08
Winona.....	2.15	.64	1.08
Wright.....	2.15	.64	1.08
Yellow Medicine.....	2.15	.64	1.08

MISSISSIPPI

All counties.....	2.05	0.62	1.02
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MISSOURI

Adair.....	2.03	0.61	1.02
Andrew.....	2.07	.62	1.04
Atchison.....	2.06	.62	1.03
Audrain.....	2.05	.62	1.02
Barry.....	2.01	.60	1.00
Barton.....	2.03	.61	1.02
Bates.....	2.07	.62	1.04
Benton.....	2.04	.61	1.02
Bollinger.....	2.05	.62	1.02
Boone.....	2.06	.62	1.03
Buchanan.....	2.07	.62	1.04
Butler.....	2.13	.64	1.06
Caldwell.....	2.06	.62	1.03
Callaway.....	2.05	.62	1.02
Camden.....	2.02	.61	1.01
Cape Girardeau.....	2.10	.63	1.05
Carroll.....	2.07	.62	1.04
Carter.....	2.02	.61	1.01
Cass.....	2.07	.62	1.04
Cedar.....	2.07	.62	1.04
Chariton.....	2.07	.62	1.04
Christian.....	2.01	.60	1.00
Clark.....	2.04	.61	1.02
Clay.....	2.07	.62	1.04

RULES AND REGULATIONS

MISSOURI—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Clinton	2.07	0.62	1.04
Cole	2.03	.61	1.02
Cooper	2.05	.62	1.02
Crawford	2.07	.62	1.04
Dade	2.03	.61	1.02
Dallas	2.00	.60	1.00
Daviess	2.07	.62	1.04
De Kalb	2.07	.62	1.04
Dent	2.04	.61	1.02
Douglas	1.98	.59	.99
Dunklin	2.14	.64	1.07
Franklin	2.10	.63	1.05
Gasconade	2.06	.62	1.03
Gentry	2.07	.62	1.04
Greene	2.01	.60	1.00
Grundy	2.04	.61	1.02
Harrison	2.04	.61	1.02
Henry	2.07	.62	1.04
Hickory	2.03	.61	1.02
Holt	2.07	.62	1.04
Howard	2.04	.61	1.02
Howell	1.97	.59	.98
Iron	2.06	.62	1.03
Jackson	2.07	.62	1.04
Jasper	2.03	.61	1.02
Jefferson	2.11	.63	1.06
Johnson	2.06	.62	1.03
Knox	2.03	.61	1.02
Laclede	2.01	.60	1.00
Lafayette	2.06	.62	1.03
Lawrence	2.01	.60	1.00
Lewis	2.04	.61	1.02
Lincoln	2.10	.63	1.05
Linn	2.03	.61	1.02
Livingston	2.06	.62	1.03
McDonald	2.01	.60	1.00
Macon	2.03	.61	1.02
Madison	2.06	.62	1.03
Maries	2.06	.62	1.03
Marion	2.05	.62	1.02
Mercer	2.02	.61	1.01
Miller	2.02	.61	1.01
Mississippi	2.13	.64	1.06
Moniteau	2.02	.61	1.01
Monroe	2.06	.62	1.03
Montgomery	2.07	.62	1.04
Morgan	2.02	.61	1.01
New Madrid	2.14	.64	1.07
Newton	2.01	.60	1.00
Nodaway	2.05	.62	1.02
Oregon	2.01	.60	1.00
Osage	2.05	.62	1.02
Ozark	1.95	.58	.98
Pemiscot	2.14	.64	1.07
Perry	2.06	.62	1.03
Pettis	2.07	.62	1.04
Phelps	2.05	.62	1.02
Pike	2.06	.62	1.03
Platte	2.07	.62	1.04
Polk	2.03	.61	1.02
Pulaski	2.03	.61	1.02
Putnam	2.02	.61	1.01
Ralls	2.05	.62	1.02
Randolph	2.07	.62	1.04
Ray	2.07	.62	1.04
Reynolds	2.02	.61	1.01
Ripley	2.09	.63	1.04
Saint Charles	2.11	.63	1.06
Saint Clair	2.07	.62	1.04
Ste. Genevieve	2.08	.62	1.04
St. Francois	2.07	.62	1.04
Saint Louis	2.11	.63	1.06
Saline	2.05	.62	1.02
Schuyler	2.03	.61	1.02
Scotland	2.12	.64	1.06
Scott	1.99	.60	1.00
Shannon	2.04	.61	1.02
Shelby	2.12	.64	1.06
Stoddard	2.00	.60	1.00
Stone	2.02	.61	1.01
Sullivan	1.99	.60	1.00
Taney	1.98	.59	.99
Texas	2.07	.62	1.04
Vernon	2.10	.63	1.05
Warren	2.08	.62	1.04
Washington	2.03	.61	1.02
Wayne	1.99	.60	1.00
Webster	2.05	.62	1.02
Worth	1.98	.59	.99
Wright			

MONTANA

Beaverhead	1.74	0.52	0.87
Big Horn	1.74	.52	.87
Blaine	1.80	.54	.90
Broadwater	1.80	.54	.90
Carbon	1.80	.54	.90

MONTANA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Carter	1.89	0.57	0.94
Cascade	1.80	.54	.90
Chouteau	1.80	.54	.90
Custer	1.87	.56	.94
Daniels	1.84	.55	.92
Dawson	1.88	.56	.94
Deer Lodge	1.82	.55	.91
Fallon	1.89	.57	.94
Fergus	1.80	.54	.90
Flathead	1.80	.54	.90
Gallatin	1.82	.55	.91
Garfield	1.86	.56	.93
Glacier	1.80	.54	.90
Golden Valley	1.80	.54	.90
Granite	1.80	.54	.90
Hill	1.80	.54	.90
Jefferson	1.82	.55	.91
Judith Basin	1.80	.54	.90
Lake	1.80	.54	.90
Lewis and Clark	1.80	.54	.90
Liberty	1.80	.54	.90
Lincoln	1.80	.54	.90
McCone	1.87	.56	.94
Madison	1.82	.55	.91
Meagher	1.80	.54	.90
Mineral	1.83	.55	.92
Missoula	1.83	.55	.92
Musselshell	1.80	.54	.90
Park	1.80	.54	.90
Petroleum	1.80	.54	.90
Phillips	1.81	.54	.90
Pondera	1.80	.54	.90
Powder River	1.85	.56	.92
Powell	1.82	.55	.91
Prairie	1.87	.56	.94
Ravalli	1.80	.54	.90
Richland	1.88	.56	.94
Roosevelt	1.89	.57	.94
Rosebud	1.82	.55	.91
Sanders	1.83	.55	.92
Sheridan	1.87	.56	.94
Silver Bow	1.82	.55	.91
Stillwater	1.80	.54	.90
Sweet Grass	1.80	.54	.90
Teton	1.80	.54	.90
Toole	1.80	.54	.90
Treasure	1.81	.54	.90
Valley	1.84	.55	.92
Wheatland	1.80	.54	.90
Wibaux	1.90	.57	.95
Yellowstone	1.80	.54	.90

NEBRASKA

Adams	2.01	0.60	1.00
Antelope	2.02	.61	1.01
Arthur	1.92	.58	.96
Banner	1.87	.56	.94
Blaine	1.96	.59	.98
Boone	2.03	.61	1.02
Box Butte	1.91	.57	.96
Boyd	1.99	.60	1.00
Brown	1.96	.59	.98
Buffalo	2.01	.60	1.00
Burt	2.07	.62	1.04
Butler	2.07	.62	1.04
Cass	2.07	.62	1.04
Cedar	2.01	.60	1.00
Chase	1.92	.58	.96
Cherry	1.94	.58	.97
Cheyenne	1.83	.56	.94
Clay	2.01	.60	1.00
Colfax	2.07	.62	1.04
Cuming	2.06	.62	1.03
Custer	1.98	.59	.99
Dakota	2.04	.61	1.02
Dawes	1.98	.59	.98
Dawson	1.90	.57	.95
Deuel	2.03	.61	1.02
Dixon	2.07	.62	1.04
Dodge	2.07	.62	1.04
Douglas	2.07	.62	1.04
Dundy	1.92	.58	.96
Fillmore	2.03	.61	1.02
Franklin	1.99	.60	1.00
Frontier	1.96	.59	.98
Furnas	1.97	.59	.98
Gage	2.05	.62	1.02
Garden	1.91	.57	.96
Garfield	2.00	.60	1.00
Gosper	1.98	.59	.99
Grant	1.92	.58	.96
Greeley	2.02	.61	1.01
Hall	2.02	.61	1.01
Hamilton	2.03	.61	1.02
Harlan	1.98	.59	.99
Hayes	1.93	.58	.96

NEBRASKA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Hitchcock	1.94	0.58	0.97
Holt	2.00	.60	1.00
Hooker	1.94	.58	.97
Howard	2.02	.61	1.01
Jefferson	2.03	.61	1.02
Johnson	2.05	.62	1.02
Kearney	1.99	.60	1.00
Keith	1.92	.58	.96
Keya Paha	1.96	.59	.98
Kimball	1.87	.56	.94
Knox	2.00	.60	1.00
Lancaster	2.07	.62	1.04
Lincoln	1.95	.58	.98
Logan	1.96	.59	.98
Loup	1.99	.60	1.00
McPherson	1.96	.59	.98
Madison	2.03	.61	1.02
Merrick	2.03	.61	1.02
Morrill	1.90	.57	.95
Nance	2.04	.61	1.02
Nemaha	2.05	.62	1.02
Nuckolls	2.01	.60	1.00
Otoe	2.07	.62	1.04
Pawnee	2.04	.61	1.02
Perkins	1.92	.58	.96
Phelps	1.99	.60	1.00
Pierce	2.03	.61	1.02
Platte	2.05	.62	1.02
Polk	2.05	.62	1.02
Red Willow	1.96	.59	.98
Richardson	2.04	.61	1.02
Rock	1.97	.59	.98
Saline	2.05	.62	1.02
Sarpy	2.07	.62	1.04
Saunders	2.07	.62	1.04
Scotts Bluff	1.88	.56	.94
Seward	2.06	.62	1.03
Sheridan	1.90	.57	.95
Sherman	2.01	.60	1.00
Sioux	1.87	.56	.94
Stanton	2.04	.61	1.02
Thayer	2.03	.61	1.02
Thomas	1.96	.59	.98
Thurston	2.05	.62	1.02
Valley	2.00	.60	1.00
Washington	2.07	.62	1.04
Wayne	2.02	.61	1.01
Webster	2.00	.60	1.00
Wheeler	2.03	.61	1.02
York	2.04	.61	1.02

NEVADA

All counties	1.94	0.58	0.97
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NEW HAMPSHIRE

All counties	2.16	0.65	0.08
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NEW JERSEY

Atlantic	2.19	0.66	1.10
Bergen	2.22	.67	1.11
Burlington	2.22	.67	1.11
Camden	2.23	.67	1.12
Cape May	2.19	.66	1.10
Cumberland	2.22	.67	1.11
Essex	2.22	.67	1.11
Gloucester	2.23	.67	1.12
Hunterdon	2.20	.66	1.10
Mercer	2.22	.67	1.11
Middlesex	2.22	.67	1.11
Monmouth	2.21	.66	1.10
Morris	2.21	.66	1.10
Ocean	2.21	.66	1.10
Passaic	2.22	.67	1.11
Salem	2.23	.67	1.12
Somerset	2.21	.66	1.10
Sussex	2.21	.66	1.10
Warren	2.19	.66	1.10

NEW MEXICO

Bernalillo	1.85	0.56	0.92
Catron	1.76	.53	.88
Chaves	1.92	.58	.96
Colfax	1.84	.55	.92
Curry	1.95	.58	.98
De Baca	1.90	.57	.95
Dona Ana	1.85	.56	.92
Eddy	1.90	.57	.95
Grant	1.70	.51	.85

NEW MEXICO—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Guadalupe	1.90	0.57	0.95
Harding	1.88	.56	.94
Hidalgo	1.82	.55	.91
Lea	1.94	.58	.97
Lincoln	1.88	.56	.94
Luna	1.85	.56	.92
McKinley	1.70	.51	.85
Mora	1.85	.56	.92
Otero	1.88	.56	.94
Quay	1.95	.58	.98
Rio Arriba	1.70	.51	.85
Roosevelt	1.93	.58	.96
Sandoval	1.85	.56	.92
San Juan	1.70	.51	.85
San Miguel	1.85	.56	.92
Santa Fe	1.82	.55	.91
Sierra	1.85	.56	.92
Socorro	1.75	.52	.88
Taos	1.85	.56	.92
Torrance	1.86	.56	.93
Union	1.90	.57	.95
Valencia	1.80	.54	.90

NEW YORK

Albany	2.24	0.67	1.12
Allegany	2.16	.65	1.08
Broome	2.17	.65	1.08
Cattaraugus	2.13	.64	1.06
Cayuga	2.17	.65	1.08
Chautauqua	2.09	.63	1.04
Chemung	2.17	.65	1.08
Chenango	2.17	.65	1.08
Clinton	2.14	.64	1.07
Columbia	2.22	.67	1.11
Cortland	2.17	.65	1.08
Delaware	2.18	.65	1.09
Dutchess	2.20	.66	1.10
Essex	2.15	.64	1.08
Franklin	2.17	.65	1.08
Fulton	2.18	.65	1.09
Genesee	2.17	.65	1.08
Greene	2.21	.66	1.10
Herkimer	2.20	.66	1.10
Jefferson	2.14	.64	1.07
Lewis	2.15	.64	1.08
Livingston	2.17	.65	1.08
Madison	2.17	.65	1.08
Monroe	2.17	.65	1.08
Montgomery	2.23	.67	1.21
Nassau	2.18	.65	1.10
Niagara	2.17	.65	1.08
Oneida	2.19	.66	1.10
Onondaga	2.17	.65	1.08
Ontario	2.17	.65	1.08
Orange	2.20	.66	1.10
Orleans	2.16	.65	1.08
Oswego	2.17	.65	1.08
Otsego	2.19	.66	1.10
Putnam	2.20	.66	1.10
Rensselaer	2.23	.67	1.12
Rockland	2.19	.66	1.10
St. Lawrence	2.13	.64	1.06
Saratoga	2.22	.67	1.11
Schenectady	2.23	.67	1.12
Schoharie	2.21	.66	1.10
Schuyler	2.17	.65	1.08
Seneca	2.17	.65	1.08
Stenben	2.17	.65	1.08
Suffolk	2.16	.65	1.08
Sullivan	2.15	.64	1.08
Tioga	2.17	.65	1.08
Tompkins	2.17	.65	1.08
Ulster	2.20	.66	1.10
Warren	2.20	.66	1.10
Washington	2.21	.66	1.10
Wayne	2.17	.65	1.08
Westchester	2.21	.66	1.10
Wyoming	2.17	.65	1.08
Yates	2.17	.65	1.08

NORTH CAROLINA

All counties	2.16	0.65	1.08
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NORTH DAKOTA

Adams	1.95	0.58	0.98
Barnes	2.09	.63	1.04
Benson	2.01	.60	1.00
Billings	1.94	.58	.97
Bottineau	1.96	.59	.98
Bowman	1.94	.58	.97

NORTH DAKOTA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Burke	1.95	0.58	0.98
Burleigh	2.01	.60	1.00
Cass	2.11	.63	1.06
Cavaller	2.03	.61	1.02
Divide	2.10	.63	1.05
Dixie	1.93	.58	.96
Dunn	1.94	.58	.97
Eddy	2.04	.61	1.02
Emmons	2.03	.61	1.02
Foster	2.06	.62	1.03
Golden Valley	1.91	.57	.96
Grand Forks	2.10	.63	1.05
Grant	1.95	.58	.98
Griggs	2.08	.62	1.04
Hettinger	1.95	.58	.98
Kidder	2.03	.61	1.02
La Moure	2.08	.62	1.04
Logan	2.05	.62	1.02
McHenry	1.98	.59	.99
McIntosh	2.05	.62	1.02
McKenzie	1.91	.57	.96
McLean	1.98	.59	.99
Mercer	1.96	.59	.98
Morton	1.97	.59	.98
Mountrail	1.95	.58	.98
Nelson	2.07	.62	1.04
Oliver	1.97	.59	.98
Pembina	2.07	.62	1.04
Pierce	2.00	.60	1.00
Ramsey	2.03	.61	1.02
Ransom	2.11	.63	1.06
Renville	1.95	.58	.98
Richland	2.14	.64	1.07
Rolette	1.99	.60	1.00
Sargent	2.13	.64	1.06
Sheridan	2.01	.60	1.00
Sioux	1.97	.59	.98
Slope	1.95	.58	.98
Stark	1.95	.58	.98
Steele	2.09	.63	1.04
Stutsman	2.06	.62	1.03
Towner	2.00	.60	1.00
Traill	2.10	.63	1.05
Walsh	2.08	.62	1.04
Ward	1.96	.59	.98
Wells	2.03	.61	1.02
Williams	1.94	.58	.97

OHIO

Adams	2.01	0.60	1.00
Allen	2.02	.61	1.01
Ashland	2.04	.61	1.02
Ashtabula	2.07	.62	1.04
Athens	2.03	.61	1.02
Auglaize	2.02	.61	1.01
Belmont	2.04	.61	1.02
Brown	2.01	.60	1.00
Butler	2.01	.60	1.00
Carroll	2.04	.61	1.02
Champaign	2.01	.60	1.00
Clark	2.01	.60	1.00
Clermont	2.01	.60	1.00
Columbiana	2.05	.62	1.02
Coshocton	2.04	.61	1.02
Crawford	2.03	.61	1.02
Cuyahoga	2.04	.61	1.02
Darke	2.04	.61	1.02
Defiance	2.01	.60	1.00
Delaware	2.03	.61	1.02
Erie	2.03	.61	1.02
Fairfield	2.03	.61	1.02
Fayette	2.01	.60	1.00
Franklin	2.03	.61	1.02
Fulton	2.01	.60	1.00
Gallia	2.01	.60	1.00
Geauga	2.07	.62	1.04
Greene	2.01	.60	1.00
Guernsey	2.04	.61	1.02
Hamilton	2.01	.60	1.00
Hancock	2.03	.61	1.02
Herdin	2.03	.61	1.02
Harrison	2.04	.61	1.02
Henry	2.01	.60	1.00
Highland	2.01	.60	1.00
Hocking	2.03	.61	1.02
Holmes	2.04	.61	1.02
Huron	2.03	.61	1.02
Jackson	2.01	.60	1.00
Jefferson	2.05	.62	1.00
Knox	2.03	.61	1.02
Lake	2.05	.62	1.02
Lawrence	2.01	.60	1.00
Licking	2.03	.61	1.02
Logan	2.01	.60	1.00
Lorain	2.04	.61	1.02

OHIO—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Lucas	2.02	0.61	1.01
Madison	2.02	.61	1.01
Mahoning	2.06	.62	1.03
Marion	2.03	.61	1.02
Medina	2.04	.61	1.02
Meigs	2.01	.60	1.00
Mercer	2.02	.61	1.01
Miami	2.02	.61	1.01
Monroe	2.04	.61	1.02
Montgomery	2.01	.60	1.00
Morgan	2.04	.61	1.02
Morrow	2.03	.61	1.02
Muskingum	2.04	.61	1.02
Noble	2.04	.61	1.02
Ottawa	2.03	.61	1.02
Paulding	2.02	.61	1.01
Perry	2.03	.61	1.02
Pickaway	2.02	.61	1.01
Pike	2.01	.60	1.00
Portage	2.04	.61	1.02
Preble	2.01	.60	1.00
Putnam	2.02	.61	1.01
Richland	2.04	.61	1.02
Ross	2.02	.61	1.01
Sandusky	2.03	.61	1.02
Scioto	2.01	.60	1.00
Seneca	2.03	.61	1.02
Shelby	2.02	.61	1.01
Stark	2.04	.61	1.02
Summit	2.04	.61	1.02
Trumbull	2.07	.62	1.04
Tuscarawas	2.04	.61	1.02
Union	2.03	.61	1.02
Van Wert	2.02	.61	1.01
Vinton	2.03	.61	1.02
Warren	2.01	.60	1.00
Washington	2.04	.61	1.02
Wayne	2.04	.61	1.02
Williams	2.02	.61	1.01
Wood	2.03	.61	1.02
Wyandot	2.03	.61	1.02

OKLAHOMA

Adair	1.97	0.59	0.98
Alfalfa	1.96	.59	.98
Atoka	1.97	.59	.98
Beaver	1.94	.58	.97
Beckham	1.97	.59	.98
Blaine	1.97	.59	.98
Bryan	1.97	.59	.98
Caddo	1.97	.59	.98
Canadian	1.97	.59	.98
Carter	1.97	.59	.98
Cherokee	1.98	.59	.99
Choctaw	1.97	.59	.98
Cimarron	1.92	.58	.96
Cleveland	1.97	.59	.98
Coal	1.97	.59	.98
Comanche	1.97	.59	.98
Cotton	1.97	.59	.98
Craig	2.02	.61	1.01
Creek	1.97	.59	.98
Custer	1.97	.59	.98
Delaware	2.01	.60	1.00
Dewey	1.96	.59	.98
Ellis	1.95	.58	.98
Garfield	1.97	.59	.98
Garvin	1.97	.59	.98
Grady	1.97	.59	.98
Grant	1.96	.59	.98
Greer	1.97	.59	.98
Harmon	1.97	.59	.98
Harper	1.93	.58	.96
Haskell	1.97	.59	.98
Hughes	1.97	.59	.98
Jackson	1.97	.59	.98
Jefferson	1.97	.59	.98
Johnston	1.97	.59	.98
Kay	1.97	.59	.98
Kingfisher	1.97	.59	.98
Kiowa	1.97	.59	.98
Latimer	1.97	.59	.98
Le Flore	1.97	.59	.98
Lincoln	1.97	.59	.98
Logan	1.97	.59	.98
Love	1.97	.59	.98
McClain	1.97	.59	.98
McCurtain	1.97	.59	.98
McIntosh	1.97	.59	.98
Major	1.97	.59	.98
Marshall	1.97	.59	.98
Mayes	2.00	.60	1.00
Murray	1.97	.59	.98
Muskogee	1.97	.59	.98
Noble	1.96	.59	.98
Nowata	2.02	.61	1.01
Okfuskee	1.97	.59	.98

RULES AND REGULATIONS

OKLAHOMA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Oklahoma.....	1.97	0.59	0.98
Oklmulgee.....	1.97	.59	.98
Osage.....	1.98	.59	.99
Ottawa.....	2.02	.61	1.01
Pawnee.....	1.97	.59	.98
Payne.....	1.97	.59	.98
Pittsburg.....	1.97	.59	.98
Pontotoc.....	1.97	.59	.98
Pottawatomie.....	1.97	.59	.98
Pushmataha.....	1.97	.59	.98
Roger Mills.....	1.96	.59	.98
Rogers.....	2.00	.60	1.00
Seminole.....	1.97	.59	.98
Sequoyah.....	1.97	.59	.98
Stephens.....	1.97	.59	.98
Texas.....	1.94	.58	.97
Tillman.....	1.97	.59	.98
Tulsa.....	1.99	.60	1.00
Wagoner.....	1.99	.60	1.00
Washington.....	2.02	.61	1.01
Washita.....	1.97	.59	.98
Woods.....	1.95	.58	.98
Woodward.....	1.95	.58	.98

OREGON

Baker.....	1.94	0.58	0.97
Benton.....	1.98	.59	.99
Clackamas.....	2.02	.61	1.01
Clatsop.....	1.98	.59	.99
Columbia.....	2.00	.60	1.00
Coos.....	1.88	.56	.94
Crook.....	2.01	.60	1.00
Curry.....	1.86	.56	.93
Deschutes.....	2.01	.60	1.00
Douglas.....	1.90	.57	.95
Gilliam.....	2.03	.61	1.02
Grant.....	2.01	.60	1.00
Harney.....	1.86	.56	.93
Hood River.....	2.03	.61	1.02
Jackson.....	1.86	.56	.93
Jefferson.....	2.04	.61	1.02
Josephine.....	1.83	.55	.92
Klamath.....	2.00	.60	1.00
Lake.....	1.99	.60	1.00
Lane.....	1.95	.58	.98
Lincoln.....	1.92	.58	.96
Linn.....	1.98	.59	.99
Malheur.....	1.89	.57	.94
Marion.....	2.01	.60	1.00
Morrow.....	2.02	.61	1.01
Multnomah.....	2.05	.62	1.02
Polk.....	2.00	.60	1.00
Sherman.....	2.04	.61	1.02
Tillamook.....	2.04	.61	1.02
Umatilla.....	2.01	.60	1.00
Union.....	1.96	.59	.98
Wallowa.....	1.93	.58	.96
Wasco.....	2.07	.62	1.04
Washington.....	2.04	.61	1.02
Wheeler.....	2.01	.60	1.00
Yamhill.....	2.02	.61	1.01

PENNSYLVANIA

Adams.....	2.20	0.66	1.10
Allegheny.....	2.08	.62	1.04
Armstrong.....	2.10	.63	1.05
Beaver.....	2.08	.62	1.04
Bedford.....	2.13	.64	1.06
Berks.....	2.20	.66	1.10
Blair.....	2.12	.64	1.06
Bradford.....	2.16	.65	1.08
Bucks.....	2.22	.67	1.11
Butler.....	2.09	.63	1.04
Cambria.....	2.11	.63	1.06
Carbon.....	2.18	.65	1.09
Centre.....	2.13	.64	1.06
Chester.....	2.21	.66	1.10
Clarion.....	2.09	.63	1.04
Clearfield.....	2.11	.63	1.06
Clinton.....	2.13	.64	1.06
Columbia.....	2.17	.65	1.08
Crawford.....	2.07	.62	1.04
Cumberland.....	2.18	.65	1.09
Dauphin.....	2.17	.65	1.08
Delaware.....	2.22	.67	1.11
Elk.....	2.12	.64	1.06
Frie.....	2.07	.62	1.04
Fayette.....	2.11	.63	1.06
Forest.....	2.08	.62	1.04
Franklin.....	2.18	.65	1.09
Fulton.....	2.16	.65	1.08
Greene.....	2.09	.63	1.04
Huntingdon.....	2.14	.64	1.07
Indiana.....	2.11	.63	1.06

PENNSYLVANIA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Jefferson.....	2.11	0.63	01.06
Juniata.....	2.15	.64	1.08
Lackawanna.....	2.16	.65	1.08
Lancaster.....	2.20	.66	1.10
Lawrence.....	2.08	.62	1.04
Lebanon.....	2.18	.65	1.09
Lehigh.....	2.20	.66	1.10
Luzerne.....	2.16	.65	1.08
Lycoming.....	2.14	.64	1.07
McKean.....	2.12	.64	1.06
Mercer.....	2.07	.62	1.04
Mifflin.....	2.15	.64	1.08
Monroe.....	2.18	.65	1.09
Montgomery.....	2.22	.67	1.11
Montour.....	2.15	.64	1.08
Northampton.....	2.20	.66	1.10
Northumberland.....	2.15	.64	1.08
Perry.....	2.17	.65	1.08
Pike.....	2.14	.64	1.07
Potter.....	2.11	.63	1.06
Schuylkill.....	2.17	.65	1.08
Snyder.....	2.15	.64	1.08
Somerset.....	2.12	.64	1.06
Sullivan.....	2.17	.65	1.08
Susquehanna.....	2.16	.65	1.08
Tioga.....	2.16	.65	1.08
Union.....	2.15	.64	1.08
Venango.....	2.07	.62	1.04
Warren.....	2.07	.62	1.04
Washington.....	2.08	.62	1.04
Wayne.....	2.15	.64	1.08
Westmoreland.....	2.10	.63	1.05
Wyoming.....	2.17	.65	1.08
York.....	2.20	.66	1.10

RHODE ISLAND

All counties.....	2.18	0.65	1.09
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SOUTH CAROLINA

All counties.....	2.14	0.64	1.07
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SOUTH DAKOTA

Aurora.....	2.02	0.61	1.01
Beadle.....	2.08	.62	1.04
Bennett.....	1.92	.58	.96
Bon Homme.....	2.02	.61	1.01
Brookings.....	2.10	.63	1.05
Brown.....	2.09	.63	1.04
Brule.....	2.03	.61	1.02
Buffalo.....	2.03	.61	1.02
Butte.....	1.97	.59	.98
Campbell.....	2.04	.61	1.02
Charles Mix.....	2.00	.60	1.00
Clark.....	2.10	.63	1.05
Clay.....	2.06	.62	1.03
Codington.....	2.12	.64	1.06
Corson.....	1.97	.59	.98
Custer.....	1.89	.57	.94
Davison.....	2.04	.61	1.02
Day.....	2.11	.63	1.06
Deuel.....	2.10	.63	1.05
Dewey.....	1.97	.59	.98
Douglas.....	2.01	.60	1.00
Edmunds.....	2.07	.62	1.04
Fall River.....	1.86	.56	.93
Faulk.....	2.07	.62	1.04
Grant.....	2.14	.64	1.07
Gregory.....	1.98	.59	.99
Haakon.....	2.00	.60	1.00
Hamlin.....	2.11	.63	1.06
Hand.....	2.07	.62	1.04
Hanson.....	2.05	.62	1.02
Harding.....	1.95	.58	.98
Hughes.....	2.05	.62	1.02
Hutchinson.....	2.02	.61	1.01
Hyde.....	2.05	.62	1.02
Jackson.....	1.99	.60	1.00
Jerauld.....	2.07	.62	1.04
Jones.....	2.01	.60	1.00
Kingsbury.....	2.10	.63	1.05
Lake.....	2.10	.63	1.05
Lawrence.....	1.97	.59	.98
Lincoln.....	2.06	.62	1.03
Lyman.....	2.03	.61	1.02
McCook.....	2.06	.62	1.03
McPherson.....	2.06	.62	1.03
Marshall.....	2.12	.64	1.06
Meade.....	1.96	.59	.98
Mellette.....	1.95	.58	.98
Miner.....	2.08	.62	1.04
Minehaha.....	2.07	.62	1.04

