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# FEDERAL REGISTER

VOLUME 28

NUMBER 113

Washington, Tuesday, June 11, 1963

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

#### SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 850.122, Amdt. 5]

#### PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

##### Proportionate Shares for Farms; 1960 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, paragraph (q) of § 850.122 (24 F.R. 10611, 25 F.R. 3574, 4427, 7357, 8067) of this chapter is revised to read as follows:

§ 850.122 Proportionate shares for farms in the domestic beet sugar area.

(q) *Filing application for payment.* Application for payments authorized under Title III of the act with respect to sugarbeets planted on a farm for harvest during the 1960-crop season shall be made on Form SU-110 by the producer on the farm, or his legal representative, who must sign the form and file it in the Agricultural Stabilization and Conservation county office for the county wherein the farm is located, or with a representative of such office, no later than December 31, 1962: *Provided*, That if a person has delayed filing such an application for payment until after December 31, 1962, upon the advice of personnel of the county office, or because questions had been raised concerning disbursement of payment to such person under Title III of the act, the period of time within which such person may file such an application for payment in the Agricultural Stabilization and Conservation county office is extended to include December 31, 1964.

*Statement of bases and considerations.* The original determination provided a closing date of December 31, 1962, for filing applications for payments authorized under Title III of the Sugar Act with respect to the 1960-crop of sugarbeets. This amendment provides that a person who delayed filing such application until after December 31, 1962, upon the advice of county office personnel, or because of any unresolved questions concerning payments under Title III of the act, may file such application by December 31, 1964.

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

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153, interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Supp. 1131, 1132)

Effective date: Date of publication.

Signed at Washington, D.C., on June 5, 1963.

ORVILLE L. FREEMAN,  
Secretary of Agriculture.

[F.R. Doc. 63-6132; Filed, June 10, 1963; 8:48 a.m.]

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

#### PART 917—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

##### Findings and Determinations Relative to Expenses To Be Incurred and Fixing of Rates of Assessment for the 1963-64 Season

On May 21, 1963, notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5052) regarding the expenses and the fixing of the rates of assessment for the 1963-64 season pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

##### § 917.202 Expenses and rates of assessment for the 1963-64 season.

(a) *Expenses:* The expenses likely to be incurred by the Control Committee during the 1963-64 season beginning March 1, 1963, and ending February 29, 1964, both dates inclusive, for the maintenance and functioning of such committee and the respective commodity committees, established pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

- (1) Bartlett pears, \$15,721.10;
- (2) Early varieties of plums, \$19,405.29;
- (3) Late varieties of plums, \$19,405.29; and
- (4) Elberta peaches, \$16,618.32.

(b) *Rates of assessment:* The following rates of assessment, which each handler shall pay in accordance with the applicable provisions of said amended marketing agreement and order, are hereby fixed as the respective handler's pro rata share of the aforesaid expenses:

- (1) One cent (\$0.01) per standard western pear box of Bartlett pears, or its equivalent in other containers or in bulk;

(2) Nine mills (\$0.009) per standard four-basket crate of early varieties of plums, or its equivalent in other containers or in bulk;

(3) Nine mills (\$0.009) per standard four-basket crate of late varieties of plums, or its equivalent in other containers or in bulk; and

(4) 4 and 1/2 mills (\$0.0045) per California peach box of Elberta peaches, or its equivalent in other containers or in bulk.

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the relevant provisions of said amended marketing agreement and this section require that the rates of assessment fixed for a particular season be applicable to all fresh Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches from the beginning of such season; and (2) the current season began on March 1, 1963, and the rates of assessment herein fixed will automatically apply to all Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches beginning with such date. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 5, 1963.

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

[F.R. Doc. 63-6108; Filed, Jun. 10, 1963; 8:47 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

#### PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS

##### Suspension of Miscellaneous Amendments

On June 4, 1963, there was published in the FEDERAL REGISTER (28 F.R. 5461) a document issued on May 28, 1963, containing amendments of §§ 92.1(q), 92.11, 92.35, and 92.40 of Part 92, Title 9, Code of Federal Regulations, to become effective on June 10, 1963. Certain technical problems have arisen in connection with



the effectuation of the amendments. Therefore, the amendments are hereby suspended and shall not become effective until further notice.

Done at Washington, D.C., this 7th day of June 1963.

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

[F.R. Doc. 63-6198; Filed, June 10, 1963;  
10:33 a.m.]

## Title 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

[Releases 35-14883, 35-14884]

#### PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

#### PART 259—FORMS PRESCRIBED UNDER THE PUBLIC UTILITY HOLD- ING COMPANY ACT OF 1935

##### Applications and Declarations; Exemptions; Forms

In the FEDERAL REGISTER of December 28, 1962 (27 F.R. 12841), the Securities and Exchange Commission published notice that it had under consideration the adoption of amendments to §§ 250.23(c), 250.40(a)(5), and 259.101 (Rules 23(c), and 40(a)(5), and Form U-1, under the Public Utility Holding Company Act of 1935).

After consideration of all such relevant matter as was presented by interested persons concerning the proposals, the Commission, acting pursuant to authority conferred upon it by the Public Utility Holding Company Act of 1935, particularly sections 6(b), 7, 9(c)(3), 10, 12, and 20(a) thereof, hereby adopts the proposed amendments to §§ 250.23(c), 250.40(a)(5) and 259.101, subject to the changes set forth below. The rules and the form as so amended are effective herewith.

1. Section 250.23(c) as proposed is changed.

2. The introductory paragraph of § 250.40(a) as set forth in the proposal is corrected.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

JUNE 3, 1963.

I. As amended, paragraph (c) of § 250.23 reads as follows:

§ 250.23 Procedure applicable to certain applications and declarations.

\* \* \* \* \*

(c) *Effective date.* A declaration or application, which complies with the applicable requirements of the Act and the rules and regulations thereunder, will become effective or be granted respectively by an order to issue upon the expiration of the period prescribed in the notice of filing.

II. As amended, subparagraph (5) of paragraph (a) of § 250.40 reads as follows:

§ 250.40 Exemption of certain acquisitions from nonaffiliates.

(a) Section 9(a) shall not apply to the acquisition, from a person other than an associate or affiliate of the acquiring company or an affiliate of an associate company, of any of the securities (excluding securities issued by the acquiring company) as specified below:

\* \* \* \* \*

(5) *Securities of local enterprises.* Any security issued by an industrial or other non-utility enterprise located in the territory in which the acquiring company carries on its business (other than the business of a holding company or investment company as such), if after giving effect to such acquisition the total cost of all acquisitions by the acquiring company during any calendar year pursuant to this paragraph does not exceed \$50,000 in the case of securities of companies organized for the purpose of, and in accordance with a state law specifically relating to, promoting the development of business and industry in such territory and \$10,000 in the case of securities of other industrial or non-utility enterprises. In no event, however, will the above exemption as to securities of an industrial development corporation be applicable where, by reason of such acquisition, said corporation will become an affiliate of the company acquiring its securities.

III. As amended, § 259.101 reads as follows:

§ 259.101 Form U-1, application or declaration under the Public Utility Holding Company Act of 1935.

(a) *Identification.* (1) Name of company or companies filing this statement and addresses of principal executive offices; (2) Name of top registered holding company parent of each applicant or declarant; (3) Names and addresses of agents for service.

(b) *General instructions.*—(1) *Rule as to use of Form U-1.* (i) Form U-1 shall be used by any person filing an application or declaration or amendment thereto pursuant to sections 6(b), 7, 9(c)(3), 10, 12(b), (c), (d) or (f) of the Public Utility Holding Company Act of 1935 or any rules and regulations under such sections, where no other form is authorized or prescribed.

(ii) Wherever practicable, a single joint statement on this form should be filed with respect to a particular transaction or a series of related transactions, although subject to different provisions of the Act or rules and although different parties may be involved. The signature of any person joining in such a joint filing may be limited to the information directly concerning such person or its subsidiaries and the action to be taken by them.

(iii) Unless the context clearly indicates the contrary, all terms used in the form and these instructions have the same meaning as in the Public Utility Holding Company Act of 1935 and in the

rules and regulations issued thereunder.

(2) *Information required.* (i) The items of the form require concise statements of facts. Where opinions or estimates are given, they should be clearly identified as such and the facts on which they are based should be described.

(ii) Notwithstanding the specific requirements of this form, the applicant or declarant should include all relevant and material information bearing upon the proposed transaction. If the information called for by any item or exhibit is not deemed relevant or necessary for a proper disposition of the proposed transaction by the Commission, such information may be omitted. The Commission may, upon informal written request, permit the omission of information called for by any required item or exhibit of this form, if such information is not known to the applicant or declarant or cannot be obtained without unreasonable effort or expense. All omissions should be explained. The Commission may informally request such further information and exhibits as, in its opinion, may be necessary or appropriate.

(3) *Formal requirements.* (i) The statement and each amendment thereto, including all exhibits, shall be filed in triplicate. One copy of the statement and of each amendment shall be signed. The other copies shall be conformed.

NOTE: It will facilitate an examination of the statement, if extra conformed copies are furnished in addition to those required by Rule 22 (§ 250.22 of this chapter). The additional copies should include the financial statements required and Exhibits A, B, and C ((1), (2), and (3) of paragraph (e)).

(ii) The original statement shall contain the numbers and captions of all items of the form. An amendment shall contain the numbers and captions of only those items which are applicable. The text of the items may be omitted whenever the answers thereto are so prepared as to indicate the coverage of the items without the necessity of referring to the text of the form. All instructions are to be omitted from the original statement and amendments filed.

(iii) Attention is directed to the provisions of Rule 22(d) (§ 250.22(d) of this chapter) for certain additional formal requirements.

(4) *Incorporation by reference.* Attention is directed to the provisions of Rule 22(b) (§ 250.22(b) of this chapter) regarding incorporation by reference.

(5) *Amendments.* If information required is not available on the date of original filing, such information shall, subject to the provisions of Rule 50 (§ 250.50 of this chapter), be furnished by amendment filed on this form so that the statement as amended will be accurate, and complete insofar as practicable, at the time the declaration becomes effective or the application is granted.

(6) *Verification.* The statement and amendments need not be verified unless the Commission so requests. In such event, the individual signing the statement or amendment shall state, under oath, that he is familiar with the state-



ment or amendment and the transactions described therein, and that, to the best of his knowledge, information and belief, the information contained therein is true.

(c) *Information required.*

*Item (1): Description of proposed transaction.* (a) Furnish a reasonably detailed and precise description of the proposed transaction, including a statement of the reasons why it is desired to consummate the transaction and the anticipated effect thereof. If the transaction is part of a general program, describe the program and its relation to the proposed transaction.

*Instructions.* 1. The answer to this item should include a reasonably detailed description of negotiation, actual or proposed, in connection with the proposed transaction.

2. The answer to this item should state the consideration to be given or received by any party to the proposed transaction. The basis for determining such consideration should be set forth.

(b) Describe briefly, and where practicable state the approximate amount of, any material interest in the proposed transaction, direct or indirect, of any associate company or affiliate of the applicant or declarant or any affiliate of any such associate company.

*Instruction.* Information need not be given hereunder as to (i) the interest in the proposed transaction of any associate company of the applicant or declarant, solely in its capacity as such, or (ii) the interest in the proposed transaction of any individual solely in his capacity as officer, director or security holder of the applicant or declarant or any associate company thereof, or (iii) any interest disclosed in answer to paragraph (a) of this item or paragraph (b) of Item (2).

(c) If the proposed transaction involves the acquisition of securities not issued by a registered holding company or a subsidiary thereof, describe briefly the business and property, present or proposed, of the issuer of such securities.

(d) If the proposed transaction involves the acquisition or disposition of assets, describe briefly such assets, setting forth original cost, vendor's book cost (including the basis of determination) and applicable valuation and qualifying reserves.

*Item (2): Fees, commissions and expenses.*

(a) State (i) the fees, commissions and expenses paid or incurred, or to be paid or incurred, directly or indirectly, in connection with the proposed transaction by the applicant or declarant or any associate company thereof, and (ii) if the proposed transaction involves the sale of securities at competitive bidding, the fees and expenses to be paid to counsel selected by applicant or declarant to act for the successful bidder.

*Instruction.* The answer to this item should segregate fees, commissions and expenses by classes, e.g., legal, printing, accounting, underwriting, etc. and should identify each person or class of persons to whom fees or commissions have been or are to be paid. Estimates may be given where the actual amounts are not available, provided they are clearly identified as such.

(b) If any person to whom fees or commissions have been or are to be paid in connection with the proposed transaction is an associate company or an affiliate of the applicant or declarant, or is an affiliate of an associate company, set forth the facts with respect thereto.

*Item (3): Applicable statutory provisions.* (a) State the sections of the Act and the rules thereunder believed to be applicable to the proposed transaction. If any section or rule would be applicable in the absence of a specific exemption, state the basis of exemption.

*Note:* As provided in Rule 20 (§ 250.20 of this chapter), the Commission may con-

sider the proposed transaction or any part thereof under the appropriate provisions of the Act or rules, whether or not such provisions of the Act or rules are specifically designated in the answer to this item.

(b) If an applicant is not a registered holding company or a subsidiary thereof, state the name of each public utility company of which it is an affiliate, or of which it will become an affiliate as a result of the proposed transaction, and the reasons why it is or will become such an affiliate.

*Item (4): Regulatory approval.* (a) State the nature and extent of the jurisdiction of any State commission or any Federal commission (other than the Securities and Exchange Commission) over the proposed transaction.

(b) Describe the action taken or proposed to be taken before any commission named in answer to paragraph (a) of this item in connection with the proposed transaction.

*Item (5): Procedure.* (a) State the date when Commission action is requested. If the date is less than 40 days from the date of the original filing, set forth the reasons for acceleration.

(b) State (i) whether there should be a recommended decision by a hearing officer, (ii) whether there should be a recommended decision by any other responsible officer of the Commission, (iii) whether the Division of Corporate Regulation may assist in the preparation of the Commission's decision, and (iv) whether there should be a 30 day waiting period between the issuance of the Commission's order and the date on which it is to become effective.

*Instruction.* The specification requested by paragraph (b) of this item may be made in the course of a hearing with respect to the application or declaration, if the applicant or declarant so desires.

*Item (6): Exhibits and financial statements.* List below all financial statements and exhibits filed as a part of this statement—

(a) Exhibits.

(b) Financial statements.

(d) *Signature.* Pursuant to the requirements of the Public Utility Holding Company Act of 1935, the undersigned company has duly caused this statement (or amendment) to be signed on its behalf by the undersigned thereunto duly authorized.

By: \_\_\_\_\_

(Signature and printed name and title of signing officer)

Date: \_\_\_\_\_

*NOTE:* The statement and each amendment shall be signed by a duly authorized executive officer, or by his attorney. Where the statement or amendment is being filed on behalf of more than one company, the signature clause shall be appropriately modified and there shall be a separate signature for each such company. However, one officer or attorney may sign on behalf of two or more companies. If any name is signed to the initial statement or to any amendment thereto pursuant to a power of attorney, copies of such power of attorney shall be filed as an exhibit.

(e) *Instructions as to exhibits.* Subject to the provisions of Rule 22(b) and Rule 50 §§ 250.22(b) and 250.50 of this chapter), copies of the following documents shall be filed as exhibits to the application or declaration:

(1) The constituent instruments defining or limiting the rights of the holders of each class of securities proposed to be issued, sold, acquired, guaranteed, assumed, or modified, including any

amendments thereto presently proposed. Tentative drafts, as a minimum, shall be filed with the original statement.

(2) Any agreement, present or proposed, relating to the proposed transaction including any purchase, sale, underwriting, dealer, credit or loan agreement. Tentative drafts, as a minimum, shall be filed with the original statement.

(3) Any registration statement filed, or being filed, pursuant to the Securities Act of 1933 with respect to any part of the proposed transaction, including any amendments thereto, but excluding all exhibits and consents.

(4) Any application to any State or Federal commission named in answer to Item (4) with respect to the proposed transaction and a certified copy of any findings, orders, or certificates evidencing express authorization of any part of the proposed transaction by each such State or Federal commission.

(5) A map showing the interconnection or relationship of the properties of any company named in answer to Item (1(c)) or of any assets described in answer to Item (1(d)), with the properties of the applicant or declarant.

(6) (i) A signed opinion of counsel, addressed to the Commission, stating whether or not, in the event that the proposed transaction is consummated in accordance with the application or declaration:

(a) all State laws applicable to the proposed transactions will have been complied with;

(b) (1) the issuer of any securities being issued, sold, acquired, guaranteed, assumed or modified (identifying such securities) is validly organized and duly existing; (2) such securities will, in the case of stock, be validly issued, full paid and nonassessable, and the holders thereof will be entitled to the rights and privileges appertaining thereto set forth in the charter or other document defining such rights and privileges; and (3) such securities will, in the case of debt securities, be valid and binding obligations of the issuer or guarantor in accordance with their terms;

(c) the applicant or declarant will legally acquire any securities or assets being acquired (identifying such securities or assets);

(d) the consummation of the proposed transaction will violate the legal rights of the holders of any securities issued by the applicant or declarant or any associate company thereof.

This opinion, in addition to being expressly subject to the consummation of the proposed transaction in accordance with the application or declaration, may be subject to such additional express assumptions, exceptions or qualifications as may be stated therein. The opinion shall include a consent to its use in connection with the filing.

(ii) The applicant or declarant shall file with the Commission at the time of filing its certificate pursuant to Rule 24 (§ 250.24 of this chapter), a "past tense" opinion of counsel, dated as of the date of such certificate, corresponding to the initial opinion filed pursuant to subdivision (i) of this subparagraph. Such second opinion may be subject to the ex-



press assumptions, exceptions or qualifications stated therein, and it shall state whether or not, in the opinion of counsel, the transaction has been carried out in accordance with the application or declaration. If the proposed transaction is to be consummated by several steps or installments, the "past tense" opinion shall be filed at the conclusion of the last such step or installment.

(f) *Instructions as to financial statements.* Subject to the provisions of Rule 22(b) (§ 250.22(b) of this chapter), the financial statements specified below shall be filed as a part of the initial application or declaration; and shall be prepared in accordance with the requirements of Regulation S-X (Part 210 of this chapter), but need not be certified or supported by schedules.

(1) *Statements of applicant or declarant.* (i) There shall be filed for each applicant or declarant, on both per books and pro forma bases, a balance sheet as of a date not more than 120 days prior to the date of filing the application or declaration and a statement of income and surplus for the 12 months ended as of the date of the balance sheet.

(ii) The financial statements filed pursuant to subdivision (i) of this subparagraph shall set forth in adjoining columns the amounts per books, the pro forma adjustments, and the amounts pro forma giving effect to the proposed transactions; and be supported by a statement of the pro forma adjusting entries with explanations in sufficient detail to reveal clearly the nature of each. There shall also be filed a statement of the proposed accounting treatment of any premiums, discounts, and expenses which might arise out of the proposed transactions.