SOUTH DAKOTA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Mandato- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Moody.....	2.10	0.63	1.05
Pennington.....	1.97	.59	.98
Perkins.....	1.95	.58	.98
Potter.....	2.05	.62	1.02
Roberts.....	2.14	.64	1.07
Sanborn.....	2.07	.62	1.04
Shannon.....	1.90	.57	.95
Spink.....	2.09	.63	1.04
Stanley.....	2.04	.61	1.02
Sully.....	2.04	.61	1.02
Todd.....	1.95	.58	.98
Tripp.....	1.96	.59	.98
Turner.....	2.06	.62	1.03
Union.....	2.06	.62	1.03
Walworth.....	2.05	.62	1.02
Washabaugh.....	1.99	.60	1.00
Yankton.....	2.04	.61	1.02
Ziebach.....	1.94	.58	.97

TENNESSEE

Anderson.....	2.14	0.64	1.07
Bedford.....	2.11	.63	1.06
Benton.....	2.08	.62	1.04
Bledsoe.....	2.12	.64	1.06
Blount.....	2.15	.64	1.08
Bradley.....	2.14	.64	1.07
Campbell.....	2.14	.64	1.07
Cannon.....	2.10	.63	1.05
Carroll.....	2.07	.62	1.04
Carter.....	2.17	.65	1.08
Cheatham.....	2.09	.63	1.04
Chester.....	2.07	.62	1.04
Claborn.....	2.16	.65	1.08
Clay.....	2.10	.63	1.05
Cocke.....	2.15	.64	1.08
Coffey.....	2.11	.63	1.06
Crockett.....	2.06	.62	1.03
Cumberland.....	2.12	.64	1.06
Davidson.....	2.09	.63	1.04
Decatur.....	2.08	.62	1.04
DeKalb.....	2.10	.63	1.05
Dickson.....	2.09	.63	1.04
Dyer.....	2.06	.62	1.03
Fayette.....	2.06	.62	1.03
Fentress.....	2.12	.64	1.06
Franklin.....	2.12	.64	1.06
Gibson.....	2.06	.62	1.03
Giles.....	2.11	.63	1.06
Grainier.....	2.15	.64	1.08
Greene.....	2.16	.65	1.08
Grundy.....	2.11	.63	1.06
Hamilton.....	2.16	.65	1.08
Hamilton.....	2.13	.64	1.06
Hancock.....	2.17	.65	1.08
Hardeman.....	2.07	.62	1.04
Hardin.....	2.08	.62	1.04
Hawkins.....	2.18	.65	1.09
Haywood.....	2.06	.62	1.03
Henderson.....	2.08	.62	1.04
Henry.....	2.07	.62	1.04
Hickman.....	2.09	.63	1.04
Houston.....	2.08	.62	1.04
Humphreys.....	2.08	.62	1.04
Jackson.....	2.10	.63	1.05
Jefferson.....	2.15	.64	1.08
Johnson.....	2.17	.65	1.08
Knox.....	2.15	.64	1.08
Lake.....	2.06	.62	1.03
Lauderdale.....	2.06	.62	1.03
Lawrence.....	2.10	.63	1.05
Lewis.....	2.10	.63	1.05
Lincoln.....	2.12	.64	1.06
Loudon.....	2.14	.64	1.07
McMinn.....	2.14	.64	1.07
McNairy.....	2.07	.62	1.04
Macon.....	2.09	.63	1.04
Madison.....	2.06	.62	1.03
Marion.....	2.12	.64	1.06
Marshall.....	2.11	.63	1.06
Maury.....	2.10	.63	1.05
Meigs.....	2.13	.64	1.06
Monroe.....	2.15	.64	1.08
Montgomery.....	2.08	.62	1.04
Moore.....	2.11	.63	1.06
Morgan.....	2.13	.64	1.06
Obion.....	2.06	.62	1.03
Overton.....	2.11	.63	1.06
Perry.....	2.09	.63	1.04
Pickett.....	2.11	.63	1.06
Polk.....	2.15	.64	1.08
Putnam.....	2.11	.63	1.06
Rhea.....	2.13	.64	1.06
Roane.....	2.13	.64	1.06
Robertson.....	2.08	.62	1.04
Rutherford.....	2.10	.63	1.05
Scott.....	2.13	.64	1.06
Sequatchie.....	2.12	.64	1.06

TENNESSEE—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Sevier.....	2.15	0.64	1.08
Shelby.....	2.06	.62	1.03
Smith.....	2.10	.63	1.05
Stewart.....	2.08	.62	1.04
Sullivan.....	2.18	.65	1.09
Sumner.....	2.08	.62	1.04
Tipton.....	2.06	.62	1.03
Triondale.....	2.09	.62	1.04
Union.....	2.16	.65	1.08
Union.....	2.15	.64	1.08
Van Buren.....	2.11	.63	1.06
Warren.....	2.11	.63	1.06
Washington.....	2.17	.65	1.08
Wayne.....	2.09	.63	1.04
Weakley.....	2.06	.62	1.03
White.....	2.11	.63	1.06
Williamson.....	2.10	.63	1.05
Wilson.....	2.09	.63	1.04

TEXAS

Andrews.....	1.96	0.59	0.98
Archer.....	1.97	.59	.98
Armstrong.....	1.97	.59	.98
Atascosa.....	2.08	.62	1.04
Bailey.....	1.97	.59	.98
Bandera.....	2.06	.62	1.03
Bastrop.....	2.10	.63	1.05
Baylor.....	1.97	.59	.98
Bee.....	2.08	.62	1.04
Bell.....	2.10	.63	1.05
Bexar.....	2.10	.63	1.05
Blanco.....	2.09	.63	1.04
Borden.....	1.97	.59	.98
Bosque.....	2.08	.62	1.04
Bowie.....	2.01	.60	1.00
Brazos.....	2.10	.63	1.05
Briscoe.....	1.97	.59	.98
Brown.....	2.06	.62	1.03
Burleson.....	2.13	.64	1.06
Burnet.....	2.06	.62	1.03
Caldwell.....	2.10	.63	1.05
Calhoun.....	2.10	.63	1.06
Callahan.....	1.97	.59	.98
Carson.....	1.97	.59	.98
Castro.....	1.97	.59	.98
Chambers.....	2.16	.65	1.08
Cherokee.....	2.11	.63	1.06
Childress.....	1.97	.59	.98
Clay.....	1.99	.60	1.00
Cochran.....	1.97	.59	.98
Coke.....	1.97	.59	.98
Coleman.....	2.03	.61	1.02
Collin.....	2.06	.62	1.03
Collingsworth.....	1.97	.59	.98
Colorado.....	2.18	.65	1.09
Comal.....	2.10	.63	1.05
Comanche.....	2.00	.60	1.00
Concho.....	2.03	.61	1.02
Cooke.....	2.01	.60	1.00
Coryell.....	2.06	.62	1.03
Cottle.....	1.97	.59	.98
Crosby.....	1.97	.59	.98
Culberson.....	1.89	.57	.94
Dallam.....	1.94	.58	.97
Dallas.....	2.06	.62	1.03
Dawson.....	1.97	.59	.98
Deaf Smith.....	1.97	.59	.98
Delta.....	2.04	.61	1.02
Denton.....	2.06	.62	1.03
DeWitt.....	2.10	.63	1.05
Dickens.....	1.97	.59	.98
Dimmit.....	1.99	.60	1.00
Donley.....	1.97	.59	.98
Eastland.....	1.98	.59	.99
Edwards.....	1.97	.59	.98
Ellis.....	2.08	.62	1.04
El Paso.....	1.87	.56	.94
Erath.....	2.02	.61	1.01
Falls.....	2.10	.63	1.05
Fannin.....	2.01	.60	1.00
Fisher.....	1.97	.59	.98
Floyd.....	1.97	.59	.98
Foard.....	1.97	.59	.98
Frio.....	2.03	.61	1.02
Gaines.....	1.97	.59	.98
Galveston.....	2.27	.68	1.14
Garza.....	1.97	.59	.98
Gillespie.....	2.05	.62	1.02
Glasscock.....	1.97	.59	.98
Goliad.....	2.09	.63	1.04
Gonzales.....	2.10	.63	1.05
Gray.....	1.96	.59	.98
Grayson.....	2.01	.60	1.00
Guadalupe.....	2.10	.63	1.05
Hale.....	1.97	.59	.98
Hall.....	1.97	.59	.98
Hamilton.....	2.02	.61	1.01

TEXAS—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Hansford.....	1.94	0.58	0.97
Hardeman.....	1.97	.59	.98
Harris.....	2.26	.68	1.13
Hartley.....	1.95	.58	.98
Haskell.....	1.97	.59	.98
Hays.....	2.10	.63	1.05
Hemphill.....	1.95	.58	.98
Henderson.....	2.10	.63	1.05
Hill.....	2.09	.63	1.04
Hockley.....	1.97	.59	.98
Hood.....	2.05	.62	1.02
Hopkins.....	2.04	.61	1.02
Houston.....	2.10	.63	1.05
Howard.....	1.97	.59	.98
Hudspeth.....	1.88	.56	.94
Hunt.....	2.05	.62	1.02
Hutchinson.....	1.95	.58	.98
Irion.....	1.94	.58	.97
Jack.....	2.01	.60	1.00
Jackson.....	2.13	.64	1.06
Jeff Davis.....	1.88	.56	.94
Johnson.....	2.08	.62	1.04
Jones.....	1.97	.59	.98
Karnes.....	2.08	.62	1.04
Kaufman.....	2.07	.62	1.04
Kendall.....	2.06	.62	1.03
Kent.....	1.97	.59	.98
Kerr.....	2.05	.62	1.02
Kimble.....	2.04	.61	1.02
King.....	1.97	.59	.98
Kinney.....	1.98	.59	.99
Knox.....	1.97	.59	.98
Lavaca.....	2.13	.64	1.06
Lamar.....	2.01	.60	1.00
Lamb.....	1.97	.59	.98
Lampasas.....	2.06	.62	1.03
Leon.....	2.10	.63	1.05
Limestone.....	2.10	.63	1.05
Lipscomb.....	1.95	.58	.98
Live Oak.....	2.08	.62	1.04
Llano.....	2.06	.62	1.03
Loving.....	1.90	.57	.95
Lubbock.....	1.97	.59	.98
Lynn.....	1.97	.59	.98
McCulloch.....	2.05	.62	1.02
McLennan.....	2.10	.63	1.05
Martin.....	1.96	.59	.98
Mason.....	2.06	.62	1.03
Maverick.....	1.95	.58	.98
Medina.....	2.08	.62	1.04
Menard.....	2.03	.61	1.02
Midland.....	1.95	.58	.98
Milam.....	2.12	.64	1.06
Mills.....	2.06	.62	1.03
Mitchell.....	1.97	.59	.98
Montague.....	2.01	.60	1.00
Moore.....	1.95	.58	.98
Motley.....	1.97	.59	.98
Navarro.....	2.09	.63	1.04
Nolan.....	1.97	.59	.98
Ochiltree.....	1.95	.58	.98
Oldham.....	1.97	.59	.98
Palo Pinto.....	2.01	.60	1.00
Parker.....	2.04	.61	1.02
Parmer.....	1.97	.59	.98
Pecos.....	1.89	.57	.94
Potter.....	1.97	.59	.98
Presidio.....	1.87	.56	.94
Rains.....	2.08	.62	1.04
Randall.....	1.97	.59	.98
Reagan.....	2.06	.62	1.03
Real.....	2.03	.61	1.02
Red River.....	2.01	.60	1.00
Reeves.....	1.90	.57	.95
Refugio.....	2.08	.62	1.04
Roberts.....	1.95	.58	.98
Robertson.....	2.10	.63	1.05
Rockwall.....	2.06	.62	1.03
Runnels.....	2.01	.60	1.00
San Saba.....	2.06	.62	1.03
Schleicher.....	1.95	.58	.98
Scurry.....	1.97	.59	.98
Shackelford.....	1.97	.59	.98
Sherman.....	1.94	.58	.97
Somervell.....	2.06	.62	1.03
Stephens.....	2.01	.60	1.00
Sterling.....	1.97	.59	.98
Stonewall.....	1.97	.59	.98
Sutton.....	2.13	.65	.96
Swisher.....	1.97	.59	.98
Tarrant.....	2.07	.62	1.04
Taylor.....	1.99	.60	1.00
Terry.....	1.97	.59	.98
Throckmorton.....	1.99	.60	1.00
Tom Green.....	1.97	.59	.98
Travis.....	2.10	.63	1.05
Uvalde.....	2.03	.61	1.02
Van Zandt.....	2.06	.62	1.03
Victoria.....	2.10	.63	1.05
Walker.....	2.10	.63	1.05

TEXAS—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Waller.....	2.23	0.67	1.12
Ward.....	1.92	.58	.96
Washington.....	2.18	.65	1.09
Wharton.....	2.21	.66	1.10
Wheeler.....	1.96	.59	.98
Wichita.....	1.97	.59	.98
Wilbarger.....	1.97	.59	.98
Williamson.....	2.10	.63	1.05
Wilson.....	2.08	.62	1.04
Wise.....	2.03	.61	1.02
Yoakum.....	1.97	.59	.98
Young.....	2.01	.60	1.00
Zavala.....	1.99	.60	1.00

UTAH

Beaver.....	1.88	0.56	0.94
Box Elder.....	1.87	.56	.94
Cache.....	1.87	.56	.94
Carbon.....	1.72	.52	.86
Daggett.....	1.74	.52	.87
Davis.....	1.88	.56	.94
Duchesne.....	1.76	.53	.88
Emery.....	1.72	.52	.86
Garfield.....	1.70	.51	.85
Grand.....	1.72	.52	.86
Iron.....	1.87	.56	.94
Juab.....	1.88	.56	.94
Kane.....	1.70	.51	.85
Millard.....	1.84	.55	.92
Morgan.....	1.88	.56	.94
Plute.....	1.70	.51	.85
Rich.....	1.74	.52	.87
Salt Lake.....	1.88	.56	.94
San Juan.....	1.70	.51	.85
Sanpete.....	1.69	.51	.84
Sevier.....	1.69	.51	.84
Summit.....	1.88	.56	.94
Tooele.....	1.88	.56	.94
Uintah.....	1.73	.52	.86
Utah.....	1.88	.56	.94
Wasatch.....	1.76	.53	.88
Washington.....	1.87	.56	.94
Wayne.....	1.70	.51	.85
Weber.....	1.88	.56	.94

VERMONT

All counties.....	2.16	0.65	1.08
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VIRGINIA

Accomack.....	2.17	0.65	1.08
Albemarle.....	2.16	.65	1.08
Alleghany.....	2.14	.64	1.07
Amelia.....	2.17	.65	1.08
Amherst.....	2.16	.65	1.08
Appomattox.....	2.17	.65	1.08
Arlington.....	2.16	.65	1.08
Augusta.....	2.16	.65	1.08
Bath.....	2.14	.64	1.07
Bedford.....	2.16	.65	1.08
Bland.....	2.14	.64	1.07
Botetourt.....	2.15	.64	1.08
Brunswick.....	2.16	.65	1.08
Buchanan.....	2.14	.64	1.07
Buckingham.....	2.17	.65	1.08
Campbell.....	2.16	.65	1.08
Caroline.....	2.17	.65	1.08
Carroll.....	2.15	.64	1.08
Charles City.....	2.17	.65	1.08
Charlotte.....	2.17	.65	1.08
Chesterfield.....	2.17	.65	1.08
Clarke.....	2.16	.65	1.08
Craig.....	2.14	.64	1.07
Culpeper.....	2.16	.65	1.08
Cumberland.....	2.17	.65	1.08
Dickenson.....	2.14	.64	1.07
Dinwiddie.....	2.17	.65	1.08
Elizabeth City.....	2.17	.65	1.08
Essex.....	2.17	.65	1.08
Fairfax.....	2.16	.65	1.08
Fauquier.....	2.16	.65	1.08
Floyd.....	2.15	.64	1.08
Fluvanna.....	2.16	.65	1.08
Franklin.....	2.15	.64	1.08
Frederick.....	2.16	.65	1.08
Giles.....	2.14	.64	1.07
Gloucester.....	2.17	.65	1.08
Goochland.....	2.17	.65	1.08
Grayson.....	2.15	.64	1.08
Greene.....	2.16	.65	1.08
Greensville.....	2.16	.65	1.08
Halifax.....	2.16	.65	1.08

RULES AND REGULATIONS

VIRGINIA—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Hanover.....	2.17	0.65	1.08
Henrico.....	2.17	.65	1.08
Henry.....	2.15	.64	1.08
Highland.....	2.14	.64	1.07
Isle of Wight.....	2.16	.65	1.08
James City.....	2.17	.65	1.08
King and Queen.....	2.17	.65	1.08
King George.....	2.17	.65	1.08
King William.....	2.17	.65	1.08
Lancaster.....	2.17	.65	1.08
Lee.....	2.15	.64	1.08
Loudoun.....	2.16	.65	1.08
Louisa.....	2.16	.65	1.08
Lunenburg.....	2.17	.65	1.08
Madison.....	2.16	.65	1.08
Mathews.....	2.17	.65	1.08
Mecklenburg.....	2.16	.65	1.08
Middlesex.....	2.17	.65	1.08
Montgomery.....	2.14	.64	1.07
Nansemond.....	2.16	.65	1.08
Nelson.....	2.16	.65	1.08
New Kent.....	2.17	.65	1.08
Norfolk.....	2.16	.65	1.08
Northampton.....	2.17	.65	1.08
Northumberland.....	2.17	.65	1.08
Nottaway.....	2.17	.65	1.08
Orange.....	2.16	.65	1.08
Page.....	2.16	.65	1.08
Patrick.....	2.15	.64	1.08
Pittsylvania.....	2.16	.65	1.08
Powhatan.....	2.17	.65	1.08
Prince Edward.....	2.17	.65	1.08
Prince George.....	2.16	.65	1.08
Prince William.....	2.16	.65	1.08
Princess Anne.....	2.16	.65	1.08
Pulaski.....	2.15	.64	1.08
Rappahannock.....	2.16	.65	1.08
Richmond.....	2.17	.65	1.08
Roanoke.....	2.15	.64	1.08
Rockbridge.....	2.16	.65	1.08
Rockingham.....	2.16	.65	1.08
Russell.....	2.15	.64	1.08
Scott.....	2.15	.64	1.08
Shenandoah.....	2.16	.65	1.08
Smyth.....	2.15	.64	1.08
Southampton.....	2.16	.65	1.08
Spotsylvania.....	2.17	.65	1.08
Stafford.....	2.17	.65	1.08
Surry.....	2.16	.65	1.08
Sussex.....	2.16	.65	1.08
Tazewell.....	2.14	.64	1.07
Warren.....	2.16	.65	1.08
Warwick.....	2.17	.65	1.08
Washington.....	2.15	.64	1.08
Westmoreland.....	2.17	.65	1.08
Wise.....	2.15	.64	1.08
Wythe.....	2.15	.64	1.08
York.....	2.17	.65	1.08

WASHINGTON

Adams.....	1.99	0.60	1.00
Asotin.....	1.95	.58	.98
Benton.....	2.02	.61	1.01
Chelan.....	2.00	.60	1.00
Clallam.....	1.89	.57	.94
Clark.....	2.04	.61	1.02
Columbia.....	2.00	.60	1.00
Cowlitz.....	2.02	.61	1.01
Douglas.....	1.99	.60	1.00
Ferry.....	1.78	.53	.89
Franklin.....	2.01	.60	1.00
Garfield.....	1.98	.59	.99
Grant.....	2.00	.60	1.00
Grays Harbor.....	1.97	.59	.98
Island.....	2.00	.60	1.00
Jefferson.....	1.91	.57	.96
King.....	2.04	.61	1.02
Kitsap.....	1.95	.58	.98
Kittitas.....	2.05	.62	1.02
Klickitat.....	2.03	.61	1.02
Lewis.....	1.98	.59	.99
Lincoln.....	1.98	.59	.99
Mason.....	1.97	.59	.98
Okanogan.....	1.98	.59	.99
Pacific.....	1.97	.59	.98
Pend Oreille.....	1.83	.55	.92
Pierce.....	2.03	.61	1.02
San Juan.....	2.00	.60	1.00
Skagit.....	2.00	.60	1.00
Skamania.....	2.03	.61	1.02
Snohomish.....	2.01	.60	1.00
Spokane.....	1.95	.58	.98
Stevens.....	1.91	.57	.96
Thurston.....	1.99	.60	1.00
Wahkiakum.....	2.02	.61	1.01
Walla Walla.....	2.01	.60	1.00

WASHINGTON—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
Whatcom.....	1.99	0.60	1.00
Whitman.....	1.96	.59	.98
Yakima.....	2.01	.60	1.00

WEST VIRGINIA

Barbour.....	2.11	0.63	1.06
Berkeley.....	2.15	.64	1.08
Boone.....	2.10	.63	1.05
Braxton.....	2.10	.63	1.05
Brooke.....	2.08	.62	1.04
Cabell.....	2.08	.62	1.04
Calhoun.....	2.09	.63	1.04
Clay.....	2.10	.63	1.05
Doddridge.....	2.08	.62	1.04
Fayette.....	2.12	.64	1.06
Gilmer.....	2.09	.63	1.04
Grant.....	2.13	.64	1.06
Greenbrier.....	2.14	.64	1.07
Hampshire.....	2.14	.64	1.07
Hancock.....	2.08	.62	1.04
Hardy.....	2.14	.64	1.07
Harrison.....	2.10	.63	1.05
Jackson.....	2.07	.62	1.04
Jefferson.....	2.16	.65	1.08
Kanawha.....	2.09	.63	1.04
Lewis.....	2.10	.63	1.05
Lincoln.....	2.09	.63	1.04
Logan.....	2.10	.63	1.05
McDowell.....	2.12	.64	1.06
Marion.....	2.09	.63	1.04
Marshall.....	2.08	.62	1.04
Mason.....	2.08	.62	1.04
Mercer.....	2.13	.64	1.06
Mineral.....	2.13	.64	1.06
Mingo.....	2.10	.63	1.05
Monongalia.....	2.09	.63	1.04
Monroe.....	2.13	.64	1.06
Morgan.....	2.14	.64	1.07
Nicholas.....	2.12	.64	1.06
Ohio.....	2.08	.62	1.04
Pendleton.....	2.14	.64	1.07
Pleasants.....	2.07	.62	1.04
Pocahontas.....	2.14	.64	1.07
Preston.....	2.11	.63	1.06
Putnam.....	2.08	.62	1.04
Raleigh.....	2.11	.63	1.06
Randolph.....	2.13	.64	1.06
Ritchie.....	2.08	.62	1.04
Roane.....	2.08	.62	1.04
Summers.....	2.14	.64	1.07
Taylor.....	2.11	.63	1.06
Tucker.....	2.13	.64	1.06
Tyler.....	2.07	.62	1.04
Upshur.....	2.11	.63	1.06
Wayne.....	2.09	.63	1.04
Webster.....	2.12	.64	1.06
Wetzel.....	2.08	.62	1.04
Wirt.....	2.08	.62	1.04
Wood.....	2.07	.62	1.04
Wyoming.....	2.11	.63	1.06

WISCONSIN

Adams.....	2.08	0.62	1.04
Ashland.....	2.19	.66	1.10
Barron.....	2.15	.64	1.08
Bayfield.....	2.13	.64	1.06
Brown.....	2.07	.62	1.04
Buffalo.....	2.12	.64	1.06
Burnett.....	2.21	.66	1.10
Calumet.....	2.09	.63	1.04
Chippewa.....	2.15	.64	1.08
Clark.....	2.14	.64	1.07
Columbia.....	2.10	.63	1.05
Crawford.....	2.07	.62	1.04
Dane.....	2.11	.63	1.06
Dodge.....	2.11	.63	1.06
Door.....	2.02	.61	1.01
Douglas.....	2.19	.66	1.10
Dunn.....	2.15	.64	1.08
Eau Claire.....	2.14	.64	1.07
Florence.....	2.02	.61	1.01
Fond du Lac.....	2.10	.63	1.05
Forest.....	2.12	.64	1.06
Grant.....	2.06	.62	1.03
Green.....	2.12	.64	1.06
Green Lake.....	2.09	.63	1.04
Iowa.....	2.09	.63	1.04
Iron.....	2.13	.64	1.06
Jackson.....	2.10	.63	1.05
Jefferson.....	2.12	.64	1.06
Juneau.....	2.07	.62	1.04
Kenosha.....	2.14	.64	1.07
Kewaunee.....	2.04	.61	1.02

WISCONSIN—Continued
[Amounts shown in dollars]

State and county	Base rate (100%) (1)	Division rate per bushel	
		Manda- tory rate (30%) (2)	Volun- tary rate (50%) (3)
La Crosse.....	2.09	0.63	1.04
Lafayette.....	2.09	.63	1.04
Langlade.....	2.04	.61	1.02
Lincoln.....	2.04	.61	1.02
Manitowoc.....	2.09	.63	1.04
Marathon.....	2.11	.63	1.06
Marquette.....	2.03	.61	1.02
Marquette.....	2.08	.62	1.04
Menominee.....	2.05	.62	1.02
Milwaukee.....	2.14	.64	1.07
Monroe.....	2.08	.62	1.04
Oconto.....	2.05	.62	1.02
Oneida.....	2.06	.62	1.03
Outagamie.....	2.08	.62	1.04
Ozaukee.....	2.12	.64	1.06
Pepin.....	2.14	.64	1.07
Pierce.....	2.15	.64	1.08
Polk.....	2.15	.64	1.08
Portage.....	2.11	.63	1.06
Price.....	2.16	.65	1.08
Racine.....	2.14	.64	1.07
Richland.....	2.08	.62	1.04
Rock.....	2.13	.64	1.06
Rusk.....	2.18	.65	1.09
Saint Croix.....	2.15	.64	1.08
Sauk.....	2.10	.63	1.05
Sawyer.....	2.15	.64	1.08
Shawano.....	2.06	.62	1.03
Sheboygan.....	2.11	.63	1.06
Taylor.....	2.16	.65	1.08
Templeau.....	2.10	.63	1.05
Vernon.....	2.08	.62	1.04
Vilas.....	2.03	.61	1.02
Walworth.....	2.14	.64	1.07
Washington.....	2.13	.64	1.06
Waukesha.....	2.13	.64	1.06
Waupaca.....	2.06	.62	1.03
Waushara.....	2.07	.62	1.04
Winnebago.....	2.09	.63	1.04
Wood.....	2.14	.64	1.07

WYOMING

Albany.....	1.81	0.54	0.90
Big Horn.....	1.70	.61	.85
Campbell.....	1.78	.53	.89
Carbon.....	1.75	.52	.88
Converse.....	1.79	.54	.90
Crook.....	1.80	.54	.90
Fremont.....	1.70	.61	.85
Goshen.....	1.87	.56	.94
Hot Springs.....	1.70	.61	.85
Johnson.....	1.76	.53	.88
Laramie.....	1.87	.56	.94
Lincoln.....	1.74	.52	.87
Natrona.....	1.73	.52	.86
Niobrara.....	1.83	.55	.92
Park.....	1.70	.61	.85
Platte.....	1.87	.56	.94
Sheridan.....	1.76	.53	.88
Sublette.....	1.74	.52	.87
Sweetwater.....	1.74	.52	.87
Teton.....	1.78	.53	.89
Uinta.....	1.74	.52	.87
Washakie.....	1.70	.61	.85
Weston.....	1.82	.55	.91

[F.R. Doc. 63-5514; Filed, May 22, 1963;
8:53 a.m.]Chapter VIII—Agricultural Stabiliza-
tion and Conservation Service
(Sugar), Department of AgricultureSUBCHAPTER G—DETERMINATION OF
PROPORTIONATE SHARES

[Sugar Determination 855.10, Amdt. 3]

PART 855—MAINLAND CANE
SUGAR AREAProportionate Shares for Farms; 1963
CropPursuant to the provisions of section
302 of the Sugar Act of 1948, as amended,
it is hereby determined that § 855.10 (27

F.R. 8477, 9886, 28 F.R. 2707) is rescinded.

This determination has been made on the basis of the considerations discussed under the following statement.

Statement of bases and considerations. In August 1962, when S.D. 855.10 was issued, it was estimated that the production of sugar from the sugarcane acreages established thereunder would enable the area to meet its quota under the Sugar Act and provide a normal carryover inventory of sugar. On March 14 of this year action was taken authorizing a 10 percent increase in the proportionate shares established under the original determination to offset a reduction in sugar stocks as the result of a December freeze in Florida.

On May 6, total quotas were increased from 9,800,000 tons to 10,400,000 tons, thus increasing this year's marketing opportunity for the Mainland Cane Area by 98,463 tons. The extent to which the area meets this additional quota will reduce sugar stocks at the end of this year and the quantity available to meet 1964 marketing opportunities.

To permit maximum production from the 1963 crop, this amendment rescinds the proportionate shares heretofore established. Thus, growers may harvest all 1963-crop sugarcane for sugar or for seed.

The production of sugar resulting from this action will not make available a quantity of sugar greater than that needed to meet quota and carryover requirements.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 1 U.S.C. Supp. 1153. Interprets or applies sec. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Supp. 1131, 1132; Public Law 87-535 approved July 13, 1962)

Effective date: Date of publication.

Signed at Washington, D.C., on May 17, 1963.

CHARLES S. MURPHY,
Under Secretary of Agriculture.

[F.R. Doc. 63-5515; Filed, May 22, 1963;
8:53 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1963-Crop Rice Supp.]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—1963 Crop Rice Loan and Purchase Agreement Program

General Regulations Governing Price Support for the 1963 and Subsequent Crops (28 F.R. 2890) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support operations are supplemented for the 1963 crop of rice as follows:

Sec.	Purpose.
1421.2701	Availability of price support.
1421.2702	Cooperative marketing associations.
1421.2703	Eligible rice.
1421.2704	Compliance requirements.
1421.2705	Effect of unknowingly exceeding the acreage allotment.
1421.2706	Application for review and request for reconsideration.
1421.2707	Determination of quality.
1421.2708	Determination of quantity.
1421.2709	Warehouse receipts.
1421.2710	Warehouse charges.
1421.2711	Maturity of loans.
1421.2712	Inspection certificates.
1421.2713	Settlement.
1421.2714	Support rates.
1421.2715	

AUTHORITY: §§ 1421.2701 to 1421.2715 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 62 Stat. 1051, as amended, 1054, sec. 302, 72 Stat. 988; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2701 Purpose.

This supplement states additional program provisions which, together with provisions of the General Regulations Governing Price Support for the 1963 and Subsequent Crops and any amendments thereto, apply to loans and purchase agreement under the 1963-Crop Rice Price Support Program.

§ 1421.2702 Availability of price support.

Price support will be available from harvest through January 31, 1964.

§ 1421.2703 Cooperative marketing associations.

A cooperative marketing association which satisfies the requirements of this section shall be deemed an eligible producer and shall be eligible for price support on eligible rice through warehouse-storage loans and purchase agreements. An association desiring price support shall submit its application for determination of eligibility to the State committee of the State where the association's principal office is located no later than December 1, 1963.

(a) *Producer-owned and controlled.* The association must be a producer-owned cooperative marketing association under the control of its producer-members. The association shall submit with its application a detailed statement of its method of operations showing the manner in which producer-members have control of the association.

(b) *Articles or bylaw provisions.* The articles of incorporation or association, or bylaws of the association, must provide for: (1) An annual membership meeting at a location which will provide reasonable opportunity for all members to attend and participate, (2) a notice of all district, area, or annual meetings to be given to all members affected by such meetings, (3) membership in the association to be open to all farmer-producers of rice except that producers may be denied membership on a reasonable basis, including among other reasons, that the membership of the farmer-producer would be inimical to the effective operation of the association, (4) voting on election of officers and directors by writ-

ten ballot, (5) a single vote for each member, regardless of the number of shares of stock owned or controlled by him, or voting rights for each member based on his production of rice marketed by the association during the current year or a single preceding year, but whichever of the above-described methods of voting is practiced, it shall be uniform for all members of the association, and (6) each member receiving a summary financial statement prepared by the independent accountant who made the annual audit of the association, or a resolution of the board of directors must so provide.

(c) *Financial condition.* The association must submit with its application evidence establishing to the satisfaction of the Executive Vice President, CCC, that its operation is on a financially sound basis.

(d) *Operations.* The association (1) must have been in existence and conducting legitimate marketing operations for its producer-members for a period of not less than two years prior to the date of its application, or (2) must submit evidence that it is so organized and staffed as to provide effective marketing operations for its producer-members.

(e) *Conflict of interest.* The association must submit with its application a report concerning all transactions, except those which are no different than transactions entered into by the association with its general membership, for the year preceding the date of the application: (1) With any director, officer, or employee of the association or any of his close relatives, (2) with any partnership in which any such person or any of his close relatives are entitled to receive a percentage of the gross profits, (3) with any corporation in which any such person or any of his close relatives own stock, (4) with any business entity from which any such person or any of his close relatives received fees for transacting business with or on behalf of the association, or (5) with any business entity in which an agent, director, officer or employee of the association was an agent, director, officer or employee of such business entity. A close relative shall be deemed to refer to a husband or a wife or a person related as child, parent, brother, or sister by blood, adoption, or marriage and shall include in-laws within such categories of relationship. The report shall include, but is not limited to, transactions involving purchases, sales, processing, handling, marketing, transportation, warehousing, insurance and related activities. A statement must also be submitted indicating whether any transactions of the kind described in this paragraph are contemplated in the period between the date of the application and August 1, 1964, and if such transactions are contemplated, a detailed statement of the reasons therefor. The association shall not be eligible for price support unless it establishes to the satisfaction of the Executive Vice President, CCC, that any such transactions in the year preceding the date of application or in the period beginning with the date of application and ending on August 1,

1964, have not and will not operate to the detriment of members of the association.

(f) *Uniform marketing agreement.* All eligible rice delivered to the association by producer-members must be marketed through the association pursuant to a uniform marketing agreement between the association and each of its producer-members who deliver such eligible rice.

(g) *Member business.* Not less than 80 percent of the rice marketed by the association must be produced by its producer-members. Rice purchased by the association from CCC shall not be considered in determining the volume of rice marketed for members and non-members.

(h) *Vested authority.* The association must have authority to obtain a loan on the security of the rice and give a lien thereon as well as authority to sell such rice.

(i) *Records maintained.* The association must maintain a record by varieties, grades, and milling yields of the quantities of rice eligible for price support delivered to the association by eligible producer-members. Also, the association must maintain a record by varieties, grades, and milling yields of the quantities of rice not eligible for price support which is acquired by or delivered to the association from each source and such record must show the disposition of the ineligible rice.

(j) *Segregated storage.* Before applying for rice price support or December 1, 1963, whichever is earlier, the association must set aside in physically segregated storage separate from all other rice a quantity of each variety of rice of the 1963-crop equivalent in quantity and quality to the eligible rice of the 1963-crop which was delivered by eligible producer-members and which remains undisposed of in its inventory at the time of such segregation. Such segregated rice shall be considered as eligible rice. Eligible rice which is received by the association on or after the date of such segregation shall also be set aside in physically segregated storage and may be included with quantities of eligible rice previously segregated. Price support may be obtained only on the quantity of eligible rice segregated in accordance with this paragraph (j).

(k) *Distribution of proceeds.* Proceeds from price support loans and rice eligible for price support disposed of by marketing or by delivery to CCC shall be distributed only to the eligible producer-members who delivered the eligible rice to the association according to the quantity and quality of such eligible rice delivered by such eligible producer-member. This provision shall not be construed as prohibiting the association from establishing separate pools and distributing the proceeds proportionately to the producer-members whose rice is included in each pool.

(l) *Inspection by CCC.* Rice held by an association must be available for inspection by CCC at all reasonable times so long as the association has rice under price support. The books and records of the association must be available to CCC

for inspection at all reasonable times through May 1, 1969.

(m) *Member associations.* Notwithstanding the requirements of paragraph (a) of this section, an association which includes in its membership other associations composed of producer-members, shall be eligible for price support if all such member associations meet the requirements for price support under this section. The requirements in paragraph (h) of this section shall be deemed to be satisfied if such member associations have the right to deliver to the association applying for price support eligible rice delivered by their producer-members and to authorize the association applying for price support to sell the rice and to obtain a loan on the security of the rice and to give a lien thereon. The association applying for price support shall: (1) In its charter, bylaws, marketing contracts or by other legal means require that its member associations meet such requirements for price support, (2) submit the material and certifications required by paragraphs (c), (d), and (e) of this section with respect to each member association, (3) certify to CCC that its member associations are in fact eligible for price support under the requirements of this section, and (4) except for the requirement that it consist of producers, otherwise qualify for price support under this section.

(n) *Eligibility determinations.* Determinations under this section with respect to the eligibility of a cooperative marketing association of producers for price support through either warehouse-storage loans or purchase agreements, or both, shall be made by the Executive Vice President, CCC.

(o) *Investigations.* CCC shall have the right at any time after an application is received to examine all records and make such investigations deemed necessary to determine whether the cooperative is operating in accordance with its articles of incorporation, bylaws, agreements with producers or member associations and with the representation made in its application.

§ 1421.2704 Eligible rice.

The rice must have been produced by an eligible producer and must meet the requirements of this section, in addition to other eligibility requirements of the program, in order to be eligible for price support.

(a) *Classes.* The rice must be of one of the classes or varieties within the Official Standards of the United States for Rough Rice other than "Mixed Rough Rice."

(b) *Grade requirements.* Rice, at the time it is placed under loan or purchased under a purchase agreement must: (1) Grade U.S. No. 5 or better (rice of special grades shall not be eligible) and (2) contain not more than 14 percent moisture.

(c) *Poisonous substances.* The rice must not contain mercurial compounds or other substances poisonous to man or animals.

§ 1421.2705 Compliance requirements.

Except as provided in section 1421.2706, a producer shall not be eligible for price support on rice produced in 1963 if

the 1963 rice acreage on the farm on which such rice is produced is in excess of the farm rice-acreage allotment. If a producer has an interest in the 1963 rice crop produced on any other farm in the same county, he must also be entitled to receive a marketing certificate for each such farm in order to be eligible for price support. If a producer is engaged in the production of rice in more than one county (in the same State or in two or more States) and the requirements of Rice Marketing Quota Regulations 7 CFR 730.967 (c) (23 F.R. 2897), and any amendments thereto are applied to such multiple farming unit, he must be entitled to receive a marketing certificate for each such farm, wherever situated, in order to be eligible for price support on his 1963 crop of rice.

§ 1421.2706 Effect of unknowingly exceeding the acreage allotment.

(a) *Method of determination.* The acreage of rice on a farm shall not be deemed to be in excess of the farm rice acreage allotment unless such allotment is knowingly exceeded. If the farm rice acreage allotment is in fact exceeded, such allotment shall be considered as having been knowingly exceeded unless the operator of the farm establishes to the satisfaction of the county committee in accordance with paragraphs (b), (c), or (d) of this section that he and other producers on the farm have not knowingly exceeded the farm rice acreage allotment and the determination of the county committee is reviewed and approved by the State Executive Director.

(b) *Erroneous notice of acreage allotment.* An otherwise eligible producer shall not be ineligible for price support when the farm is overplanted because of reliance on an erroneous notice of farm rice acreage allotment as provided in the Rice Marketing Quota Regulations 7 CFR 730.994(a) (25 F.R. 5267, June 14, 1960).

(c) *Erroneous notice of measured acreage.* An otherwise eligible producer shall not be ineligible for price support if the farm is overplanted because of reliance on an erroneous notice of measured acreage as provided in Determination of Acreage & Performance Regulations, 7 CFR 718 (24 F.R. 4223).

(d) *Failure to timely measure acreage or notify operator.* The farm rice acreage allotment for the farm will not be considered to be knowingly exceeded in any case where (1) through no fault of the farm operator or any producer on the farm the acreage was not measured or the farm operator was not timely notified of the measured acreage in time to dispose of the excess acreage prior to the final date for the disposition of the excess acreage; (2) the excess acreage was relatively small; and (3) the farm operator establishes that because of the relative smallness of the excess and the unavailability to him of any recent measurements of the field acreages on the farm, he had no reason to believe the acreage was in excess of the farm rice acreage allotment. Nothing in this paragraph shall affect any producer's liability for penalties on excess rice determined under the Rice Marketing Quota Regulations for 1958 and Subsequent

Crop Years, 7 CFR 730.950 to 730.955 (23 F.R. 2897) and any amendments thereto.

§ 1421.2707 Application for review and request for reconsideration.

Any producer who is dissatisfied with any determination with respect to compliance with his farm rice acreage allotment may appeal from such determination as provided in the Marketing Quota Review Regulations, 7 CFR Part 711 (26 F.R. 10204, November 1, 1961) and any amendments thereto.

§ 1421.2708 Determination of quality.

(a) *Quality.* The class or variety, grade, grading factors, milling yield and all other quality factors shall be determined in accordance with the Official Standards of the United States for Rough Rice, whether or not such determinations are made on the basis of an official inspection.

(b) *Loans.* Loans, in the case of commingled rice, will be made on the quality shown on the warehouse receipt, or supplemental certificate if applicable. In all other cases, loans will be made on the basis of quality shown on the Federal or Federal-State sample inspection certificate, based on a representative sample drawn by the county office for each lot of rice at the time application for the loan is made.

§ 1421.2709 Determination of quantity.

(a) *In warehouse.* The quantity of rice stored in an approved warehouse and placed under loan shall be the weight specified on the warehouse receipt, or on the supplemental certificate if applicable.

(b) *On farm.* The quantity of rice placed under farm-storage loan may be determined either by weight or by measurement expressed in units of 100 pounds rounded to the nearest whole unit.

(c) *Bagged or bulk.* In determining the quantity of bagged rice by weight the gross weight, including bags, shall be used. When necessary to convert bagged rice to a bulk basis or bulk rice to a bagged basis, an adjustment of 0.6 pound for 100 pounds of gross weight shall be made as allowance for the weight of the bag.

(d) *Adjustment for test weight.* When the quantity is determined by measurement, 100 pounds shall be 2.78 cubic feet of rice testing 45 pounds per bushel. The quantity determined for rice of a different test weight shall be adjusted by the applicable percentage in the following table:

For rice testing:	Percent
45 pounds or over	100
44 pounds or over, but less than 45 pounds	98
43 pounds or over, but less than 44 pounds	96
42 pounds or over, but less than 43 pounds	93
41 pounds or over, but less than 42 pounds	91
40 pounds or over, but less than 41 pounds	89

The percentages shall be proportionately lower for rice testing below 40 pounds.

(e) *Safety margin.* A 5 percent safety factor shall be deducted from the total

quantity offered for loan as determined in accordance with this section, except that, in the case of commingled rice, loans will be made on the entire quantity shown on the warehouse receipt or supplemental certificate.

§ 1421.2710 Warehouse receipts.

(a) *General.* Warehouse receipts representing rice in approved warehouse storage placed under warehouse storage loan, delivered in satisfaction of a farm storage loan or purchased under a purchase agreement must meet the requirements of this section and the general regulations governing price support for 1963 and subsequent crops and any amendments thereto. The receipts must be issued by a warehouse for which a Uniform Rice Storage Agreement is in effect and which is approved by CCC for price support purposes. Such warehouse receipts must carry an endorsement by the warehouseman in substantially the following form:

Warehouse charges through (the applicable maturity date for loans for State where stored), including, but not limited to, receiving and loading out charges accrued or to accrue, and all other charges incident to the acquisition of the rice by CCC, on the rice represented by this warehouse receipt have been paid or otherwise provided for and a lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of the warehouse receipt. If the rice represented by this warehouse receipt is to be loaded out in bags, the warehouseman agrees that any and all right, title, and interest which he has in such bags shall pass with the rice when such rice is acquired under the price support program or shall pass at the time the rice is loaded out, if the rice is not in bags at the time of acquisition by CCC.

(b) *Entries.* Each warehouse receipt, inspection certificate or warehouseman's supplemental certificate properly identified with the warehouse receipt must be issued in accordance with the Rice Storage Agreement and must show: (1) Whether the rice is stored in bulk or in bags, (2) whether the rice is to be delivered in bulk or in bags, (3) gross and net weight for bagged rice and net weight for bulk rice, (4) class or variety, (5) grade, (6) grading factors, (7) milling yield, (8) moisture, (9) method of storage (commingled, modified commingled or identity preserved), and (10) manner by which rice was received (truck or rail). In the case of rice stored identity preserved the producer is responsible for quality and quantity. In the case of rice stored modified commingled, the producer is responsible for quality only. When required, the supplemental certificate shall be executed by the warehouseman for commingled rice, by the warehouseman and producer for modified-commingled rice and by the producer for identity-preserved rice. A separate warehouse receipt must be submitted for each class or variety, grade, and milling yield of rice.

§ 1421.2711 Warehouse charges.

(a) *Farm-stored loans and purchase agreements.* CCC will assume receiving and warehouse storage charges on rice delivered to an approved warehouse after loan maturity date and acquired by CCC

in satisfaction of a (1) farm storage loan or (2) purchase agreement except that, warehouse storage charges will be assumed by CCC only from and after the date of completion of deposit of such rice in the warehouse.

(b) *Warehouse-stored loans and purchase agreements.* CCC will assume warehouse storage charges accruing on and after the day following the loan maturity date on rice which is in approved warehouse storage under loan or purchase agreement on the maturity date for loans and which is acquired by CCC.

(c) *Refund of prepaid handling charges.* The receiving or the receiving and loading out charges referred to in Section 1421.25(j) of the General Regulations Governing Price Support for the 1963 and Subsequent Crops shall be 8 cents per cwt.

§ 1421.2712 Maturity of loans.

Unless demand is made earlier, loans on rice will mature on April 30, 1964.

§ 1421.2713 Inspection certificates.

Except in the case of loans on commingled warehouse stored rice, settlement with the producer on all rice acquired by CCC will be based on the quality shown on the Federal or Federal-State lot inspection certificates. Such inspection certificates shall not be dated earlier than 30 days prior to the maturity date. The cost of Federal or Federal-State lot inspections as required by this section and section 1421.2714 shall not be for the account of CCC.

§ 1421.2714 Settlement.

Settlement for eligible rice acquired by CCC under loan or purchase agreement will be made with the producer as provided in Section 1421.25 of the general regulations and this section. Where rice is placed under a farm storage loan in an area where a location differential is in effect and is delivered to CCC in satisfaction of the loan in an area where no differential is applicable settlement for rice acquired by CCC will be made on the basis of the support rate for the area where the rice is delivered. Deliveries of rice to be sold under purchase agreements shall be in accordance with instructions issued by the county office.

(a) *Commingled warehouse storage.* Settlement for eligible rice stored commingled in an approved warehouse and acquired by CCC under a loan or purchase agreement shall be made on the basis of the class or variety, grade, quality and quantity as shown on the warehouse receipt or supplemental certificate if applicable. Settlement shall also be made on such a basis (1) where with the producer's consent, an approved warehouse issues a commingled warehouse receipt for loan rice delivered into the warehouse from farm storage pursuant to instructions of the county office or an approved warehouse exchanges commingled warehouse receipts for warehouse receipts representing rice under identity-preserved or modified-commingled warehouse storage loan and (2) where CCC determines that a warehouseman failed to maintain the identity of rice covered by an identity-preserved warehouse-storage loan or modified-

commingled warehouse storage loan. In the case of purchase agreements, the producer shall, not later than the day following the final date for delivery, or during such other period of time thereafter as may be specified by the county office, submit to the county office warehouse receipts under which the warehouseman guarantees the class or variety, grade, quality and quantity of rice sold to CCC.

(b) *Modified commingled.* Settlement for eligible rice stored modified commingled in an approved warehouse and acquired by CCC under a loan or purchase agreement shall be made on the basis of the class or variety, grade and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on the warehouse receipt, or supplemental certificate if applicable. In the case of rice stored modified commingled in approved storage the producer shall, within 10 days after the maturity date in the case of loans and at the time of sale under a purchase agreement, furnish to the county office Federal or Federal-State lot inspection certificates.

(c) *Other storage.* Settlement for eligible rice acquired under loan or purchase agreement not covered by paragraph (a) or (b) of this section shall be made on the basis of the class or variety, grade and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on official weight certificates. In the case of rice stored identity preserved in approved warehouse storage (1) if the rice was acquired by CCC under a purchase agreement the producer shall furnish to the county office Federal or Federal-State lot inspection certificates at the time of sale, or (2) if the rice was acquired by CCC, under a loan, within 10 days after the maturity date. In the case of rice stored in other than approved warehouse storage acquired under a loan or purchase agreement, the producer shall furnish Federal or Federal-State lot inspection certificates at the time of delivery or sale. Official weight certificates required by this paragraph (c) shall be dated not earlier than 30 days prior to the applicable maturity date covering the rice. The cost of such certificates shall not be for the account of CCC.

(4) *Bagged or bulk rice—(1) Farm-storage.* Settlement with respect to farm-stored rice acquired by CCC shall be on the basis of weight. The weight of bulk rice will be the net weight of the rice. The weight of bagged rice will be the combined weight of the rice and the bags, and title to the bags will pass to CCC with the rice. CCC shall not otherwise pay any amount representing the value of the bags.

(2) *Warehouse-stored.* Rice in approved warehouse storage shall be acquired by CCC on a bagged or bulk basis in accordance with the manner in which the rice is to be loaded out by the warehouseman as indicated on the warehouse receipt. The quantity for settlement purposes shall be the net weight of the rice when acquired in bulk and the combined net weight of the rice and the bags when acquired in bags. Where the

warehouse receipt indicates that rice will be loaded out in bags, title to the bags shall pass to CCC at the time of acquisition of the rice. CCC shall not otherwise pay any amount representing the value of the bags. In the event any person should successfully dispute the passing of title to the bags, the producer shall indemnify CCC for any loss sustained by reason thereof.

§ 1421.2715 Support rates.

The support rate for the quality of rice (1) placed under loan shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and (2) in the case of settlement for rice acquired under loans and purchase agreements shall be the applicable basic support rate adjusted as provided in § 1421.2714 of this subpart and § 1421.25 of the General Regulations Governing Price Support for 1963 and Subsequent Crops.

(a) *Basic rates.* The basic support rate per 100 pounds of rice shall be computed as follows: Multiply the yield (in pounds per hundredweight) of head rice by the applicable value factor for head rice (as shown in the table below according to class or variety). Similarly, multiply the difference between the total yield and head rice yield (in pounds per hundredweight) by the applicable value factor for broken rice. Add the results of these two computations to obtain the basic loan or purchase rate per 100 pounds of rice and express such rate in dollars and cents, rounded to the nearest whole cent.

VALUE FACTORS FOR HEAD AND BROKEN RICE ¹

Group	Rough rice class or variety	Cents per pound	
		Head rice	Broken rice
I	Patna (except the varieties Belle Patna and Century Patna), and Rexora (except the variety Rexark).....	9.03	4.0
II	Blue Bonnet, Belle Patna, Nira, and Rexark.....	8.43	4.0
III	Century Patna, Toro, Fortuna, R.N. and Edith.....	7.43	4.0
IV	Blue Rose (including the varieties Improved Blue Rose, Greater Blue Rose, Kamrose, and Arkrose), Calrose, Gulfrose, La-Crosse, Magnolia, Nato, Zenith (including the varieties Gold Zenith and Golden Rose), Prelude, and Lady Wright.....	7.23	4.0
V	Pearl, Early Prolific, Calady, and other varieties.....	7.08	4.0

¹ These value factors may be changed. Such changes, if any, will be made by an amendment to this section issued shortly after Aug. 1, 1963.

(b) *Premiums and discounts.* The basic support rates determined under paragraph (a) of this section shall be adjusted by the following applicable premium or discount:

(1) Premium:

	Cents per 100 pounds
Grade U.S. No. 1.....	20
Grade U.S. No. 2.....	10

(2) Discounts:

	Cents per 100 pounds
Grade U.S. No. 3.....	5
Grade U.S. No. 4.....	20
Grade U.S. No. 5.....	40

(c) *Location differentials.* For rice produced in the following areas, discounts for location (to adjust for transportation costs of moving the rice to an area where competitive milling facilities are available) shall be applied to the basic support rate determined under paragraph (a) of this section and shall be in addition to any adjustment in accordance with paragraph (b) of this section: *Provided, however,* That if such rice is transported and stored in a rice producing area where no location differential is applicable, no deduction shall be made.

DIFFERENTIAL TABLE

Area	Discount per 100 pounds
State of Florida.....	\$0.97
States of North Carolina and South Carolina.....	0.93
Counties of Lafayette, Little River, and Miller in Arkansas; Bowie in Texas; McCurtain in Oklahoma; and Bossier Parish in Louisiana.....	0.255
Imperial County, California and adjacent counties in Arizona and California.....	1.02
Counties of Holt, Lewis, Lincoln, Marion, Pike, and St. Charles in Missouri and Adams in Illinois.....	0.615

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 17, 1963.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 63-5516; Filed, May 22, 1963; 8:53 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 9—PUBLIC RECORDS

Production or Disclosure

On February 20, 1963 (28 F.R. 1591) the Commission published for public comment a proposed amendment of § 9.7 of 10 CFR Part 9 Public Records, which would permit the disclosure of documents of the kinds described in § 9.4 as not included in the public records to personnel of Federal, State or municipal governments when the General Manager or the Director of Regulation deemed such disclosure not be contrary to the public interest.

Interested persons were given 30 days in which to submit written comments in connection with the proposed amendment. No objections or suggested changes to the proposed amendment have been received by the Commission.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendment of 10 CFR 9 is published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

Section 9.7 is amended to read as follows:

§ 9.7 Production or disclosure.

(a) Documents of the kind specified in § 9.4 shall not be produced or dis-

closed by AEC personnel without Commission authorization except in accordance with this section.

(b) The person from whom the document is sought shall promptly notify the General Manager or the Director of Regulation, and the General Counsel. Upon a finding that disclosure is not contrary to the public interest, the General Manager or Director of Regulation may authorize the production or disclosure of the document pursuant to a subpoena, or to personnel of a Government agency or of any State or political subdivision thereof as required for the performance of their official duties. Authority of the General Manager and of the Director of Regulation to authorize production or disclosure shall extend only to documents filed with divisions and offices which report to them respectively pursuant to the provisions of Part 1 of this chapter.

(c) An officer or employee of the AEC who is required by a subpoena to produce or disclose a document of a kind specified in § 9.4 shall appear in response thereto and shall respectfully decline to produce or disclose the document described, basing refusal on this section, unless production or disclosure has been authorized pursuant to this § 9.7.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 15th day of May 1963.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary.

[F.R. Doc. 63-5487; Filed, May 22, 1963;
8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-SO-45]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area

In a notice of proposed rule making published in the FEDERAL REGISTER on April 12, 1963 (28 F.R. 3589), the Federal Aviation Agency stated it proposed to amend § 73.44 of the Federal Aviation Regulations to alter the designated altitudes and the time of designation and to extend the east boundary of the Camp Shelby, Miss., Restricted Area R-4401.

The Air Transport Association commented on this proposal indicating no objection. No other comments were received on this proposal.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted.

The substance of the proposed amendment has been published; therefore, for the reasons stated in the notice, the following action is taken:

In § 73.44 (28 F.R. 19-28, January 26, 1963), R-4401, Camp Shelby, Miss., Restricted Area is amended to read:

R-4401 Camp Shelby, Miss.

Boundaries. Beginning at latitude 31°-12'54" N., longitude 89°11'03" W.; to latitude 31°11'48" N., longitude 89°00'00" W.; to latitude 31°10'15" N., longitude 88°56'34" W.; to latitude 31°09'10" N., longitude 88°56'34" W.; thence southwest along Mississippi State Highway No. 15 to latitude 31°04'36" N., longitude 88°59'24" W.; to latitude 31°04'36" N., longitude 89°11'03" W.; to point of beginning.

Designated altitudes and time of designation. Surface to 23,000 feet MSL, 0600 to 2400 c.s.t. daily, June 1 through August 31; surface to 14,000 feet MSL, 0600 to 2400 c.s.t. Saturdays and Sundays, from March 1 through May 31; surface to 3,500 feet MSL, sunrise to sunset, for use by the United States Air Force as published in NOTAMs by the using agency at least 48 hours in advance of activation, such activation not to exceed three weeks in any quarter year.

Using agency. Adjutant General, State of Mississippi, Jackson, Mississippi.

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

This amount shall become effective 30 days after the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on May 21, 1963.

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

[F.R. Doc. 63-5539; Filed, May 22, 1963;
8:54 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1754; Amdt. 568]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing Models 707 and 720 Aircraft

Amendment 469, 27 F.R. 7489 as amended by FAA telegram dated August 1, 1962, and as amended by Amendment 507, 27 F.R. 11219 requires an inspection of the landing gear truck beam after every jacking operation and snubber failure. The manufacturer has developed a modification which provides an equivalent means of compliance. Accordingly, Amendment 469 as amended is being superseded by a new directive which includes provisions for the installation of the modification.

Since this amendment provides for an alternative means of compliance and imposes no additional burden on any persons, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication in the FEDERAL REGISTER.

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:

BOEING. Applies to all Models 707 and 720 aircraft.

Compliance required within the next 100 hours' time in service after the effective date of this AD and thereafter at intervals not exceeding 100 hours' time in service and as indicated in paragraphs (d) and (e).

As a result of failures of the landing gear truck beam and related components, accomplish the following:

(a) Clean the truck beams in accordance with the following:

(1) Prerinse the area using Stoddard Solvent P-S-661 type 1 or water.