(iii) The financial statements filed pursuant to subdivision (i) of this subparagraph shall be filed on a corporate or consolidated basis as appropriate; except that, if the applicant or declarant is a registered holding company, they shall be filed on both corporate and consolidated bases.

(iv) If the applicant or declarant proposes to issue, guarantee, or assume any securities other than common stock and will have any mortgage bonds outstanding following consummation of the proposed transactions, there shall be filed, either separately or as a note to the financial statements required by subdivision (i), of this subparagraph, a statement of the approximate amounts, before and after giving effect to the proposed transactions, of unbonded bondable property available for the issuance of bonds.

(2) *Statements of top registered holding company.* There shall be filed for the top registered holding company, on both per books and pro forma bases, a consolidated balance sheet as of the same date as the balance sheet of the applicant or declarant and a consolidated statement of income and surplus for the 12 months then ended. Such financial statements shall be filed in the form and manner prescribed in subparagraph (1) (ii) of this paragraph.

(3) *Statements of company whose securities are being acquired or sold.* If

the proposed transaction involves the acquisition or disposition of securities of any company not a party to the application or declaration, there shall be filed for such company, a balance sheet as of the same date as the balance sheet of the applicant or declarant and a statement of income and surplus for the 12 months then ended. The financial statements of such company shall be prepared on a corporate or consolidated basis as appropriate; and if such company is not a registered holding company or a subsidiary thereof, there shall also be filed statements of income and surplus of such company for its last three fiscal years.

(4) *Statements of changes.* There shall be filed, as to each balance sheet filed pursuant hereto, a statement of any material changes, not in the ordinary course of business, since the date of such balance sheet.

(Secs. 6(b), 7, 9(c)(3), 10, 12, and 20(a), 49 Stat. 814, 815, 817, 823, and 833, 15 U.S.C. 79f, 79g, 79j, 79l, and 79t.)

[F.R. Doc. 63-6104; Filed, June 10, 1963; 8:47 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

#### PART 137—STANDARDS OF CONDUCT

The Deputy Secretary of Defense approved the following revision to Part 137 on May 17, 1963. DoD Directive 1442.1, "WOC Appointments," published at 16 F.R. 2218, as amended by 20 F.R. 2751 is hereby superseded and canceled.

- Sec.
- 137.1 Purpose and objectives.
- 137.2 Applicability.
- 137.3 Ethical standards of conduct.
- 137.4 Bribery and graft.
- 137.5 Gratuities.
- 137.6 Prohibition of contributions or presents to superiors.
- 137.7 Use of government facilities, property, and manpower.
- 137.8 Use of civilian and military titles in connection with commercial enterprises.
- 137.9 Outside employment of DoD personnel.
- 137.10 Information to personnel.
- 137.11 Reporting suspected violations.
- 137.12 Conflict of interest laws.
- 137.13 Advisers and consultants.
- 137.14 Effective date.
- 137.15 Executive Order 10939.
- 137.16 President's Memo, "Preventing Conflicts of Interest on the Part of Special Government Employees".
- 137.17 Digest of conflict of interest laws.
- 137.18 House Concurrent Resolution 175, 85th Congress, 2d Session—Code of Ethics for Government Service.
- 137.19 Statement of employment and financial interests.
- 137.20 Statement of employment—DD Form 1357.<sup>1</sup>

AUTHORITY: §§ 137.1 to 137.20 issued under R.S. 161, 5 U.S.C. 22.

<sup>1</sup> Filed as part of original document; copies available at respective military department publications counters.

#### § 137.1 Purpose and objectives.

(a) This part prescribes the standards of conduct, relating to possible conflict between private interests and official duties, required of all Department of Defense personnel,<sup>2</sup> regardless of assignment. Close adherence to these principles will insure compliance with the high ethical standards demanded of all public servants.

(b) This part is in consonance with (1) the President's memorandum (28 F.R. 4539) concerning Special Government Employees and (2) the Code of Ethics for Government Service contained in House Concurrent Resolution 175, 85th Congress, which applies to all Government personnel (§ 137.18).

(c) This part includes standards of conduct based on the revisions of the conflict of interest laws enacted in 1962 (Public Law 87-777 and Public Law 87-849). (See § 137.17.)

#### § 137.2 Applicability.

This part applies to all components of the DoD.

#### § 137.3 Ethical standards of conduct.

(a) *General.* DoD personnel are bound to refrain from any private business or professional activity which would place them in a position where there is a conflict between their private interests and the public interests of the United States. Even though a technical conflict, as set forth in the statutes cited in this part may not exist, DoD personnel must avoid the appearance of such a conflict, from a public confidence point of view. DoD personnel will not engage in any private activity which involves the use of, or the appearance of the use of, inside information gained through a DoD position for private gain for themselves, their families or business associates. DoD personnel must not use their DoD positions in any way to induce, or give the appearance of inducing, another person to provide any financial benefit to themselves, or persons with whom they have family, business or financial ties.

(b) *Dealing with present and former military and civilian personnel.* DoD personnel will not knowingly deal with military or civilian personnel, or former military or civilian personnel, of the Government, if such action will result in a violation of a statute or policy set forth in this part.

(c) *Presidential appointees.* Executive Order 10939 of May 5, 1961, prescribing special standards for Presidential appointees and others (§ 137.15) is self-explanatory. (See 26 F.R. 3951.)

#### § 137.4 Bribery and graft.

In general, DoD personnel may be subject to criminal penalties if they solicit, accept, or agree to accept anything of value in return for being influenced in

<sup>2</sup> DoD personnel, as used in this part, unless the context indicates otherwise, means all civilian officers and employees of all the offices, agencies, and departments in the Department of Defense (including nonappropriated fund activities) and all officers and enlisted members of the Army, Navy, Air Force, and Marine Corps (officers includes commissioned and warrant).



performing or in refraining from performing an official act. (See 18 U.S.C. 201.)

#### § 137.5 Gratuities.

(a) DoD personnel will not accept any favor, gratuity or entertainment directly or indirectly, from any person, firm, corporation, or other entity which has engaged, is engaged, or is endeavoring to engage in procurement activities or business transactions of any sort with any agency of the DoD, where such favor, gratuity, or entertainment might affect, or might reasonably be interpreted as affecting, or give the appearance of affecting the objectivity and impartiality of such personnel in serving the Government. Favors, gratuities, or entertainment bestowed upon members of the immediate families of DoD personnel are viewed in the same light as those bestowed upon DoD personnel. Acceptance of entertainment, gifts, or favors (no matter how innocently tendered or received) from those who have or seek business dealings with the Department of Defense may be a source of embarrassment to the Department and to the personnel involved, may affect the objective judgment of the recipient, may impair public confidence in the integrity of business relations between the Department and industry, and must be discouraged.

(b) Procedures with respect to gifts from foreign governments are set forth in DoD Directive 1005.3, "Decorations, Awards, and Gifts from Foreign Governments," September 27, 1958.

#### § 137.6 Prohibition of contributions or presents to superiors.

No officer or employee in the United States Government employ shall at any time solicit contributions from other officers or employees in the Government service for a gift or present to those in a superior official position; nor shall any such officials or superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a salary in an amount smaller than their own; nor shall any officer or employee make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ. (See R.S. 1784; 5 U.S.C. 113.)

#### § 137.7 Use of government facilities, property, and manpower.

Government facilities, property, and manpower, such as stenographic and typing assistance, mimeograph services and chauffeur services, shall be used only for official Government business. This part is not intended to preclude the use of Government facilities for activities which would further military-community relations provided they do not interfere with the military missions.

#### § 137.8 Use of civilian and military titles in connection with commercial enterprises.

(a) All civilian personnel, and military personnel on active duty, are prohibited from using their civilian and military titles or positions in connection

with any commercial enterprise or in endorsing any commercial product. The foregoing shall not be deemed to preclude publication by such personnel of books or articles which identify them as author by reference to their military or civilian title or position, provided that publication of such material has been cleared under existing DoD procedures.

(b) All retired military personnel and all members of reserve components, not on active duty, are permitted to use their military titles in connection with commercial enterprises. Such use of military titles shall in no way cast discredit on the military services or the DoD. Such use is prohibited in connection with commercial enterprises when such use, with or without the intent to mislead, gives rise to any appearance of sponsorship, sanction, endorsement, or approval by the military services or the DoD. The Military Departments may restrict retired personnel and members of reserve components not on active duty, from using their military titles in connection with public appearances in overseas areas.

#### § 137.9 Outside employment of DoD personnel.

(a) DoD personnel shall not engage in private outside employment, with or without compensation, which:

(1) Interferes with the performance of their Government duties,

(2) May reasonably be expected to bring discredit upon the Government or the agency concerned,

(3) Is inconsistent with § 137.3(a).

(b) No enlisted member of the armed forces on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade or profession.

(c) An active duty officer of the regular Navy or Marine Corps may not be employed by any person furnishing Naval supplies or war materials to the United States and continue to receive his service pay.

#### § 137.10 Information to personnel.

(a) New DoD personnel will be informed of the standards of conduct specified in this part upon employment or entry on duty. These standards of conduct will also be brought to the attention of all DoD personnel by appropriate means at least semi-annually.

(b) DoD personnel will be advised how to obtain additional clarification of standards of conduct and related laws, rules and regulations. For this purpose each of the Military Departments and Defense Agencies shall designate one or more legal officers who shall be responsible for providing advice and assistance on all matters relating to conflict of interest covered by this part.

(c) Appropriate officials in the office of the Secretary of each Military Department and Head of each Defense Agency shall be designated as responsible for proper coordination and final disposition

of all problems relating to conflict of interest, in accordance with regulations to be prescribed by the respective Secretaries or agency heads. In the Office of the Secretary of Defense, the General Counsel of the DoD or his designee will be responsible for these matters.

#### § 137.11 Reporting suspected violations.

DoD personnel who have information which causes them to believe that there has been a violation of a statute or policy set forth in this part will promptly report such incidents to their immediate superiors. If the superior believes there has been a violation, he will report the matter for further action in accordance with Departmental procedures. Any question or doubt on the part of the immediate superior will be resolved in favor of reporting the matter.

#### § 137.12 Conflict of interest laws.

(a) *Full-time officers and employees—*  
(1) *Definition.* The term "full-time officer or employee" includes all civilian officers and employees, and all military officers on active duty, except those who are "special Government employees" (see paragraph (b) of this section). It does not include enlisted personnel.

(2) *Prohibitions.* Item A of § 137.17 contains a discussion of these criminal laws and the exemptions therefrom. In general, a full-time officer or employee is subject to the following major prohibitions:

(i) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (see 18 U.S.C. 203 and 205).

(ii) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (see 18 U.S.C. 209).

(iii) He may not participate in his Governmental capacity in any matter in which he, his spouse, minor child, outside business associate or person with whom he is negotiating for employment, has a financial interest (see 18 U.S.C. 208). Instead of participating in such a matter, he must promptly disqualify himself in accordance with subparagraph (4) of this paragraph, except as provided in subparagraph (3) of this paragraph.

(3) *Nondisqualifying financial interest.* A full-time officer or employee need not disqualify himself under subparagraph (2)(iii) of this paragraph, if his financial holdings are in shares of a widely-held diversified mutual fund or regulated investment company. The indirect interests in business entities which the holder of shares in a widely held diversified mutual fund or regulated investment company derives from ownership by the fund or investment company of stocks in business entities is hereby exempted from the provisions of 18 U.S.C. 208a, in accordance with the provisions of 18 U.S.C. 208b(2) as being too remote or inconsequential to affect the integrity of the Government officers' or employees' services.



(4) *Disqualification procedure.* (i) In any case where a full-time officer or employee must disqualify himself under subparagraph (2) (iii) of this paragraph he will promptly notify his superior thereof and make a full disclosure of the financial interest. The superior will thereupon relieve him from his duty and responsibility in the matter, unless the Government official responsible for his appointment makes a written advance determination that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from the officer or employee. Such written determination shall be retained in the agency records.

(ii) In the case of a military officer or a civilian employee, the "official responsible for his appointment" shall, for purposes of this subparagraph, be his immediate superior or an official designated to perform this function.

(iii) In addition, where a superior thinks anyone responsible to him may have a disqualifying interest, he will discuss the matter with that person, and, if he finds such an interest does exist, he will relieve the person of duty and responsibility in the particular matter.

(iv) In cases of disqualification under this subparagraph, the matter will be reassigned for decision and action to someone else who is not subordinate to the disqualified person.

(b) *Special Government employee—*

(1) *Definition.* The term "special Government employee" includes an officer or employee who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis. (See 18 U.S.C. 202). The term also includes a Reserve officer while on active duty solely for training for any length of time, one who is serving on active duty involuntarily for any length of time, and one who is serving voluntarily on extended active duty for 130 days or less. It does not include enlisted personnel.

(2) *Prohibitions.* The President's memorandum, 28 F.R. 4539, contains a detailed discussion of these criminal laws. In general, a special Government employee is subject to the following major prohibitions:

(i) He may not, except in the discharge of his official duties, represent anyone else:

(a) Before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government (see 18 U.S.C. 203 and 205).

(b) In a matter pending before the agency he serves unless he has served there no more than 60 days during the past 365 (see 18 U.S.C. 203 and 205). He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

The restrictions described in (a) and (b) of this subdivision apply to both paid and unpaid representation of another.

(ii) He may not participate in his governmental capacity in any matter in which he, his spouse, minor child, outside business associate or person with whom he is negotiating for employment, has a financial interest (see 18 U.S.C. 208). Instead of participating in such a matter, he must promptly disqualify himself in accordance with paragraph (a) (4) of this section, except as provided in paragraph (a) (3) of this section.

(iii) After his Government employment has ended, he is subject to the prohibitions in paragraph (c) (2) of this section as a "former employee." (See 18 U.S.C. 207.)

(c) *Former officers or employees—*(1) *Definition.* The term "former officer or employee" includes those full-time civilian officers or employees who have left Government service, special Government employees who have left Government service, retired regular officers and reserve officers released from active duty. It does not include enlisted personnel.

(2) *Prohibited activities.* Item B of § 137.17 contains a more detailed discussion of the criminal law. In general, a former officer or employee is subject to the following major prohibitions:

(i) He may not, at any time after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (see 18 U.S.C. 207(a)).

(ii) He may not, for one year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (see 18 U.S.C. 202(b) and 207(b)). This temporary restraint, of course, gives way to the permanent restriction described in paragraph a., if the matter is one in which he participated personally and substantially.

(d) *Retired regular officers—*(1) *Prohibitions.* Item C of § 137.17 contains a summary of the laws applicable to retired regular officers. In general, a retired regular officer is subject to the following major prohibitions:

(i) As an officer whose "employment has ceased," he may not engage in the prohibited activities listed in paragraph (c) of this section (see 18 U.S.C. 207).

(ii) He may not, at any time, assist in prosecuting a claim against the United States if he worked on that claim while on active duty (see 18 U.S.C. 283).

(iii) He may not, within two years after his retirement, assist in prosecuting a claim which involves the department in whose service he holds a retired status (see 18 U.S.C. 283).

(iv) He may not, at any time, sell anything to the department in whose service he holds a retired status (see 18 U.S.C. 281).

(v) He may not, within three years after retirement, sell supplies or war materials to any agency of the DoD, the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service (see

37 U.S.C. 801(c), as amended October 9, 1962, P.L. 87-777, formerly 5 U.S.C. 59(c)). (See definition of "Selling", Item C of § 137.17.)

(2) *Required statement of employment.* (i) Each regular retired officer of the armed forces shall file with the Military Department in which he holds a retired status a Statement of Employment (DD Form 1357). Each regular officer retiring hereafter shall file this Statement within thirty days after retirement. Whenever the information in the statement is no longer accurate, each such officer shall file a new DD Form 1357, (§ 137.20).

(ii) The Military Departments shall appropriately review the Statements of Employment to assure compliance with applicable statutes and regulations.

(e) *Officers of the Reserve components.* (1) A Reserve officer who is voluntarily serving a period of extended active duty in excess of 130 days is a full-time Government officer, and paragraph (a) of this section applies to him. Exception: Any Reserve who, before being ordered to active duty, was receiving compensation from any person may, while he is on that duty, receive compensation from that person (see 10 U.S.C. 1033).

(2) A Reserve officer who is serving on active duty involuntarily for any length of time, and a Reserve officer who is voluntarily serving on extended active duty for 130 days or less, is a "special Government employee," and paragraph (b) of this section applies to him.

(3) A Reserve officer (unless otherwise a full-time officer or employee of the United States) who is on active duty solely for training for any length of time is a "special Government employee," and paragraph (b) of this section applies to him.

(4) When he is released from active duty, a Reserve officer described in subparagraphs (1), (2), or (3) of this paragraph, is a "former officer," and paragraph (c) of this section applies to him.

(5) Membership in a Reserve component of the armed forces or in the National Guard does not, in itself, prevent a person from practicing his civilian profession or occupation before or in connection with, any department (see 5 U.S.C. 30r (c), (d)).

(6) An officer of a Reserve component, whether in the Ready, Standby, or Retired Reserve, who is not on active duty, is not, solely because of his status as a Reserve, considered to be an officer or employee of the United States for the purpose of bringing him within the prohibitions summarized in paragraph (a), (b) or (c) of this section. (See 5 U.S.C. 30r (c), (d)).

(7) Receipt of retired pay by a Reserve or a former Reserve does not, in itself, make him an officer or employee or a former officer or employee for the purpose of bringing him within the prohibitions summarized in paragraph (a), (b) or (c) of this section. Paragraph (d) of this section does not apply to a retired Reserve.

\* Submitted with original document; copies available at the respective military departments publication supply counters.



### § 137.13 Advisers and consultants.

(a) The President's memorandum (28 F.R. 4539) is entitled "Preventing Conflicts of Interest on the Part of Special Government Employees." It will be noted that while the memorandum relates to all special government employees its primary thrust is to advisers and consultants.

(b) Each adviser and consultant shall, prior to appointment, file with a designated official of the military department or Defense agency where he is employed, a statement (§ 137.19) setting forth his government employment, his private employment as prescribed in the President's Memorandum published at 28 F.R. 4539 and his financial interests. An appointee must list all of his investments and other financial interests such as a pension, retirement, group life, health, or accident insurance, profit-sharing stock bonus, or other employee welfare or benefit plan maintained by a former employer. He is not required to list precise amounts of investments.

(c) The Secretary or the Deputy Secretary of Defense or the Secretary of a Military Department may grant an exception to a specific appointee from completing that part of the statement relating to his investments and other financial interests referred to in paragraph (b) of this section upon the making of a determination that this information is not relevant in the light of the duties the appointee is to perform.

(d) The following categories of personnel are not considered "advisers and consultants" within the meaning of this Part when performing the specific services listed below and are not required to file the statement referred to in paragraph (b) of this section.

- (1) Physicians, dentists and allied medical specialists performing care and service to patients.
- (2) Veterinarians providing veterinary service to animals.
- (3) Lecturers participating in educational activities.
- (4) Chaplains performing religious services.
- (5) Individuals of national prominence in the motion picture and television fields who are utilized as narrators or actors in motion picture or television productions produced by the DoD.

(6) Members of selection panels for ROTC candidates.

(e) Each Military Department or Defense Agency upon the appointment of an adviser, consultant or other temporary or intermittent employee shall:

- (1) (i) Make a determination, in accordance with the procedure set forth in paragraphs (a) through (g) of President's Memorandum (28 F.R. 4539), as to whether the appointee will serve as a special government employee. Any service expected to be rendered with other departments or agencies during the period will be taken into account in making this determination. In the case of advisers and consultants the determination will be based on the statement filed pursuant to paragraph (b) of this section while for other temporary or inter-

mittent employees it will be based on personnel records. Such determination will be entered on the employment records of the appointee.

(ii) Designate an officer to coordinate the classification of such appointees with other agencies where he is serving.

(2) Adopt appropriate procedures to provide for review by designated legal officers of all statements of employment and financial interests.

(f) Advisers and consultants and DoD personnel concerned with them shall be furnished a copy of this part and its attachments, or other appropriate action shall be taken to bring the part to the attention of all such personnel, together with advice pursuant to the determination made under paragraph (e)(1) of this section, as to whether for the purpose of President's Memorandum (28 F.R. 4539), he will be considered a special government employee.

### § 137.14 Effective date.

This part shall become effective immediately.

### § 137.15 Executive Order 10939.

Executive Order 10939, "To provide a guide on ethical standards to government officials," is published at 26 F.R. 3951.

### § 137.16 President's Memorandum, "Preventing Conflicts of Interest on the Part of Special Government Employees".

President's Memorandum is published at 28 F.R. 4539.

### § 137.17 Digest of conflict of interest laws.

A. *New Laws Applicable to Full-Time Officers and Employees.* (These laws are set out in full in the Appendix to the President's Memorandum (28 F.R. 4539).)

I. 18 U.S.C. 203. Subsection (a) of this section in general prohibits an officer or employee of the United States in any branch or agency of the Government from soliciting or receiving compensation for services rendered on behalf of another person before a Government department or agency in relation to any particular matter in which the United States is a party or has a direct and substantial interest. The subsection does not preclude compensation for services rendered on behalf of another in court.

Subsection (b) makes it unlawful for anyone to offer or pay compensation, the solicitation or receipt of which is barred by subsection (a).

II. 18 U.S.C. 205. This section contains two major prohibitions. The first prevents an officer or employee of the United States in any branch or agency of the Government from acting as agent or attorney for prosecuting any claim against the United States, including a claim in court, whether for compensation or not. It also prevents him from receiving a gratuity, or a share or interest in any such claim, for assistance in the prosecution thereof.

The second main prohibition of section 205 is concerned with more than claims. It precludes an officer or employee of the Government from acting as agent or attorney for anyone else before a department, agency or court in connection with any particular matter in which the United States is a party or has a direct and substantial interest.

18 U.S.C. 203 and 205 overlap. The following are the few important differences between sections 203 and 205 as they apply to officers and employees of the Government:

1. Section 203 bars services rendered for compensation solicited or received, but not those rendered without such compensation; section 205 bars both kinds of services.

2. Section 203 bars services rendered before the departments and agencies but not services rendered in court; section 205 bars both.

It should be noted, however, that for all practical purposes section 205 completely overshadows section 203.

*Exemptions.* Section 205 permits a Government officer or employee to represent another person, without compensation, in a disciplinary, loyalty or other personnel matter. Another provision declares that the section does not prevent an officer or employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

Section 205 also authorizes a limited waiver of its restrictions and those of section 203 for the benefit of an officer or employee, including a special Government employee, who represents his own parents, spouse or child, or a person or estate he serves as a fiduciary. The waiver is available to the officer or employee, whether acting for any such person with or without compensation, but only if approved by the official making appointments to his position. In no event does the waiver extend to his representation of any such person in matters in which he has participated personally and substantially or which, even in the absence of such participation, are the subject of his official responsibility.

Finally, section 205 gives the head of a department or agency the power, notwithstanding any applicable restrictions in its provisions or those of section 203, to allow a special Government employee to represent his regular employer or other outside organization in the performance of work under a Government grant or contract. However, this action is open to the department or agency head only upon his certification, published in the FEDERAL REGISTER, that the national interest requires it.

III. 18 U.S.C. 208. This section forbids certain actions by an officer or employee of the Government in his role as a servant or representative of the Government. Its thrust is therefore to be distinguished from that of 18 U.S.C. 203 and 205 which forbid certain actions in his capacity as a representative of persons outside the Government.

Subsection (a) in substance requires an officer or employee of the executive branch, including a special Government employee, to refrain from participating as such in any matter in which, to his knowledge, he, his spouse, minor child or partner has a financial interest. He must also remove himself from a matter in which a business or nonprofit organization with which he is connected or is seeking employment has a financial interest. Under this section, a "particular matter" may be a matter less concrete than an actual contract, because the concept of a "particular matter involving a specific party or parties" is not used here as in other sections. However, a "particular matter" is something more specific than rule making or abstract scientific principles. The test for determining whether the action of the individual involves a particular matter in which he (or the other enumerated parties) has a financial interest is whether he might reasonably anticipate that his action or the decision in which he participates or with respect to which he advises, will have a direct and predictable effect upon a financial interest of himself, his spouse, minor child, partner or organization with which he is connected or seeking employment.

Subsection (b) permits the agency of an officer or employee to grant him an ad hoc exemption from subsection (a) if the outside financial interest in a matter is deemed not substantial enough to have an effect on the



integrity of his services. Financial interests of this kind may also be made nondisqualifying by a general regulation published in the FEDERAL REGISTER.

IV. 18 U.S.C. 209. Subsection (a) prevents an officer or employee of the executive branch, an independent agency or the District of Columbia from receiving, and anyone from paying him, any salary or supplementation of salary from a private source as compensation for his services to the Government.

Subsection (b) specifically authorizes an officer or employee covered by subsection (a) to continue his participation in a bona fide pension plan or other employee welfare or benefit plan maintained by a former employer.

Subsection (c) provides that section 209 does not apply to a special Government employee or to anyone serving the Government without compensation, whether or not he is a special Government employee.

Subsection (d) provides that the section does not prohibit the payment or acceptance of contributions, awards or other expenses under the terms of the Government Employees Training Act.

V. *Applicable to Regular Navy and Marine Officers*, 37 U.S.C. 801(a) Formerly 10 U.S.C. 6112(a). An officer of the Regular Navy or the Regular Marine Corps, other than a retired officer, may not be employed by any person furnishing Naval supplies or war materials to the United States. If such an officer is so employed, he is not entitled to any payment from the United States during that employment.

B. *New Law Applicable to Former Officers and Employees.*

I. 18 U.S.C. 207 (This law is set out in full in the Appendix to the President's memorandum (28 FR 4539)).

Subsections (a) and (b) of this section contain post-employment prohibitions applicable to persons who have ended service as officers or employees of the executive branch. The prohibitions for persons who have served as special Government employees are the same as for persons who have performed regular duties.

The restraint of subsection (a) is against a former officer or employee's acting as agent or attorney for anyone other than the United States in connection with certain matters, whether pending in the courts or elsewhere. The matters are those involving a specific party or parties in which the United States is one of the parties or has a direct and substantial interest and in which the former officer or employee participated personally and substantially while holding a Government position.

Subsection (b) sets forth a one-year post-employment prohibition in respect of those matters which were within the area of official responsibility of a former officer or employee at any time during the last year of his service but which do not come within subsection (a) because he did not participate in them personally and substantially. More particularly, the prohibition of subsection (b) prevents his personal appearance in such matters before a court or a department or agency of the Government as agent or attorney for anyone other than the United States. Where, in the year prior to the end of his service, a former officer or employee has changed areas of responsibility by transferring from one agency to another, the period of his post-employment ineligibility as to matters in a particular area ends one year after his responsibility for that area ends. For example, if an individual transfers from a supervisory position in the Internal Revenue Service to a supervisory position in the DoD and leaves DoD for private employment nine months later, he will be free of the restriction of subsection (b) in three months insofar as Internal Revenue matters are concerned. He will of course be bound by it for a year in respect of DoD matters.

The proviso following subsections (a) and (b) authorizes a department head, notwithstanding anything to the contrary in their provisions, to permit a former officer or employee with outstanding scientific qualifications to act as attorney or agent or appear personally before the department for another in a matter in a scientific field. This authority may be exercised by the department head upon a "national interest" certification published in the FEDERAL REGISTER.

Subsection (a) describes the activities it forbids as being in connection with "particular matters involving a specific party or parties" in which the former officer or employee had participated. Subsection (b) relates to matters which were under his official responsibility. The language of both does not include general rulemaking, the formulation of general policy or standards, or other similar matters. Thus, past participation in or official responsibility for a matter of this kind on behalf of the Government does not disqualify a former employee from representing another person in a proceeding which is governed by the rule or other result of such matter. Similarly, in the scientific field past participation in discussion of scientific or engineering concepts, the feasibility of scientific or technical accomplishments or proposed Government programs in early stages prior to the formulation of contract or a contract proposal where specific parties become involved in a matter, does not disqualify the former employee from representing his company with respect to a contract entered into at a later time even though the same general scientific matters may be involved in such a contract.

Subsection (a) bars permanently a greater variety of actions than subsection (b) bars temporarily. The conduct made unlawful by the former is any action as agent or attorney, while that made unlawful by the latter is a personal appearance as agent or attorney. However, neither subsection precludes post-employment activities which may fairly be characterized as no more than aiding or assisting another. An individual who has left the department to accept private employment may, for example, immediately perform technical work in his company's plant in relation to a contract for which he had official responsibility—or, for that matter, in relation to one he helped the agency negotiate. On the other hand, he is forbidden for a year, in the first case, to appear personally before the department as the agent or attorney of his company in connection with a dispute over the terms of the contract. He may at no time appear personally before the department or otherwise act as agent or attorney for his company in such dispute if he helped negotiate the contract. Under both sections the disability is personal, and neither section would prevent the former officer or employee from becoming the president or other officer of a corporation which has contracts with the Government, so long as such former officer or employee does not personally act as the agent or attorney of the company in dealing with the matters covered under sections a and b.

C. *Summary of Laws Applicable to Retired Regular Officers Not on Active Duty.*

I. *Prohibited Activities.*

A. *Matters Connected With Former Duties or Official Responsibilities.* A retired regular officer not on active duty is considered to be a "former officer" for the purposes of 18 U.S.C. 207 and therefore, the prohibitions discussed in § 137.12(c) and § 137.17B apply to him.

B. *Claims.* A retired regular officer of the armed forces may not, within two years of his retirement, act as agent or attorney for prosecuting any claim against the Government, or assist in the prosecution of such a claim or receive any gratuity or any share of or interest in such claim in consideration for having assisted in the prosecution of such a

claim, if such claim involves the department in whose service he holds a retired status. Nor may a regular retired officer at any time act as an agent or attorney for prosecuting any claim against the Government or assist in prosecution of such claim, or receive any gratuity or any share of or interest in such a claim in consideration for having assisted in the prosecution of such claim, if such claim involves any subject matter with which he was directly connected while on active duty (see 18 U.S.C. 283).

C. *Selling.*

1. A retired regular officer is prohibited, at all times, from receiving or agreeing to receive any compensation for representing any person in the sale of anything to the Government through the department in whose service he holds a retired status (see 18 U.S.C. 281).

2. 37 U.S.C. 801(e) as amended October 9, 1962, P.L. 87-777, formerly 5 U.S.C. 59(c) provides:

"No payment shall be made from appropriations in any Act to any officer on the retired lists of the Regular Army, Regular Navy, Regular Marine Corps, Regular Air Force, Regular Coast Guard, Coast and Geodetic Survey, and Public Health Service for a period of three years after retirement who for himself or for others is engaged in the selling of or contracting for the sale of or negotiating for the sale of to any agency of the Department of Defense, the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service any supplies or war materials."

For the purpose of this statute, "selling" means:

- a. Signing a bid, proposal, or contract;
- b. Negotiating a contract;
- c. Contacting an officer or employee of any of the foregoing departments or agencies for the purpose of:
  - (1) Obtaining or negotiating contracts,
  - (2) Negotiating or discussing changes in specifications, price, cost allowances, or other terms of a contract, or
  - (3) Settling disputes concerning performance of a contract, or
- d. Any other liaison activity with a view toward the ultimate consummation of a sale although the actual contract therefor is subsequently negotiated by another person.

However, it is not the intent of this Part to preclude a retired regular officer from accepting employment with private industry solely because his employer is a contractor with the Government.

II. *Exemptions From Law Applying to Officers on Active Duty.*

A regular officer who has been retired continues to be an "officer" of the United States for purposes of many statutes. However, the laws applying to officers on active duty listed in § 137.12(a) of this Part do not normally apply to retired regular officers not on active duty. The law specifically provides that 18 U.S.C. 203 and 205 do not apply to a retired officer while not on active duty who is not otherwise an officer or employee of the United States (see 18 U.S.C. 206). In addition, as a practical matter, 18 U.S.C. 208 and 209 do not apply to a retired officer not on active duty who is not performing services for the Government, solely because of his status as a retired regular officer.

D. *Other Related Criminal Laws Applicable to All Department of Defense Personnel.*

The following activities may subject present and former DoD personnel to criminal penalties:

A. Aiding, abetting, counseling, commanding, inducing, or procuring another to commit a crime under any criminal statute (see 18 U.S.C. 201).

B. Concealing or failing to report to proper authorities the commission of a felony under any criminal statute if such personnel knew of the actual commission of the crime (see 18 U.S.C. 4).



C. Conspiring with one or more other persons to commit a crime under any criminal statute or to defraud the United States, if any party to the conspiracy does any act to effect the object of the conspiracy (see 18 U.S.C. 371).

**§ 137.18 House Concurrent Resolution 175, 85th Congress, 2d Session—Code of Ethics for Government Service.**

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including officeholders:

**CODE OF ETHICS FOR GOVERNMENT SERVICE**

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.

2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.

3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

**§ 137.19 Statement of employment and financial interests.**

**1. PRIVATE EMPLOYMENT**

(Name of all companies, firms, State or local governmental organizations, research organizations, and educational or other institutions for which you are serving as employee, officer, member, director, adviser or consultant. Also list any organization with which you are negotiating or have an arrangement concerning prospective employment.)

**2. FEDERAL GOVERNMENT EMPLOYMENT**

a. I anticipate I will be employed by the U.S. Government during the 365 days following \_\_\_\_\_ (date of proposed appointment), as follows:

*Employing Agency and Estimated Days of Service*

b. During the 365 days prior to \_\_\_\_\_ (date of proposed appointment) I will have been employed by (Army), (Navy), (Air Force), (OSD) as follows:

*Employing Agency and Days Served*

**3. FINANCIAL INTERESTS**

(Names of all companies, firms, research institutions or other organizations in which you, or to your knowledge, your spouse, or your children, own securities or other finan-

cial interest—precise amounts of investments need not be revealed.)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Date \_\_\_\_\_

**§ 137.20 Statement of employment—DD Form 1357.\***

MAURICE W. ROCHE,  
*Administrative Secretary.*

[F.R. Doc. 63-6105; Filed, June 10, 1963; 8:47 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

##### PART 121—FOOD ADDITIVES

##### Fluorine-Containing Compounds; Correction

In the Federal Register Document of May 29, 1963 (28 F.R. 5294), the second sentence of § 121.10 *Fluorine-containing compounds; statement of policy* is corrected by deleting the words "by regulation."

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: June 5, 1963.

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

[F.R. Doc. 63-6111; Filed, June 10, 1963; 8:47 a.m.]

#### SUBCHAPTER C—DRUGS

##### PART 146e—CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS

##### Sterility Test Methods and Procedures Correction

In F.R. Doc. 63-5796, appearing at page 5462 of the issue for Tuesday, June 4, 1963, item 115b should read as follows:

b. By changing paragraph (e)(1) to read:

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration

#### PART 3—ADJUDICATION

##### Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

##### SPECIAL MONTHLY COMPENSATION RATINGS

In § 3.350(a), the introductory portion immediately preceding subparagraph (1) is amended and subparagraphs (5) and (6) are added to read as follows:

\* Filed as part of original document; copies available at respective military department publications counters.

##### § 3.350 Special monthly compensation ratings.

(a) *Ratings under 38 U.S.C. 314(k).* The special monthly compensation provided by 38 U.S.C. 314(k) is payable for anatomical loss or loss of use of one hand, one foot, both buttocks, a creative organ, blindness of one eye having only light perception, deafness of both ears, having absence of air and bone conduction, or complete organic aphonia with constant inability to communicate by speech. The monthly rate of \$47 based on war service (\$38 peacetime) is applicable only once in any one case when payable in addition to compensation under 38 U.S.C. 314 (a) through (j). However, when there is entitlement under 38 U.S.C. 314 (1) through (n) or an intermediate rate under (p) such additional allowance is payable for each anatomical loss or loss of use existing in addition to the requirements for the basic rates, provided the total does not exceed \$525 per month (\$420 peacetime) independent of additional compensation for dependents under 38 U.S.C. 315, or the special allowance for aid and attendance provided by 38 U.S.C. 314(r).

(5) *Deafness.* Deafness of both ears, having absence of air and bone conduction will be held to exist where examination in a Veterans Administration authorized audiology clinic under current testing criteria shows bilateral hearing loss is equal to or greater than the minimum bilateral hearing loss required for a maximum rating evaluation under the rating schedule. (Public Law 88-20)

(6) *Aphonia.* Complete organic aphonia will be held to exist where there is a disability of the organs of speech which constantly precludes communication by speech. (Public Law 88-22)

(72 Stat. 1114; 38 U.S.C. 210)

This VA Regulation is effective July 1, 1963.

Approved: June 5, 1963.

By direction of the Administrator.

[SEAL]

W. J. DRIVER,  
*Deputy Administrator.*

[F.R. Doc. 63-6116; Filed, June 10, 1963; 8:47 a.m.]

## Title 41—PUBLIC CONTRACTS

### Chapter 60—The President's Committee on Equal Employment Opportunity

#### PART 60-1—OBLIGATIONS OF GOVERNMENT CONTRACTORS AND SUBCONTRACTORS

##### Miscellaneous Amendments

The following amendments to Part 60-1 are adopted by the President's Committee on Equal Employment Opportunity pursuant to Executive Order 10925 of March 6, 1961 (26 F.R. 1977).

1. Section 60-1.3 is amended by changing paragraph (b)(4) thereof. As amended § 60-1.3(b)(4) reads as follows:



### § 60-1.3 Contract agreements; exemptions.

#### (b) Exemptions. \* \* \*

(4) *Government bills of lading.* Government bills of lading in any amount are subject to all provisions of section 301 of the Order, and such provisions may be incorporated therein by reference.