(2) Using a soft bristle or fiber brush, apply one of the following cleansing agents, or equivalent approved by FAA Engineering and Manufacturing Branch, Western Region to the soiled areas:

(i) Oakite 204, full strength;

(ii) Oakite 74L, one part with five parts water;

(iii) Wyandotte Aerowash A, full strength;

(iv) Kelite Formula 29, full strength; and,

(v) An emulsion cleaner listed in Chapter 13 of Boeing Overhaul Manual.

(3) Allow cleansing agent to remain on the parts for 5 minutes. Do not permit the area to dry. Agitate the cleaner applied to beam and allow to remain on the parts an additional 5 minutes. Agitate again with the brush and thoroughly pressure rinse with water, preferably warm, but not exceeding 120° F. In lieu of, or as a supplement to the pressure rinse with water, the cleaners may be removed by use of solvents listed in Chapter 13 of Boeing Overhaul Manual.

(b) After cleaning, make a thorough visual inspection of the truck beam using mirrors as necessary and a strong light to detect any evidence of jack marks, scratches, gouges, corrosion or impact dents. Remove any straps around the beam which show evidence of damage. Particular attention shall be given to:

(1) The lower section of the beam for evidence of jack marks caused by jack slip-page or improperly placed jacks;

(2) The forward area of the beam where contact is possible with the torsion link pivot pin retaining bolt (on the lower torque link lug on the Model 720); and,

(3) To the aft area of the beam where contact is possible with the shock strut inner cylinder upon snubber failure.

(c) Truck beams exhibiting evidence of corrosion, scratches, jack marks, dents or gouges shall be replaced before further flight unless repaired in accordance with FAA approved Boeing Service Bulletin No. 142(R-2) or later FAA approved revisions. Evidence of jack marks or dents shall be inspected with a dial indicator or FAA approved equivalent to determine the depth of such damage. No repair is permitted if the depth exceeds 0.005 inch.

(d) Before further flight after any jacking operations and after main landing gear snubber failure, clean and inspect the truck beam as follows:

(1) Clean truck beam with one of the approved Boeing solvents for cleaning of high heat-treated steel listed in Chapter 13 of the Boeing Overhaul Manual.

(2) Inspect and, as necessary, rework or replace the truck beam in accordance with paragraphs (b) and (c).

(3) If a truck beam shield is fabricated and installed in accordance with American Airlines Engineering Change Order No. B1743, dated October 8, 1962, or FAA Western Region Engineering approved equivalent is installed, the following inspection procedure for the truck beam area protected by the shield may be followed in lieu of that required by (d) (1) and (2):

(i) Clean the truck beam shield with Navee 427 or FAA approved equivalent, and inspect it for evidence of dents, gouges, cracks, pressure marks, or other damage.

(ii) If no evidence of dents, gouges, cracks, pressure marks or other damage is found, further inspection of the truck beam area protected by the shield is not required at this inspection period.

(iii) If evidence of dents, gouges, cracks, pressure marks, or other damage is found, remove the shield and clean and inspect the truck beam in accordance with (d) (1) and (2). If the shield is still serviceable, it may be reinstalled provided that any dents, gouges, cracks, pressure marks, or other dam-

age is painted over with yellow paint to indicate old damage.

Note: When a shield is installed on the truck beam in compliance with paragraph (d) (3) compliance with the remaining provisions of the AD is still required.

(4) If a Boeing truck beam shield is fabricated and installed in accordance with Boeing Service Bulletin No. 1780 or FAA Western Region Engineering approved equivalent, the following inspection procedure for the truck beam area protected by the shield may be followed in lieu of that required by (d) (1) and (2):

(Note: The British Overseas Airways Corporation truck beam shield manufactured and installed in accordance with BOAC Drawing No. BOA-B61138 is an approved equivalent to the Boeing truck beam shield.)

(i) Clean and inspect the truck beam shield for any evidence of impact damage such as dents.

(ii) If no evidence of impact damage is found, further inspection of the truck beam area protected by the shield is not required at this inspection period.

(iii) If the shield is distorted to the extent that contact with the beam is obvious or suspected, remove the shield and clean and inspect the truck beam in accordance with (d) (1) and (2). If the shield is still serviceable, it may be reinstalled provided that any impact damage is painted over with yellow paint to indicate old damage.

(iv) At intervals not to exceed 500 hours' time in service after original installation of the shield, visually inspect the truck beam for evidence of foreign matter between the truck beam and the shield, or corrosion on the truck beam. If foreign matter is present, clean the truck beam and shield as necessary. If corrosion is present, remove the corrosion in accordance with Boeing FAA approved Service Bulletin No. 142(R-2) or later FAA approved revisions.

(v) At intervals not to exceed 5,550 hours' time in service after original installation of the shield, remove the shield and inspect for corrosion. Remove any corrosion present in accordance with Boeing FAA approved Service Bulletin No. 142(R-2) or later FAA approved revisions.

(e) The 100-hour repetitive inspection interval may be increased to 500 hours' time in service when the automatic brake cylinder and the piston in the main landing gear metering valve are replaced with new Boeing actuator assembly 69-10763, and the landing gear snubber assembly and main landing gear centering cylinders have been reworked in accordance with Boeing Service Bulletins Nos. 535 and 535B. Concurrently with the increase to 500-hour repetitive inspection interval, the cleaning procedures of paragraph (d) may be used in lieu of those of paragraph (a).

Note: Some aircraft have been modified prior to delivery to incorporate the work required by Boeing Service Bulletins Nos. 535 and 535B.

(f) The main landing gear shall not be jacked and/or supported at points other than the forward and aft truck beam jack pads, unless the aircraft is otherwise supported in accordance with section 32 of the Boeing Maintenance Manual.

(g) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Western Region, may adjust the repetitive inspection intervals specified in this airworthiness directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Boeing Service Bulletin No. 142(R-2) covers this same subject.)

This supersedes Amendment 469, 27 F.R. 7489 (AD 62-17-2) as amended by FAA tele-

gram dated August 1, 1962, and by Amendment 507, 27 F.R. 11219.

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

This amendment shall become effective May 23, 1963.

Issued in Washington, D.C., on May 16, 1963.

G. S. MOORE,

Director, Flight Standards Service.

[F.R. Doc. 63-5455; Filed, May 22, 1963; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 55895]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Transfer of Clark County, Nevada, to Los Angeles District

MAY 16, 1963.

A review of geographical factors in the southern California-southern Nevada area indicates that Clark County, Nevada, which is now part of the San Francisco District (Customs Collection District No. 28), can be provided better and more efficient customs service if it is transferred to, and made a part of, the Los Angeles District (Customs Collection District No. 27).

Notice of proposed action to effect this transfer was published in the FEDERAL REGISTER on March 20, 1963 (28 F.R. 2736), pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1002). No objections were received.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 1 (26 F.R. 11877), Clark County, Nevada, shall become a part of the Los Angeles District (Customs Collection District No. 27) effective 30 days after the date of publication of this Treasury decision in the FEDERAL REGISTER. To reflect this change, § 1.1(c) of the Customs regulations is amended by:

1. Changing the period after the word "Imperial" in the column headed "Area of district," District No. 27 (Los Angeles), to a comma and adding "and that part of the State of Nevada comprising Clark County."

2. Deleting the period at end of the parenthetical citations in the column headed "Name of district," District No. 27 (Los Angeles), and adding "(T.D. 55895)."

3. Substituting "State of Utah and the State of Nevada, except Clark County" for "States of Utah and Nevada" in the column headed "Area of district," District No. 28 (San Francisco).

4. Deleting the period at the end of the parenthetical citations in the column

headed "Name of district," District No. 28 (San Francisco), and adding "(T.D. 55895)."

(R.S. 161, as amended, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1, 2, 66, 1624)

[SEAL]

JAMES A. REED,

Assistant Secretary of the Treasury.

[F.R. Doc. 63-5507; Filed, May 22, 1963; 8:53 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6653]

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

Income From Discharge of Indebtedness

On December 28, 1962, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under section 61(a) (12) of the Internal Revenue Code of 1954 to conform the regulations to the decision in *Bayshore Gardens, Inc. v. Commissioner* (C.A. 2d 1959) 267 F. 2d 55, was published in the FEDERAL REGISTER (27 F.R. 12837). After consideration of all the relevant matter presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL]

BERTRAND M. HARDING,

Acting Commissioner of Internal Revenue.

Approved: May 20, 1963.

STANLEY S. SURREY,

Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) relating to the amortization of discount or premium arising from the issuance by a corporation of its bonds to the decision in *Bayshore Gardens, Inc. v. Commissioner* (C.A. 2d 1959) 267 F. 2d 55, paragraph (c) of § 1.61-12 is amended by adding immediately after subparagraph (4) a new subparagraph (5) as follows:

§ 1.61-12 Income from discharge of indebtedness.

* * * * *

(c) Sale and purchase by corporation of its bonds. * * *

(5) For purposes of this paragraph, a debenture, note, or certificate or other evidence of indebtedness, issued by a corporation and bearing interest shall be given the same treatment as a bond.

[F.R. Doc. 63-5510; Filed, May 22, 1963; 8:53 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER G—REGATTAS AND MARINE PARADES

[CGFR 63-22]

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

Pursuant to the notices of proposed rule making published in the *FEDERAL REGISTER* on February 2, 1963 (28 F.R. 1052-1058), and February 16, 1963 (28 F.R. 1510, 1511), and the Merchant Marine Council Public Hearing Agenda dated March 25, 1963 (CG-249), the Merchant Marine Council held a public hearing on March 25, 1963, for the purpose of receiving comments, views and data.

The proposals considered were identified as Items I through XI. Item X contains proposals regarding Rules of the Road. This Item included proposals regarding "Regattas and Marine Parades" which are adopted with minor changes. A number of comments objected to the proposals permitting States to continue to regulate certain regattas. Several States are now performing this work in accordance with existing requirements. This practice will be continued.

The title for Subchapter G is changed from "Marine Regattas or Marine Parades" to "Regattas or Marine Parades." The heading for Part 100 is changed from "Safety of Life on Navigable Waters During Marine Regattas or Marine Parades" to "Safety of Life on Navigable Waters." These heading changes reflect the purpose and intent of regulations and remove words no longer considered necessary.

The provisions of 46 CFR 100.10, regarding Coast Guard-State agreements, were revised on the basis of comments received. The requirement in 46 CFR 100.15(c) that the application shall be submitted not less than 60 days prior to the start of the regatta or marine parade was modified to 30 days as suggested in one of the comments. Minor changes were also made in 46 CFR 100.20, 100.25 and 100.30. This document is the third in a series containing the regulations considered at the March 25, 1963, Public Hearing.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521), as well as the statute cited with the regulations below, the text of Part 100 is revised in its entirety to read as follows and this revision shall become effective 30 days after the date of publication of this document in the *FEDERAL REGISTER*:

- Sec. . . .
- 100.01 Purpose and intent.
 - 100.05 Definition of terms used in this part.
 - 100.10 Coast Guard-State agreements.
 - 100.15 Submission of application.
 - 100.20 Action on application for event assigned to State regulation by Coast Guard-State agreement.

- Sec. . . .
- 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.
- 100.30 Approval required for holding event.
- 100.35 Special local regulations.
- 100.40 Patrol of the regatta or marine parade.
- 100.45 Establishment of aids to navigation.
- 100.50 Penalties for violation of regulations.

AUTHORITY: §§ 100.01 to 100.50 issued under sec. 1, 35 Stat. 69, as amended; 46 U.S.C. 454. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

§ 100.01 Purpose and intent.

(a) The purpose of the regulations in this part is to provide effective control over regattas and marine parades conducted on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area.

§ 100.05 Definition of terms used in this part.

(a) "Regatta" or "marine parade" means an organized water event of limited duration which is conducted according to a prearranged schedule.

(b) "Navigable waters of the United States" means those waters of the United States, including the territorial sea adjacent thereto, the general character of which is navigable, and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States, or to or from foreign nations. (See Part 2 of this chapter for a description of navigable waters of the United States and determinations made concerning certain specific waters in various States.)

(c) "District Commander" means the Commander of the Coast Guard District in which the regatta or marine parade is intended to be held. (See Part 3 of this chapter for the geographical boundaries of Coast Guard Districts.)

(d) "State authority" means any official or agency of a State having power under the law of such State to regulate regattas or marine parades on waters over which such State has jurisdiction.

§ 100.10 Coast Guard-State agreements.

(a) The District Commander is authorized to enter into agreements with State authorities permitting regulation by the State of such classes of regatta or marine parade on the navigable waters of the United States as, in the opinion of the District Commander, the State is able to regulate in such a manner as to insure safety of life. All such agreements shall reserve to the District Commander the right to regulate any particular regatta or marine parade when he deems such action to be in the public interest.

§ 100.15 Submission of application.

(a) An individual or organization planning to hold a regatta or marine parade which, by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States, shall submit an application to the Coast Guard District Commander having cognizance of the area where it is

intended to hold such regatta or marine parade. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to: an inherently hazardous competition, the customary presence of commercial or pleasure craft in the area, any obstruction of navigable channels which may reasonably be expected to result, and the expected accumulation of spectator craft.

(b) Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Commandant or the District Commander may, subject to conditions set from time to time by him, grant a permit for such series of events for a fixed period of time, not to exceed one year.

(c) The application shall be submitted no less than 30 days prior to the start of the proposed event.

(d) The application shall include the following details:

(1) Name and address of sponsoring organization.

(2) Name, address, and telephone of person or persons in charge of the event.

(3) Nature and purpose of the event.

(4) Information as to general public interest.

(5) Estimated number and types of watercraft participating in the event.

(6) Estimated number and types of spectator watercraft.

(7) Number of boats being furnished by sponsoring organizations to patrol event.

(8) A time schedule and description of events.

(9) A section of a chart or scale drawing showing the boundaries of the event, various water courses or areas to be utilized by participants, officials, and spectator craft.

§ 100.20 Action on application for event assigned to State regulation by Coast Guard-State agreement.

(a) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State.

§ 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.

(a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:

(1) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will

be affected by, the regatta or marine parade.

(2) He will notify the individual or organization which submitted the application:

(i) That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to § 100.35; or,

(ii) That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or,

(iii) That the event requires no regulation or patrol of the regatta or marine parade area; or,

(iv) That the application is not approved, with reasons for such disapproval.

§ 100.30 Approval required for holding event.

(a) An event for which application is required under § 100.15(a) shall be held only after approval of such event by the District Commander, except that applications referred to a State under § 100.10 shall be governed by the laws of that State.

§ 100.35 Special local regulations.

(a) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he deems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.

(b) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local regulations, if there be such. Such notice should be published in the local notices to mariners.

(c) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the act of April 28, 1908, as amended (46 U.S.C. 454).

§ 100.40 Patrol of the regatta or marine parade.

(a) The Commander of a Coast Guard District in which a regatta or marine

parade is to be held may detail, if he deems the needs of safety require, one or more Coast Guard vessels to patrol the course of the regatta or marine parade for the purpose of enforcing not only the special local regulations but also for assistance work and the enforcement of laws generally.

(b) The Commander of a Coast Guard District may also utilize any private vessel or vessels to enforce the special local regulations governing a regatta or marine parade provided such vessel or vessels have been placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, for such purpose by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof. Any private vessel so utilized shall have on board an officer or petty officer of the Coast Guard who shall be in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel during such detail. Any private vessel so utilized will display the Coast Guard ensign while engaged in this duty.

(c) The Commander of a Coast Guard District may also utilize any private vessel or vessels placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof to patrol the course of the regatta or marine parade for the purpose of promoting safety by performing assistance work and effecting rescues.

§ 100.45 Establishment of aids to navigation.

(a) The Commander of a Coast Guard District will establish and maintain only those aids to navigation as he deems necessary to assist in the observance and enforcement of the special local regulations issued by him. Such aids to navigation will be in accordance with § 62.01-35 of this chapter. All other aids to navigation incidental to the holding of a regatta or marine parade shall be considered as private aids to navigation coming within the purview of § 66.01 of this chapter.

§ 100.50 Penalties for violation of regulations.

(a) An individual or organization who violates any provision of these regulations, or any regulation or order issued pursuant to these regulations shall be subject to the following penalties as provided in section 457 in Title 46, U.S. Code:

(1) A licensed officer shall be liable to suspension or revocation of license in

the manner now prescribed by law for incompetency or misconduct.

(2) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$500.

(3) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$500, unless the violation of regulations shall have occurred without his knowledge.

(4) Any other person shall be liable to a penalty of \$250.

(b) The Commandant of the Coast Guard is authorized and empowered to mitigate or remit any penalty herein provided for in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws. (See 46 CFR 2.50-1 to 2.50-40, inclusive, for procedures regarding assessment, mitigation or remission of penalties.)

Dated: May 16, 1963.

[SEAL] D. McG. MORRISON,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 63-5509; Filed, May 22, 1963;
8:53 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 75, 2d Rev., Amdt. 2]

PART 308—WAR RISK INSURANCE

Miscellaneous Amendments

Effective as of midnight, June 7, 1963, G.m.t., Part 308 is hereby amended to reflect the following changes:

Amend § 308.6 *Period of interim binders and renewal procedure*, § 308.106 *Standard form of war risk hull insurance interim binder and optional disbursements insurance endorsement*, § 308.206 *Standard form of war risk protection and indemnity insurance interim binder*, and § 308.305 *Standard form of Second Seamen's war risk insurance interim binder*, by changing the expiration date contained therein to read "midnight, December 7, 1963, G.m.t."

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114).

By order of the Maritime Administrator.

Dated: May 20, 1963.

JAMES S. DAWSON,
Secretary.

[F.R. Doc. 63-5537; Filed, May 22, 1963;
8:54 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 20, 25]

ESTATE AND GIFT TAXES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulation set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

In order to conform the Estate Tax Regulations (26 CFR Part 20) and the Gift Tax Regulations (26 CFR Part 25) to the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 809) and to make a clarifying change in the Estate Tax Regulations relating to the deduction for certain State death taxes on charitable transfers, such regulations are amended as follows:

PARAGRAPH 1. Section 20.2039 is amended by revising section 2039(c) and the historical note to read as follows:

§ 20.2039 Statutory provisions; annuities.

Sec. 2039. Annuities * * *

(c) *Exemption of annuities under certain trusts and plans.* Notwithstanding the provisions of this section or of any provision of law, there shall be excluded from the gross estate the value of an annuity or other payment receivable by any beneficiary (other than the executor) under—

(1) An employees' trust (or under a contract purchased by an employees' trust) forming part of a pension, stock bonus, or profit-sharing plan which, at the time of the decedent's separation from employment (whether by death or otherwise), or at the time of termination of the plan if earlier, met the requirements of section 401(a);

(2) A retirement annuity contract purchased by an employer (and not by an employees' trust) pursuant to a plan which, at the time of decedent's separation from employment (by death or otherwise), or at the time of termination of the plan if earlier, was a plan described in section 403(a); or

(3) A retirement annuity contract purchased for an employee by an employer which is an organization referred to in section 503(b) (1), (2), or (3), and which is exempt from tax under section 501(a).

If such amounts payable after the death of the decedent under a plan described in paragraph (1) or (2) or under a contract described in paragraph (3) are attributable to any extent to payments or contributions made by the decedent, no exclusion shall be allowed for that part of the value of such amounts in the proportion that the total payments or contributions made by the decedent bears to the total payments or contributions made. For purposes of this subsection, contributions or payments made by the decedent's employer or former employer under a trust or plan described in paragraph (1) or (2) shall not be considered to be contributed by the decedent, and contributions or payments made by the decedent's employer or former employer toward the purchase of an annuity contract described in paragraph (3) shall, to the extent excludable from gross income under section 403(b), not be considered to be contributed by the decedent. This subsection shall apply to all decedents dying after December 31, 1953. For purposes of this subsection, contributions or payments on behalf of the decedent while he was an employee within the meaning of section 401(c) (1) made under a trust or plan described in paragraph (1) or (2) shall be considered to be contributions or payments made by the decedent.

[Sec. 2039 as amended by secs. 23(e), 67(a), Technical Amendments Act 1958 (72 Stat. 1622, 1658); sec. 7 (1), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 830)]

PAR. 2. Paragraphs (b) (2) and (c) (1) of § 20.2039-2 are amended to read as follows:

§ 20.2039-2 Annuities under "qualified plans" and section 403(b) annuity contracts.

(b) *Plans and annuity contracts to which section 2039(c) applies.* * * *

(2) A retirement annuity contract purchased by an employer (and not by an employees' trust) pursuant to a plan which, at the time of decedent's separation from employment (by death or otherwise), or at the time of the earlier termination of the plan, was a plan described in section 403(a); or

(c) *Amount excludable from the gross estate.* (1) The amount to be excluded from a decedent's gross estate under section 2039(c) is an amount which bears the same ratio to the value at the decedent's death of the annuity or other payment receivable by the beneficiary as the employer's contribution (or a contribution made on his behalf) on the employee's account to the plan or towards the purchase of the annuity contract

bears to the total contributions on the employee's account to the plan or towards the purchase of the annuity contract. In applying the ratio set forth in the preceding sentence, payments or contributions made by the employer (or on its behalf) toward the purchase of an annuity contract described in paragraph (b) (3) of this section shall be considered to include only such payments or contributions as are, or were, excludable from the employee's gross income under section 403(b). For purposes of this ratio, contributions or payments made under a plan described in subparagraph (1) or (2) of paragraph (b) of this section on behalf of the decedent while he was an employee within the meaning of section 401(c) (1) with respect to such plan shall be considered to be contributions or payments made by the decedent and not by the employer. Furthermore, in applying this ratio, the value at the decedent's death of the annuity or other payment is determined in accordance with the rules set forth in §§ 20.2031-1, 20.2031-7, 20.2031-8, and 20.2031-9.

PAR. 3. Paragraph (b) (2) of § 20.2053-9 is amended by inserting "transfer" in lieu of "bequest" and, as so amended, reads as follows:

§ 20.2053-9 Deduction for certain State death taxes.

(b) *Condition for allowance of deduction.* * * *

(2) For purposes of this paragraph, the Federal estate tax is considered to be equitably apportioned among all the transferees (including the decedent's surviving spouse and the charitable, etc., transferees) of property included in the decedent's gross estate only if each transferee's share of the tax is based upon the net amount of his transfer subjected to the tax (taking into account any exemptions, credits, or deductions allowed by chapter 11). See examples (2) through (5) of paragraph (e) of this section.

PAR. 4. Section 25.2517 is amended by revising section 2517 and the historical note to read as follows:

§ 25.2517 Statutory provisions; certain annuities under qualified plans.

SEC. 2517. *Certain annuities under qualified plans—(a) General rule.* The exercise or nonexercise by an employee of an election or option whereby an annuity or other payment will become payable to any beneficiary at or after the employee's death shall not be considered a transfer for purposes of this chapter if the option or election and annuity or other payment is provided for under—

(1) An employees' trust (or under a contract purchased by an employees' trust) forming part of a pension, stock bonus, or profit-sharing plan which, at the time of such exercise or nonexercise, or at the time of termination of the plan if earlier, met the requirements of section 401(a);

(2) A retirement annuity contract purchased by an employer (and not by an employee's trust) pursuant to a plan which, at the time of such exercise or nonexercise, or at the time of termination of the plan if earlier, was a plan described in section 403(a); or

(3) A retirement annuity contract purchased for an employee by an employer which is an organization referred to in section 503(b) (1), (2), or (3), and which is exempt from tax under section 501(a).

(b) *Transfers attributable to employee contributions.* If the annuity or other payment referred to in subsection (a) is attributable to any extent to payments or contributions made by the employee, then subsection (a) shall not apply to that part of the value of such annuity or other payment which bears the same proportion to the total value of the annuity or other payment as the total payments or contributions made by the employee bear to the total payments or contributions made. For purposes of the preceding sentence, payments or contributions made by the employee's employer or former employer toward the purchase of an annuity contract described in subsection (a) (3) shall, to the extent not excludable from gross income under section 403(b), be considered to have been made by the employee. For purposes of this subsection, payments or contributions on behalf of an individual while he was an employee within the meaning of section 401(c) (1) made under a trust or plan described in subsection (a) (1) or (2) shall be considered to be payments or contributions made by the employee.

(c) *Employee defined.* For purposes of this section, the term "employee" includes a former employee.

[Sec. 2517 as added by sec. 68 and as amended by sec. 23(f), Technical Amendments Act 1958 (72 Stat. 1659); sec. 7(j), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 830)]

PAR. 5. Section 25.2517-1 is amended by revising paragraph (b) (1) and so much of paragraph (c) (1) as precedes Example (1). As so amended these provisions read as follows:

§ 25.2517-1 Employees' annuities.

(b) *Annuities or other payments to which section 2517 applies.* (1) Except to the extent provided otherwise in paragraph (c) of this section, section 2517 exempts from transfers subject to the gift tax the value of an annuity or other payment which, upon the death of an employee, will become payable to the employee's beneficiary under:

(i) An employee's trust (or under a contract purchased by an employee's trust) forming part of a pension, stock bonus or profit-sharing plan which, at the time of such exercise or nonexercise, or at the time of termination of the plan if earlier, met the requirements of section 401(a);

(ii) A retirement annuity contract purchased by an employer (and not by an employee's trust) pursuant to a plan which, at the time of such exercise or nonexercise, or at the time of termination of the plan if earlier, was a plan described in section 403(a); or

(iii) A retirement annuity contract purchased for an employee by an employer which is an organization referred to in section 503(b) (1), (2), or (3), and which is exempt from tax under section 501(a).

(c) *Amount excludable from gift.* (1) If an annuity or other payment described in paragraph (a) (1) of this section is attributable to payments or contributions made by both the employee and the employer, the exclusion is limited to that proportion of the value on the date of the gift (see paragraph (a) (1) of this section) of the annuity or other payment which the employer's contribution (or a contribution made on the employer's behalf) to the plan on the employee's account bears to the total contributions to the plan on the employee's account. In applying the ratio set forth in the preceding sentence, payments or contributions made by the employer toward the purchase of an annuity contract described in paragraph (b) (1) (iii) of this section are considered to be contributions made by the employee (and not by the employer) to the extent that such contributions are, or were, not excludable from the employee's gross income under section 403(b). For purposes of this ratio, payments or contributions made to a plan described in subdivision (i) or (ii) of paragraph (b) (1) of this section on behalf of an individual while he was an employee within the meaning of section 401(c) (1) with respect to such plan shall be considered to be payments or contributions made by the employee. The application of this paragraph may be illustrated by the following examples, none of which involve employees within the meaning of section 401(c) (1):

[F.R. Doc. 63-5506; Filed, May 22, 1963; 8:53 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1003, 1016]

[Docket Nos. AO-293-A6, AO-312-A3]

MILK IN WASHINGTON, D.C., AND UPPER CHESAPEAKE BAY MARKETING AREAS

Notice of Extension of Time for Filing Exceptions to the Recommended Decision on Proposed Amendments to Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to marketing agreements and to the orders regulating the handling of milk in the Washington, D.C., and Upper Chesapeake Bay marketing areas, which was issued April 30, 1963 (28 F.R. 4452), is hereby extended to May 23, 1963.

Dated: May 17, 1963.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 63-5480; Filed, May 22, 1963; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 15083; FCC 63-467]

ADVERTISING ON STANDARD, FM, AND TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

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

2. This Commission, and its predecessor, the Federal Radio Commission, have consistently been concerned with the practices of licensees with respect to the broadcast of commercial continuity or announcements. Indeed, in one of its first pronouncements, the Federal Radio Commission stated:

Advertising must be accepted * * * as the sole means of support of broadcasting, and regulation must be relied upon to prevent the abuse or over use of the privilege. Great Lakes Broadcasting Co., quoted in 3 F.R.C. Ann. Rep., 35.¹

3. Thus, while it must be recognized that, as the only source of revenue for most broadcast stations, advertising is an indispensable part of the American system of broadcasting, it must be further recognized that broadcast stations cannot be operated primarily in the interest of advertisers in presenting their message to the viewing or listening public, or primarily in the interests of the station licensees in the revenues to be derived therefrom; broadcast stations must be operated in the public interest—the interest of the viewing or listening public in the nature of the program service received. Therefore, while without advertising broadcasting would not exist, with excessive advertising broadcasting is not in the public interest.²

¹ See also, R. R. Jackman, 5 F.C.C. 496 (1938), Travelers Broadcasting Service Corporation 6 F.C.C. 456 (1938), (applications denied because of applicants' commercial policies); The Walmac Co., 3 Pike and Fischer RR 1371 (1947), Community Broadcasting Co., 3 Pike and Fischer RR 1360 (1947), Eugene J. Roth, 3 Pike and Fischer RR 1377 (1947), Michigan Broadcasting Co., 20 Pike and Fischer RR 667 (1960), (applications designated for hearing on issues relating to number and length of commercial announcements); Sheffield Broadcasting Co., 21 Pike and Fischer RR 507 (1961), Fischer Broadcasting Co., 19 Pike and Fischer RR 997 (1961), (applicants given comparative demerits because of over-commercialization); and Miss. Ark. Broadcasting Co. 22 Pike and Fischer RR 305 (1961), Gordon County Broadcasting Co., 24 Pike and Fischer RR 305 (1962), (renewal applications granted for less than regular license period because of applicants' commercial announcement policies).