### § 60-1.42 [Deletion]

2. Section 60-1.42 is deleted.

*Effective date.* Because these amendments are within the public contracts exception to section 4 of the Administrative Procedure Act, and because of the desirability of prompt implementation of the provisions of Executive Order 10925, these amendments become effective immediately upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 5th day of June 1963.

HOBART TAYLOR, Jr.,  
Executive Vice Chairman.

[F.R. Doc. 63-6195; Filed, June 10, 1963;  
8:52 a.m.]

## Title 46—SHIPPING

### Chapter I—Coast Guard, Department of the Treasury

#### SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN [CGFR 63-32]

### PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

#### Sea Service Abroad Inspected Vessels of Limited Tonnage and Route, Removal of Restrictions as to Waters on Engineers' Licenses, and Transcripts of Sea Service

The Officer in Charge, Marine Inspection, specifies in the manning of certain inspected vessels of limited tonnage and route a deck officer complement, which consists of one master, one chief mate and one mate. In order to recognize experience gained on inspected vessels of limited tonnage and route while serving in the capacity of "mate," a new provision is added and designated as 46 CFR 10.05-25(a)(8) to allow the holders of unlimited third mate's licenses to be examined for a limited chief mate's license based on such service as "mate."

The amendment to 46 CFR 10.10-5 clarifies the requirements with respect to the removal of "restriction as to waters" on certain engineers' licenses. This regulation was interpreted so that the removal of "restriction as to waters" would be made only at the time of the renewal of the license. It is desired to permit the removal of "restriction as to waters" upon request of the license holder.

The Coast Guard issued "transcripts of sea service" are no longer maintained at Coast Guard Headquarters. There-

fore, the second sentences in 46 CFR 10.02-5(g)(1) and 10.02-7(f)(2) are amended by deleting the phrase "transcripts of sea service."

The changes in the regulations by the amendments set forth in this document will in no way adversely affect the rights of license holders, nor do they impose additional requirements on applicants for licenses. Therefore, it is found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedures thereon and effective date requirements) is impracticable and unnecessary and therefore exempted by specific provision in section 4 of subject Act (5 U.S.C. 1003).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-9 dated August 3, 1954 (19 F.R. 5195), 167-14 dated November 26, 1954 (19 F.R. 8026), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 7605), and 167-38 dated October 26, 1959 (24 F.R. 8857), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments are prescribed and shall become effective 30 days after the date of publication of this document in the FEDERAL REGISTER.

#### Subpart 10.02—General Requirements for All Deck and Engineer Officers' Licenses

1. Section 10.02-5(g)(1) is amended to read as follows:

##### § 10.02-5 Requirements for original licenses.

#### (g) Experience or training. \* \* \*

(1) All applicants for original licenses shall present to the Officer in Charge, Marine Inspection, letters, discharges, or other official documents certifying the amount and character of their experience and the names of the vessels on which acquired. The Officer in Charge, Marine Inspection, must be satisfied as to the bona fides of all evidence of experience or training presented and may reject any evidence that he has reason to believe is not authentic or which does not sufficiently outline the amount, type and character of service. Coast Guard issued "certificates of seaman's service" and "certificates of discharge" shall be returned to the applicant. The Officer in Charge, Marine Inspection, shall make entry on the application that service represented by these documents has been verified. All other documentary evidence of service or authentic copies thereof shall be filed with the application. No license shall be considered as satisfactory evidence of any qualifying experience required by this paragraph.

2. Section 10.02-7(f)(2) is amended to read as follows:

##### § 10.02-7 Requirements for raise of grade of license.

#### (f) Experience or training. \* \* \*

(2) Applicants for raise of grade of license shall present to the Officer in

Charge, Marine Inspection, letters, discharges, or other official documents certifying to the amount and character of their experience and the names of the vessels on which acquired. Coast Guard issued "certificates of seaman's service" and "certificates of discharge" shall be returned to the applicant. The Officer in Charge, Marine Inspection, shall make entry on the application that service represented by these documents has been verified. All other documentary evidence of service or authentic copies thereof shall be filed with the application.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4441, as amended, 4442, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 5, 49 Stat. 1935, as amended, sec. 302, 49 Stat. 1992, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 230, 231, 233, 225, 237, 367, 672a, 1132, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

#### Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

3. Section 10.05-25(a) is amended by adding a subparagraph (8) reading as follows:

##### § 10.05-25 Chief mate of ocean, steam or motor vessels.

#### (a) \* \* \*

(8) 1 year's service as mate of inspected ocean or coastwise vessels while holding an unlimited license as 3rd mate of ocean steam or motor vessels for a license as chief mate of ocean vessels of less than 1600 gross tons.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 214, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

#### Subpart 10.10—Professional Requirements for Engineer Officers' Licenses (Inspected Vessels)

4. Section 10.10-5 is amended to read as follows:

##### § 10.10-5 Removal of restriction as to waters on an engineer's license.

Upon renewal or at his request, any engineer who holds a license restricted as to waters shall be allowed the choice of accepting a limitation as to horsepower in lieu of the restriction as to waters. The horsepower limitation shall be determined by the Officer in Charge, Ma-



rine inspection, in accordance with the applicant's experience. The licensee shall be required to agree in writing to such conditions of renewal before the issuance of the license requested.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4441, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 875; 46 U.S.C. 391a, 404, 405, 224, 224a, 229, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

Dated: June 5, 1963.

J. A. ALGER, Jr.,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-6122; Filed, June 10, 1963;  
8:47 a.m.]

#### SUBCHAPTER E—LOAD LINES

[CGFR 63-31]

### PART 43—FOREIGN OR COASTWISE VOYAGE

#### Subpart 43.05—General Rules for Determining Maximum Load Lines of Merchant Vessels

##### Subpart 43.15—Load Lines for Steamers

### PART 45—MERCHANT VESSELS WHEN ENGAGED IN A VOYAGE ON THE GREAT LAKES

#### Subpart 45.01—Administration

##### COASTLINE AND GREAT LAKES LOAD LINES

In the administration of the load line regulations since the passage of the Act of August 31, 1962 (Public Law 87-620), questions have been asked concerning the intent and application of certain regulations published in the FEDERAL REGISTER November 14, 1962 (27 F.R. 11230-11237). The requirements in 46 CFR 43.05-15, 43.15-87 and 43.15-90 may be literally interpreted to require load line markings which in some cases are unnecessary and which, in fact, were never intended. In consultation with the American Bureau of Shipping the vessel operators in a number of instances have been already advised with respect to the actual intent of the regulations. Therefore, this document amends 46 CFR 43.05-15(d), 43.15-87(b) and 43.15-90(b) so that the regulations will express the intent of the changes published, which is to require the application of additional coastwise load line marks only when such marks are actually needed.

The amendment to 46 CFR 45.01-75 (c) in this document is intended to change the dates from "between September 16 and May 15, inclusive" to "between October 1 and April 30, inclusive" so that it will agree with the dates used in paragraph (a) in the same section. This change is intended to more accurately and clearly express the intent of this regulation.

Because the amendments in this document are editorial revisions for clarification of requirements, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedures thereon, and effective date requirements) is unnecessary and exempted by section 4 of such act (5 U.S.C. 1003).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521) and 167-48 dated October 19, 1962 (27 F.R. 10504), and the authority in Title 46, U.S. Code, sections 85a and 88a, the following amendments are prescribed and shall be in effect on the date of publication of this document in the FEDERAL REGISTER.

#### In Part 43, Subpart 43.05:

1. Section 43.05-15 is amended by revising the written text of paragraph (d) (but not Figure 43.05-15(d)) to read as follows:

#### § 43.05-15 Lines used with disk.

(d) Domestic vessels eligible for operation at the freeboards indicated by § 43.15-87(b), 43.15-90(b) or 43.30-1(b) shall have the related winter, summer, tropical, fresh, and tropical fresh water marks located abaft the disk and surmounted by the letter "C." (See Figure 43.05-15(d).) While a complete set of additional marks are shown by this Figure, vessels also marked forward of the disk in accordance with § 43.05-5(a) need show abaft the disk only those additional marks which are necessary. Vessels departing on foreign voyages shall only bear the load line marks forward of the disk marked in accordance with § 43.05-5(a).

(Sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-48, October 19, 1962, 27 F.R. 10504)

#### In Subpart 43.15:

2. Section 43.15-87(b) is amended to read as follows:

#### § 43.15-87 Tropical freeboard.

(b) For vessels 400 feet and above in length engaged in coastwise voyages, the area on the west coast of the United States eastward of a rhumb line from the point 30° N. latitude, 120° W. longitude to the point 33° N. latitude, 123° longitude, and a line thence along the meridian 123° W. longitude to its intersection with land at 38° N. latitude shall be considered an extension of the seasonal tropical zone as defined in § 43.40-1(f) (5) (ii), and the minimum freeboard is determined as in § 43.15-87(a). For vessels above 300 feet and up to 400 feet in length engaged in coastwise voyages the minimum freeboard in this area during the tropical seasons is the freeboard obtained by deduction from the summer freeboard of  $\left(\frac{L}{400} - 0.75\right)$  inch per foot of summer draft, and it shall be noted on the coastwise load line certificate

when this provision has been applied. The freeboard in salt water measured from the intersection of the upper surface of the freeboard deck with the outer surface of the shell is not to be less than 2 inches.

3. Section 43.15-90(b) is amended to read as follows:

#### § 43.15-90 Winter freeboard.

(b) For vessels 400 feet and above in length engaged in coastwise voyages, the area on the east coast of the United States west of a line drawn south along the meridian at 68°30' W. longitude from where it intersects the coast to 40° N. latitude, thence along a rhumb line to the point 36° N. latitude, 73° W. longitude shall be considered an extension of the summer zone and the minimum freeboard shall be the summer freeboard. For vessels above 300 feet and up to 400 feet in length engaged in coastwise voyages the minimum freeboard, when in this area, in winter, is the freeboard obtained by an addition to the summer freeboard of  $\left(1.00 - \frac{L}{400}\right)$  inch per foot of summer draft, and it shall be noted on the coastwise load line certificate when this provision has been applied.

(Sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-48, October 19, 1962, 27 F.R. 10504)

#### In Part 45, Subpart 45.01:

4. Section 45.01-75(c) is amended to read as follows:

#### § 45.01-75 Seasonal load lines.

(c) When engaged on voyages between the limits of Toledo Harbor and Port Huron, Michigan, cargo and tank vessels above 300 feet in length may load to their intermediate marks between October 1 and April 30, inclusive. Such vessels above 400 feet in length may load to their summer marks between September 16 and May 15, inclusive.

(Sec. 2, 49 Stat. 888, as amended, 46 U.S.C. 88a. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-48, October 19, 1962, 27 F.R. 10504)

Dated: June 3, 1963.

[SEAL] G. A. KNUDSEN,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-6121; Filed, June 10, 1963;  
8:47 a.m.]

### Chapter II—Maritime Administration, Department of Commerce

#### SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

[General Order 96, Amdt. 1]

### PART 255—PAYMENT FROM THE CAPITAL RESERVE FUND FOR THE PURCHASE OF CARGO CONTAINERS

#### Definitions

Section 255.2 *Definitions* of this part is hereby amended by adding the new



## RULES AND REGULATIONS

paragraph (b) set forth below following the first paragraph, hereby designated as paragraph (a):

§ 255.2 Definitions.

\* \* \* \* \*

(b) Applications to purchase other than new containers which meet all other requirements of this Order, will be given consideration on their merits and in the light of all relevant circumstances in each case.

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114; Public Law 87-271, 75 Stat. 570. Interpret or apply Sec. 607(b), 46 U.S.C. 1177)

*Effective date.* The foregoing shall be effective as of the date of publication in the FEDERAL REGISTER.

By order of the Maritime Subsidy Board/Maritime Administrator.

Dated: June 5, 1963.

JAMES S. DAWSON, Jr.,  
*Secretary.*

[F.R. Doc. 63-6106; Filed, June 10, 1963;  
8:47 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 51 ]

### APPLES

#### Proposed U.S. Standards for Grades

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Apples (7 CFR §§ 51.300 to 51.327) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed revised standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D.C., not later than August 1, 1963.

*Statement of considerations leading to the proposed revision.* U.S. Standards for Apples have had no major revision since 1951. Minor amendments during the intervening years have kept the standards functional, but industry changes in handling, grading, packaging, and marketing have contributed to diminished use of U.S. Standards and increased use of various State standards carrying the same grade designations but with quality provisions differing considerably from U.S. grade requirements. One primary purpose of the revision is to eliminate the confusion of differing grade requirements by adopting desirable features of some of the State grades.

*Note:* Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

The Department has been aware of the increasing confusion in standards for apple grades but has been reluctant to propose a major revision of the U.S. grade standards until there was evidence of sufficient industry interest to insure constructive discussion and desirable changes.

Current concerned and thoughtful interest in apple standards revision was convincingly demonstrated at a meeting of representatives from all important producing areas, held in Washington, D.C. in early November 1962 under the sponsorship of the National Apple Institute. Department Standardization personnel were invited to participate in

the discussions and at the conclusion of this meeting were asked to work with a small committee of the full group in preparing a draft of proposals as a basis for further study prior to a second meeting of the full committee.

Such proposals were drafted and submitted to sub-committee members in late November. Following comments from sub-committee members a second draft of proposals was prepared in January 1963 in conformance with U.S.D.A.'s understanding of the majority wishes of the committee.

The full Grower Committee to Study Fresh Apple Grades and Standards again met in Washington, D.C. on March 11th and 12th and covered all controversial provisions presented in the second draft by means of informal majority approval, disapproval, or designation for further study.

As a result of these detailed deliberations a third draft of proposed revised standards was developed and sent to all committee members. They have discussed this draft with various interested regional apple producer-shipper groups and/or State grade and pack committees.

The National Apple Institute has made available to Department officials the endorsements, criticisms, comments, and suggestions received following circulation of draft number 3.

There was general agreement on most of the points involved in the studies and discussions. There were, however, opposing views on a few issues which cannot be reconciled at this time. One of these is the question of whether condition defects should affect grade, as provided in all U.S. Grade Standards for fruits and vegetables except apples and pears, or retain the present separate status which provides that decay, scald, or any other deterioration which may have developed on the apples after they have been in storage or transit shall be considered as affecting condition and not the grade. Another controversial issue was the proposed inclusion of a new requirement, "Free from damage by invisible watercore" in the two highest grades. A modified version of the latter, which would make the requirement effective after December 31st of the year of production, is incorporated in the proposed revision of the standards because there is considerable evidence that some such limitation is particularly needed for fruit marketed after December of each year. Also, the requirement is a move toward further coordinating U.S. and Canadian apple standards which is favored by industry representatives in both the United States and Canada.

Major proposed changes as compared with present standards are as follows:

PROPOSED CHANGES	PRESENT STANDARDS
<i>U.S. Extra Fancy</i>	<i>U.S. Extra Fancy</i>
(a) Fairly well formed—slightly abnormal in shape but not to an extent which detracts materially from appearance.	(a) Well formed—has the normal shape characteristic of the variety, may be slightly irregular, not detracting from appearance.
(b) New requirement—"free from damage by invisible watercore after December 31st of the year of production."	(b) No limitation on invisible watercore.
Invisible watercore is considered as "damage" when: Watercore exists around the core and extends to watercore in the vascular bundles; or surrounds the vascular bundles when the affected areas surrounding three or more vascular bundles meet or coalesce; or exists in more than slight degree outside the circular area formed by the vascular bundles.	
(c) Injury—	(c) Injury—
(1) Smooth net-like russetting—aggregate area 10 percent.	(1) Smooth net-like russetting aggregate area 5 percent.
(2) Smooth solid—not to exceed 5 percent of the surface.	(2) Smooth solid—not to exceed ½ inch.
(3) Slightly rough—not to exceed ½ inch.	(3) Slightly rough—not to exceed ¼ inch.
(4) Rough—not to exceed ¼ inch except in stem or calyx basin.	(4) Rough—None except in stem cavity and calyx basin.
(d) Limb Rub—not to exceed ¼ inch dark brown or black.	(d) Limb Rub—not to exceed ⅛ inch dark brown or black.
(e) Hall or Drought Spot—total affected area ½ inch in diameter.	(e) Hall or Drought Spot—total affected area ¼ inch in diameter.
(f) Cedar rust—not over ¼ inch aggregate.	(f) Cedar rust—not over ⅛ inch aggregate.
<i>U.S. Fancy</i>	<i>U.S. Fancy</i>
(a) "Free from bruises (except those that are slight and incident to proper handling and packing)".	(a) "Free from bruises (except those incident to proper handling and packing)".



## PROPOSED RULE MAKING

## PROPOSED CHANGES—Continued

## U.S. Fancy—Continued

- (b) New requirement—"free from damage by invisible watercore after December 31st of the year of production."

Invisible watercore is considered as "damage" when: Watercore exists around the core and extends to watercore in the vascular bundles; or surrounds the vascular bundles when the affected areas surrounding three or more vascular bundles meet or coalesce; or exists in more than slight degree outside the circular area formed by the vascular bundles.

## U.S. No. 1

- (a) No change.  
Color requirements with recommended changes. Some are unchanged from present standards.

## PRESENT STANDARDS—Continued

## U.S. Fancy—Continued

- (b) No limitation on invisible watercore.

- (a) No limitation on invisible watercore. Color requirements in present standards.

- (b) No limitation on invisible watercore.

Variety	U.S. Extra Fancy	U.S. Fancy	Variety	U.S. Extra Fancy	U.S. Fancy
	Percent	Percent		Percent	Percent
Black Ben.....	66	50	Black Ben.....	75	50
Gano.....	66	50	Gano.....	75	50
Winesap.....	66	50	Winesap.....	75	50
Other similar varieties.....	66	50	Other similar varieties.....	75	50
Red Sport varieties.....	66	50	Red Sport varieties.....	75	50
Jonathan.....	66	33	Jonathan.....	75	33
McIntosh.....	66	33	McIntosh.....	66	33
Cortland.....	50	33	Cortland.....	66	33
Other similar varieties.....	50	33	Other similar varieties.....	66	33
Rome Beauty.....	50	33	Rome Beauty.....	50	25
Stayman.....	50	33	Stayman.....	50	25
York Imperial.....	50	33	York Imperial.....	50	25
Red Gravenstein.....	50	15	Not specifically mentioned.		
Characteristic color for Golden Delicious is redefined.					

When Combination U.S. Extra Fancy and U.S. Fancy is packed at least 50 percent shall meet the higher grade.

Application of tolerances—Not more than 10 percent of packages which contain 10 pounds or less shall have more than three times the tolerance, except at least one defective fruit may be permitted in any package.

## Packing requirements.

- (a) Apples tray packed or cell packed in fiber-board cartons shall be arranged according to approved and recognized methods. Packs shall be at least fairly tight and fairly well filled but the contents shall not show excessive or unnecessary bruising because of over-filled packages.