² Nor do we stand alone in recognizing that excessive commercialization is inimical to broadcasting in the public interest. The attempts by the National Association of Broadcasters to limit the amount of time devoted to advertising date back to 1929. See also, Sen. Res. 129, 72 Cong., 1st Sess. ("growing dissatisfaction with the present use of radio facilities for purpose of commercial advertising"); Hearings on H.R. 5589, 69th Cong., 1st Sess., pp. 81-82 (testi-

4. Our case-by-case treatment of the problem, however, has not been satisfactory. Recently, we have noted a large number of applications for broadcast authorization which presented serious problems of over-commercialization, and coupled with this, our files are replete with substantial complaints from the public regarding the number of commercial announcements broadcast by some stations, the frequency and manner of program interruption for the broadcast of commercial announcements, and the length of some commercial announcements. Finally we cannot fail to note that the continuing efforts of the National Association of Broadcasters in attempting to accomplish a measure of self-regulation—which, obviously, would be preferable to any action by this Commission—have not met with success. Having promulgated commercial standards through its Codes of Good Practice, the NAB has only been able to enlist about 38 percent of all radio stations and 70 percent of television stations to subscribe to the Codes. And, with respect to those that have subscribed, the NAB, by itself, lacks effective sanctions to prevent abuses.

5. The establishment of generally applicable standards by means of rule-making procedures, on the other hand, may have a number of advantages. For, in addition to permitting an over-all treatment of the problem, not available in case by case consideration, the rules adopted would have the added advantages of being definite, of providing guidance to licensees and of applying equally to all competitors in a given market. We recognize, of course, that there is a wide range within which various degrees of commercialization could be considered reasonable. However, we think the advantages of a definite rule outweigh this consideration. Moreover, the adoption of specific rules would not, necessarily, foreclose the flexibility inherent in case-by-case treatment, see Paragraph 7, *infra*, nor preclude us from amending our standards to accommodate changes in the broadcast field. In this latter connection, we recognize that the NAB has amended its Codes on numerous occasions over the years.³

6. Turning now to the provisions of the proposed rules, as we indicated in our Public Notice of March 28, 1963 (No. 33626), "one proposal on which comments will be sought would be the adoption of a rule requiring all AM, FM and TV broadcasting stations to ob-

mony of program sponsor); Hearings on S. 6, 71 Cong., 2nd Sess., pp. 1752-3 (testimony of station president); p. 1801 (testimony of network president); Docket No. 12782, pp. 460, 1176, 8191 (testimony of members of public).

³ Additionally, specific rules would provide us with a broad range of sanctions—any one of which could be called into play soon after discovery of an abuse. Thus, instead of the "death penalty" (i.e., revocation or denial of renewal of license), which, absent a rule are the only sanctions available to us, we could issue a cease and desist order pursuant to section 312(b) of the Communications Act (47 U.S.C. 312(b)), or impose a forfeiture pursuant to section 503(b) (47 U.S.C. 503(b)).

serve the limitations on advertising time which are presently contained in the Radio and Television Codes of the National Association of Broadcasters." The NAB Codes, which are the culmination of many years of extensive consideration and experience, and which represent the broadcast industry's own conclusion as to the minimum broadcasting standards, obviously are particularly suited for serious consideration by us as the basis for our proposed rules. Therefore, we have incorporated the provisions of the Codes in the amendments to our rules and regulations proposed herein. Such provisions appear below.

7. We emphasize, however, that we are by no means inflexible as to the most desirable ultimate solution to this difficult and complex problem. As we also stated in our Public Notice of March 28, 1963:

The Commission does not desire to limit its consideration of proposed policies in any way. Rather, it wishes to obtain public comment on the widest range of alternatives, so that it may have an adequate basis upon which to adopt the policies which would best serve the public interest in this area.

Further, we recognize that the provisions of the NAB Codes may not be appropriate for across-the-board application to all broadcast stations. For example, we can appreciate that there may be need for separate standards to be applied to certain special categories of stations, such as standard stations licensed to operate only during daytime hours, or stations licensed to sparsely populated communities, or stations located in communities with seasonal economy, etc. Therefore, we invite comments, and, indeed, proposals, on these specific categories, or any other categories that may warrant special treatment. For example, daytime standard broadcast stations are requested to state whether more liberal standards, i.e. more liberal maximum and average commercial limitations, should be made applicable to them during the winter months, and if so, what these standards should be. Small market stations of all classes are requested to make a similar showing on standards which they may require in view of the advertising rates obtainable in their markets. Small market television stations are requested to comment specifically on whether they require more than 70 seconds of commercial time on station breaks. And all stations are asked to comment whether there are days of the week or times of the day when more liberal limitations are required. Stations who support more liberal standards are asked to substantiate their position by providing the Commission with specific data on advertising requirements in their community and to relate these data to income requirements needed to support an operation in the public interest. Additionally, all stations are requested to comment on the necessity or desirability of excluding time for paid political announcements in computing total commercial time under the proposed rules. Finally, we recognize that there may be circumstances that may warrant that a waiver or exemption be accorded to certain broadcast stations. Therefore, we invite comments, and, again, pro-

posals, directed to the questions of what circumstances should be considered as warranting waiver, the type of showing we should require before granting a waiver, and the procedures that licensees should follow in requesting a waiver (i.e., formal petition at any time during license period, specific request in connection with an application for broadcast authorization, etc.).

8. With respect to the specific provisions of the proposed rules, the NAB Codes may be summarized as follows: For radio, maximum amounts of time are specified for the broadcast of commercial continuity, in the case of sponsored programs, and commercial announcements, in the case of programs with participating spot announcements. For the former, the maximum is determined by reference to the length of the program; thus, a 5-minute sponsored program may include 1 minute and 20 seconds of commercial continuity, and a 60-minute program may include 7 minutes of commercial continuity. For programs of intermediate length, the allowable commercial continuity varies, although no fixed ratio is followed. With respect to programs with participating announcements, the maximum is computed on an hourly basis without reference to the length of the program. Thus, commercial announcements in such programs may amount to an average of 14 minutes an hour, the average computed on a weekly basis, although no single hour may include more than 18 minutes of commercial announcements and no single 15-minute segment more than 5 minutes of commercial announcements. The NAB, in computing these latter limits counts the amount of time devoted to commercial continuity during sponsored programs as well. It should be emphasized that single sponsorship in radio is the exception and that the standards that will be applicable for the great majority of programs are those described for programs with participating spot announcements. Additionally, the Radio Code contains a separate provision for special types of programs, such as "classified", "swap shop", etc.

9. For television, no distinction is drawn between sponsored and programs with participating announcements; instead separate standards are applied to "prime time" programs (usually between 6-11 p.m.) and programs during all other hours. During prime time, the maximum amount of time that may be devoted to commercial continuity or announcements is 8 minutes per hour. In addition, 2 minutes and 20 seconds are allowed for station breaks, which may include commercial announcements. During all other hours, 12 minutes an hour, plus station break time, may be devoted to commercial continuity or announcements.

10. The distinction in the Television Code between prime time and other hours also applies to the classification of non-program material. During prime time, billboards (i.e., opening and closing sponsorship identifications), public service announcements and promotional announcements are counted in determining the hourly limits, although they are not so counted during other hours.

PROPOSED RULE MAKING

Additionally, the Television Code provides that during the hours outside of prime time no more than three announcements may be broadcast consecutively. This provision does not apply to prime time.⁴

11. Finally, it is to be noted that neither the Radio nor the Television Code treats with (a) length of individual commercial announcements; (b) the number of times programs may be interrupted for the broadcast of commercial continuity or announcements (either in terms of the length or nature of the program interrupted); (c) the amount of program time that must elapse between interruptions for the broadcast of commercial continuity or announcements (again, either in terms of the length or nature of the program interrupted); and (d) the maximum amount of broadcast time that may be consumed by an interruption of a program for the broadcast of commercial continuity or announcements.

12. We emphasize that we are greatly concerned with the problem of excessive commercialization, and, therefore, parties filing adverse comments are requested, in addition, to supply a critical analysis and counter proposals directed to the merits of this notice. Finally, in furtherance of our desire to receive as broad a cross-section of comments and proposals as possible, we specifically invite the comments and suggestions of all organizations and members of the public interested in the problem. Comments from the public have been most helpful to us in the past, and we anticipate that they will be equally helpful in this proceeding.

13. Authority for the adoption of the amendments proposed herein, as set forth below, is contained in sections 4(1), 303, and 307(a) of the Communications Act of 1934, as amended.

14. Pursuant to applicable procedures set forth in § 1.213 of the Commission's rules and regulations, interested persons may file comments on or before July 1, 1963, and reply comments on or before July 15, 1963. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

15. In accordance with the provisions of § 1.215 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: May 15, 1963.

Released: May 17, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Acting Secretary.

⁴It should be noted that there are no counterparts in the Radio Code to the Television Code provisions with respect to non-program material and consecutive announcements.

⁵Dissenting statements of Commissioners Bartley and Hyde filed as part of original document.

RADIO

A. Programs with participating commercial announcements:	
Program time:	Commercial time: ¹
60 minutes:	14 minutes.
Average ² :	18 minutes.
Maximum:	5 minutes.
15 minutes, maximum:	
B. Sponsored programs:	
Program time:	Commercial time: ³
For 5 minute programs:	1 minute 30 seconds.
For 10 minute programs:	2 minutes 10 seconds.
For 15 minute programs:	3 minutes.
For 25 minute programs:	4 minutes.
For 30 minute programs:	4 minutes 15 seconds.
For 45 minute programs:	5 minutes 45 seconds.
For 60 minute programs:	7 minutes.

TELEVISION

A. Prime time:⁴	
Program time: 30 minutes:	Commercial time: ⁵ 4 minutes. ⁶
B. Other hours:	
1. Program time:	
30 minute period:	Commercial time:
10 minute program:	6 minutes. ⁷
5 minute program:	2 minutes 10 seconds.
	1 minute 15 seconds.
2. Consecutive announcements.	
	3 maximum.

¹ Includes both commercial spot announcements and commercial continuity broadcast during sponsored programs.

² Computed on a weekly basis.

³ Exclusive of station breaks.

⁴ Defined as a continuous period of not less than 3 hours within the station's highest rate time periods.

⁵ Includes public service and promotional announcements and billboards. This is not included in (B) above.

⁶ Additionally, 70 seconds may be devoted to station-break time, which may include commercial announcements.

⁷ Plus stationbreak time, which may include 3 commercial announcements, the maximum length of 2 of which is not specified. The 3d (Station ID) is limited to 10 seconds.

It is proposed to amend Part 3 of Commission rules and regulations as follows:

New §§ 3.123, 3.298, and 3.669 are added, as follows:

§ 3.123 Advertising.

(a) No station shall broadcast advertising material by any single sponsor, regardless of the type of program, in excess of the time in the following table: *Provided, however,* That the time standards allowable to a single advertiser do not affect the established practice of allowance of station breaks between programs.

Program time	Commercial time
For 5-minute programs:	1 minute 30 seconds.
For 10-minute programs:	2 minutes 10 seconds.
For 15-minute programs:	3 minutes.
For 25-minute programs:	4 minutes.
For 30-minute programs:	4 minutes 15 seconds.
For 45-minute programs:	5 minutes 45 seconds.
For 60-minute programs:	7 minutes.

(b) The time to be used for advertising in announcement or participating type programs is not to exceed a maximum of an average of 14 minutes an hour computed on a weekly basis, 18 minutes in any single hour, or 5 minutes in any 15-minute segment. For the purpose of determining advertising limitations, such program types as "classified," "swap shop," "shopping guides," and "farm auction" shall be regarded as containing 1½ minutes of advertising for each 5-minute segment.

§ 3.298 Advertising.

(a) No station shall broadcast advertising material by any single sponsor, regardless of the type of program, in excess of the time in the following table: *Provided, however,* That the time standards allowable to a single advertiser do not affect the established practice of allowance of station breaks between programs.

Program time	Commercial time
For 5-minute programs:	1 minute 30 seconds.
For 10-minute programs:	2 minutes 10 seconds.
For 15-minute programs:	3 minutes.
For 25-minute programs:	4 minutes.
For 30-minute programs:	4 minutes 15 seconds.
For 45-minute programs:	5 minutes 45 seconds.
For 60-minute programs:	7 minutes.

(b) The time to be used for advertising announcement or participating type programs is not to exceed a maximum of an average of 14 minutes an hour computed on a weekly basis, 18 minutes in any single hour, or 5 minutes in any 15-minute segment. For the purpose of determining advertising limitations, such program types as "classified," "swap shop," "shopping guides," and "farm auction" shall be regarded as containing 1½ minutes of advertising for each 5-minute segment.

§ 3.669 Advertising.

(a) Within prime time, which is defined as a continuous period of not less than 3 hours of each broadcast day within the station's highest rate-time periods, commercial material for both individually sponsored and participation programs within any 30-minute period may not exceed 4 minutes, plus total station break time, in the aggregate of 70 seconds. Commercial material in prime time includes billboards, public service announcements, promotional announcements for other programs, as well as commercial copy. Station breaks in prime time shall consist of not more than two announcements plus non-commercial copy such as station identification or public service announcements. Total station break time in a 30-minute period may not exceed 1 minute 10 seconds.

(b) Within all hours other than prime time, commercial material for both individually sponsored and participation programs within any 30-minute time period may not exceed 6 minutes plus station break time. Commercial material for all other than prime time shall not exceed this ratio, except that individual programs of 5 minutes duration may include commercial material not in excess of 1 minute 15 seconds, and individual programs of 10 minutes duration may include commercial material not in excess of 2 minutes 10 seconds. Not more than three announcements shall be scheduled consecutively. Commercial material within non-prime time does not include public service announcements, promotional announcements for other programs, and opening and closing "billboards" which give program or sponsor identification. Station breaks in non-prime time shall consist of not more than two announcements plus the con-

ventionally sponsored 10-second station identification.

(c) For the purpose of computing commercial time, reasonable and limited identification of prizes and statements of donor's name (within formats where-in the presentation of contest awards or prizes is a necessary and integral part of program content) shall not be included as commercial time. However, any aural or visual presentation concerning the product or its donor, over and beyond such identification and state-ment, shall be included as commercial time.

[F.R. Doc. 63-5502; Filed, May 22, 1963; 8:52 a.m.]

[47 CFR Part 8]

[Docket No. 15034]

STATIONS ON SHIPBOARD IN MARITIME SERVICES

Proposed Rules Regarding Safety of Life at Sea; Extension of Time for Filing Comments

In the matter of amendment of Part 8 of the Commission's rules to implement the radio provisions of the International Convention for the Safety of Life at Sea, London, 1960, to effect minor changes for safety purposes, and to make editorial revisions for clarification.

The Commission having under consideration a petition, filed May 14, 1963, by the American Merchant Marine Institute, Inc. (AMMI) requesting a sixty day extension of time in which to file comments in this proceeding;

It appearing, that AMMI in support of its request states that: (1) review of the material contained in the proposal cannot be completed and recommendations prepared by May 20, 1963, the present date by which comments must be filed, since the material contained therein is voluminous and further complicated by the occurrence of the annual meeting of the Radio Technical Commission for the Maritime Services (RTCM) in New Orleans in which they are participating; and (2) that the proposal concerns implementation of the international convention (Safety of Life at Sea, London, 1960) which itself has not yet become effective; and

It further appearing, that it is desirable to have the views of this organization in this proceeding;

It is ordered, That the time for filing comments in the subject Docket is hereby extended from May 20, 1963, to July 20, 1963; and

It is further ordered, That reply comments must be filed on or before July 30, 1963.

Adopted: May 17, 1963.

Released: May 17, 1963.

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

[F.R. Doc. 63-5503; Filed, May 22, 1963; 8:53 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 157, 250]

[Docket No. R-241]

APPLICATIONS BY INDEPENDENT NATURAL GAS PRODUCERS

Notice of Proposed Rule Making

MAY 14, 1963.

1. Notice is given pursuant to section 4 of the Administrative Procedure Act that the Commission is proposing to amend the regulations under the Natural Gas Act with respect to the requirements to be followed by independent producers submitting for Commission consideration applications for certificates of public convenience and necessity under section 7(c) of the Act and applications to abandon under section 7(b). The amendments are designed solely to expedite the Commission's processing of such applications.

2. The regulations (§ 157.24(a)(5)) now provide for the filing, as part of an application, of a summary of each contract for sale or transportation of gas for which a certificate is requested. The convenience of the public, State commissions, distributing companies, pipeline purchasers and other interested purchasers suggests the desirability of having such summaries on the first page of the application. Such a change will expedite the noticing of applications and the issuance of permanent certificates.

The amendment to § 157.24(a) proposes that change.

The amendment to § 157.30 provides for the filing of a contract summary with applications to abandon under section 7(b) similar in purpose and content to that now required with certificate applications.

One amendment to Part 250 revises slightly the form of contract summary presently prescribed in § 250.5 and the other prescribes a new form (in § 250.7) for use in connection with applications to abandon.

3. Any interested person may submit to the Federal Power Commission, Washington 25, D.C., on or before June 17, 1963, data, views, and comments in writing concerning the amendments proposed herein. The Commission will consider these written submittals before taking any action upon the proposed amendments. An original and nine (9) copies of any such submittals should be filed.

4. These amendments to the Commission's regulations are proposed to be issued under the authority granted by the Natural Gas Act, as amended, particularly sections 7 and 16 thereof (52 Stat. 824, 830; 56 Stat. 83; 15 U.S.C. 717f (b), (c), 717n, 717o).

5. In consideration of the foregoing, it is proposed to amend Parts 157 and 250 of Chapter I, Title 18 of the Code of Federal Regulations, in the following respects:

a. Paragraph (a) of § 157.24 is amended to include the substance of subparagraph (5) thereof in the opening

paragraph of the section. As so amended the paragraph will read as follows:

§ 157.24 Contents of applications.

(a) Every application for a certificate of public convenience and necessity required under § 157.23 shall be filed with the Commission and shall contain, on the first page of such application, a summary, in the form indicated in § 250.5 of this chapter, of each contract for sale or transportation of gas for which a certificate is requested. In addition the application shall set forth in the order indicated the following:

b. Subparagraph (5) of § 157.24(a) is revoked.

c. Designate the text of § 157.30 as paragraph (a) and add a new paragraph (b) to read as follows:

§ 157.30 Abandonment of service.

(b) Every application for abandonment of service under this section shall contain, on the first page of such application, a summary, in the form indicated in § 250.7 of this chapter, of each contract for sale or transportation of gas for which abandonment authorization is requested.

d. Revise § 250.5 to read as follows:

§ 250.5 Form of contract summary.

(See § 157.24(a) of this chapter.)

1. Name of Seller: _____
2. Name of Purchaser: _____
3. Seller and Purchaser Affiliated: No _____; Yes _____
4. Location of Sale: _____ (Field, county, State)
5. Type of Application: ¹ _____
6. Date of Contract: _____
7. Total Price per Mcf (including all adjustments and tax reimbursement): _____
8. Measurement Pressure Base (psia): _____
9. Types of Escalation Provisions: _____
10. BTU Price Adjustment if any: Up _____ Down _____ Estimated Adjustment _____ (¢/Mcf)
11. Other Price Adjustments: _____ Specify as to type (gathering, dehydration, compression, liquefiable hydrocarbons, etc.) and per Mcf added or deducted.
12. Estimated sales volumes (Mcf per month): _____
13. Delivery Pressure (psig): _____
14. Delivery Point: _____ (Wellhead, plant tailgate, central point in field, etc.)
15. Any other special conditions affecting price: _____

¹ Specify whether initial service, add acreage, delete acreage, continue service of predecessor, other (give details).

e. Part 250 is amended by adding a new § 250.7 to read as follows:

§ 250.7 Form of contract summary.

(See § 157.30(b) of this chapter.)

1. Name of seller: _____
2. Sale authorized in Docket No.: _____
3. Name of Purchaser: _____
4. Location of Sale: _____ (Field, county, State)
5. Date of basic contract and Rate Schedule No.: _____

PROPOSED RULE MAKING

6. Last Effective Rate (ϵ /Mcf): -----
7. Measurement Pressure Base (psia): -----
8. Involved in Suspension Proceeding:
No ----- Yes ----- Docket No. -----
9. Reasons for abandonment: -----
(Specify) -----

10. Purchaser has indicated concurrence:
Yes ----- No -----

By direction of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5467; Filed, May 22, 1963;
8:47 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

**JACK B. KUBISH, DIRECTOR OF
A.I.D. MISSION, BRAZIL**

Delegation of Authority To Negotiate and Sign Agreements

Pursuant to the authority delegated to me by the Assistant Administrator for Latin America in a Delegation of Authority dated January 12, 1962, I hereby delegate to Jack B. Kubish, Director of the United States Agency for International Development Mission, Brazil, authority to negotiate and execute, on behalf of the Agency for International Development, the Agreement providing a loan to the Companhia de Carbonos Coloidais (Borrower), in an amount not to exceed two million dollars (\$2,000,000) to assist the Borrower in financing the dollar costs of contracting and equipping a plant for the production of carbon black at Candeias, Bahia, Brazil, and the Guaranty Agreement with the Banco Nacional Do Desenvolvimento Economico (Bank) in which the Bank undertakes guaranty obligations with respect to the aforesaid loan. This delegation shall expire on April 30, 1963.

Dated: February 28, 1963.

**PHILIP GLAESSNER,
Deputy Assistant Administrator
for Capital Development.**

[F.R. Doc. 63-5477; Filed, May 22, 1963;
8:49 a.m.]

**ALEXANDER FIRFER, DIRECTOR, A.I.D.
MISSION TO BOLIVIA**

Delegation of Authority To Sign Special Implementation Memorandum

Pursuant to the authority delegated to the Deputy Assistant Administrator for Capital Development, Latin America, by the Assistant Administrator for Latin America in a Delegation of Authority dated January 12, 1962, I hereby delegate to Alexander Firfer, Director, United States A.I.D. Mission to Bolivia authority to sign on behalf of the Agency for International Development a Special Memorandum of Understanding on the implementation of existing loans to Bolivia.

The authority herein delegated may not be redelegated.

This Delegation is effective immediately and shall remain in effect through June 30, 1963.

Dated: May 8, 1963.

**STANLEY I. GRAND,
Acting Deputy Assistant Administrator for Capital Development.**

[F.R. Doc. 63-5478; Filed, May 22, 1963;
8:49 a.m.]

DON STOOPS

Delegation of Authority To Sign Implementation Letters

Pursuant to the authority delegated to me by the Assistant Administrator for Latin America in a Delegation of Authority dated January 12, 1962, I hereby delegate to Don Stoops authority to sign implementation letters. This delegation shall expire on May 31, 1963.

Dated: May 9, 1963.

**STANLEY I. GRAND,
Acting Deputy Assistant Administrator for Capital Development.**

[F.R. Doc. 63-5479; Filed, May 22, 1963;
8:49 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 55890]

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS FROM POLAND

Exemptions From Restrictions on Certain Merchandise Exported From Poland Before December 4, 1962

Correction

In F.R. Doc. 63-5193, appearing in the issue for Wednesday, May 15, 1963, at page 4859, the Treasury Decision number was inadvertently omitted. It should read as set forth above.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Sacramento 075743]

CALIFORNIA

Order Opening Public Lands

MAY 17, 1963.

1. Public Land Order No. 1633 of May 8, 1958, revoked in part, Executive Order No. 4203 of April 14, 1925, which withdrew lands in California and Nevada in aid of classification for national forest status under the act of February 20, 1925 (43 Stat. 952).

2. Pursuant to the authority vested in the Secretary of the Interior, the following described land, which was not included in the restoration made by Public Land Order No. 1633, is hereby restored to the operation of the public land laws, subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of existing withdrawals:

MOUNT DIABLO MERIDIAN

T. 14 N., R. 10 E.,
Sec. 25, S½SW¼SE¼.

Containing approximately 20 acres.

3. All valid applications and selections under the nonmineral public land laws, presented prior to 10:00 a.m. on June 22, 1963, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. The land has been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals. It will be open to location for nonmetalliferous minerals under the United States mining laws beginning at 10:00 a.m. on June 22, 1963.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

**JAMES F. DOYLE,
Assistant Director.**

[F.R. Doc. 63-5468; Filed, May 22, 1963;
8:47 a.m.]

[Serial No. Idaho 012996]

IDAHO

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

MAY 17, 1963.

Notice of an application Serial No. Idaho 012996, for withdrawal and reservation of lands was published as Federal Register Document No. 62-1193 on page 1076 of the issue for February 6, 1962. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on June 1, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

BOISE MERIDIAN, IDAHO

T. 2 S., R. 35 E.,
Sec. 12: Lot 11;
Sec. 14: Lot 5;
Sec. 23: Lots 8, 9, 14, 18;
Sec. 27: Lots 10, 15;
Sec. 33: Lots 10, 11, 14, 17.

T. 3 S., R. 35 E.,
Sec. 5: Lots 14, 17 (formerly a portion of Lot 16);
Sec. 8: Lots 17, 18.

The areas terminated aggregate 307.39 acres.

**MICHAEL T. SOLAN,
Land Office Manager.**

[F.R. Doc. 63-5483; Filed, May 22, 1963;
8:50 a.m.]

NOTICES

[Classification 109]

NEVADA

Small Tract Classification; Partial Revocation

1. Effective May 10, 1963, F.R. Doc. 56-1699, appearing on pages 1453-55 of the issue of March 6, 1956, is revoked as to the following described lands:

MOUNT DIABLO MERIDIAN

T. 17 N., R. 63 E.,
Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 17 N., R. 64 E.,
Sec. 18, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described aggregates 110 acres.

2. The land included within this amendment is located in Steptoe Valley in White Pine County, Nevada, between the towns of Ely and McGill. The land slopes to the north at less than one percent gradient. The soil varies from a loam to a sandy loam, underlain with sand and gravel. The elevation is about 6,200 feet. Vegetation consists of white sage, shadscale and rabbit brush. The grazing capacity is about 10 acres per AUM.

3. The subject land affected by this order is hereby restored as of 10:00 a.m. on June 10 to the operation of the public land laws subject to any valid existing rights with provisions of existing withdrawals and the requirements of applicable laws, rules, and regulations.

ANDRE B. TRUDEN,
Acting District Manager.

MAY 10, 1963.

[F.R. Doc. 63-5469; Filed, May 22, 1963; 8:47 a.m.]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

MAY 14, 1963.

The Forest Service, United States Department of Agriculture, has filed an application, Serial No. Oregon 013403, for the withdrawal of the lands described below, from location and entry under the general mining laws, subject to valid existing rights.

The applicant desires the lands withdrawn to preserve and develop the Lavacicle Cave Area for public outdoor recreation and for the protection of the Sisters Ranger Station Administrative Site Addition. The lands are located in the Deschutes National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 Northeast Holladay, Portland 12, Oreg. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The determination of the Secretary on the application will be published in

the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON
DESCHUTES NATIONAL FOREST

Sisters Ranger Station Administrative Site Addition

T. 15 S., R. 10 E.,
Sec. 5: SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Lavacicle Cave Area

T. 21 S., R. 16 E.,
Sec. 33: SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 22 S., R. 16 E.,
Sec. 4: E $\frac{1}{2}$ W $\frac{1}{2}$ Lot 4, W $\frac{1}{2}$ E $\frac{1}{2}$ Lot 4,
NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 5: E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The total combined area is 89.73 acres.

STANLEY D. LESTER,
Land Office Manager.

[F.R. Doc. 63-5470; Filed, May 22, 1963; 8:47 a.m.]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number Washington 04835 for the withdrawal of the lands described below, from all forms of location, prospecting, or entry under the general mining laws.

The applicant desires the land for public recreation purposes.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 680 Bon Marche Building, Spokane 1, Washington.

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN
OLYMPIC NATIONAL FOREST
Marple Creek Campground

T. 26 N., R. 2 W.,
Sec. 14, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Steelhead Campground

T. 26 N., R. 3 W.,
Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Big Creek Campground

T. 23 N., R. 4 W.,
Sec. 8, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Two Mile Campground

T. 28 N., R. 4 W., unsurveyed,
Sec. 1, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Steel Bridge Recreation Area

T. 22 N., R. 5 W.,
Sec. 26, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Pine Lake Campground

T. 22 N., R. 6 W., unsurveyed,
Sec. 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Quinault River Campground

T. 24 N., R. 8 W., unsurveyed,
Sec. 33, that portion of NE $\frac{1}{4}$ bounded on east by HES-116, on north by south shore of Quinault River, on west by section line 33/34, and on south by centerline of Jefferson County Road No. 13.

Nogwinuk Campground

T. 23 N., R. 10 W.,
Sec. 15, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$ Lot 1.

Kiahanie Campground

T. 28 N., R. 12 W.,
Sec. 3, Lot 7.

The area described above aggregates 269.66 acres, more or less.

JOHN G. WALTERS,
Acting Officer in Charge.

[F.R. Doc. 63-5484; Filed, May 22, 1963; 8:50 a.m.]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number Washington 04808 for the withdrawal of the lands described below, from prospecting, location, and entry under the mining laws, subject to valid existing claims.

The applicant desires the land for public recreation areas.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 680, Bon Marche Building, Spokane 1, Washington.