- (1) "Fairly tight" means that apples are of the proper size for molds or cell compartments; that molds or cells are filled in such a way that no more than slight movement of apples within molds or cells is possible; and that the top layer of apples is not more than one-half inch below the top edge of the carton.

- (2) "Fairly well filled" means that the net weight of apples in cartons ranging from 2100 to 2900 cubic inch capacity is not less than 37 pounds for Cortland, Gravenstein, McIntosh, and Golden Delicious varieties and not less than 40 pounds for all other varieties.

- (b) Cartons containing apples which are place packed, jumble packed, or faced jumble packed shall be fairly well filled unless the net weight is shown on the carton.

- (c) Includes  $\frac{3}{4}$  bushel basket in basket packs.

When Combination U.S. Extra Fancy and U.S. Fancy is packed, at least 25 percent shall meet the higher grade.

Application of tolerances—Unlimited amount of defects permitted in individual packages weighing 10 pounds or less.

## Packing requirements.

- (a) All packs shall be well filled.

- (b) All packs shall be well filled.

- (c) Not mentioned.

The proposed standards as revised are as follows:

Sec.	GRADES
51.300	U.S. Extra Fancy.
51.301	U.S. Fancy.
51.302	U.S. No. 1.
51.303	U.S. Utility.
51.304	Combination grades.
Sec.	COLOR
51.305	Color requirements.

Sec.	UNCLASSIFIED
51.306	Unclassified.
Sec.	TOLERANCES
51.307	Tolerances.
Sec.	APPLICATION OF TOLERANCES
51.308	Application of tolerances.
Sec.	CALCULATION OF PERCENTAGES
51.309	Calculation of percentages.

## CONDITION AFTER STORAGE OR TRANSIT

Sec.	CONDITION AFTER STORAGE OR TRANSIT
51.310	Condition after storage or transit.
Sec.	PACKING REQUIREMENTS
51.311	Packing requirements.
Sec.	MARKING REQUIREMENTS
51.312	Marking requirements.
Sec.	DEFINITIONS
51.313	Mature.
51.314	Overripe.
51.315	Carefully hand-picked.
51.316	Clean.
51.317	Fairly well formed.
51.318	Injury.
51.319	Damage.
51.320	Serious damage.
51.321	Seriously deformed.
51.322	Diameter.

## U.S. CONDITION STANDARDS FOR EXPORT

- 51.323 U.S. Condition Standards for Export.

AUTHORITY: §§ 51.300 to 51.323 issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

## GRADES

## § 51.300 U.S. Extra Fancy.

"U.S. Extra Fancy" consists of apples of one variety which are mature, but not overripe, carefully hand-picked, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, bitter pit, Jonathan spot, freezing injury, broken skins, bruises (except slight bruises which are incident to proper handling and packing), and visible watercore. The apples shall also be free from injury caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, disease, insects, or other means; and free from damage by invisible watercore after December 31st of the year of production. Each apple of this grade shall have the amount of color specified in § 51.305 for the variety. (See §§ 51.305 and 51.307.)

## § 51.301 U.S. Fancy.

"U.S. Fancy" consists of apples of one variety which are mature but not overripe, carefully hand-picked, clean, fairly well formed; free from decay, internal browning, internal breakdown, bitter pit, Jonathan spot, scald, freezing injury, broken skins, bruises (except slight bruises which are incident to proper handling and packing), and visible watercore. The apples shall also be free from damage caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, disease, insects, invisible watercore after December 31st of the year of production, or damage by other means. Each apple of this grade shall have the amount of color specified in § 51.305 for the variety. (See §§ 51.305 and 51.307.)

## § 51.302 U.S. No. 1.

The requirements for this grade are the same as U.S. Fancy except for color, bruises, russetting, and invisible watercore. In this grade less color is required for all varieties except yellow and green varieties, for which the requirements for both grades are the same. Apples of this grade shall be free from damage by bruises, and free from excessive damage caused by russetting which means that



apples shall meet the russetting requirements for U.S. Fancy as defined under the definitions of "damage by russetting", except the aggregate area of an apple which may be covered by smooth net-like russetting shall not exceed 25 percent; and the aggregate area of an apple which may be covered by smooth solid russetting shall not exceed 10 percent: *Provided*, That in the case of the Yellow Newtown or similar varieties the aggregate area of an apple which may be covered with smooth solid russetting shall not exceed 20 percent. Each apple of this grade shall have the amount of color specified in § 51.305 for the variety. There is no requirement in this grade pertaining to invisible watercore. (See §§ 51.305 and 51.307.)

(a) *U.S. No. 1 Early*. "U.S. No. 1 Early" consists of apples which meet the requirements of U.S. No. 1 grade except as to color, maturity and size. Apples of this grade have no color requirements, need not be mature, and shall be not less than 2 inches in diameter. This grade is provided for varieties such as Duchess, Gravenstein, Red June, Twenty Ounce, Wealthy, Williams, Yellow Transparent, and Lodi, or other varieties which are normally marketed during the summer months. (See § 51.307.)

(b) *U.S. No. 1 Hail*. "U.S. No. 1 Hail" consists of apples which meet the requirements of U.S. No. 1 grade except that hail marks where the skin has not been broken, and well healed hail marks where the skin has been broken, shall be permitted, provided the apples are fairly well formed. (See §§ 51.305 and 51.307.)

#### § 51.303 U.S. Utility.

"U.S. Utility" consists of apples of one variety which are mature but not over-ripe, carefully hand-picked, not seriously deformed; free from decay, internal browning, internal breakdown, scald and freezing injury. The apples shall also be free from serious damage caused by dirt or other foreign matter, broken skins, bruises, russetting, sunburn, sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, visible watercore, disease, insects, or other means. (See § 51.307.)

#### § 51.304 Combination grades.

(a) Combinations of the above grades can be used as follows:

- (1) Combination U.S. Extra Fancy and U.S. Fancy;
- (2) Combination U.S. Fancy and U.S. No. 1;
- (3) Combination U.S. No. 1 and U.S. Utility.

(b) Combinations other than these are not permitted in connection with the U.S. apple grades. When Combination grades are packed, at least 50 percent of the apples in any lot shall meet the requirements of the higher grade in the combination. (See § 51.307.)

#### COLOR

#### § 51.305 Color requirements.

In addition to the requirements specified for the grades set forth in §§ 51.300 to 51.304 apples of these grades shall have the percentage of color specified for the variety in Table I appearing in this section. For the solid red varieties the

percentage stated refers to the area of the surface which must be covered with a good shade of solid red characteristic of the variety: *Provided*, That an apple having good color of a lighter shade of solid red or striped red than that considered as a good shade of red characteristic of the variety may be admitted to a grade, provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade. For the striped red varieties the percentage stated refers to the area of the surface in which the stripes of a good shade of red characteristic of the variety shall predominate over stripes of lighter red, green, or yellow. However, an apple having color of a lighter shade than that considered as a good shade of red characteristic of the variety may be admitted to a grade, provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of stripes of a good red characteristic of the variety required for the grade. Faded brown stripes shall not be considered as color except in the case of the Gray Baldwin variety.

TABLE I—COLOR REQUIREMENTS FOR SPECIFIED U.S. GRADES OF APPLES BY VARIETIES

Variety	U.S. Extra Fancy	U.S. Fancy	U.S. No. 1
	Percent	Percent	Percent
Solid Red:			
Black Ben.....	66	50	25
Gano.....	66	50	25
Winesap.....	66	50	25
Other similar varieties <sup>1</sup> .....	66	50	25
Red Sport varieties <sup>2</sup> .....	66	50	25
Striped or partially red:			
McIntosh.....	66	33	25
Jonathan.....	66	33	25
Cortland.....	50	33	25
Other similar varieties <sup>3</sup> .....	50	33	25
Baldwin.....	50	25	15
Ben Davis.....	50	25	15
Delicious.....	50	25	15
Mammoth Black Twig.....	50	25	15
Northern Spy.....	50	25	15
Rome Beauty.....	50	33	15
Stayman.....	50	33	15
Turley.....	56	25	15
Wagener.....	50	25	15
Wealthy.....	50	25	15
Willow Twig.....	50	25	15
York Imperial.....	50	33	15
Other similar varieties <sup>4</sup> .....	50	25	15
Hubbardston.....	50	15	10
Stark.....	50	15	10
Other similar varieties.....	50	15	10
Red June.....	50	15	( <sup>5</sup> )
Red Gravenstein.....	50	15	( <sup>5</sup> )
Williams.....	50	15	( <sup>5</sup> )
Other similar varieties.....	50	15	( <sup>5</sup> )
Gravenstein.....	25	10	( <sup>5</sup> )
Duchess.....	25	10	( <sup>5</sup> )
Other similar varieties <sup>6</sup> .....	25	10	( <sup>5</sup> )
Red cheeked or blushed:			
Maiden Blush.....	( <sup>7</sup> )	( <sup>8</sup> )	( <sup>9</sup> )
Twenty Ounce.....	( <sup>7</sup> )	( <sup>8</sup> )	( <sup>9</sup> )
Winter Banana.....	( <sup>7</sup> )	( <sup>8</sup> )	( <sup>9</sup> )
Other similar varieties.....	( <sup>7</sup> )	( <sup>8</sup> )	( <sup>9</sup> )
Green varieties.....	( <sup>9</sup> )	( <sup>9</sup> )	( <sup>9</sup> )
Yellow varieties.....	( <sup>9</sup> )	( <sup>9</sup> )	( <sup>9</sup> )
Golden Delicious.....	( <sup>10</sup> )	( <sup>10</sup> )	( <sup>11</sup> )

<sup>1</sup> Arkansas Black, Beacon, Detroit Red, Esopus Spitzenburg, King David, Lowry, Minjon.

<sup>2</sup> When Red sport varieties are specified as such they shall meet the color requirements specified for Red Sport varieties.

<sup>3</sup> Haralson, Kendall, Macoun, Snow (Fameuse), Bonum, Early McIntosh, Limbertwig, Milton, Nero, Paragon, Melba.

<sup>4</sup> Tinge of color.

<sup>5</sup> Red Astrachan, Smokehouse, Summer Rambo.

<sup>6</sup> Blush cheek.

<sup>7</sup> None.

<sup>8</sup> Characteristic ground color.

<sup>9</sup> 75 percent characteristic color. Note: When the white or light green predominates over the green color, this is considered as minimum characteristic color.

<sup>11</sup> 33 percent characteristic color.

#### UNCLASSIFIED

#### § 51.306 Unclassified.

"Unclassified" consists of apples which have not been classified in conformity with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

#### TOLERANCES

#### § 51.307 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades the following tolerances, are provided as specified:

(a) Defects:

(1) *U.S. Extra Fancy, U.S. Fancy, U.S. No. 1, U.S. No. 1 Early and U.S. No. 1 Hail Grades*. 10 percent of the apples in any lot may fail to meet the requirements of the grades, but not more than one-half of this amount, or 5 percent, shall be allowed for apples which are seriously damaged, including in the latter amount not more than 1 percent for apples affected by decay or internal breakdown or both.

(2) *U.S. Utility grade*. 10 percent of the apples in any lot may fail to meet the requirements of the grade, but not more than one-half of this amount, or 5 percent, shall be allowed for apples which are seriously damaged by insects, and including in the total tolerance not more than 1 percent for apples affected by decay or internal breakdown or both.

(b) When applying the foregoing tolerances to Combination grades no part of any tolerance shall be allowed to reduce, for the lot as a whole, the 50 percent of apples of the higher grade required in the combination but individual containers shall have not less than 40 percent of the higher grade.

(c) Size: When size is designated by the numerical count for a container, not more than 5 percent of the apples in the lot may vary more than 1/4 inch in diameter. When size is designated by minimum or maximum diameter, not more than 5 percent of the apples in any lot may be smaller than the designated minimum and not more than 10 percent may be larger than the designated maximum.

#### APPLICATION OF TOLERANCES

#### § 51.308 Application of tolerances.

The contents of individual packages in the lot, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) Packages which contain more than 10 pounds:

(1) Shall have not more than one and one-half times a specified tolerance of 10 percent or more and not more than double a tolerance of less than 10 percent, except that at least one apple which is seriously damaged by insects or affected by decay or internal breakdown may be permitted in any package.

(b) Packages which contain 10 pounds or less:

(1) Not over 10 percent of the packages may have more than three times



the tolerance specified, except that at least one defective apple may be permitted in any package; *Provided*, That not more than one apple or more than 6 percent (whichever is the larger amount) may be seriously damaged by insects or affected by decay or internal breakdown.

#### CALCULATION OF PERCENTAGES

##### § 51.309 Calculation of percentages.

(a) When the numerical count is marked on the container, percentages shall be calculated on the basis of count.

(b) When the minimum diameter or minimum and maximum diameters are marked on the container, percentages shall be calculated on the basis of weight, except that when the variation between minimum and maximum diameters is not more than one-fourth inch, percentages shall be calculated on the basis of count.

(c) When the apples are in bulk, percentages shall be calculated on the basis of weight.

#### CONDITION AFTER STORAGE OR TRANSIT

##### § 51.310 Condition after storage or transit.

(a) Decay, scald or any other deterioration which may have developed on apples after they have been in storage or transit shall be considered as affecting condition and not the grade.

#### PACKING REQUIREMENTS

##### § 51.311 Packing requirements.

(a) Apples tray packed or cell packed in fiberboard cartons shall be arranged according to approved and recognized methods. Packs shall be at least fairly tight and fairly well filled but the contents shall not show excessive or unnecessary bruising because of over-filled packages.<sup>1</sup>

(b) Packs of apples place packed, jumble packed, or faced jumble packed in cartons shall be fairly well filled unless the net weight is shown on the carton.<sup>2</sup>

(c) Apples packed in wooden boxes shall be arranged according to approved and recognized methods. Packages shall be tightly packed with sufficient bulge to prevent any appreciable movement of the apples within the containers when lidded. Each wrapped apple shall be completely enclosed by its individual wrapper.

(d) Baskets. Apples packed in U.S. standard bushel baskets, three-fourths bushel baskets, one-half bushel baskets and five-eighths bushel baskets may be ring faced and shall be tightly packed with sufficient bulge to prevent any ap-

<sup>1</sup> "Fairly tight" means that apples are of the proper size for molds or cell compartments in which they are packed; that molds or cells are filled in such a way that no more than slight movement of apples within molds or cells is possible; and that the top layer of apples is not more than one-half inch below the top edge of the carton.

<sup>2</sup> "Fairly well filled" means that the net weight of apples in cartons ranging from 2100 to 2900 cubic inch capacity, is not less than 37 pounds for Cortland, Gravenstein, McIntosh and Golden Delicious varieties and not less than 40 pounds for all other varieties.

preciable movement of the apples within the containers when lidded.

(e) Tolerances. In order to allow for variations incident to proper packing, not more than 10 percent of the containers in any lot may not meet these requirements.

#### MARKING REQUIREMENTS

##### § 51.312 Marking requirements.

The numerical count or the minimum diameter of the apples packed in a closed container shall be indicated on the container.

(a) When the numerical count is not shown the minimum diameter shall be plainly stamped, stenciled, or otherwise marked on the container in terms of whole and quarter inches, or whole and eighth inches, in accordance with the facts.

#### DEFINITIONS

##### § 51.313 Mature.

"Mature" means that the apples have reached the stage of development which will insure the proper completion of the ripening process. Before a mature apple becomes overripe it will show varying degrees of firmness, depending upon the stage of the ripening process. The following terms are used for describing these different stages of firmness of apples:

(a) "Hard" means apples with a tenacious flesh and starchy flavor.

(b) "Firm" means apples with a tenacious flesh but which are becoming crisp with a slight starchy flavor except the Delicious variety.

(c) "Firm ripe" means apples with crisp flesh except that the flesh of the apples of the Gano, Ben Davis, and Rome Beauty varieties may be slightly mealy.

(d) "Ripe" means apples with mealy flesh and soon to become soft for the variety.

##### § 51.314 Overripe.

"Overripe" means apples which are dead ripe, with flesh very mealy or soft, and past commercial utility.

##### § 51.315 Carefully hand-picked.

"Carefully hand-picked" means that the apples do not show evidence of rough handling or of having been on the ground.

##### § 51.316 Clean.

"Clean" means that the apples are free from excessive dirt, dust, spray residue and other foreign material.

##### § 51.317 Fairly well formed.

"Fairly well formed" means that the apple may be slightly abnormal in shape but not to an extent which detracts materially from its appearance.

##### § 51.318 Injury.

"Injury" means any specific defect defined in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which more than slightly detracts from the appearance, or the edible or shipping quality of the apple. The following specific defects shall be considered as injury:

(a) Russetting in the stem cavity or calyx basin which cannot be seen when the apple is placed stem end or calyx end down on a flat surface, shall not be considered in determining whether or not an apple is injured by russetting, except that rough or bark-like russetting in the stem cavity or calyx basin shall be considered as injury when the appearance of the apple is materially affected. The following types and amounts of russetting outside of the stem cavity or calyx basin, shall be considered as injury:

(1) Smooth net-like russetting, when an aggregate area of more than 10 percent of the surface is covered, and the color of the russetting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous net-like russetting when the appearance is affected to a greater extent than the above amount permitted.

(2) Smooth, solid russetting which covers an aggregate area of more than 5 percent of the surface, and the pattern and color of the russetting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous solid russetting when the appearance is affected to a greater extent than the above amount permitted.<sup>3</sup>

(3) Slightly rough russetting which covers an aggregate area of more than one-half inch in diameter when outside the stem or calyx basin.<sup>3</sup>

(4) Rough russetting which covers an aggregate area of more than one-fourth inch in diameter unless it is well within the stem cavity or calyx basin and is not readily apparent.

(b) Sunburn or sprayburn, when the discolored area does not blend into the normal color of the fruit.

(c) Dark Brown or black limb rubs which affect a total area of more than one-fourth inch in diameter, except that light brown limb rubs of a russet character shall be considered under the definition of injury by russetting.<sup>3</sup>

(d) Hail marks with unbroken skin, drought spots or other similar depressions or scars where there is appreciable discoloration or when the indentations are not superficial, or when an individual indentation exceeds one-eighth inch in diameter, or the total affected area exceeds one-half inch in diameter.<sup>3</sup>

(e) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed a length of one-fourth inch.

#### (f) Diseases:

(1) Cedar rust infection which affects a total area of more than one-fourth inch in diameter.<sup>3</sup>

(2) Sooty blotch or fly speck which is thinly scattered over more than 5 percent of the surface, or dark heavily concentrated spots which affect an area of more than one-fourth inch in diameter.<sup>3</sup>

(3) Red skin spots which are thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-fourth inch in diameter.<sup>3</sup>

<sup>3</sup> The area refers to that of a circle of the specified diameter.