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN
Weatherwax Lookout

T. 21 N., R. 7 W.,
Sec. 4, SW $\frac{1}{4}$ Lot 14.

East Fork Humptulips Campground

T. 21 N., R. 8 W.,
Sec. 7, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

West Fork Humptulips Work Center

T. 21 N., R. 9 W.,
Sec. 2, S $\frac{1}{2}$ Lot 6, Lot 11.

Dennie Ahl Lookout

T. 22 N., R. 5 W., partially unsurveyed,
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Dennie Ahl Seed Orchard

T. 22 N., R. 5 W.,
Sec. 24, Lots 3, 4, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Spider Lake Recreation Area

T. 22 N., R. 6 W., unsurveyed,
Sec. 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

Anderson Butte Lookout

T. 22 N., R. 7 W.,
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Satsop Guard Station

T. 22 N., R. 7 W.,
Sec. 27, Lot 2.

Quinault Natural Area

T. 22 N., R. 9 W., partially unsurveyed,
Sec. 5, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 6, Lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 23 N., R. 9 W.,
Sec. 31, Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$;
Sec. 32, W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$.

Neilton Point Relay Station

T. 22 N., R. 9 W.,
Sec. 9, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Chester Ridge Lookout

T. 22 N., R. 9 W., partially unsurveyed,
Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Quinault Recreation Area

T. 23 N., R. 9 W.,
Sec. 8, Lot 6;
Sec. 9, Lots 5, 6, 7;
Sec. 16, Lot 2, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, Lots 3, 4, 5, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$
E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 21, Lots 1, 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 30, Lots 1, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.

Higley Peak Lookout

T. 23 N., R. 10 W.,
Sec. 1, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Salmon River Work Center

T. 23 N., R. 11 W.,
Sec. 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Lena Creek Campground

T. 24 N., R. 4 W., partially unsurveyed,
Sec. 2, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Jefferson Lookout

T. 24 N., R. 4 W., unsurveyed,
Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Elk Lake Campground

T. 24 N., R. 4 W., unsurveyed,
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Jefferson Lake Campground

T. 24 N., R. 4 W., unsurveyed,
Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Webb Lookout

T. 25 N., R. 3 W., partially unsurveyed,
Sec. 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Lena Lake Campground

T. 25 N., R. 4 W., unsurveyed,
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Corrigenda Ranger Station Administrative Site Addition

T. 26 N., R. 3 W.,
Sec. 24, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

No. 101—6

Jupiter Lookout

T. 26 N., R. 3 W., unsurveyed,
Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Falls View Campground

T. 27 N., R. 2 W., partially unsurveyed,
Sec. 33, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 34, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Walker Mountain Lookout, Observation, and Picnic Site

T. 27 N., R. 2 W.,
Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Upper Hoh Guard Station and Campground

T. 27 N., R. 11 W.,
Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 29, Lot 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Mt. Zion Lookout

T. 28 N., R. 3 W., unsurveyed,
Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

East Crossing Campground

T. 28 N., R. 3 W., unsurveyed,
Sec. 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 29 N., R. 3 W., partially unsurveyed,
Sec. 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Calawah Work Center

T. 28 N., R. 12 W.,
Sec. 6, Lot 4.

Slab Campground

T. 29 N., R. 4 W., unsurveyed,
Sec. 33, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Hyas Lookout

T. 29 N., R. 11 W., unsurveyed,
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Deep Creek Guard Station

T. 30 N., R. 11 W., partially unsurveyed,
Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

North Point Lookout, Observation, and Picnic Site

T. 30 N., R. 11 W., partially unsurveyed,
Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Snider Ranger Station Administrative Site Addition

T. 30 N., R. 11 W.,
Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Total area—3,963.48 acres.

JOHN G. WALTERS,
Acting Officer in Charge.

[F.R. Doc. 63-5485; Filed, May 22, 1963;
8:50 a.m.]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number Washington 04809 for the withdrawal of the lands described below, from all forms of location, prospecting, or entry under the general mining laws.

The applicant desires the land for public recreation purposes.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments,

suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 680, Bon Marche Building, Spokane 1, Washington.

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN

SNOQUALMIE NATIONAL FOREST

Rapid River Campground

T. 27 N., R. 12 E.,
Sec. 29, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Mill Site Campground

T. 28 N., R. 11 E.,
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$.

The area described aggregates 105 acres, more or less.

JOHN G. WALTERS,
Acting Officer in Charge.

[F.R. Doc. 63-5486; Filed, May 22, 1963;
8:50 a.m.]

Office of the Secretary

RESERVOIR PROJECT LANDS

General Policy and Operation

The following material is a portion of the Departmental Manual and the numbering system is that of the Manual.

PART 751—RESERVOIR PROJECT LANDS

CHAPTER 1—POLICY

751 DM 1.1 *General Policy.* The Department of the Interior considers that public recreation and fish and wildlife should be purposes given full consideration equally with other purposes of reservoir projects undertaken by the Federal Government. To this end, insofar as permitted by law, the planning, development, and management of Federal reservoirs for which this Department has a responsibility shall provide for realization of optimum present and future outdoor recreation and fish and wildlife potentialities associated with each reservoir development. To implement this general policy the Bureau of Reclamation will advise the Bureau of Outdoor Recreation, National Park Service, Fish and Wildlife Service, and when public lands are involved, the Bureau of Land Management of the initiation of feasibility investigations of proposed reservoir projects.

751 DM 1.2 *Reservoir Projects Proposed for Authorization.*

A. Planning and Development.

(1) The project plan for each reservoir project for which authorization is sought will explicitly include recreation and fish and wildlife provisions generally in accord with the policy statement in section .1 of this statement. Such provisions in project plans shall be sufficiently specific so that when the project is authorized the Department of the Interior will have a clear basis for requesting

appropriations and other action to effectuate the plan.

(2) The National Park Service and the fish and Wildlife Service are responsible respectively for developing the recreation and the fish and wildlife portions of the project plan, and they shall collaborate with the reservoir construction agency to assure a mutually acceptable project plan. In the performance of this function, the National Park Service shall utilize estimates of recreation benefits, prepared in accordance with 700 DM, and other pertinent data which the Bureau of Outdoor Recreation shall provide.

B. *Review.* Authorization proposals pending in the Department, the Bureau of the Budget, or before the Congress shall be reviewed to assure conformance with the policies set forth herein, and such general or specific legislation and such rules and regulations as may be needed to effectuate the policies and procedures set forth herein shall be submitted for appropriate action.

751 DM 1.3 *Reservoirs in Operation, Under Construction, or Authorized.* The status of reservoirs for which this Department has the responsibility, including those reservoirs already authorized but not yet under construction, reservoirs currently under construction but not yet completed, and completed reservoirs now in operation, shall be reviewed to determine what measures are needed and appropriate in order to apply to such reservoirs the policies and procedures set forth herein, and to provide plans and cost estimates for such measures. Such general or specific legislation and such rules and regulations as may be needed to effectuate the policies and procedures set forth herein shall be submitted for appropriate action.

751 DM 1.4 *Acquisition of Lands for Reservoir Projects.* It is the policy of the Department of the Interior, to the extent such acquisition is legally authorized, to acquire as a part of reservoir project construction adequate interest in lands necessary for the realization of optimum values for all purposes, jointly considered, including additional land areas to assure full realization of optimum present and future outdoor recreation and fish and wildlife potentials for each reservoir. Planning for and evaluation of such land acquisition shall be governed by the policies, standards, and procedures in the formulation, evaluation, and review of plans for use and development of water and related land resources which were adopted by the President on May 15, 1962 (Senate Document No. 97, 87th Cong., 2d Sess., and 700 DM). All interested agencies of the Department are expected to cooperate fully in such planning and evaluation. All agencies are to cooperate fully in assuming responsibility for public relations involved in acquisition of lands for all project purposes.

A. *Lands for Reservoir Construction and Operation.* The fee title shall be acquired to the following:

(1) Lands necessary for the damsite, construction areas, and permanent structures or installations.

(2) Lands below the maximum flowage line (top of surcharge pool) of the reservoir needed for its operation and maintenance, and lands below a selected freeboard where necessary to safeguard against adverse effects of saturation, wave action, and bank erosion.

(3) Lands needed for public access to the areas described in 751 DM 1.4A(2) or for operation and maintenance of the project.

B. *Additional Lands for Correlative Purposes.* The fee title shall be acquired for the following where authorized:

(1) Lands below the maximum flowage line of the reservoir needed to meet present and future requirements for outdoor recreation as determined by the National Park Service, and fish and wildlife requirements as determined by the Fish and Wildlife Service.

(2) Lands required for public access to the reservoir for optimum public use and enjoyment as determined by the National Park Service and Fish and Wildlife Service.

(3) Lands outside the maximum flowage line of the reservoir needed to meet present and future requirements for outdoor recreation as determined by the National Park Service.

(4) Lands outside the maximum flowage line of the reservoir needed to meet present and future requirements for fish and wildlife as determined by the Fish and Wildlife Service.

C. *Easements in lieu of fee title,* as provided in paragraphs A and B above, may be taken only for lands that meet all of the following conditions:

(1) Lands lying above the active conservation pool which includes reservoir space allocated to irrigation, power, municipal and industrial water, fish and wildlife, navigation, recreation, and other purposes, but does not include exclusive flood control space.

(2) Remote land areas, which are defined as all areas not covered in paragraphs A and B above but which, under an easement, would supplement those basic areas necessary for operation and maintenance, outdoor recreation, public access, and fish and wildlife.

(3) Land areas which the Fish and Wildlife Service or the National Park Service has determined, and so advised the Bureau of Reclamation, have no substantial value for fish and wildlife or outdoor recreation purposes.

(4) Land areas on which it would be to the financial advantage of the Government to take easements in lieu of fee title.

D. *Blocking Out.* Blocking out shall be accomplished in accordance with sound real estate practices, for example, on minor section subdivision lines; and normally land shall not be acquired to avoid severance damage if the owner will waive such damage.

E. *Mineral Rights.* Mineral, oil and gas rights will not be acquired except where the development thereof would interfere with project purposes, but mineral rights not acquired will be subordinated to the Government's right to regulate their development in a manner that will not interfere with the purposes of the project, including public access.

F. *Buildings.* Buildings for human occupancy, as well as other structures which would interfere with the operation of the project for any project purpose, will be prohibited on reservoir project lands.

G. *Justification for Land Acquisition.* Formal justification for land acquisition shall be supplied by the Fish and Wildlife Service and the National Park Service for lands to be acquired above and outside the maximum flowage line of the reservoir in accordance with 751 DM 1.4B and below and inside the maximum flowage lines in accordance with 751 DM 1.4C when the purposes are enhancement and/or mitigation of damage, respectively, of fish and wildlife and recreation. In determining enhancement benefits creditable to a water resource development, the Bureau of Outdoor Recreation, National Park Service, and the Fish and Wildlife Service shall make appropriate allowance for fish and wildlife and recreation values which would arise in the area in the absence of the development. Measures for mitigation of damage are to be found necessary by these agencies only when benefits from a proposed water resource development will not provide substantially equivalent replacement in kind for the fish and wildlife and public recreation values destroyed by such a development.

(1) The justification for an acquisition for enhancement for such purposes shall include analysis of both tangible (monetary) and intangible (nonmonetary) benefits and costs. Purchase of lands in fee

specifically for the purposes of fish and wildlife or recreational enhancement within the maximum flowage line shall be considered justified when a finding supported by analysis is made by the National Park Service or the Fish and Wildlife Service that the difference between the cost of fee title and the cost of an easement, considering both tangible and intangible costs, is less than the benefits, tangible and intangible, to be derived from the use of such lands for fish and wildlife or recreation.

(2) Justification for an acquisition in mitigation of damage to fish and wildlife and public recreation areas relates to the principle that applies to other resource uses displaced by water resource developments, namely that they be made whole in their new situation to the extent that this is both possible and reasonable. Accordingly, a justification should describe:

(a) The fish and wildlife and public recreation values, both tangible and intangible, which would exist in the reservoir areas in the absence of construction.

(b) The quantity and quality of land which, together with optimum management practices, would provide as complete restoration as appears to be technically possible of achievement; and

(c) The quantity and quality of land which, together with optimum management practices, are judged to be reasonable mitigation of damage of the fish and wildlife and public recreation values in the light of the tangible and intangible costs.

H. *Withdrawal or transfer of public lands* from any or all forms of public lands entry or use to provide for water and related land uses and developments covered by 751 DM 1 shall be determined and justified, to the extent applicable, on the basis of policies, standards, and considerations applicable to acquisition of non-Federal lands. This requirement is in addition to those set forth with reference to land withdrawal, generally, in 603 DM.

STEWART L. UDALL,
Secretary of the Interior.

APRIL 24, 1963.

[F.R. Doc. 63-5472; Filed, May 22, 1963; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

C. J. CARROLL AUCTION CO. ET AL.

Proposed Posting of Stockyards

The Chief of the Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

C. J. Carroll Auction Co.,
Dover, Del.

Dan Perkins Auction,
Council Bluffs, Iowa.

Harris Auction Co.,
Henderson, N.C.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above

as posted stockyards subject to the provisions of the Act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Chief, Rates and Registrations Branch, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the *FEDERAL REGISTER*.

Done at Washington, D.C., this 17th day of May 1963.

H. L. JONES,
Chief, Rates and Registrations
Branch, Packers and Stock-
yards Division, Agricultural
Marketing Service.

[F.R. Doc. 63-5511; Filed, May 22, 1963;
8:53 a.m.]

EUREKA SPRINGS SALE CO. 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 and Date of Posting

ARKANSAS

Eureka Springs Sale Company, Eureka Springs: May 4, 1963.

IOWA

Mapleton Auction Co., Mapleton: May 7, 1963.

KANSAS

Mound City Sales Co., Mound City: April 19, 1963.

MISSOURI

Square Deal Auction, West Plains: April 30, 1963.

TEXAS

Texas Horse Auction Co., Irving: April 24, 1963.

Done at Washington, D.C., this 17th day of May 1963.

H. L. JONES,
Chief, Rates and Registrations
Branch, Packers and Stock-
yards Division, Agricultural
Marketing Service.

[F.R. Doc. 63-5512; Filed, May 22, 1963;
8:53 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

GRACE LINE, INC.

Notice of Application

Notice is hereby given that Grace Line Inc., has filed an Application under the

provisions of section 804 of the Merchant Marine Act, 1936, as amended, for a waiver to permit Grace Line Inc., to extend the charter period on two foreign-flag reefer vessels for ten (10) additional voyages which will extend the charter periods by approximately two months on each vessel (one of the present charters will terminate about July 1, 1963, and the other about October 1, 1963) for operation without subsidy on its Line A, Trade Route No. 2, subsidized service, pending delivery of the second and third of four new combination ships now being constructed for Grace Line Inc. The foreign-flag reefer vessels are to be utilized exclusively for the carriage of bananas northbound, and will carry no southbound cargo.

Any person, or firm or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Administrator, should submit same in writing, in triplicate, to the Secretary, Maritime Administration, Washington 25, D.C., by close of business on May 31, 1963. The Maritime Administrator will consider these views and take such action with respect thereto as may be deemed appropriate.

By order of the Maritime Administrator.

Dated: May 17, 1963.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 63-5536; Filed, May 22, 1963;
8:54 a.m.]

National Bureau of Standards

ELECTROMAGNETIC MEASUREMENTS AND STANDARDS

Notice of Course To Be Given at Boulder, Colo.

Course in electromagnetic measurements and standards to be given at Boulder, Colorado, July 22-August 9, 1963:

The course is sponsored by the National Bureau of Standards Radio Standards Laboratory in association with the University of Colorado. The course is given in accordance with the mission of Radio Standards Laboratory, which includes the responsibility for dissemination of information on radio standards (15 U.S.C. 272). To facilitate transfer of academic credit for students working on graduate degrees in areas related to radio standards, the course will be included in the Graduate program at the University of Colorado.

Highest-level performance and exacting operation of complex systems in aerospace, military defense, atomic energy, and communications cannot be achieved without the establishment of precise, accurate, and uniform measurements. This course will assist technical supervisors of standards and measurements laboratories, practicing engineers, and university faculty and graduate students who are concerned with the field of radio science to meet responsibilities for such measurement. These presenta-

tions will be at the frontiers of development and will be given by specialists who, in most cases, are authorities in their fields. Emphasis will be upon the present state-of-the-art with some consideration of future needs. Following is a list of tentative lectures:

Section 1. Introduction

- 1.1. Basis of the Scientific Measurement System.
- 1.2. Circuit Theory—I.
- 1.3. Circuit Theory—II.
- 1.4. Circuit Theory—III.
- 1.5-1.7. Introduction to the Impedance, Admittance, and Scattering-Matrix Descriptions of Waveguide Junctions.

Section 2. Low Frequency Measurements

- 2.1. Standard Cells and D-C Voltage Measurement.
- 2.2. The Measurement of Electric Field and Voltage by Use of the Stark Effect.
- 2.3. Resistance Measurements.
- 2.4. Inductance and Capacitance Measurements.
- 2.5. Accurate Ratio Measurements.
- 2.6. AC-DC Transfer Measurements.

Section 3. High Frequency Measurements

- 3.1. High Frequency Voltage Concepts and Measurement.
- 3.2-3.4. High Frequency Impedance—I, II, and III.
- 3.5. Field Strength (10 kc/s to 30 Mc/s).
- 3.6. Field Strength (30 to 1000 Mc/s).

Section 4. Microwave Measurements

- 4.1. Precision Sources—Phase Locking.
- 4.2. Impedance—I.
- 4.3. Impedance—II.
- 4.4. Phase Shift.
- 4.5-4.6. Quasi Optical Methods.
- 4.7. Its Measurement and Use.

Section 5. Measurements Applicable to All Frequencies

- 5.1. Atomic Frequency and Time Standards—I.
- 5.2. Atomic Frequency and Time Standards—II.
- 5.3. Frequency Stability and Power Spectral Analysis.
- 5.4. Dissemination of Frequency and Time Standards.
- 5.5. Frequency and Time Comparisons.
- 5.6. Cavity Wavemeters.
- 5.7. Power Meters: Theory and Operation.
- 5.8. NBS Power Standards at Radio Frequencies.
- 5.9. NBS Power Standards at Microwave Frequencies.
- 5.10. Power Measurements and Applications.
- 5.11. Noise Fundamentals.
- 5.12. High Frequency Electrical Noise.
- 5.13. Microwave Noise Standard.
- 5.14. Attenuation and Insertion Loss Concepts.
- 5.15. High Frequency Attenuation.
- 5.16. Microwave Attenuation.
- 5.17-5.21. Electromagnetic Properties of Materials.
- 5.17. Dielectric Effects and Measurements.
- 5.18. Magnetic Effects and Measurements.
- 5.19. Further Exact Solution Problems.
- 5.20. Ferrimagnetic Resonance and Tensor Dielectric or Conductivity and Tensor Magnetic Measurements.
- 5.21. Finer Details and Summary.
- 5.22-5.23. Future Needs.

Prerequisites: A bachelor's degree in Electrical Engineering, Physics, or other suitable academic or practical experience which is judged equivalent by the Registrar.

Tuition: Tuition for the course is \$300, with a slight additional charge for those desiring graduate credit.

Registration will be limited; early application should be made to insure consideration. To facilitate local arrangements, registration will be closed July 1, 1963. Further details and registration forms are available from: Edmund H. Brown, Education Director, Boulder Laboratories, National Bureau of Standards, Boulder, Colorado.

R. D. HUNTOON,
Deputy Director.

[F.R. Doc. 63-5424; Filed, May 22, 1963;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14110]

AEROVIAS PANAMA, S.A. (APA)

Notice of Cancellation of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that, in view of the termination of the above-entitled proceeding as provided by the Board's Order E-19591 adopted on May 17, 1963, the hearing assigned to be held on May 27, 1963, is canceled.

Dated at Washington, D.C., May 20, 1963.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 63-5504; Filed, May 22, 1963;
8:53 a.m.]

[Docket No. 12285 etc.]

NEW YORK-FLORIDA RENEWAL CASE

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 held on June 12, 1963, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 20, 1963.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 63-5505; Filed, May 22, 1963;
8:53 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15035]

MARINE RADIO VHF STATIONS

Inquiry Into Necessity for Restricting Use for Transmission of Navigational Communications in Areas Other Than Great Lakes to a Particular Frequency; Order Extending Time for Filing Comments

The Commission having under consideration a petition, filed May 17, 1963,

by Baltimore Maritime Exchange, Inc., Baltimore, Maryland, requesting a thirty day extension of time in which to file comments in this proceeding; and

It appearing that the petitioner did not learn of the existence of the Notice of Inquiry in time to file meaningful comments by May 20, 1963; and

It further appearing that petitioner states that based on its experience it will be in a position to supply the Commission with useful information related to this matter; and

It further appearing that it is desirable to have the views of this organization in this proceeding;

It is ordered, This 20th day of May 1963, pursuant to § 0.291(b)(4) of the Commission's rules, that the time for filing comments in this proceeding is extended to June 20, 1963.

Released: May 20, 1963.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-5497; Filed, May 22, 1963;
8:52 a.m.]

[Docket No. 15082]

ESSLINGER FLYING SERVICE, INC.

Order To Show Cause

In the matter of Esslinger Flying Service, Inc., Eureka, Kansas, order to show cause why there should not be revoked the license for Radio Stations KAX-94, KAX-95, KAO-683, and KE-2042 in the Special Industrial Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to section 308(b) of the Communications Act of 1934, as amended, the above-named licensee was requested to furnish information concerning the subject radio stations in communications dated March 13, 1963, and April 10, 1963, and sent to the licensee's address of record, but no response thereto has been received; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated section 308(b) of the Communications Act of 1934, as amended, and § 1.76 of the Commission's rules;

It is ordered, This 17th day of May 1963, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b) (8) of Part 0 of the Commission's rules, that said licensee show cause why the licenses for the above-captioned Radio Stations should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Acting Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at the ad-

dress of record at P.O. Box 110, Eureka, Kansas.

Released: May 20, 1963.

FEDERAL COMMUNICATIONS COMMISSION;

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-5498; Filed, May 22, 1963;
8:52 a.m.]

[Docket No. 14996; FCC 63M-572]

PAPE TELEVISION CO., INC.

Order Continuing Hearing

In the matter of revocation of licenses of the Pape Television Company, Inc., for Television Station WALA-TV (Channel 10) and Standard Broadcast Station WALA, Mobile, Alabama.

Due to the unavailability in Mobile, Alabama of a suitable hearing room before then: *It is ordered*, This 17th day of May 1963, on the Hearing Examiner's own motion, that the hearing in the above-entitled proceeding, which is presently scheduled to commence on June 19, 1963, is hereby rescheduled to convene at the County Courthouse, Mobile, Alabama, at 10 a.m., Wednesday, July 3, 1963;

It is ordered further, That the parties by counsel shall appear for a prehearing conference at the same place and date but at 9:30 a.m.

Released: May 17, 1963.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-5499; Filed, May 22, 1963;
8:52 a.m.]

[Docket No. 14816 etc.; FCC 63M-563]

CHARLES W. STONE (KCHY) ET AL.

Order Continuing Hearing

In re applications of Charles W. Stone (KCHY), Cheyenne, Wyoming, Docket No. 14816, File No. BP-15080, for construction permit; Charles W. Stone and Josephine R. Stone, joint tenants d/b as Fort Broadcasting Co., Fort Bragg, California, Docket No. 15023, File No. BR-2649, for renewal of license of Station KDAC, Fort Bragg, California; Charles W. Stone, Cheyenne, Wyoming, Docket No. 15024, File No. BR-3796, for renewal of license of Station KCHY, Cheyenne, Wyoming.

A prehearing conference having been held on May 15, 1963, and it appearing from the record made therein that certain agreements were reached and certain rulings made which should be formalized by order;

It is ordered, This 15th day of May 1963, that:

(1) The direct affirmative case of the applicant shall be presented in the form of sworn, written exhibits; and

(2) Copies of the applicants' exhibits shall be supplied to counsel for the

¹ The parties will be notified prior to the hearing as to the particular courtroom assigned for this case.

Broadcast Bureau and the Hearing Examiner on or before July 1, 1963;

It is further ordered, That the hearing now scheduled to commence on July 15, 1963, is continued to September 10, 1963, in Cheyenne, Wyoming.

Released: May 16, 1963.

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

[F.R. Doc. 63-5500; Filed, May 22, 1963;
8:52 a.m.]

[Docket No. 15026; FCC 63M-568]

WOMA TYPA BROADCASTING CO.

Order Continuing Hearing

In re application of Clagett "Woody" Wood and Paul Edgar Johnson d/b as Woma Typa Broadcasting Company, Mount Airy, North Carolina, Docket No. 15026, File No. BP-14579, for construction permit.

The Hearing Examiner having under consideration a petition filed May 10, 1963, by the above-entitled applicant requesting that the hearing presently scheduled to begin on May 16, 1963, be continued to a date to be specified in the week of June 10, 1963; and

It appearing that the reason for the requested continuance arises from the fact that the applicant needs additional time to gather certain material which he proposes to submit with a petition to be filed by him requesting the dismissal of the above-entitled application; and

It further appearing that other parties have consented to the immediate favorable consideration of this petition and good cause for granting the same having been shown;

It is ordered, This the 15th day of May 1963, that the petition for continuance is granted and the date of the evidentiary hearing is continued from May 16, 1963, to June 13, 1963.

Release: May 17, 1963.

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

[F.R. Doc. 63-5501; Filed, May 22, 1963;
8:52 a.m.]

FEDERAL MARITIME COMMISSION

ALASKA STEAMSHIP CO. ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9335 between Alaska Steamship Company, Albina Dock Company, Port of Seattle, et al., provides for the creation of an association to be known as the Northwest Marine Terminal Association for the purpose of estab-

lishing and maintaining among themselves just and reasonable terminal rates, charges, classifications, rules, regulations and practices at members' terminals in ports in the States of Washington and Oregon. This agreement, upon approval, will cancel the present agreement of the parties, Federal Maritime Commission Agreement No. 6785.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

MAY 20, 1963.

[F.R. Doc. 63-5488; Filed, May 22, 1963;
8:51 a.m.]

[Docket No. 1112]

CERTAIN CARRIERS IN AUSTRALIA/ UNITED KINGDOM TRADE AND CUNARD STEAMSHIP CO., LTD.

Transshipment Agreement

Agreement 9094, a transshipment arrangement between eleven carriers operating in the Australia/United Kingdom trade (the originating carriers) and the Cunard Steamship Company Limited (the delivering carrier), has been filed for approval under section 15, Shipping Act, 1916. The agreement provides for the carriage of cargo on through bills of lading from ports of call in Australia to U.S. Atlantic ports with transshipment in the United Kingdom.

Section 15 provides that every common carrier by water shall file immediately with the Commission a true copy, or, if oral, a true and complete memorandum of every agreement with another such carrier fixing or regulating transportation rates or apportioning earnings between the parties.

Agreement 9094, as submitted for approval, does not set forth the division of through freight revenue between the originating and delivering carriers, and since Agreement 9094 lacks a provision providing for the division of freight revenues, it may not be sufficiently complete to meet the requirements for approval under section 15.

This matter does not raise any disputed issues of fact requiring an evidentiary hearing.

Therefore it is ordered, That the parties to Agreement 9094 show cause why said agreement should not be disapproved by the Commission pursuant to section 15, Shipping Act, 1916. This proceeding shall be limited to the submission of affidavits and memoranda, replies thereto and oral argument. The affidavits of fact and memoranda of law shall be filed no later than close of busi-

ness June 3, 1963, replies thereto shall be filed no later than close of business June 12, 1963. An original and 15 copies of such affidavits of fact and memoranda of law, and replies thereto, are required and must be addressed to the Secretary, Federal Maritime Commission, Washington 25, D.C. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be at 9:30 a.m., June 19, 1963, Room 114, 1321 H Street NW., Washington, D.C. Parties are requested to notify the Secretary not later than June 12, 1963 as to the amount of time desired for argument.

It is further ordered, That the parties to Agreement 9094, as shown below are hereby made respondents in this proceeding.

It is further ordered, That action with respect to Agreement 9094, be held in abeyance pending the Commission's decision and order in this proceeding.

It is further ordered, That notice of this order be published in the FEDERAL REGISTER, and that a copy thereof and notice of hearing be served upon respondent, The Cunard Steamship Company, Limited, on behalf of all respondents in this proceeding.

It is further ordered, That any persons, other than respondents, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington 25, D.C., on or before May 28, 1963, with copy to respondents;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By order of the Commission May 9, 1963.

[SEAL]

THOMAS LISI,
Secretary.

PARTIES TO AGREEMENT 9094

P. & O. S.N. Co.
Orient S.N. Co. Ltd.
Federal S.N. Co. Ltd.
British India S.N. Co. Ltd.
Shaw Savill & Albion Co. Ltd.
Port Line Ltd.
Alfred Holt & Co.
Clan Line Steamers Ltd.
Scottish Shire Line Ltd.
Ellerman & Bucknell S.S. Co. Ltd.
Blue Star Line, Ltd.
(Originating Carriers)
and
The Cunard Steam-Ship Company Limited
(Delivering Carrier).
25 Broadway, New York 4, N.Y.

[F.R. Doc. 63-5489; Filed, May 22, 1963;
8:51 a.m.]