## (g) Insects:

(1) Any healed sting or healed stings which affect a total area of more than one-eighth inch in diameter including any encircling discolored rings.<sup>3</sup>

## (2) Worm holes.

## § 51.319 Damage.

"Damage" means any specific defect defined in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or shipping quality of the apple. The following specific defects shall be considered as damage:

(a) Russetting in the stem cavity or calyx basin which cannot be seen when the apple is placed stem end or calyx end down on a flat surface shall not be considered in determining whether or not an apple is damaged by russetting, except that excessively rough or bark-like russetting in the stem cavity or calyx basin shall be considered as damage when the appearance of the apple is materially affected. The following types and amounts of russetting outside of the stem cavity or calyx basin, shall be considered as damage:

(1) Russetting which is excessively rough on Roxbury Russet and other similar varieties.

(2) Smooth net-like russetting, when an aggregate area of more than 15 percent of the surface is covered, and the color of the russetting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous net-like russetting when the appearance is affected to a greater extent than the above amount permitted.

(3) Smooth solid russetting, when an aggregate area of more than 5 percent of the surface is covered, and the pattern and color of the russetting shows no very pronounced contrast with the background color of the apple, or lesser amounts of more conspicuous solid russetting when the appearance is affected to a greater extent than the above amount permitted.

(4) Slightly rough russetting which covers an aggregate area of more than one-half inch in diameter.<sup>3</sup>

(5) Rough russetting which exceeds one-fourth inch in diameter, unless it is well within the stem cavity or calyx basin and is not readily apparent.<sup>3</sup>

(b) Sunburn or sprayburn which has caused blistering or cracking of the skin, or when the discolored area does not blend into the normal color of the fruit unless the injury can be classed as russetting.

(c) Limb rubs which affect a total area of more than one-half inch in diameter, except that light brown limb rubs of a russet character shall be considered under the definition of damage by russetting.<sup>3</sup>

(d) Hail marks, drought spots, or other similar depressions or scars when the skin has not been broken and the injury is more than slightly depressed or affects a total area of more than one-half inch in diameter; or hail marks or similar scars when the skin has been

broken and the injury is not well healed, or is more than slightly depressed, or affects an aggregate area of more than one-fourth inch in diameter.<sup>3</sup>

(e) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed an aggregate length of one-fourth inch.

(f) Invisible watercore existing around the core and extending to watercore in the vascular bundles; or surrounding the vascular bundles when the affected areas surrounding three or more vascular bundles meet or coalesce; or existing in more than slight degree outside the circular area formed by the vascular bundles.

## (g) Diseases:

(1) Scab spots which affect a total area of more than one-fourth inch in diameter.<sup>3</sup>

(2) Cedar rust infection which affects a total area of more than one-fourth inch in diameter.<sup>3</sup>

(3) Sooty blotch or fly speck which is thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-half inch in diameter.<sup>3</sup>

(4) Red skin spots which are thinly scattered over more than one-tenth of the surface, or dark, heavily concentrated spots which affect an area of more than one-fourth inch in diameter.<sup>3</sup>

## (h) Insects:

(1) Any healed sting or healed stings which affect a total area of more than three-sixteenths inch in diameter including any encircling discolored rings.<sup>3</sup>

## (2) Worm holes.

## § 51.320 Serious damage.

"Serious damage" means any specific defect defined in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects which seriously detracts from the appearance, or the edible or shipping quality of the apple. The following specific defects shall be considered as serious damage:

(a) The following types and amounts of russetting shall be considered as serious damage:

(1) Smooth solid russetting, when more than one-half of the surface in the aggregate is covered, including any russetting in the stem cavity or calyx basin, or slightly rough, or excessively rough or bark-like russetting, which detracts from the appearance of the fruit to a greater extent than the amount of smooth solid russetting permitted: *Provided*, That any amount of russetting shall be permitted on Roxbury Russet and other similar varieties.

(b) Sunburn or sprayburn which seriously detracts from the appearance of the fruit.

(c) Limb rubs which affect more than one-tenth of the surface in the aggregate.

(d) Hail marks, drought spots, or scars, if they materially deform or disfigure the fruit, or if such defects affect more than one-tenth of the surface in the aggregate: *Provided*, That no hail marks which are unhealed shall be permitted and not more than an aggregate area of one-half inch shall be allowed for well-healed hail marks where the skin has been broken.<sup>3</sup>

(e) Stem or calyx cracks which are not well healed, or well healed stem or calyx cracks which exceed an aggregate length of one-half inch.

(f) Visible watercore which affects an area of more than one-half inch in diameter.<sup>3</sup>

## (g) Diseases:

(1) Scab spots which affect a total area of more than three-fourths inch in diameter.<sup>3</sup>

(2) Cedar rust infection which affects a total area of more than three-fourths inch in diameter.<sup>3</sup>

(3) Sooty blotch or fly speck which affects more than one-third of the surface.

(4) Red skin spots which affect more than one-third of the surface.

(5) Bitter pit and Ponathan spot which is thinly scattered over more than one-tenth of the surface and does not materially deform or disfigure the fruit.

## (h) Insects:

(1) Healed stings which affect a total area of more than one-fourth inch in diameter including any encircling discolored rings.<sup>3</sup>

## (2) Worm holes.

## § 51.321 Seriously deformed.

"Seriously deformed" means that the apple is so badly misshapen that its appearance is seriously affected.

## § 51.322 Diameter.

"Diameter" means the greatest dimension of the apple measured at right angles to a line from the stem to blossom end.

## U.S. CONDITION STANDARDS FOR EXPORT

## § 51.323 U.S. Condition Standards for Export.

(1) Not more than 5 percent of the apples in any lot shall be further advanced in maturity than firm ripe.

(2) Not more than 3 percent of the apples in any lot shall be damaged by storage scab.

(3) Not more than a total of 5 percent of the apples in any lot shall be damaged by bitter pit, Jonathan spot, scald, internal breakdown, watercore, freezing, decay or other condition factors: *Provided*, That:

(a) Not more than a total of 2 percent shall be allowed for apples affected by decay and soft scald;

(b) Not more than 2 percent shall be allowed for damage by internal breakdown; and,

(c) Not more than 2 percent of slight scald shall be allowed for lots especially and properly treated to prevent scald; otherwise, the apples must be free from scald.

(4) Carton packs in trays or cells shall be at least fairly tight and fairly well filled<sup>4</sup> and<sup>5</sup>; other carton packs shall

<sup>4</sup> "Fairly tight" means that apples are of the proper size for molds or cell compartments in which they are packed; that molds or cells are filled in such a way that no more than slight movement of apples within molds or cells is possible; and that the top layer of apples is not more than one-half inch below the top edge of the carton.

<sup>5</sup> "Fairly well filled" means that the net weight of apples in cartons ranging from 2100 to 2900 cubic inch capacity, is not less

<sup>3</sup> See footnote on page 5678.



be at least fairly well filled unless the net weight is shown on the carton; wooden box and basket packs shall be generally tight.

(5) Any lot of apples shall be considered as meeting the U.S. Condition Standards for Export if the entire lot averages within the requirements specified: *Provided*, That no container in any lot is found to exceed double the percentages specified, except that for packs which contain 10 pounds or less, individual packages in any lot are restricted to 3 times the tolerance or one apple (which ever is the greater amount).

Dated: June 4, 1963.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 63-6109; Filed, June 10, 1963;  
8:47 a.m.]

## FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New] ]

[Airspace Docket No. 63-CE-25]

### CONTROL ZONE, TRANSITION AREAS, AND CONTROL AREA EXTENSION

#### Proposed Alteration, Designation, and Revocation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Mt. Clemens, Mich., control zone is presently designated within a 7-mile radius of Selfridge AFB, Mt. Clemens, Mich. (latitude 42°36'50" N., longitude 82°50'05" W.). The Mt. Clemens, Mich., control area extension is presently designated as that airspace bounded on the north by the arc of a 40-mile radius circle centered at Selfridge AFB, on the east and southeast by the United States/Canadian Border, and on the southwest by R-20 and the Flint, Mich., control area extension.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Mt. Clemens area as a result of the studies associated with the implementation of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

than 37 pounds for Cortland, Gravenstein, McIntosh and Golden Delicious varieties and not less than 40 pounds for all other varieties.

NOTE: "Damage by watercore" means externally invisible watercore existing around the core and extending to watercore in the vascular bundles; or surrounding the vascular bundles when the affected areas surrounding three or more vascular bundles meet or coalesce; or existing in more than slight degree outside the circular area formed by the vascular bundles; or any externally visible watercore.

1. Redesignate the Mt. Clemens control zone to comprise that airspace within a 5-mile radius of Selfridge AFB, Mt. Clemens, Mich. (latitude 42°36'50" N., longitude 82°50'05" W.), within 2 miles each side of the Selfridge AFB ILS localizer north and south courses, extending from the 5-mile radius zone to 8 miles north and 8 miles south of Selfridge AFB, and within 2 miles each side of the Selfridge AFB TACAN 353° True radial, extending from the 5-mile radius zone to 8 miles north of the TACAN.

2. Revoke the Mt. Clemens control area extension.

3. Designate the Mt. Clemens transition area to comprise that airspace extending upward from 700 feet above the surface within a 7-mile radius of Selfridge AFB, within 5 miles west and 8 miles east of the Selfridge AFB ILS localizer north course, extending from 3 miles south to 12 miles north of the OM, and within 2 miles each side of the Selfridge AFB ILS localizer south course, extending from the 7-mile radius area to 11 miles south of Selfridge AFB; and that airspace extending upward from 1,200 feet above the surface bounded on the east by the United States/Canadian Border, on the west by the east boundary of VOR Federal airway No. 42 east alternate and longitude 83°30'00" W., and on the north by the north boundary of VOR Federal airway No. 216. The portion within R-4203 would be available for use only after obtaining prior approval from appropriate authority.

4. Designate the Port Huron, Mich., transition area to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of St. Clair County Airport, Port Huron, Mich. (latitude 42°54'45" N., longitude 82°31'35" W.), and within 5 miles southwest and 8 miles northeast of the 152° True bearing from St. Clair County Airport, extending from the airport to 16 miles southeast of the airport, excluding the portion outside the United States.

The floors of the airways that traverse the transition areas proposed herein would automatically assume floors coincident with the floors of the transition areas.

The actions proposed herein would, in part, reduce the radius area of the control zone presently designated at Selfridge AFB. Three control zone extensions, two of which overlap, would be added for the protection of aircraft executing prescribed Selfridge AFB instrument approach and departure procedures. The proposed designation of transition areas at Mt. Clemens and Port Huron, and the proposed revocation of the Mt. Clemens control area extension, would raise the floor of controlled airspace, including that associated with Federal airways, beyond an irregularly configured 7- to 18-mile radius of Selfridge AFB and a 5- to 15-mile radius of St. Clair County Airport from 700 to 1,200 feet. The portions of the transition areas proposed with a floor of 700 feet above the surface would provide protection for aircraft executing prescribed

holding pattern, instrument approach and departure procedures at Selfridge AFB and St. Clair County Airport. The portion of the Mt. Clemens transition area proposed with a floor of 1,200 feet above the surface would provide protection for aircraft executing holding pattern procedures prescribed within the Mt. Clemens terminal area and aircraft being vectored in accordance with prescribed Selfridge AFB radar arrival and departure procedures. The portions of controlled airspace released by the actions proposed herein would become available for other aeronautical purposes.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be introduced nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes in procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

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

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

[F.R. Doc. 63-6103; Filed, June 10, 1963;  
8:47 a.m.]



## FEDERAL POWER COMMISSION

[ 18 CFR Parts 101, 201 ]

[Docket No. R-232]

### PUBLIC UTILITIES, LICENSEES, AND NATURAL GAS COMPANIES

#### Proposed Accounting Treatment of In- vestment Tax Credit; Notice of Post- ponement of Oral Argument

MAY 21, 1963.

Take notice that the oral argument heretofore scheduled for June 11, 1963, by order issued April 24, 1963 and published in the FEDERAL REGISTER on April 27, 1963 (28 F.R. 4203), is postponed to commence on July 25, 1963, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By direction of the Commission.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 63-6146; Filed, June 10, 1963;  
8:51 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

### Coast Guard

[CGFR 63-29]

## APPROVAL AND TERMINATION OF APPROVAL NOTICE

### Equipment, Installations, or Materials

1. Various items of lifesaving, fire-fighting and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals, and the cancellation, termination or withdrawal of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials, specific specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications), and detailed procedures for obtaining approvals are also described therein.

2. The Commandant's approval of a specific item is intended to provide a control over its quality. Therefore, such approval applies only to the item constructed or installed in accordance with the applicable requirements and the details described in the specific approval. If a specific item when manufactured does not comply with the details in the approval, then such item is not considered to have the Commandant's approval, and the certificate of approval issued to the manufacturer does not apply to such modified item. For example, if an item is manufactured with changes in design or material not previously approved, the approval does not apply to such modified item.

3. After a manufacturer has submitted satisfactory evidence that a particular item complies with the applicable laws and regulations, a Certificate of Approval (Form CGHQ-10030) will be issued to the manufacturer certifying that the item specified complies with the applicable laws and regulations and approval is given, which will be in effect for a period of 5 years from the date given unless sooner canceled or suspended by proper authority.

4. The purpose of this document is to notify all concerned that certain approvals were granted and terminations of approvals were made, as described in this document, during the period from April 26 to April 30, 1963. These actions were taken in accordance with procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive.

5. The delegations of authority for the Coast Guard's actions with respect to

approvals may be found in Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-14 dated November 26, 1954 (19 F.R. 8026), 168-15 dated January 3, 1955 (20 F.R. 840), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), or 167-38 dated October 26, 1959 (24 F.R. 8857), and the statutory authority may be found in R.S. 4405, as amended, 4462, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3, 70 Stat. 152 (46 U.S.C. 375, 416, 481, 489, 367, 526p, 1333, 390b), sec. 4(e), 67 Stat. 462 (43 U.S.C. 1333(e)), or sec. 3(c), 68 Stat. 675 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I or 33 CFR Chapter I.

6. In Part I of this document are listed the approvals granted which shall be in effect for a period of 5 years from the dates granted, unless sooner canceled or suspended by proper authority.

7. In Part II of this document are listed the approvals which have been terminated. Notwithstanding this termination of approvals of the items of equipment as listed in Part II such equipment may be used so long as such equipment is in good and serviceable condition.

### PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

#### BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/432/0, Type I, Model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for The Firestone Tire & Rubber Co., Akron 17, Ohio, effective April 26, 1963. (It supersedes Approval No. 160.047/432/0 dated June 21, 1960, to show change of address of manufacturer.)

Approval No. 160.047/433/0, Type I, Model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for The Firestone Tire & Rubber Co., Akron 17, Ohio, effective April 26, 1963. (It supersedes Approval No. 160.047/433/0 dated June 21, 1960, to show change of address of manufacturer.)

Approval No. 160.047/434/0, Type I, Model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for The Firestone Tire & Rubber Co., Akron 17, Ohio, effective April 26, 1963. (It supersedes Approval No. 160.047/434/0 dated June 21,

1960, to show change of address of manufacturer.)

Approval No. 160.047/517/0, Type I, Model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for Bob Erath Co., 603 East Washington Street, South Bend 22, Indiana, effective April 26, 1963. (It supersedes Approval No. 160.047/517/0 dated October 25, 1961, to show change of address of manufacturer.)

Approval No. 160.047/518/0, Type I, Model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for Bob Erath Co., 603 East Washington Street, South Bend 22, Indiana, effective April 26, 1963. (It supersedes Approval No. 160.047/518/0 dated October 25, 1961, to show change of address of manufacturer.)

Approval No. 160.047/519/0, Type I, Model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, for Bob Erath Co., 603 East Washington Street, South Bend 22, Indiana, effective April 26, 1963. (It supersedes Approval No. 160.047/519/0 dated October 25, 1961, to show change of address of manufacturer.)

#### BUOYS, LIFE, RING, UNICELLULAR PLASTIC

Approval No. 160.050/12/1, 30-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050 and American Pad & Textile Co. dwg. No. 175-LA-1 dated June 9, 1960, revised August 16, 1960, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F. Goodrich Co., Sheldon, Connecticut, manufactured by The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.050/12/1 dated September 7, 1960, to show change of address of manufacturer.)

Approval No. 160.050/13/1, 24-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050 and American Pad & Textile Co. dwg. No. 175-LA-1 dated June 9, 1960, revised August 16, 1960, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F. Goodrich Co., Sheldon, Connecticut, manufactured by The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.050/13/1 dated September 7, 1960, to show change of address of manufacturer.)

Approval No. 160.050/14/1, 20-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050 and American Pad & Textile Co. dwg. No. 175-LA-1 dated June 9, 1960, revised August 16, 1960, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F.



Goodrich Co., Sheldon, Connecticut, manufactured by The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.050/14/1 dated September 7, 1960, to show change of address of manufacturer.)

**BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD**

Approval No. 160.052/180/1, Type II, Model 242, adult, unicellular plastic foam buoyant vest, Jones & Yandell dwg. JV-L No. 3 dated October 1, 1962, manufactured by Jones & Yandell Division, American Tent Co., P.O. Box 270, Canton, Mississippi, for The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.052/180/1 dated October 12, 1962, to show change of address of manufacturer.)

Approval No. 160.052/181/1, Type II, Model 244, child medium, unicellular plastic foam buoyant vest, Jones & Yandell dwg. JV-M No. 3 dated September 29, 1962, manufactured by Jones & Yandell Division, American Tent Co., P.O. Box 270, Canton, Mississippi, for The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.052/181/1 dated October 12, 1962, to show change of address of manufacturer.)

Approval No. 160.052/182/1, Type II, Model 244, child small, unicellular plastic foam buoyant vest, Jones & Yandell dwg. JV-S No. 3 dated September 29, 1962, manufactured by Jones & Yandell Division, American Tent Co., P.O. Box 270, Canton, Mississippi, for The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans 17, Louisiana, effective April 26, 1963. (It supersedes Approval No. 160.052/182/1 dated October 12, 1962, to show change of address of manufacturer.)

**PART II—TERMINATIONS OF APPROVAL OF EQUIPMENT INSTALLATIONS, OR MATERIALS**

**BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS**

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.048/115/0, Group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c) (1) (i), manufactured by B. T. Crump Co., Inc., 1310-1334 East Franklin Street, Richmond 13, Virginia, effective April 30, 1963. (Approval terminated because item is no longer manufactured.)

Dated: June 5, 1963.

[SEAL] J. A. ALGER, Jr.,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-6117; Filed, June 10, 1963; 8:47 a.m.]