DELTA STEAMSHIP LINES, INC., AND COMPAGNIE MARITIME BELGE, S.A.

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act,

1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9182, between Delta Steamship Lines, Inc., and Compagnie Maritime Belge, S.A., on its behalf and on behalf of its affiliated Companies, including Compagnie Maritime Congolaise, S.C.R.L. and/or Deppe Lines, as one party only, covers and is restricted to a sailing arrangement whereby each party agrees to operate one vessel per month so as to provide eastbound service approximately every two weeks from the Gulf ports to ports in the Republic of the Congo and Portuguese Angola.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the office of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5490; Filed, May 22, 1963;
8:51 a.m.]

FARRELL LINES, INC., AND BLACK STAR LINE, LTD.

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 8867-1, between Farrell Lines Incorporated and Black Star Line Ltd., modifies approved transshipment Agreement 8867 of the parties in the trade between the ports of Harbel, Grand Bassa, Sino, and Cape Palmas, Liberia and United States Atlantic ports, via Monrovia, Liberia, to include the trade between United States Gulf ports and the above named Liberian ports within the scope of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, to-

gether with a request for hearing, should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5491; Filed, May 22, 1963;
8:51 a.m.]

FARRELL LINES INC., AND ZIM ISRAEL NAVIGATION CO., LTD.

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 8448-2, between Farrell Lines Incorporated and Zim Israel Navigation Co., Ltd., modifies approved transshipment Agreement 8448, as amended, of the parties in the trade between the ports of Harbel, Grand Bassa, Sinoe and Cape Palmas, Liberia and United States Atlantic ports, via Monrovia, Liberia, to include the trade between United States Gulf ports and the above named Liberian ports within the scope of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification together with a request for hearing, should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5492; Filed, May 22, 1963;
8:52 a.m.]

FRANK P. DOW CO., INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended. All parties involved were registered under our former General Order 72, have applied for licenses pursuant to section 44 of the Shipping Act, 1916, and are therefore eligible to operate as independent ocean freight forwarders.

Frank P. Dow Co., Inc. of Seattle, Washington, Los Angeles and San

Francisco, California, and Portland, Oregon, is party to the following agreements whose terms are identical. The other parties are:

Hilton & Son, New York.....	9026
Hasman & Baxt, Inc., New York.....	9027
Taub, Hummel & Schnall, Inc., New York.....	9028
R. J. Saunders & Co., Inc., New York.....	9029
A. V. Berner & Co., Inc., New York.....	9031
J. D. Smith Intercoastal, Inc., New York.....	9032
Midland Pacific Shipping Co., New York.....	9033
Mohegan International Corp., New York.....	9034
B. A. McKenzie & Co., Inc., Tacoma, Wash.....	9036
J. D. Richardson Co., Detroit, Mich.....	9037
Gehrig, Hoban & Co., Inc., New York.....	FF-258
American Union Transport, Inc., New York.....	FF-259
Silvey Shipping Co., Inc., New York.....	FF-260
Gehard & Hey, Inc., New York.....	FF-261

These agreements are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

45 Broadway,
New York 4, N.Y.

180 New Montgomery Street,
San Francisco, Calif.

Room 333, Federal Office Building, South,
600 South Street
New Orleans, La.

Mail address: P. O. Box 30550,
Lafayette Station,
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5493; Filed, May 22, 1963;
8:52 a.m.]

H. E. SCHURIG & CO., INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended. All parties involved were registered under our former General Order 72, have applied for licenses pursuant to section 44

of the Shipping Act, 1916, and are therefore eligible to operate as independent ocean freight forwarders.

Agreement No. FF-143 between H. E. Schurig & Co., Inc., Houston, Texas, and F.N.S. Corporation, New York, New York, is a nonexclusive, cooperative working arrangement under which the parties may perform freight forwarder services for each other, dividing forwarding and service fees as agreed on each transaction.

Agreement No. FF-166 between Nordisk Transport, Inc., New York, New York, and E. J. Edwards International, Chicago, Illinois, is a nonexclusive, cooperative working arrangement under which the parties may perform freight forwarder services for each other on export shipments of clients of Nordisk Transport, Inc., shipped via E. J. Edwards International, via vessels from the port of Chicago to ports in Scandinavia.

The Ocean Bill of Lading Attendance Fee of E. J. Edwards International shall be divided: One-third for Nordisk Transport, Inc., two-thirds for E. J. Edwards International. Ocean freight brokerage on amounts exceeding \$2.00 shall be divided: One-half for Nordisk Transport, Inc., one-half for E. J. Edwards International.

Agreement FF-172 between J. W. Hampton, Jr. & Co., Inc., New Orleans, La. (Party (a)) and Gaynar Shipping Corp., New York, New York (Party (b)), is a nonexclusive, cooperative working arrangement under which party (a) may perform freight forwarder services for party (b). Party (b) will pay party (a) \$100.00 per month to complete forwarding services in New Orleans for party (b). Gaynar Shipping Corp. will retain all freight brokerage.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

45 Broadway,
New York 4, N.Y.

180 New Montgomery Street,
San Francisco, Calif.

Room 333, Federal Office Building, South,
600 South Street,
New Orleans 12, La.

Mail address: P.O. Box 30550,
Lafayette Station,
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5494; Filed, May 22, 1963;
8:52 a.m.]

LEEWARD AND WINDWARD ISLANDS AND GUIANAS CONFERENCE

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 7540-10, between the member lines of the Leeward and Windward Islands and Guianas Conference, modifies the basic agreement 7540, as amended, covering the trade between U.S. Atlantic and Gulf ports in the Leeward and Windward Islands, Trinidad, Barbados, British, French and Netherlands Guianas to exclude the Virgin Islands from such trade.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5495; Filed, May 22, 1963;
8:52 a.m.]

SEA-LAND SERVICE, INC., PUERTO RICAN DIVISION AND INTER- ISLAND SHIPPING CORP.

Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814):

Agreement DC-1, between Sea-Land Service, Inc., Puerto Rican Division, and Inter-Island Shipping Corporation, covers a through billing arrangement for the transportation of general cargo and controlled temperature cargo in the trade between U.S. Atlantic ports and the Virgin Islands, with transshipment at San Juan, Puerto Rico. Agreement No. DC-1 supersedes and cancels Agreement No. 8859 between these companies.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements

with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5496; Filed, May 22, 1963;
8:52 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2145]

WASHINGTON

Public Utility District No. 1 of Chelan County; Notice of Additional Land Withdrawal

MAY 15, 1963.

On February 3, 1963, this Commission gave notice of the reservation of approximately 235.55 acres of land of the United States pursuant to the filing, August 19, 1960, of an application for License for the Rocky Reach Hydroelectric Development. On December 5, 1962, Public Utility District No. 1 of Chelan County, Washington, filed maps, Exhibits "K" sheets 1 to 5 inclusive (FPC Nos. 2145-57 to 61 inclusive), entitled, "Rocky Reach—Columbia No. 2, 230 kv Transmission Line, Douglas and Chelan Counties, Washington", delimiting the land within the Transmission Line right-of-way for this development.

Therefore in accordance with the provisions of section 24 of the Act of June 10, 1920 (41 Stat. 1063), as amended, notice is hereby given that the following described lands, insofar as title thereto remains in the United States are from, December 5, 1962, the date of filing of map exhibits, reserved from entry, location or other disposal under the laws of the United States until otherwise directed by this Commission or by Congress.

WILLAMETTE MERIDIAN

All portions of the following described subdivisions lying within 75 feet on either side of the center line survey of the transmission line as delimited on above noted maps exhibits filed December 5, 1962.

T. 23 N., R. 21 E.,
Sec. 28: SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 21 N., R. 22 E.,
Sec. 28: Lot 1.

The area reserved pursuant to the filing of these exhibits is approximately 4 acres, of which 0.40 acre has been heretofore reserved for power purposes under Power Site Reserve No. 154.

The general determination made by the Commission at its meeting of April 17, 1922 (2nd Ann. Rept. 128) with respect to lands reserved for transmission line rights-of-ways is applicable to the above described lands in this project.

Copies of project maps Exhibits "K" sheets 1 to 5 inclusive (FPC Nos. 2145-57

to 61 inclusive) are being transmitted to the Geological Survey, Forest Service and Bureau of Land Management.

JOSEPH H. GUTHRIE,
Secretary.

[F.R. Doc. 63-5456; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. AR61-2, etc.]

AREA RATE PROCEEDING ET AL.

Order Adding Respondents, Prescribing Hearing Procedures and Setting Hearing Dates

MAY 16, 1963.

These proceedings were instituted by our order of May 10, 1961, to determine the just and reasonable rate or rates for sales subject to our jurisdiction of natural gas produced in the Southern Louisiana area, defined as that portion of the State of Louisiana lying south of the 31° parallel and including all areas, both State and Federal, in the Gulf of Mexico off the shore of Louisiana.¹ In the order, prehearing conferences were scheduled and such conferences were subsequently convened in accordance with the Commission's rules of practice and procedure. Thereafter the Commission issued orders requiring the Respondents to submit cost and operating data on Appendices "A," "B," and "C" questionnaire forms which were provided. The data submitted by the Respondents are being summarized and composited by the Commission's staff to the extent possible. The basic data, as well as a rate schedule analysis made by the staff, are to be incorporated in exhibits which we shall require be distributed on or before June 10, 1963, to the parties in the proceeding entitled to receive documents in accordance with our order of May 10, 1961.

The Commission has determined to proceed at this time and fix a series of hearing dates in these proceedings, the first of which is set for December 3, 1963. The setting of hearing dates this far in advance, coupled with the procedures which are being prescribed in this order will do much to achieve the objective of expediting the hearing and ultimate decision herein. Since such an end is clearly in the public interest, the cooperation of all parties and their attorneys is required for the realization of this objective.

In other proceedings before the Commission, the distribution of testimony and exhibits in advance of cross-examination has proven of great value in expediting the hearing. Accordingly, we are requiring the staff and all other parties, including Respondents and in-

terveners herein, to introduce into the record their direct testimony and exhibits, as well as any rebuttal testimony and exhibits to such direct presentations at hearings for that purpose set in advance of the hearing at which cross-examination thereon will proceed. All such testimony must be in written form to be incorporated into the record. At the hearing set for December 3, 1963, the direct presentations of the staff and all parties who desire to make evidentiary presentations, will be required to be introduced into the record although the witnesses themselves will not be called upon to appear at that hearing to adopt their testimony.

On the dates prescribed for the introduction of the various presentations into the record, the parties desiring to make such presentations and Commission staff counsel shall appear at the hearing and shall file with the presiding examiner copies of their prepared testimony and of their exhibits of a documentary character, and at the same time shall distribute copies of the exhibits to parties appearing at the hearing and entitled to the same. This procedure is intended to eliminate the requirement that the testimony and exhibits be distributed by mail. Accordingly, parties desiring to receive copies of exhibits shall arrange for either their counsel or an authorized representative to be present at the hearing set for December 3, 1963, and February 18, 1964.

The testimony and exhibits which the parties offer as their direct presentations will cover all phases of such presentations, including cost, economic or any other type of evidence. The scheduling here provided will afford all parties a six-month period to prepare any presentation based upon the basic data exhibits which the staff will distribute by June 10. With respect to any other presentation which the parties may wish to make which is not based on such data, these presentations must likewise be prepared for introduction on December 3. It is considered that the scheduling that is here being established for the introduction of these presentations will provide ample time for all parties to prepare their presentations, particularly in view of the fact that the proceedings were instituted almost two years ago and the Respondents and interveners have been continuously alerted to the need to prepare for the hearings herein. In view thereof, the parties are advised that applications for any extensions of time will not be looked upon with favor.

Following the hearing at which the direct cases of all parties wishing to make such a presentation will be introduced into the record, the staff and all parties will be afforded a 2½-month period to prepare rebuttal testimony and exhibits, if they desire to do so. These rebuttal presentations will be introduced into the record at a hearing set for February 18, 1964. These presentations, in the absence of good cause shown, are to be strictly confined to rebutting matters developed in the direct presentations and any new matter which is sought to be introduced in the guise of rebuttal will be subject to a motion to strike. The

hearing examiner will fix a time schedule in advance of the hearing set for cross-examination for the making of motions, which will permit such motions to be ruled on expeditiously.

After the introduction of rebuttal testimony and exhibits into the record, the parties will have one month to prepare for the hearing which is being set for March 17, 1964. At that hearing the presiding examiner will take the necessary steps to insure that the hearing proceeds with dispatch. At the hearing witnesses will first adopt their written testimony, make such corrections as are necessary and then will be subjected to cross-examination. The parties should be prepared to proceed with the cross-examination, according to a schedule fixed by the examiner, without substantial break.

At the conclusion of cross-examination and such oral redirect examination as may be proper, the hearing will be closed and no applications for permission to adduce additional evidence will be entertained unless it is demonstrated that such evidence was not available at the times set for the introduction of direct and rebuttal evidence, and there is a clear and convincing demonstration that the additional evidence would make a material contribution to the record upon which the case is to be decided.

With respect to the evidence sought to be introduced in this proceeding, the parties are enjoined from making presentations which are merely cumulative in nature. With particular reference to individual company cost presentations, we have indicated in a number of orders issued in the Permian Basin area proceeding, Docket Nos. AR61-1, et al., that such presentations are not proper matters for consideration in determining any area price. Having so concluded, we shall not permit the introduction of individual company cost presentations in these proceedings.

The Commission reiterates statements made in previous orders in which the hearing examiner in area proceedings was requested to expedite the proceedings in every way possible. Where appropriate to do so and without derogation of the rights of any parties, parties having common interests should be grouped, thereby limiting the numbers of persons individually and actively participating. Likewise, the number of attorneys who will be permitted to cross-examine on any issue should be limited.

Various pipeline companies are Respondents in these proceedings by reason of the fact that they are producers in the area, in addition to being purchasers from other producers. Other pipeline companies who are not producers but are purchasers have petitioned to intervene. Two pipeline purchasers are neither Respondents or interveners in the proceedings. By this order the Commission is making these pipeline companies Respondents since the Commission considers that all pipeline purchasers in the area are directly concerned with the determinations which the Commission will be making herein. All contracts heretofore or hereafter entered into by pipeline companies for the purchase of

¹ By orders issued December 31, 1962, January 22 and February 7, 1963, certificate proceedings therefore consolidated with these proceedings were severed therefrom and consolidated with the proceedings in Union Texas Petroleum, a division of Allied Chemical Corporation (formerly Union Oil and Gas Corporation of Louisiana), et al., Docket Nos. G-13221, et al., wherein the Commission will determine the initial prices which are required by the public convenience and necessity.

gas in this area are the subject of examination and review by the Commission. Because of the direct concern of the pipeline companies, they should give serious consideration to making affirmative presentations and recommendations in these proceedings.

The order instituting these proceedings contained a listing of all persons who were made Respondents in the proceedings (Appendix "A"), and a listing of rate suspension proceedings consolidated herewith (Appendix "C"). A review of the Commission's records indicates that certain corrections should be made in these listings. The corrections will be made by a separate order which the Commission will issue in these proceedings.

The Commission finds:

(1) It is necessary and appropriate in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, particularly sections 4, 5, 7, 8, 10, 14, and 16 thereof, that dates be set for the hearing herein and hearing procedures be prescribed as herein-after ordered.

(2) It is appropriate and in the public interest that United Gas Pipe Line Company and Louisiana Natural Gas Corporation be made Respondents in these proceedings.

The Commission orders:

(A) The Commission staff is directed to distribute on or before June 10, 1963, to all parties entitled to the same, copies of exhibits containing composites and summaries of data received from Respondents filing Appendices "A", "B", and "C" forms, and of a rate schedule analysis made of rate schedules on file with the Commission for jurisdictional sales of natural gas from the South Louisiana area.

(B) Public hearings shall be held herein, in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., as follows:

(1) On December 3, 1963, at 10 a.m. for the sole purpose of introducing into the record by the Commission staff and all parties desiring to do so, written testimony and exhibits constituting their complete direct presentations;

(2) On February 18, 1964, at 10 a.m. for the sole purpose of introducing into the record by the Commission staff and all parties desiring to do so, written testimony and exhibits constituting presentations in rebuttal to the direct presentations previously offered; and

(3) On March 17, 1964, at 10 a.m. for the purpose of requiring witnesses to appear and adopt testimony and exhibits previously offered, to be subjected to cross-examination and redirect examination and proceeding to a determination of the issues herein.

(C) Joseph Zwerdling, a duly qualified and appointed Hearing Examiner, or any officer or officers of the Commission designated by the Chief Hearing Examiner for that purpose (see delegation of authority, 27 F.R. 4276, etc.) is designated to act as the presiding examiner in the proceedings as of the date of issuance of this order, and is authorized and directed, in so doing, to exercise

all of the functions and authority prescribed by the Administrative Procedure Act and this Commission's rules of practice and procedure, including the holding of such prehearing conferences as he may deem advisable to expedite the proceedings in accordance with the above schedule or as may otherwise be useful.

(D) United Gas Pipe Line Company and Louisiana Natural Gas Corporation are hereby made Respondents in these proceedings.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5457; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. CP62-219]

ARKANSAS LOUISIANA GAS CO.

Notice of Application To Amend

MAY 16, 1963.

Take notice that on March 26, 1963, as supplemented on April 11, 17, and 22, 1963, Arkansas Louisiana Gas Company (Applicant), Shreveport, Louisiana, filed in Docket No. CP62-219 an application to amend the Commission's order, issued February 5, 1963, in the subject docket to reflect certain changes in Applicant's related gas purchase contracts, all as more fully set forth in the application to amend, as supplemented, on file with the Commission and open to public inspection.

The subject order issued a certificate of public convenience and necessity authorizing Applicant to construct and operate certain facilities in order to enable Applicant to attach new supplies of natural gas. Applicant states herein that it has filed the subject application to amend in order to expedite the disposition of the related producer applications.

The proposed changes in the gas purchase contracts are:

(a) The initial price has been reduced to 15 cents per Mcf;

(b) The point of delivery has been changed to "at" or "near" the wellhead;

(c) The minimum take clauses have been changed to specify a standard for apportioning receipts as among the various wells;

(d) A standard based on a formula of \$5,000 expense per one million Mcf of reserves has been specified to determine the "economic feasibility" for Applicant to connect a particular well;

(e) Seller has been relieved of the obligation of dehydrating the gas before delivery;

(f) Delivery pressure requirements have been reduced after the first ten years;

(g) In some instances additional acreage has been committed to Applicant to cover leases acquired since the producer executed the original contract;

(h) In some instances provision has been made for central point processing or compression by the producer.

The application to amend indicates the revised total estimated cost of facil-

ities is \$15,169,400 with \$2,027,500 for field facilities necessary to connect the estimated recoverable reserves.

Protests, petitions to intervene or requests for hearing 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 June 6, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5458; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. CP63-277]

FLORIDA GAS TRANSMISSION CO.

Notice of Application and Date of Hearing

MAY 15, 1963.

Take notice that on April 9, 1963, Florida Gas Transmission Company (Applicant), a Delaware corporation with its principal place of business in Winter Park, Florida, filed an application in Docket No. CP63-277 for a certificate of public convenience and necessity to construct and operate two miles of 4½" O.D. transmission pipeline from a point on its 18-inch main line near the City of South Miami, Florida, and to sell gas to its affiliate, Florida Gas Company, for distribution and resale in the city of South Miami. The cost of construction is estimated to be \$24,000. The gas purchase will be made under Florida Gas Company's FPC Tariff, Rate Schedules G and I, which are on file with the Commission.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 18, 1963, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the 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 June 7, 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. 63-5460; Filed, May 22, 1963;
8:45 a.m.]

KANSAS POWER AND LIGHT CO. **Order Accepting Rate Schedules for** **Filing, Directing the Submission of** **Data, and Directing Staff Investiga-** **tion**

MAY 15, 1963.

Kansas Power and Light Company (Kansas Power) of Topeka, Kansas, on September 20, 1962 and January 28, 1963, submitted for filing pursuant to section 205 of the Federal Power Act: seventeen contracts for wholesale electric service to rural electric cooperatives served under Kansas Power's Schedule RC-3; twenty-five contracts for wholesale electric service to municipalities and one rural electric cooperative served under Kansas Power's Schedule MWH-2; seven contracts for interchange or wholesale electric service rendered to rural electric cooperatives, municipalities and other wholesale customers under other rates; and one supplemental contract providing for an additional delivery point to a rural electric cooperative customer. The proffered rate schedules are designated in the files of the Commission as set forth below.¹

¹ See the following table:

Rate schedule designation (FPC No.)	Other party	Date of instrument
10.....	Ark. Valley Elec. Coop. Assn., Inc.	5-21-62
11.....	Brown-Atchison ECA, Assn., Inc.	5-21-62
Supp. No. 1.....	Delivery point sec. 3-T38-R15E.	9-25-62
12.....	Butler Rural ECA, Inc.	5-14-62
13.....	O & W Rural ECA, Inc.	5- 2-62
14.....	Central Kansas EC, Inc., delivery point—Clafin, Kans.	6-15-59
15.....	Coffey County REC, Inc.	5-21-62
16.....	Coop. Elec. Power & Lt. Co., Inc.	5-21-62
17.....	D. S. & O. Rural ECA, Inc.	5-21-62
18.....	Contract Ltr. Agmt.	7-27-62
19.....	Doniphan ECA, Inc.	5-21-62
20.....	Flint Hills RECA, Inc.	5-21-62
21.....	Kaw Valley EC Co., Inc.	5-21-62
22.....	Leavenworth-Jefferson EC, Inc.	5-21-62
23.....	Lyon County EC, Inc.	4-24-62
24.....	Nemaha-Marshall ECA, Inc.	6-22-62
25.....	Ninnesah RECA, Inc.	5-21-62
26.....	P.R. & W. ECA, Inc.	5-21-62
27.....	Smoky Hill ECA, Inc.	5-21-62
28.....	Twin Valley EC, Inc.	5-21-62
29.....	City of Alma	1- 7-58
30.....	City of Altamont	3- 7-60
31.....	City of Axtell	9- 2-55
32.....	City of Centralia	1- 8-58
33.....	City of Chapman	10- 3-60
34.....	City of Desoto	3- 2-61
35.....	City of Elwood	8- 5-58
36.....	City of Enterprise	9-12-60
37.....	City of Eudora	11-28-60
38.....	City of Goff	1- 6-60
39.....	City of Muscotah	1- 4-60
40.....	City of Netawaka	1- 4-60
41.....	City of Oswego	4-19-60
42.....	City of Reserve	1- 1-62
43.....	City of Robinson	4- 3-61
44.....	City of St. Marys	10- 7-57
45.....	City of Scranton	4- 1-58
46.....	City of Seneca	11- 6-59
47.....	City of Severance	2-15-60
48.....	D.S. & O. Rural ECA, Inc., delivery point—City of Solomon.	2- 1-58
49.....	City of Toronto	3- 4-60
50.....	City of Troy	6- 2-53
51.....	City of Vermillion	2- 4-58
52.....	City of Waterville	6-12-58
53.....	City of Wathena	4-21-53
54.....	Western Lt. & Tel. Co.	4-20-59
55.....	Central Kansas EC, Inc.	4-18-55
56.....	Bowersock Mills & Power Co.	6-28-32
57.....	City of Herington	1-23-56
58.....	City of Larned	11- 4-57
59.....	Dick Delaney	1-21-60

Prior to the submission of rate schedules for filing, Kansas Power from time to time had filed with this Commission other rate schedules for wholesale electric service to Kansas City Power and Light Company, Omaha Public Power District, Kansas Gas and Electric Company, Missouri Public Service Company, and Empire District Electric Company.²

Kansas Power's Schedule RC-3, applicable to service to rural electric cooperatives for resale to consumers in rural areas of Kansas, contemplates that the purchaser's entire electric requirements will be supplied by Kansas Power for a minimum period of five years. "Rural areas", as defined in the schedule, include incorporated communities of less than 200 population at the time service was begun. Kansas Power's monthly charge for each delivery point includes \$2.60/kw of billing demand including 300 kw/kw, 5.5 mills/kwh in excess of 300 kw/kw, a minimum monthly charge for each point of delivery, and a fuel cost adjustment provision based upon 1 cent changes in a stated base fuel cost of 21.4 cents/million Btu.³

Kansas Power's Schedule MWH-2, applicable to service to municipalities which contract to purchase their entire requirements from the company for a minimum period of five years, includes a demand charge of \$80.00 for the first 25 kw of billing demand, \$2.25/kw for the next 25 kw, \$1.25/kw for the next 50 kw, \$1.00/kw for the next 400 kw and \$0.75/kw for excess over 500 kw, an energy charge of 1 cent/kwh for the first 150 kw/kw of billing demand plus 0.6 cent for all additional kwh, and a fuel cost adjustment provision based upon 1 cent changes above 17 cents/million Btu or below 15 cents/million Btu base fuel costs.

The remainder of the proffered rate schedules submitted by Kansas Power provide for various classes of service, including firm power sales, emergency service and standby service. These schedules contain various demand and/or energy rates and different fuel adjustment provisions.⁴

² These are designated in the files of the Commission as: FPC No. 1: Kansas Gas and Electric Company, dated 5-15-59, and Supplements Nos. 1-6 thereto, dated 5-18-60, 7-15-61, 7-20-61, 7-20-61, 3-20-62, and 3-30-62 respectively; FPC No. 2: Kansas City Power & Light Company, dated 4-24-62; FPC No. 3: The Omaha Public Power District, dated 6-25-62; and FPC No. 7, an interconnection and pooling agreement with Missouri Public Service Company, Kansas City Power & Light Company, Empire District Electric Company, and Kansas Gas and Electric Company, dated 3-31-62.

³ Kansas Power bills the D.S. & O. Rural Electric Cooperative Association at its Solomon, Kansas delivery point at the Company's MWH-2 rate.

⁴ FPC No. 53 embodies a 5-year contract, continuing thereafter and terminating on 24 months' notice, with Western Light and Telephone Company for emergency service interchanges and firm power sales to and from each company. The emergency service rate consists of a demand charge of 7 cents/kw for each day's required service, plus 5 mills/kwh for all energy delivered. The firm power rate includes a monthly demand charge of \$1.50/kw of maximum 60 minute demand at each delivery point, an energy charge of 5 mills per kwh for all energy

Examination of the proffered rate schedules and the differentials in Kansas Power's rates and charges, including its fuel cost adjustments and service conditions, indicates the need for further analysis thereof. Those and other matters bearing upon Kansas Power's rate level and rate design make it desirable, in the interests of all consumers served by or through Kansas Power, that the Commission staff conduct an investigation and study of Kansas Power's electric utility operations, system costs, and rates and charges subject to this Commission's jurisdiction pursuant to the Federal Power Act.

It is anticipated that the Commission staff investigation as to Kansas Power's rates and charges and of Kansas Power's over-all utility operations and systems costs will require the submission by Kansas Power of cost, revenue, and other operating data, and that such data will be requested by the staff or obtained by the staff through field studies. This Commission's rate regulatory jurisdiction over Kansas Power is continuous. The information to be made available by Kansas Power will afford the Commission a basis upon which to consider the need for any additional action relative to Kansas Power's services and rates and charges therefor.

We note that certain of the aforementioned rate schedules provide for increased charges in the event that any tax or assessment is made upon Kansas Power based on energy sales or revenue. Under the Commission's Regulations under the Federal Power Act, § 35.3(c), the invocation of any such provisions must

delivered and a fuel adjustment provision of 0.15 mills/kwh for each 1 cent by which the average cost of fuel burned exceeds 21 cents or is less than 19 cents per million Btu.

FPC No. 54 embodies two 3-year contracts, extended thereafter on a year to year basis, with Central Kansas Electric Cooperative for emergency service and firm power sales between the parties. All power supplied by either party is billed at a monthly rate at each delivery point of 5 cents/kw per day, not to exceed \$1.25/kw of maximum demand per month, plus 6.5 mills/kw.

FPC No. 55 embodies a contract with Bowersock Mill & Power Company under which Kansas Power purchases surplus energy and supplies standby. The net balance of monthly exchanges is billed during on-peak periods at 12.5 mills/kwh for the first 200,000 kwh, 10 mills/kwh for the next 60,000 kwh and 7.5 mills/kwh thereafter; during off-peak periods, at 5 mills/kwh.

FPC Nos. 56 and 57 embodies two emergency interconnection and service contracts with the Cities of Herington and Larned, Kansas. Emergency service is billed to the receiving party at a rate of 5 cents/kw per day, not to exceed \$1.25/kw of maximum demand per month, plus 6.5 mills/kwh, subject to a fuel cost adjustment of 0.13 mills/kwh for each 1 cent by which the average cost of fuel burned in Kansas Power's steam generating plants in any month exceeds 21 cents per million Btu. There is also a fuel adjustment for purchases by Kansas Power.

FPC No. 58 embodies a contract with Dick Delaney, operator of an electric distribution system selling power at retail to ultimate consumers in the City of Leona, Kansas. Kansas Power supplies the entire load requirements at a rate 10 percent higher than Kansas Power's Schedule MWH-2.

be preceded by appropriate supplemental rate schedule filings.

The Commission further finds: It is necessary and appropriate for the purposes of the Federal Power Act, particularly sections 205, 206, 307, and 309 thereof, that the rate schedules set forth in the recitals above be accepted for filing; that the Commission staff conduct an investigation and study as set forth above; and that Kansas Power be directed to submit, or otherwise make available, cost, revenue, and other operating data pursuant to the staff's request therefor.

The Commission orders:

(A) The proffered rate schedules referred to in this order are accepted for filing and allowed to take effect as of October 1, 1962, with the exception of Supplement No. 1 to FPC No. 11, which is accepted for filing to take effect as of February 28, 1963.

(B) Kansas Power shall submit to the Commission staff at the Commission's office or at the Company's offices, cost, revenue and other operating data as may be requested by the Commission's staff in carrying out the investigation directed herein.

(C) This order is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Kansas Power.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5461; Filed, May 22, 1963;
8:45 a.m.]

[Project No. 2356]

CLEVELAND-CLIFFS IRON CO.

Notice of Application for License

MAY 16, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by The Cleveland-Cliffs Iron Company, correspondence to: D. R. Forrest, Vice President, The Cleveland-Cliffs Iron Company, 1460 Union Commerce Building, Cleveland 14, Ohio, for license for constructed Project No. 2356, to be known as the Carp River Project, located on Carp River, Marquette County, Michigan, in the vicinity of Ishpeming and Marquette.

The project consists of: a storage dam and reservoir (Deer Lake Basin) with storage capacity of about 22,500 acre-feet; an intake dam, located 2 miles southwest of Marquette, and reservoir (Carp Intake Basin) about 30 acres in area; penstock about 21,941 feet long; a powerhouse located in Marquette, containing two 4,000 horsepower turbines, each connected to a 2,800 kva generator; 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 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 9,

1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5459; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. CP62-88 etc.]

MONTEREY GAS TRANSMISSION CO. ET AL.

Order Allowing Withdrawal of Applications and Severing Dockets From Consolidated Proceeding

MAY 15, 1963.

Monterey Gas Transmission Company, Docket No. CP62-88; Columbia Gulf Transmission Company, Docket No. CP62-89; United Fuel Gas Company, Docket No. CP62-90; The Ohio Fuel Gas Company, Docket No. CP62-91; Tennessee Gas Transmission Company, Docket No. CP62-291.

On April 9, 1963, Monterey Gas Transmission Company (Monterey) filed in Docket No. CP62-88 a notice of withdrawal of its application for a certificate of public convenience and necessity filed October 9, 1961, as amended January 8, 1962, and June 5, 1962, and a request for cancellation of the oral argument which had been scheduled in the above-entitled consolidated proceeding for May 2, 1963.¹

On April 18, 1963, Tennessee Gas Transmission Company (Tennessee) filed in Docket No. CP62-291 a "Notice of Withdrawal of Application for Authority to Abandon Facilities and for Certificate of Public Convenience and Necessity", stating that Tennessee's application in Docket No. CP62-291 was a "companion application" to Monterey's application in Docket No. CP62-88.

Three Columbia Gas System companies² filed on April 9, 1963, a joint statement in which they refer to the fact that temporary certificates have already been issued in Docket Nos. CP62-89, CP62-90, and CP62-91 and that the facilities authorized under such temporary certificates have been constructed in order to permit the Columbia Companies to render service to their existing customers during the past heating season. The Columbia Companies also state that United Fuel Gas Company (United Fuel) has negotiated an arrangement whereby Humble Oil & Refining Company (Humble)³ will make available to United Fuel a supply of approximately 6.4 trillion cubic feet of gas from five or more fields in southern Louisiana within the framework of conventional gas purchase contracts and that it will be necessary to file a further amendment to the application

¹ The oral argument scheduled for May 2, 1963, has heretofore been cancelled by "Notice of Cancellation of Oral Argument" dated April 12, 1963.

² Columbia Gulf Transmission Company, United Fuel Gas Company, and The Ohio Fuel Gas Company.

³ Humble also filed a statement on April 9, 1963, referring to negotiation of " * * * an arrangement whereby Humble will make sales of gas to United Fuel from Southern Louisiana under a conventional gas sales contract."

of Columbia Gulf Transmission Company in Docket No. CP62-89 in order to obtain the authority to construct the facilities necessary to carry out the contemplated purchase of gas from Humble.

The Columbia Companies further allege that their applications in Docket Nos. CP62-89, CP62-90, and CP62-91 should not be considered moot because of the filing of Monterey's notice of withdrawal of its application in Docket No. CP62-88. The Columbia Companies therefore request that their applications in Docket Nos. CP62-89, CP62-90, and CP62-91 be severed from Docket No. CP 62-88 and that action therein be held in abeyance pending submission of additional filings to be made on or about June 1, 1963, pursuant to the aforementioned negotiations related to the proposed purchase of gas from Humble.

The Commission finds: It is appropriate in the administration of the Natural Gas Act that Monterey's and Tennessee's requests to withdraw their applications in Docket Nos. CP62-88 and CP62-291, respectively, be granted, and that such applications be severed from the Columbia Companies' applications in Docket Nos. CP62-89, CP62-90, and CP62-91, pending the subsequent filings to be made in the three dockets of the Columbia Companies as hereinbefore described.

The Commission orders:

(A) Monterey's application in Docket No. CP62-88 and Tennessee's application in Docket No. CP62-291 are hereby severed from the Columbia Companies' applications in Docket Nos. CP62-89, CP62-90, and CP62-91.

(B) Monterey Gas Transmission Company's request to withdraw its application filed October 9, 1961, as amended, in Docket No. CP62-88 is hereby granted, effective May 9, 1963, pursuant to § 1.11(d) of the Commission's rules of practice and procedure.

(C) Tennessee Gas Transmission Company's request to withdraw its application filed June 11, 1962, in Docket No. CP62-291 is hereby granted, effective May 18, 1963, pursuant to § 1.11(d) of the Commission's rules of practice and procedure.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5462; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. RI61-44]

PAN AMERICAN PETROLEUM CORP. ET AL.

Order Making Successor in Interest Co-Respondent, Redesignating Proceeding, and Requiring Successor To File Agreement and Undertaking

MAY 15, 1963.

Pan American Petroleum Corporation and Hanley Company (Operator), et al., Docket No. RI61-44.

On August 29, 1962, Hanley Company (Operator), et al. (Hanley) acquired by assignment the interest of Pan American

Petroleum Corporation (Pan American) in certain non-productive acreage dedicated under Pan American's contract with El Paso Natural Gas Company (El Paso), for the jurisdictional sale of natural gas in Upton County, Texas.¹ The contract between Pan American and El Paso is designated as Pan American's FPC Gas Rate Schedule No. 129, as supplemented. The last rate in effect not subject to refund under Pan American's FPC Gas Rate Schedule No. 129 is 11.1056 cents per Mcf. The presently effective rate under Pan American's FPC Gas Rate Schedule No. 129 is 17.1632 cents per Mcf, subject to refund in the proceeding in Docket No. RI61-44.²

By letter order issued December 17, 1962, as amended by letter order issued February 13, 1963, Hanley was granted temporary authority authorization, *inter alia*, to sell gas to El Paso under its FPC Gas Rate Schedule No. 33, which covers not only the interest in acreage acquired from Pan American but also interests in the same acreage that were not dedicated under the Pan American-El Paso contract. With respect to all acreage covered under Hanley's FPC Gas Rate Schedule No. 33, the letter order granting Hanley temporary authorization in Docket No. CI63-556 provided that the initial price shall be 16.0 cents per Mcf (inclusive of tax reimbursement) at 14.65 psia. To the extent such sales are attributable to Hanley's interest in acreage which was at any time subject to the contract dated July 14, 1952, between El Paso and Pan American, Hanley is required under the temporary authorization to refund with interest at 7 percent per annum to El Paso any amounts collected in excess of the amount determined to be just and reasonable in the suspension proceedings in Docket No. RI61-44. But if the rate finally determined to be just and reasonable is less than 11.056 cents per Mcf, refunds will not be required below 11.056 cents per Mcf. It was also indicated that by separate order Hanley would be made a co-respondent in Docket No. RI61-44.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act and the regulations thereunder, that Hanley be joined as co-respondent with Pan American in the rate proceeding in Docket No. RI61-44, that such proceeding be redesignated accordingly, and that Hanley be required to file an agreement and undertaking in Docket No. RI61-44.

The Commission orders:

(A) Hanley Company (Operator), et al. is hereby joined as co-respondent with Pan American Oil Corporation in the proceeding in Docket No. RI61-44, and the proceeding is hereby redesignated as "Pan American Petroleum Corporation and Hanley Company (Operator), et al."

¹ Texas Railroad Commission District No. 7-C.

² Two earlier increases under Pan American FPC Gas Rate Schedule No. 129 are subject to rate suspension proceedings in Docket No. G-19998 and Docket No. G-16480.

(B) Within 30 days from the issuance of this order, Hanley shall execute, in the form set out below,³ and shall file with the Secretary of the Commission, an acceptable agreement and undertaking in Docket No. RI61-44 to assure refund of any excess charges which the Commission may require in accordance with the provisions of the temporary authorization granted in Docket No. CI63-556. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to be satisfactory and to have been accepted for filing.

(C) Hanley Company (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and its agreement and undertaking filed in Docket No. RI61-44 shall remain in full force and effect until discharged by the Commission.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5463; Filed, May 22, 1963;
8:45 a.m.]

[Docket No. CP61-328]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application To Amend a Certificate of Public Convenience and Necessity

MAY 15, 1963.

Take notice that on April 2, 1963, Transcontinental Gas Pipe Line Corporation (Applicant) with its principal place of business in Houston, Texas, filed in Docket No. CP61-328 pursuant to section 7(c) of the Natural Gas Act a petition to amend a certificate of public convenience and necessity issued in this docket on May 17, 1962, by authorizing the construction and operation of only a portion of those pipeline facilities originally granted in the certificate, all as more fully set forth in the application to amend which is on file with the Commission and open to public inspection.

The Commission authorized Applicant in the above mentioned docket to construct and operate facilities for the purpose of receiving and transporting natural gas to be purchased by Applicant from certain independent producers in Blocks 129 and 131, Vermilion Area, Blocks 23 and 48, South Marsh Island Area, and Block 169, Ship Shoal Area, all offshore Louisiana. Included among these facilities were 33.0 miles of 12-inch transmission purchase lateral extending from Applicant's existing facilities in the Block 28 Field to the Block 169 Field, both in the Ship Shoal Area. Applicant now proposes to construct and operate in lieu of such lateral some 19.35 miles of 10-inch transmission purchase lateral extending from its existing facilities in Block 87, Ship Shoal Area, to the Block 169 Field.

³ Form filed as part of original document.

Applicant's existing facilities in Block 87, where the proposed lateral will originate, connect with the nearby Block 72 Field which is a hub for a number of laterals extending generally eastward to other production in the Ship Shoal Area and the South Pelto Area, and for a major 14-inch lateral pipeline carrying all production from the vicinity landward to the Block 28 Field. Due to a decline in potential from certain of the properties connected to these eastward laterals, the capacity of the major 14-inch lateral is not being fully utilized, and it has been found possible to route production to be purchased from the Block 169 Field through this line rather than directly to the Block 28 Field as presently authorized.

The total estimated direct cost of the proposed substitute facilities is \$1,377,834. This, when compared with the total estimated direct cost of the authorized facilities of \$3,130,763, represents a saving of \$1,752,929.

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 June 10, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5464; Filed, May 22, 1963;
8:46 a.m.]

[Docket Nos. RI63-416-RI63-424]

UNION OIL COMPANY OF CALIFORNIA ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

MAY 15, 1963.

Union Oil Company of California, Docket No. RI63-416; Ashland Oil & Refining Company, Docket No. RI63-417; Texaco Inc. (Operator), et al., Docket No. RI63-418; Noranda Oil Corporation, Docket No. RI63-419; The Superior Oil Company, Docket No. RI63-420; The Shamrock Oil and Gas Corporation, Docket No. RI63-421; Frederic C. Hamilton and Ferris F. Hamilton d/b/a Hamilton Brothers, Ltd., Docket No. RI63-422; The Shamrock Oil and Gas Corporation (Operator), et al., Docket No. RI63-423; Texaco Inc., Docket No. RI63-424.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 14.65 psia with the exception of the sales made by Texaco Inc. under Supplement No. 3 to its FPC Gas Rate Schedule No. 194 which are made at a pressure base of 15.025 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

¹ This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-416...	Union Oil Co. of California, P.O. Box 7600, Los Angeles 54, Calif. Union Oil Co. of California.	46	1	Northern Natural Gas Co. (Roberts County, Tex.) (R.R. District No. 10).	\$3,960	4-22-63	1-6-1-63	11-1-63	\$16.5	\$17.5	
		24	4	Northern Natural Gas Co. (Hansford and Ochiltree Counties, Tex.) (R.R. District No. 10).	7,200	4-22-63	1-6-1-63	11-1-63	\$16.5	\$17.5	
RI63-417...	Ashland Oil & Refining Co., P.O. Box 1503, Houston, Tex.	124	8	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Texas and Beaver Counties, Okla.) (Oklahoma-Panhandle Area).	1,500	4-22-63	1-6-5-63	11-5-63	\$17.2	\$17.4	RI62-441
RI63-418...	Texaco Inc. (Operator), et al., P.O. 2420, Tulsa 2, Okla., Attn: Mr. O. F. Sebesta.	133	37	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Texas and Beaver Counties, Okla.) (Oklahoma-Panhandle Area).	259	4-22-63	1-6-5-63	11-5-63	\$17.2	\$17.4	RI62-434
RI63-419...	Noranda Oil Corp., P.O. Box 1321, Midland, Tex.	1	3	United Gas Pipe Line Co. (North LaWard Field, Jackson County, Tex.) (R.R. District No. 2).	6,077	4-15-63	4-5-16-63	10-16-63	14.1792	\$15.1920	
RI63-420...	The Superior Oil Co., 1725 "K" Street NW, Washington 6, D.C., Attn: Mr. William T. Kilbourne II.	72	3	Northern Natural Gas Co. (Perryton West Field, Ochiltree County, Tex.) (R.R. District No. 10).	2,160	4-26-63	4-5-27-63	10-27-63	\$16.5	\$17.5	RI61-67
RI63-421...	The Shamrock Oil & Gas Corp., P.O. Box 631, Amarillo, Tex.	28	3	Northern Natural Gas Co. (Ochiltree County, Tex.) (R.R. District No. 10).	2,765	4-26-63	1-7-1-63	12-1-63	\$16.0	\$17.0	
RI63-422...	Frederic C. Hamilton and Ferris F. Hamilton d/b/a Hamilton Bros., Ltd., 1517 Denver Club Bldg., Denver 2, Colo.	1	1	Northern Natural Gas Co. (North Hansford Field, Hansford County, Tex.) (R.R. District No. 10).	4,545	4-29-63	1-7-1-63	12-1-63	\$16.5	\$17.5	
RI63-423...	The Shamrock Oil & Gas Corp., (Operator), et al., P.O. Box 631, Amarillo, Tex.	27	1	Transcontinental Gas Pipe Line Corp. (Big Foot Field, Frio County, Tex.) (R.R. District No. 1).	4,048	4-26-63	1-6-5-63	11-5-63	\$13.6786	\$14.6786	
RI63-424...	Texaco Inc., P.O. Box 2332, Houston 1, Tex.	194	3	United Gas Pipe Line Co. (Welsh Field, Jefferson Davis Parish, La.).	4,600	4-18-63	1-6-5-63	11-5-63	\$20.25	\$22.25	

¹ The stated effective date is the effective date proposed by respondent.

² Rate subject to downward B.t.u. adjustment.

³ Periodic rate increase.

⁴ The stated effective date is the 1st day after expiration of the required statutory notice.

⁵ Includes 1.0 cent per Mcf for seller relinquishing right to process gas.

⁶ Price subject to downward adjustment for heating value below 1,000 B.t.u.'s.

⁷ Last reported rate was 13.8296 per Mcf which reflected a tax reimbursement base of 5.72 percent; contract provides for a tax reimbursement base of 5.20 percent.

⁸ Tax reimbursement of 0.1786 cent is based on average value of the gas reported for tax purposes which is less than that provided for by the contract provisions.

⁹ Includes 1.75 cents per Mcf Louisiana tax reimbursement.

Noranda Oil Corporation (Noranda) requests an effective date of March 31, 1963, and The Superior Oil Company (Superior) requests an effective date of May 1, 1963, for their proposed rate increases for which inadequate notice was given. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Noranda and Superior's rate filings and such requests are denied.

The proposed increased rates exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regu-

lations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention 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 and 1.37(f)) on or before July 1, 1963.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-5465; Filed, May 22, 1963; 8:45 a.m.]

[Docket No. RI63-415]

WESTERN NATURAL GAS CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates

MAY 16, 1963.

On April 26, 1963, Western Natural Gas Company (Western Natural) ¹ tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitutes increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, dated April 24, 1963.

Purchaser and producing area: (1) Texas Eastern Transmission Corporation (Jennie Bell Field, DeWitt County, Texas) (R.R. District No. 2).

(2) Texas Eastern Transmission Corporation (Karon Field, Live Oak County, Texas) (R.R. District No. 2).

Rate schedule designation: (1) Supplement No. 9 to Western Natural's FPC Gas Rate Schedule No. 20.

(2) Supplement No. 6 to Western Natural's FPC Gas Rate Schedule No. 22.

Effective date: May 27, 1963.²

Amount of annual increase: (1) \$2,145 (2) \$310.

¹ Address is: P.O. Box 1508, Houston 1, Texas.

² The stated effective date is the effective date proposed by Respondent.

Effective rate: 13.8733 cents per Mcf.³
 Proposed rate: 14.3733 cents per Mcf.⁴
 Pressure base: 14.65 psia.

Western Natural's proposed increased rate of 14.3733 cents per Mcf is equivalent to an increased rate of 14.8733 cents per Mcf when the cost to the buyer of 0.5 cents for dehydration and handling is taken into consideration and exceeds the area price level for increased rates for Texas Railroad District No. 2 as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed changes, and that Supplements Nos. 9 and 6 to Western Natural's FPC Gas Rate Schedules Nos. 20 and 22, respectively, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplements Nos. 9 and 6 to Western Natural's FPC Gas Rate Schedules Nos. 20 and 22, respectively.

(B) Pending such hearing and decision thereon, Supplements Nos. 9 and 6 to Western Natural's FPC Gas Rate Schedules Nos. 20 and 22, respectively, are hereby suspended and the use thereof deferred until October 27, 1963, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 3, 1963.

By the Commission.⁵

JOSEPH H. GUTRIDE,
 Secretary.

[F.R. Doc. 63-5466; Filed, May 22, 1963;
 8:47 a.m.]

³ Rate resulted from an Offer of Settlement accepted by the Commission on January 29, 1963.

⁴ Rate is equivalent to 14.8733 cents per Mcf when the cost to the Buyer of 0.5 cents per Mcf for dehydration and handling is taken into consideration.

⁵ Rate is inclusive of tax reimbursement.

⁶ Commissioners O'Connor and Woodward not participating.

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-3017]

McDANIEL EQUIPMENT, INC.

Order Canceling Hearing and Making Suspension Permanent

MAY 17, 1963.

The Commission, by order dated March 13, 1963, having temporarily suspended the Regulation A exemption of McDaniel Equipment, Inc., 516 7th Avenue, San Diego, California, pursuant to Rule 261 of the General Rules and Regulations under the Securities Act of 1933, as amended, and the company having requested a hearing upon the allegations set forth in the aforementioned order, and the Commission by order dated April 24, 1963, having ordered a hearing in the above-entitled matter, said hearing now scheduled to commence on May 20, 1963, at 10:00 a.m., P.d.s.t., at the Los Angeles Branch Office, before William W. Swift, hearing examiner and,

The Company having requested a withdrawal of its request for a hearing, and the Division of Corporation Finance and the San Francisco Regional Office not objecting thereto,

It is ordered, That the request for hearing be, and it hereby is, deemed withdrawn.

It is further ordered, That the hearing in this matter scheduled for May 20, 1963, be and it hereby is, canceled.

Pursuant to the provisions of Rule 261 (b) of Regulation A, the suspension of the Regulation A exemption from registration under the Securities Act of 1933, as amended, with respect to the proposed public offering of securities by the company becomes permanent.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
 Secretary.

[F.R. Doc. 63-5473; Filed, May 22, 1963;
 8:48 a.m.]

[File No. 70-4141]

NEW ENGLAND ELECTRIC SYSTEM ET AL.

Notice of Proposed Modification of Method of Allocating Consolidated Tax Liabilities, As Reduced by In- vestment Credit, Among System Companies

MAY 17, 1963.

In the matter of New England Electric System, 441 Stuart Street, Boston 16, Massachusetts: Central Massachusetts Gas Company, Granite State Electric Company, Lawrence Gas Company, Lynn Gas Company, Massachusetts Electric Company, The Mystic Power Company, Mystic Valley Gas Company, The Narragansett Electric Company, New England Power Company, New England Power Service Company, North Shore Gas Company, Northampton Gas Light Company, Norwood Gas Company, Wachusett Gas Company; File No. 70-4141.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and its subsidiary companies have filed a joint declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") and have designated section 12 (b) of the Act and Rule 45 promulgated thereunder as applicable to the transaction proposed. All interested persons are referred to the joint declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Declarants annually join as a group in filing a consolidated Federal income tax return. It is stated that certain inequities in the allocation of the group's consolidated income tax liabilities, after giving effect to the investment credit allowed on Federal income tax returns under the Revenue Act of 1962, would result if the allocation were effected pursuant to the exemptive provisions of Rule 45(b)(6) under the Act. Accordingly, declarants propose to utilize a method of allocation which will give to each of the companies included in consolidated tax returns of NEES and its subsidiaries the full investment credit each company contributes to the total investment credit allowed on the consolidated returns.

The filing states further that any investment credit received by New England Power Service Company ("NEPSCO"), which supplies services at cost to its affiliated companies in the NEES system, would be accounted for on NEPSCO's books as a deferred credit to be amortized over the life of the related property, thereby resulting in reduced service charges to the affiliated companies served by NEPSCO.

The joint declaration states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction. It is also stated that the only expenses to be incurred in connection with the proposed transaction will be for services performed at cost by NEPSCO, estimated not to exceed \$500.

Notice is further given that any interested person may, not later than June 6, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the

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

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 63-5474; Filed, May 22, 1963;
8:48 a.m.]

[File No. 811-207]

UNITED FUND INCOME SERIES TI TRUST AND COMMERCE TRUST CO.

Notice of Application for an Order Declaring That Company Has Ceased To Be an Investment Com- pany

MAY 17, 1963.

Notice is hereby given that an application has been filed by Commerce Trust Company, Trustee ("applicant"), 922 Walnut Street, Kansas City, Missouri, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that United Fund Income Series TI Trust ("trust"), a registered unit investment trust, has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a full statement of the representations therein which are summarized below.

Applicant became trustee of the Trust under a Trust Indenture dated as of June 1, 1935, and has acted as trustee since that date. Pursuant to the powers contained in the trust indenture of the trust, the Trust Committee adopted a resolution on June 26, 1962, authorizing the liquidation and termination of the trust and the distribution of the assets to the certificate holders. Acting under said resolution, the Trustee liquidated the securities held in the Trust and on December 20, 1962, caused notice of the liquidation to be mailed to the certificate holders. As of December 20, 1962, there were 225 certificates outstanding representing 271,904.102 units of participation.

Commencing on January 2, 1963 the Trustee redeemed certificates presented to it at the rate of \$0.656 per unit of participation. Applicant represents that its outstanding securities having a value of \$24,295 at April 16, 1963 are beneficially owned by 31 persons. The trust has taken all necessary steps to effect termination, has liquidated all investments and now holds its remaining assets in the form of cash for distribution to the outstanding certificate holders.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than June 5, 1963, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 63-5475; Filed, May 22, 1963;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 806]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 20, 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 65559. By order of May 16, 1963, the Transfer Board approved the transfer and substitution of Malcolm M. Morley and John M. Morley, a partnership, doing business as Morley Transfer, Forest Lake, Minn., as applicant in the claimed "grandfather rights" proceeding seeking the issuance of a Certificate of Registration, filed February 8, 1963, on Form BOR 99, assigned Docket No. MC 97696 (Sub-No. 1) covering op-

erations in interstate or foreign commerce under the former second proviso of section 206(a) (1) of the Act, supported by Minnesota Certificate No. 1378, pursuant to a Form BMC 75 Statement filed May 5, 1950, and accepted May 10, 1950, in the name of Lee Verne Peterson, doing business as Peterson Transfer, Center City, Minn., assigned Docket No. MC 97696, covering the transportation of: General commodities, over specified regular routes, serving certain named intermediate and off-route points, between St. Paul and Minneapolis, Minn., and Almelund, Minn. A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn., representative for applicant.

No. MC-FC 65690. By order of May 16, 1963, the Transfer Board approved the substitution of Winter Bros., Inc., Lincoln, Nebr., in lieu of Waldo W. Winter and Hubert B. Winter, a partnership, doing business as Winter Bros., Lincoln, Nebr., as applicant in No. MC 97874 Sub 1 (BOR 99) for a certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a) (1) of the Act supported by Nebraska Certificate No. M-9751 authorizing the transportation of commodities generally, except those requiring special equipment, over regular routes, between Omaha and Lincoln, via US-6, serving no intermediate point, and over irregular routes, between all points within a 30-mile radius of Seward, and between points within said radial area on the one hand, and, on the other hand, all points within a 250-mile radius of Seward. Donald E. Leonard, 605 South 14th, Box 2028, Lincoln, Nebr., attorney for applicants.

No. MC-FC 65758. By order of May 16, 1963, the Transfer Board approved the transfer to A. H. Spear and T. J. Burke, a partnership, doing business as Arrow Transfer & Storage Co., Seattle, Wash., of certificate in No. MC 30023, issued August 16, 1949, to Fremont Ross Transfer & Storage Co., a corporation, Seattle, Wash., authorizing the transportation of: Household goods, between Seattle, Wash., and Portland, Oreg., and, general commodities, with the usual exceptions including household goods and commodities in bulk, between points within three miles of and including Seattle, Wash. George R. LaBissoniere, 333 Central Building, Seattle 4, Wash., attorney for applicants.

No. MC-FC 65904. By order of May 16, 1963, the Transfer Board approved the transfer to George McBreen Co., Inc., Portland, Oreg., of Certificates in Nos. MC 112188 and MC 112188 (Sub-No. 4), issued April 8, 1960, and April 18, 1963, respectively, to Dorris Mae Hopper and Dorothy J. Adams, a partnership, doing business as George McBreen Company, Portland, Oregon, authorizing the transportation, over regular and irregular routes, of: Films and articles associated with the exhibition of motion pictures, between Portland, and La Grande, Oreg., over U.S. Highway 30; between Hood River, Oreg., and White Salmon, Wash., over U.S. Highway 830; between speci-

fied points in Oregon, serving specified intermediate and off-route points; between Portland, Oreg., on the one hand, and, on the other, Baker and Milton-Freewater, Oreg., and points within 10 miles; and Newspapers, from Portland, to Walla Walla, Wash.; bread, pies, and pastries, from Portland, Oreg., to Walla Walla, Wash., and points within 10 miles thereof. Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland 10, Oreg., attorney for applicants.

No. MC-FC 65908. By order of May 16, 1963, the Transfer Board approved the transfer to Robert A. Burris, Lisbon, Ohio, of portion of Certificate in No. MC 66951, issued August 19, 1957, to Oyler Motor Transit Co., Inc., Canton, Ohio, authorizing the transportation of: Malt beverages, from Pittsburgh, and Carnegie, Pa., to Ashland, Ky., and points in Ohio, and West Virginia; and empty malt-beverage containers, from Ashland, Ky., and points in Ohio and West Virginia, to Pittsburgh, and Carnegie, Pa. James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio, attorney for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-5481; Filed, May 22, 1963;
8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 20, 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 filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38324: *Joint motor-rail rates—Middlewest Motor Freight.* Filed by Midwest Motor Freight Bureau, Agent (No. 333), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, from, to and between points in middlewest, central states and southwestern territories.

Grounds for relief: Motor-truck competition.

Tariffs: Supplements 25 and 26 to Midwest Motor Freight Bureau, Agent, tariff MF-I.C.C. 388, and other schedules referred to in the application.

FSA No. 38325: *Substituted service—SP, ET AL., for Ashworth Transfer, Inc., et al.* Filed by William M. Larimore, Agent (No. 4), for interested carriers. Rates on property loaded in trailers and

transported on railroad flat cars, between rail interchange points named in the application in Arizona, California, Nevada, Oregon, Texas, and Utah, on the one hand, and rail interchange points named in the application in Arizona, California, Nevada, Oregon, Texas, and Utah, on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: William M. Larimore, Agent, tariff MF-I.C.C. 6.

FSA No. 38326: *Sand to Clarence Centre, N.Y.* Filed by Southwestern Freight Bureau, Agent (No. B-8396), for interested rail carriers. Rates on sand, as described in the application, in carloads, from Klondike, Ludwig, and Pacific, Mo., to Clarence Centre, N.Y.

Grounds for relief: Modified short-line distance formula.

Tariff: Supplement 203 to Southwestern Freight Bureau, Agent, tariff I.C.C. 4319.

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-5482; Filed, May 22, 1963;
8:50 a.m.]

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