[CGFR 63-38]

**JAMES RIVER**

**Closure to Navigation During Launching of "USS John C. Calhoun"**

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) and Executive Order 10173, as amended, by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of H. J. Wuensch, Rear Admiral, United States Coast Guard, Commander, Fifth Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

**SPECIAL NOTICE JAMES RIVER**

Pursuant to the request of the Commandant, Fifth Naval District, Norfolk, Virginia, and under the authority of Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended and Executive Order 10173, as amended, I declare that from 10:30 a.m., e.d.s.t., until 4:00 p.m., e.d.s.t., on Saturday the 22d day of June 1963 the following area is a prohibited area and I order that it be closed to any person or vessel due to the launching of the "USS John C. Calhoun" (SSB(N) 630):

The waters of the James River, Norfolk-Newport News Harbor, Virginia, within the coordinates of latitude 36°59'34" N., longitude 76°26'53" W. at the shoreline of Newport News at the foot of 52d Street, Newport News, to a point 500 yards offshore at latitude 36°59'27" N., longitude 76°27'10" W., thence southeasterly to a point latitude 36°58'43" N., longitude 76°26'41" W., 500 yards off the shoreline of Newport News at the foot of 32d Street, Newport News, and thence to a point at latitude 36°58'48" N., longitude 76°26'27" W. at Newport News Shipbuilding Pier 8 Light (Light List 2786.5).

This prohibited area will be marked by two special purpose temporary buoys painted with orange and white horizontal bands.

No person or vessel may remain in or enter this prohibited area.

The Captain of the Port, Norfolk-Newport News Area, Virginia, shall enforce this order.

The Captain of the Port may be assisted by employees and facilities of any state or political subdivision thereof or any Federal Agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

"If any other person knowingly fails to comply with any regulation or rule issued or given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not

more than ten years and may, at the discretion of the court, be fined not more than \$10,000."

Dated: June 4, 1963.

[SEAL] J. A. ALGER, Jr.,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-6118; Filed, June 10, 1963; 8:47 a.m.]

[CGFR 63-39]

**NEW LONDON HARBOR**

**Closure to Navigation During Launching of "USS Tecumseh" and "USS Flasher"**

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) and Executive Order 10173, as amended, by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of R. M. Ross, Rear Admiral, United States Coast Guard, Commander, Third Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

**SPECIAL NOTICE NEW LONDON HARBOR**

Pursuant to the request of the Commander, Submarine Force, U.S. Atlantic Fleet, U.S. Navy, and acting under the authority of the Act of June 15, 1917 (40 Stat. 220), as amended, and the regulations in Part 6, Chapter 1, Title 33, Code of Federal Regulations, I hereby order that the waters of New London Harbor, New London, Connecticut, between the latitude 41°21'03" N., and a line extending 257 degrees true from the beacon located on the southwesterly tip of Electric Boat Division property, running across the northerly end of Powder Island, and terminating on the west bank of the Thames River be closed to all persons and vessels on Saturday, 22 June 1963, from 1000 e.d.s.t. until the "U.S.S. Tecumseh" and "U.S.S. Flasher" are made fast to the wetdock at the Electric Boat Divisions of the General Dynamics Corporation, Groton, Connecticut. The launching of the "U.S.S. Tecumseh" and "U.S.S. Flasher" is scheduled for 1100 e.d.s.t., on Saturday, 22 June 1963. The northern and southern limits of this area will be marked by ranges located on the eastern shore. Coast Guard vessels will be anchored off these ranges between the shore line and the main ship channel.

All persons and vessels are directed to remain outside of the closed area. This order will be enforced by the Captain of the Port, New London, Connecticut, and by U.S. Coast Guard vessels under his command. The aid of other Federal, State and municipal agencies may be enlisted to assist in the enforcement of this order.

*Penalties for violation of the above order.* Section 2, Title II of the Act of June 15, 1917, as amended, 50 U.S.C. 192, provides as follows: If any owner, agent, master, officer or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title \* \* \* or if any other person knowingly fails to comply



with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than \$10,000.

Dated: June 4, 1963.

[SEAL] J. A. ALGER, Jr.,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-6119; Filed, June 10, 1963;  
8:47 a.m.]

[CGFR 63-37]

### SAN FRANCISCO BAY

#### Closure to Navigation During Launching of USS Daniel Boone

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) and Executive Order 10173, as amended, by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of Allen Winbeck, Rear Admiral, United States Coast Guard, Commander, Twelfth Coast Guard District, who has exercised authority as Captain of the Port for San Francisco, such order reading as follows:

##### SPECIAL NOTICE SAN FRANCISCO BAY

Pursuant to request of Commander, Mare Island Naval Shipyard, U.S. Navy, and acting under authority of the Act of June 15, 1917 (40 Stat. 220) as amended, and the regulations in Part 6, Chapter I, Title 33, Code of Federal Regulations, I hereby order that the waters of Mare Island Strait, Napa River, California, between the Mare Island Causeway (38°06'44" N., 122°16'14.5" W. to 38°06'36" N., 122°16'32" W.) and a line extending in the direction 245 degrees true from the end of the Naval Reserve Pier, Vallejo, California (38°05'36.5" N., 122°15'22" W.) to the opposite shore of the Napa River (38°05'32" N., 122°15'35" W.) be closed to all persons and vessels on Saturday, 22 June 1963, from 3:00 p.m., Pacific daylight saving time, until the "U.S.S. Daniel Boone" is made fast to the wetdock at Mare Island Naval Shipyard, after the launching of said vessel. The southern line of demarcation is otherwise described as a line extending between the end of the Naval Reserve Pier, Vallejo and the southernmost smokestack in the area of Mare Island generally opposite said pier. Limits of this area will be clearly posted by signs and by Coast Guard Patrol Boats.

All persons and vessels are directed to remain outside of the closed area. This order will be enforced by the Captain of the Port, San Francisco, California, and by U.S. Coast Guard vessels under his command. Personnel, facilities and equipment of other Federal, State and municipal agencies may be utilized to assist in the enforcement of this order.

*Penalties for violation of the above order.* Section 2, Title II of the Act of June 15, 1917, as amended, 50 U.S.C. 192, provides as follows:

If any owner, agent, master, officer or person in charge, or any member of the crew of any such vessel fails to com-

ply with any regulation or rule issued or order given under the provisions of this Title, or obstructs or interferes with the exercise of any power conferred by this Title, or if any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this Title, or knowingly obstructs or interferes with the exercise of any power conferred by this Title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than \$10,000.

Dated: June 4, 1963.

[SEAL] J. A. ALGER, Jr.,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 36-6120; Filed, June 10, 1963;  
8:47 a.m.]

### Bureau of Customs

[T.D. 55908]

#### COTTON TEXTILES PRODUCED OR MANUFACTURED IN GREECE

##### Restrictions on Entry of Category 2 and 4 Merchandise

JUNE 5, 1963.

There is published below a letter of May 27, 1963, from the Chairman, President's Cabinet Textile Advisory Committee, which directs that effective May 29, 1963, and through March 26, 1964, not more than 100,000 pounds and 50,000 pounds of cotton textiles in Categories 2 and 4, respectively, manufactured or produced in Greece, which were exported from Greece to the United States on or after March 27, 1963, be allowed entry for consumption or withdrawal from warehouse for consumption in the United States (including the Commonwealth of Puerto Rico).

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

[SEAL] N. G. STRUB,  
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE,  
Washington 25, D.C., May 27, 1963.

##### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,  
DEPARTMENT OF THE TREASURY,  
Washington, D.C.

DEAR MR. COMMISSIONER: The United States Government on March 27, 1963, in furtherance of the objectives of, and under the terms of, the Long Term Arrangement Re-

garding International Trade done at Geneva on February 9, 1962, requested the Government of Greece to restrain the export of cotton textiles and cotton textile products in Categories 2 and 4 to the United States during the twelve-month period beginning March 27, 1963. The Long Term Arrangement is an agreement contemplated by Section 204 of the Agricultural Act of 1956, as amended.

Under the terms of the Long Term Arrangement, including Article 6 relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit, effective May 29, 1963, and for the period extending through March 26, 1964, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 2 and 4, produced or manufactured in Greece, in excess of the levels of restraint provided:

Category:	Level of restraint
2-----	100,000 pounds
4-----	50,000 pounds

There have been no entries made through April 30, 1963, to be applied against the levels of restraint in Categories 2 and 4 for the twelve-month period March 27, 1963, through March 26, 1964. The levels of restraint have not been corrected to reflect entries, if any, subsequent to April 30, 1963.

In carrying out this directive, you shall allow entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 2 and 4, produced or manufactured in Greece, when the cotton textiles and cotton textile products sought to be entered have been exported to the United States from Greece prior to the initial date of the twelve-month period of restraint, regardless of whether the restraint levels have been filled. Goods in Categories 2 and 4, from Greece, shipped prior to the initial date of the twelve-month period of restraint, are not to be counted against the restraint levels even if not filled at the time of entry.

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

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

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

Sincerely yours,

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

Enclosure:

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

Category	Description	Schedule A number	U.S.I.D.A. number
2	Cotton yarn, carded, plied.....	3021 300	0901 31**
4	Cotton yarn, combed, plied.....	3021 400	0901 32**

\*\*The last 2 digits represent yarn number groups (e.g., 05 represents yarn numbers 1 through 5; 90 represents yarn numbers 26 through 30; 99 represents yarn numbers from 81 through 90, etc.).

[F.R. Doc. 63-6123; Filed, June 10, 1963; 8:47 a.m.]



[T.D. 55909]

**COTTON TEXTILES PRODUCED OR  
MANUFACTURED IN PAKISTAN****Restriction on Entry of Category 9  
Textiles**

JUNE 5, 1963.

There is published below a letter of May 27, 1963, from the Chairman, President's Cabinet Textile Advisory Committee, which directs that effective immediately and through February 29, 1964, not more than 10,468,881 square yards of cotton textiles in Category 9, manufactured or produced in Pakistan, which were exported from Pakistan to the United States on or after March 1, 1963, be allowed entry for consumption or withdrawal from warehouse for consumption in the United States (including the Commonwealth of Puerto Rico).

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

[SEAL] N. G. STRUB,  
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE,  
Washington 25, D.C.,  
May 27, 1963.

PRESIDENT'S CABINET TEXTILE ADVISORY  
COMMITTEE

COMMISSIONER OF CUSTOMS,  
DEPARTMENT OF THE TREASURY,  
Washington, D.C.

DEAR MR. COMMISSIONER: The United States Government on January 18, 1963, in furtherance of the objectives of, and under the terms of, the Long Term Arrangement Regarding International Trade done at Geneva on February 9, 1962, requested the Government of Pakistan to restrain the export of cotton textiles and cotton textile products in Category 9 to the United States. A level of restraint has been decided upon for the twelve-month period beginning March 1, 1963. The Long Term Arrangement is an agreement contemplated by Section 204 of the Agricultural Act of 1956, as amended.

Under the terms of the Long Term Arrangement and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit, effective immediately, and for the period extending through February 29, 1964, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Category 9 produced or manufactured in Pakistan, in excess of the level of restraint provided:

Category: Level of restraint  
9----- 10,468,881 square yards

The level of restraint of 11,400,000 square yards established for the twelve-month period March 1, 1963, through February 29, 1964, has been corrected to reflect entries made during the period March 1, 1963, through April 30, 1963. Corrections have not been made to reflect entries, if any, subsequent to April 30, 1963.

No. 113—4

In carrying out this directive, you shall allow entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Category 9, produced or manufactured in Pakistan, when the cotton textiles and cotton textile products sought to be entered have been exported to the United States from Pakistan prior to the initial date of the twelve-month period of restraint, regardless of whether the restraint level has been filled. Goods in Category 9, from Pakistan, shipped prior to the initial date of the twelve-month period of restraint, are not to be counted against the restraint level even if not filled at the time of entry.

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

In carrying out the above directions, entry into the United States for consumption shall

be construed to include entry for consumption into the Commonwealth of Puerto Rico.

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

Sincerely yours,  
LUTHER H. HODGES,  
Secretary of Commerce, and Chairman,  
President's Cabinet Textile  
Advisory Committee.

Enclosure:

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

Category	Description	Schedule A number	U.S.I.D.A. number
9	Sheeting, carded-----	3048 212 216 222 228 3058 226 3068 200	0904-0905 156* 158* 162* 166* 266* 366*

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

[F.R. Doc. 63-6124; Filed, June 10, 1963; 8:47 a.m.]

**SECURITIES AND EXCHANGE  
COMMISSION**

[File No. 1-3421]

**CONTINENTAL VENDING MACHINE  
CORP.****Order Summarily Suspending Trading**

JUNE 5, 1963.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976 being listed and registered on the American Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such securities on such Exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or

to induce or attempt to induce the purchase or sale of any such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for the period June 6, 1963, through June 15, 1963, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 63-6100; Filed, June 10, 1963;  
8:46 a.m.]

[File 7-2286]

**CONTROL DATA CORP.****Notice of Application for Unlisted  
Trading Privileges and of Oppor-  
tunity for Hearing**

JUNE 5, 1963.

In the matter of Application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted Trading Privileges in a Certain Security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(2) of the



Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Control Data Corporation, File 7-2286.

Upon receipt of a request, on or before June 21, 1963, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 63-6101; Filed, June 10, 1963;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

### IDENTIFICATION OF CARCASSES OF CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

#### Supplemental List of Humane Slaughterers

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904) and the statement of policy thereunder in 9 CFR 181.1 the following table lists additional establishments operated under Federal inspection under the Meat Inspection Act (21 U.S.C. 71 et seq.) which have been officially reported as humanely slaughtering and handling the species of livestock respectively designated for such establishments in the table. This list supplements the list previously published under the Act (28 F.R. 5273) for May and represents those establishments and species which were reported too late to be included in the earlier list or which have come into compliance with respect to species indicated since the completion of the reports on which the earlier list was based. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Armour and Co.	2A G	(*)					
Do.	2B	(*)	(*)			(*)	
Do.	2H	(*)	(*)	(*)			
Do.	2HT	(*)	(*)				
Do.	2SA	(*)	(*)		(*)		
Do.	2SD	(*)	(*)			(*)	
Swift and Co.	3A	(*)	(*)			(*)	
Do.	3A W	(*)	(*)			(*)	
Do.	3CC	(*)	(*)			(*)	
Do.	3E	(*)	(*)			(*)	
Do.	3FF	(*)	(*)			(*)	
Do.	3N	(*)	(*)			(*)	
Do.	3NN	(*)	(*)			(*)	
Do.	3T	(*)	(*)			(*)	
Do.	3W	(*)	(*)			(*)	
Lykes Bros., Inc.	8	(*)				(*)	
Pauly Packing Company, Inc.	10	(*)	(*)				
Hygrade Food Products Corp.	12	(*)	(*)	(*)		(*)	
Do.	12D	(*)					
John Morrell and Co.	17A	(*)		(*)		(*)	
Do.	17D	(*)				(*)	
Do.	17E	(*)				(*)	
C. Finkbeiner, Inc.	18	(*)				(*)	
Wilson and Co., Inc.	20A	(*)				(*)	
Swift and Company	23	(*)		(*)		(*)	
Brander Meat Co.	25	(*)	(*)		(*)	(*)	
Roegelien Provision Co.	32	(*)	(*)			(*)	
Kenton Packing Co.	36	(*)		(*)		(*)	
Stark Wetzel and Co., Inc.	44	(*)				(*)	
Do.	44A	(*)				(*)	
Idaho Meat Packers	46	(*)	(*)	(*)		(*)	
Glover Packing Company	60A	(*)	(*)			(*)	
Meat Quality Lab.	68	(*)				(*)	
The Cudahy Packing Co.	81	(*)				(*)	
Hill Packing Co.	83E	(*)				(*)	
Utica Veal Co., Inc.	88	(*)				(*)	
Shonyo Packing Co.	93	(*)	(*)	(*)	(*)		
Liberty Packing Co.	101	(*)				(*)	
The Merchants Co.	116	(*)				(*)	
Marhofer Packing Co., Inc.	121	(*)				(*)	
John Roth and Son, Inc.	130	(*)				(*)	
Armour and Co.	139	(*)	(*)	(*)			
R. B. Rice Sausage Co., Inc.	144	(*)				(*)	
Kansas City Dressed Beef Co.	156	(*)				(*)	
Cornland Dressed Beef, Inc.	157	(*)				(*)	
Missouri Farmers Assn. Packing Division	159	(*)				(*)	
Do.	159A	(*)				(*)	
New York State College of Agriculture	165	(*)	(*)	(*)		(*)	
The Rath Packing Co.	186	(*)				(*)	
John Morrell and Co.	196	(*)				(*)	
United Fryer and Stillman, Inc.	198	(*)				(*)	
George A. Hormel & Co.	199A	(*)				(*)	
Do.	199D	(*)				(*)	
Do.	199I	(*)				(*)	
Emge Packing Co., Inc.	205	(*)	(*)			(*)	
National Pkg. Co., Inc.	208	(*)				(*)	
Heinzs Riverside Abattoir, Inc.	210	(*)				(*)	
S. Adams Packing Co.	211	(*)				(*)	
Iowa Beef Packers, Inc.	245A	(*)				(*)	
John Morrell and Co.	246	(*)				(*)	
Prarie Packing Company	253	(*)				(*)	
Balentine Packing Co.	267	(*)				(*)	
Pacific Meat Co., Inc.	268	(*)				(*)	
Houston Packing Co.	271	(*)				(*)	
Elliott Packing Co.	274	(*)				(*)	
American Stores Co.	279	(*)				(*)	
Mid Packing Co., Inc.	292A	(*)				(*)	
Great Falls Meat Co.	301	(*)				(*)	
Melton Provision Co.	311	(*)		(*)	(*)	(*)	
Stadler Packing Co., Inc.	320	(*)				(*)	
Shapiro Packing Co., Inc.	332	(*)	(*)			(*)	
Sam Kane Packing Co.	337	(*)	(*)			(*)	
Green and Oliver Sausage Co.	338	(*)				(*)	
Samuels E. Tex Packing Co.	353	(*)	(*)			(*)	
McCandless Pack Co., Inc.	355	(*)				(*)	
Westport Packing Corp.	369	(*)				(*)	
Emge Packing Co., Inc.	380	(*)	(*)			(*)	
Oldhams Farm Sausage Co., Inc.	392	(*)				(*)	
Mon Dak Meat Packing Co., Inc.	405	(*)				(*)	
Neuhoff Bros.	406	(*)		(*)		(*)	
Lone Star Packing Co.	433	(*)				(*)	
Dewitt Packing Corp.	456	(*)				(*)	
Morris Rifkin and Sons, Inc.	460	(*)				(*)	
Pioneer Boneless Beef, Inc.	461	(*)				(*)	
Litvak Packing Co.	465	(*)				(*)	
Armour and Co.	477	(*)				(*)	
Eldridge Packing Co.	478	(*)		(*)		(*)	
St. Cloud Meat Packing Co.	485	(*)				(*)	
Memphis Butchers Association, Inc.	488	(*)	(*)	(*)		(*)	
Heim Brothers Packing Co.	499	(*)				(*)	
Greenlee Pack Co.	501	(*)				(*)	
B. Rothschild and Co.	506	(*)				(*)	
Capitol Packing Co.	513	(*)	(*)	(*)		(*)	
Armour and Co.	528	(*)				(*)	
Pepper Packing Co.	536	(*)				(*)	
Wholesale Cooperative Meat Dealers, Assn.	541	(*)				(*)	
Greendell Packing Corp.	542	(*)	(*)			(*)	
Black Hills Packing Co.	554	(*)				(*)	
Mid South Packers, Inc.	557	(*)				(*)	
The Cudahy Packing Co.	559	(*)				(*)	
D. and W. Packing Co.	560	(*)				(*)	
John Morrell and Co.	565	(*)				(*)	
Perretta Packing Co., Inc.	571	(*)				(*)	
Armour and Co.	579	(*)				(*)	
Coffeyville Packing Co., Inc.	583	(*)				(*)	
City of Austin Municipal Abattoir	590	(*)				(*)	
San Antonio Packing Co.	602	(*)				(*)	
Swift and Co.	608	(*)		(*)	(*)	(*)	
Eastern Oregon Meat Co., Inc.	611	(*)		(*)		(*)	
National Tea Co.	613	(*)				(*)	



Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Kummer Meat Company, Inc.	617	(*)	(*)	(*)		(*)	
Hill Packing Co.	623E						(*)
H. H. Keim Co.	630	(*)	(*)	(*)		(*)	
Spencer Packing Co.	648						
Wilson and Co., Inc.	655			(*)			
Baums Bologna, Inc.	657						
McCook Packing Co.	660	(*)	(*)				
Scottsbluff Packing Company	667			(*)			
E. S. Read and Sons, Inc.	672	(*)	(*)				
Caldwell Packing Co., Inc.	683	(*)	(*)				
Marco Packing Co.	692	(*)	(*)				
Animal Husbandry Dept.	694	(*)	(*)			(*)	
Carter Packing Co.	698	(*)	(*)	(*)		(*)	
Central Nebraska Packing Co.	713E						(*)
Wilmington Packing Co., Inc.	720					(*)	
Decker and Son	727					(*)	
Vort Packing Co.	730	(*)					
The Quaker Oats Co.	734E						(*)
Pioneer Provision Co.	742	(*)	(*)			(*)	
Sheridan Meat Co., Inc.	768	(*)	(*)	(*)		(*)	
The Cudahy Packing Co.	779	(*)	(*)	(*)		(*)	
Bryan Brothers Packing Co.	780	(*)	(*)	(*)	(*)	(*)	
White Packing Co., Inc.	835	(*)	(*)	(*)		(*)	
John Morrell and Co.	836	(*)	(*)				
Nat Buring Packing Co. of Ark., Inc.	837B	(*)				(*)	
G. Bartusch Packing Co.	843	(*)					
Siouxland Dressed Beef Co., Div. of Needham	857F	(*)					
Montana Packing Co.	857G	(*)					
Wells and Davies, Inc.	860	(*)	(*)			(*)	
Samuels & Co., Inc.	878			(*)			
Pahler Packing Corp.	880	(*)					
Vermont Dressed Beef Co., Inc.	883	(*)					
City Packing Co.	891	(*)	(*)				
Sambol Packing Co.	892	(*)					
Tobin Packing Co., Inc.	893					(*)	
Sigman Meat Co., Inc.	901	(*)	(*)				
Hoosier Veterinary Laboratories, Inc.	912	(*)				(*)	
Cappellino Abattoir, Inc.	939	(*)					
Earl Flick Wholesale Meats, Inc.	965	(*)	(*)				
Monfort Packing Co.	969	(*)		(*)			
National Food Stores, Inc.	981	(*)					
Reitz Meat Products Co.	983	(*)				(*)	
Landy Packing Co.	1171	(*)					
The Harris Packing Co.	1175	(*)				(*)	
Nebraska Meat Packers, Inc.	1307	(*)					
Stevens Meat Co., Inc.	1485	(*)	(*)				

156 establishments reported.

Done at Washington, D.C., this 3d day of June 1963.

C. H. PALS,  
Director, Meat Inspection Division,  
Agricultural Research Service.

[F.R. Doc. 63-6017; Filed, June 10, 1963; 8:51 a.m.]

## Office of the Secretary

## COLORADO

## Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Colorado natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

## COLORADO

Delta. Mesa.  
Garfield. Montrose.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of June 1963.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 63-6134; Filed, June 10, 1963; 8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

## Office of the Secretary

[Order No. 2508, Amdt. 56]

## BUREAU OF INDIAN AFFAIRS

## Delegation of Authority

Section 30 of Order 2508, as amended (20 F.R. 3834, 5106; 21 F.R. 7027, 7655; 24 F.R. 272; 25 F.R. 436, 575, 729, 1385, 1994, 4655, 7192, 8892; 26 F.R. 6944; 27 F.R. 2328) is further amended by the addition of a new subparagraph under paragraph (a) to read as follows:

## SEC. 30. Authority under specific acts.

(a) In addition to any authority delegated elsewhere in this order, the Commissioner of Indian Affairs, except as provided in paragraph (b) of this section, is authorized to perform the functions and exercise the authority vested in the Secretary of the Interior by the following acts or portions of acts or any acts amendatory thereof:

(23) Section 23 of the Act of June 25, 1910 (Public Law 313; 61st Congress, 2d Session; 36 Stat. 861, as amended).

STEWART L. UDALL,  
Secretary of the Interior.

JUNE 3, 1963.

[F.R. Doc. 63-6082; Filed, June 10, 1963; 8:45 a.m.]

## DEPARTMENT OF COMMERCE

## Bureau of the Census

## VALUE OF PHARMACEUTICAL PREPARATIONS SHIPPED BY PRODUCERS; ADDITIONAL ANNUAL SURVEY IN MANUFACTURING AREA

## Notice of Determination

Pursuant to the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225, and due notice having been published May 7, 1963 (28 F.R. 4591), I have determined that data to be derived from a survey on pharmaceutical preparations shipped by producers during 1962 are needed to aid the efficient performance of essential Government functions and have significant application to the needs of the public and industry. The data to be collected are not publicly available from nongovernmental or other governmental sources.

This survey is in addition to those comprising the Bureau's usual Annual Surveys in Manufacturing Area and it is proposed to be conducted along with these continuing surveys in succeeding years. Notices for the regular Annual Surveys in Manufacturing Area for 1962 were published on November 14, 1962 and December 15, 1962 (27 F.R. 11243 and 12454).

A report form furnishing value of shipments data will be required from all producers of pharmaceutical preparations. The form will be sent to all firms in the survey and additional forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have therefore directed that a survey be conducted for the purpose of collecting these data.

[SEAL] RICHARD M. SCAMMON,  
Director,  
Bureau of the Census.

[F.R. Doc. 63-6127; Filed, June 10, 1963; 8:47 a.m.]

## Office of the Secretary

[Dept. Order No. 88 (Rev.)]

## INLAND WATERWAYS CORPORATION

## Residual Functions

The following order was issued by the Secretary of Commerce on May 28, 1963. This material supersedes the material appearing at 20 F.R. 1708-1709 of March 22, 1955.

SECTION 1. Purpose. The purpose of this order is to describe the residual functions of the Inland Waterways Corporation following the sale of its facilities and operating rights to the Federal Barge Lines, Inc. as of July 1, 1953.

SEC. 2. Organization. The Secretary of Commerce is the incorporator of and governs the Inland Waterways Corporation. The Under Secretary of Commerce for Transportation shall be the Chairman of the Advisory Board. The Under Secretary for Transportation, under



delegation of the Secretary in Department Order No. 128 (Revised), acts for the Corporation and is responsible for liquidation of the Corporation's assets and the policing of the terms of the contract of sale entered into as of July 1, 1953 with the Federal Barge Lines, Inc., disposing of its facilities and operating rights. The Under Secretary for Transportation as Chairman of the Advisory Board may utilize the services of the Staff offices of the Office of the Secretary in the discharge of his responsibilities.

**SEC. 3. Functions.** With the sale of its facilities and operating rights, the Inland Waterways Corporation is responsible for:

1. The liquidation of all outstanding claims and law suits which originated prior to date of sale;

2. The collection of all outstanding accounts and amounts due as of the date of sale;

3. The policing of the terms of the contract of sale including the collection of both interest and principal payments set forth in the mortgage given by the purchaser in connection with the sale;

4. The maintenance of all necessary accounting records and the preparation and submission of all required financial reports; and

5. Maintaining the affairs of the Corporation in such manner as to permit its re-engaging in the operation of the barge line in the event of recapture of the facilities.

Effective date: May 28, 1963.

HERBERT W. KLOTZ,  
*Assistant Secretary for  
Administration.*

[F.R. Doc. 63-6083; Filed, June 10, 1963;  
8:45 a.m.]

[Dept. Order No. 132 (Rev.)]

## LOAN GUARANTEE PROGRAM

### Organization and Delegation of Authority

The following order was issued by the Secretary of Commerce on May 24, 1963. This material supersedes the material appearing at 18 F.R. 8147 of December 11, 1953.

**SECTION 1. Purpose.** The purpose of this order is to provide organization and delegate authority for performance of the guarantee loan functions of the Department of Commerce as a guaranteeing agency under the provisions of section 301 of the Defense Production Act of 1950, as amended, and Part III of Executive Order 10480 of August 14, 1953, as amended by Executive Order 10574 of November 5, 1954.

#### SEC. 2. Authority.

.01 Section 301 of the Defense Production Act of 1950, as amended, provides in substance that (1) in order to expedite production and deliveries under Government contracts, the President may authorize certain agencies (including the Department of Commerce) to guarantee any financing institution, public or private, against loss on loans made

to finance any contractor or subcontractor, in connection with the performance or termination of any contract deemed by the guaranteeing agency to be necessary to expedite production and deliveries or services under Government contracts for the procurement of materials or the performance of services for the national defense; (2) any Federal Reserve Bank may act, on behalf of any guaranteeing agency, as fiscal agent of the United States, and be reimbursed by the guaranteeing agency for expenses in acting as agent; (3) the President may issue regulations and prescribe rates of interest, guarantee and commitment fees, and other charges; and (4) each guaranteeing agency may use funds allocated or appropriated for such purposes.

.02 Under Executive Order 10480, as amended, the President designated the Department of Commerce as one of the guaranteeing agencies. He designated the Federal Reserve Banks as fiscal agents for the guaranteeing agencies, and authorized the Board of Governors of the Federal Reserve System after consultation with the guaranteeing agencies, to prescribe necessary regulations.

#### SEC. 3. Delegation of authority.

.01 Authority is hereby delegated to the Assistant Secretary of Commerce for Domestic and International Business and, as alternate, the Deputy Assistant Secretary of Commerce for Domestic and International Business to exercise the powers and authorities vested in the Secretary of Commerce by section 301 of the Defense Production Act of 1950, as amended, sections 301 and 302 of Executive Order 10480, as amended, and regulations which have been or may subsequently be prescribed by the Board of Governors of the Federal Reserve System.

.02 This delegation of authority is made in accordance with the provisions of section 703 of the Defense Production Act of 1950, as amended, section 602(b) of Executive Order 10480, as amended, and Reorganization Plan No. 5 of 1950.

#### SEC. 4. Loan Guarantee Advisory Board.

.01 There shall be in the Office of the Secretary a Loan Guarantee Advisory Board which shall be composed of the General Counsel of the Department of Commerce (or his designated representative), the Administrator of the Business and Defense Services Administration (or his designated representative), and, in the case of each proposed loan guarantee, the head of the primary organization unit having preponderant interest in the procurement contracts for which the financing is required (or his designated representative).

.02 It shall be the function of the Loan Guarantee Advisory Board, after review and analysis of the request for a loan guarantee and the procurement of the necessary Certificates of Eligibility and other documents and clearances, to recommend to the Assistant Secretary of Commerce for Domestic and International Business the action to be taken

with respect to each proposed loan guarantee.

.03 The General Counsel or his designated representative, shall serve as Chairman of the Board. The Office of the General Counsel shall provide the Board with such professional and clerical assistance as may be necessary.

.04 A representative of the Board of Governors of the Federal Reserve System may be invited to meet with the Board as deemed desirable by the Board. Likewise, the Board may from time to time obtain the advice of representatives of other branches of the Government and other persons and may invite such representatives and persons to its meetings.

**SEC. 5. Issuance of instructions.** The Assistant Secretary of Commerce for Administration shall issue any orders, instructions or directives necessary to implement the provisions of this order.

**SEC. 6. Saving provision.** Reference in any order to Assistant Secretary of Commerce for Domestic Affairs and, as alternate, Deputy Assistant Secretary of Commerce for Domestic Affairs in connection with the loan guarantee program described herein shall be deemed to mean Assistant Secretary of Commerce for Domestic and International Business and, as alternate, Deputy Assistant Secretary of Commerce for Domestic and International Business.

Effective date: May 24, 1963.

HERBERT W. KLOTZ,  
*Assistant Secretary for  
Administration.*

[F.R. Doc. 63-6084; Filed, June 10, 1963;  
8:45 a.m.]

[Dept. Order No. 150 (Rev.)]

## UNDER SECRETARIES OF COMMERCE ET AL.

### Delegations of Authority

The following order was issued by the Secretary of Commerce on May 24, 1963. This material supersedes the material appearing at 18 F.R. 5349 of September 3, 1953.

**SECTION 1. Purpose.** The purpose of this order is to provide for the designation of individuals to serve for the Under Secretaries of Commerce and the Assistant Secretaries of Commerce in case of their absence or inability to serve.

**SEC. 2. Delegation of authority.** Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950, each Under Secretary of Commerce and Assistant Secretary of Commerce is hereby authorized to designate an official or officials who report directly to him or who are in some line of authority under his jurisdiction, to serve for him in his absence or inability to serve, and to delegate authority to such official or officials to be responsible for and to exercise any duties of the respective Secretarial Officer not inconsistent with the provisions of any law. This authority shall not include



matters in which the personal signature of a Secretarial Officer is required under specific law, order or regulation.

Effective date: May 24, 1963.

HERBERT W. KLOTZ,  
Assistant Secretary for  
Administration.

[F.R. Doc. 63-6085; Filed, June 10, 1963;  
8:45 a.m.]

[Dept. Order No. 91 (Rev.)]

## WEATHER BUREAU

### General Functions and Delegations of Authority

The following order was issued by the Secretary of Commerce on May 23, 1963. This material together with the Organization and Function Supplement to Department Order No. 91 (Revised) supersedes the material appearing at 27 F.R. 2740-2741 of March 23, 1962; 25 F.R. 4487-4489 of May 20, 1960; and 27 F.R. 5516 of June 9, 1962.

**SECTION 1. Purpose.** The purpose of this order is to delegate authority to the Chief of Bureau and to describe the general functions of the Weather Bureau.

#### Sec. 2. General.

.01 The Weather Bureau, established by the Act of October 1, 1890 (26 Stat. 653; 15 U.S.C. 311), is hereby continued as a primary organization unit within and under the jurisdiction of the Department of Commerce. The Bureau shall be headed by a Chief of Bureau appointed by the President with the advice and consent of the Senate. The Chief of Bureau shall report and be immediately responsible to the Assistant Secretary of Commerce for Science and Technology.

.02 The Deputy Chief of Bureau shall perform the functions of the Chief of Bureau in the Chief's absence, sickness or other inability to act, or during a vacancy in the office.

#### Sec. 3. Delegation of authority.

.01 Pursuant to the authority vested in the Secretary of Commerce by law and subject to such policies and directives as the Secretary of Commerce and the Assistant Secretary for Science and Technology may prescribe, the Chief is hereby authorized to perform the functions vested in the Secretary of Commerce under existing and subsequent legislation relating to the functions assigned in this order including but not limited to Title 15, Chapter 9, United States Code; Section 803 of the Act of August 23, 1958 (72 Stat. 783; 49 U.S.C. 1463); the International Aviation Facilities Act (62 Stat. 450; 49 U.S.C. 1151 et seq.); and the Act of June 16, 1948 (15 U.S.C. 313 note; 62 Stat. 470).

.02 The Chief, Weather Bureau, may redelegate and authorize the successive redelegation of the authority granted herein to any employee of the Weather Bureau, subject to such conditions in the exercise of such authority, as he may prescribe.

**Sec. 4. General functions.** The Weather Bureau shall provide the na-

tional meteorological service, which includes the preparation and distribution of forecasts and warnings of general weather conditions and of severe storms and floods for agriculture, aviation, commerce and other aspects of the national economy; collect and disseminate weather information; develop improved applications of meteorological data; and conduct research directed toward a better understanding of the atmosphere. In performing these functions, the Bureau shall:

1. Make observations and measurements of atmospheric phenomena as required for scientific analysis and techniques for meteorological services and research;

2. Develop and distribute forecasts of weather conditions and warnings of severe storms and other adverse weather conditions for protection of life and property;

3. Collect, tabulate, analyze, and publish records of temperature, rainfall, and other climatic elements for the United States, the oceans, and certain foreign areas;

4. Maintain constant watch over river stages and those weather conditions which produce floods; provide warnings of impending floods, in addition to regular forecasts of river stages for navigation and of seasonal water supply; and participate with other Federal agencies in hydrometeorological investigations for over-all planning and development of water resources;

5. Participate in the development and operation of a basic international meteorological reporting network, the maintenance of observational standards, the coordination of international exchanges of meteorological data, and the promotion and development of meteorological science; and

6. Conduct research on the physical processes in the atmosphere, circulation patterns, improved techniques in weather forecasting, interaction of the oceans and atmosphere, and other aspects of the meteorological science.

**Sec. 5. Organization and assignment of functions.** An Organization and Function Supplement to this order, prescribing the organization and assignment of functions within the Weather Bureau, shall be developed and issued by the Chief of Bureau, with approval of the Assistant Secretary for Science and Technology and the Assistant Secretary for Administration.

**Sec. 6. Saving provision.** All rules, regulations, orders, certificates, and delegations of authority issued by or relating to the Weather Bureau or any official thereof shall remain in effect until specifically revoked or amended by proper authority.

Effective date: May 23, 1963.

HERBERT W. KLOTZ,  
Assistant Secretary for  
Administration.

[F.R. Doc. 63-6086; Filed, June 10, 1963;  
8:45 a.m.]

[Dept. Order No. 91 (Rev.); Organization and Function Supp.]

## WEATHER BUREAU

### Organization and Functions

This material together with Department Order No. 91 (Revised) of May 23, 1963 supersedes the material appearing at 27 F.R. 5516 of June 9, 1962; 27 F.R. 2740-2741 of March 23, 1962; and 25 F.R. 4487-4489 of May 20, 1960.

**SECTION 1. Purpose.** The purpose of this Organization and Function Supplement is to prescribe the organization and to assign functions within the Weather Bureau.

#### Sec. 2. Organization.

.01 The Weather Bureau shall consist of the following organization units:

##### 1. Office of Chief of Bureau—

Chief of Bureau.  
Deputy Chief of Bureau.  
Office of Planning.  
Office of International Meteorological Plans.  
Office of Coordination of National Meteorological Requirements.  
Office of Public Information.

##### 2. Office of Assistant Chief of Bureau for Technical Services—

Assistant Chief of Bureau for Technical Services.  
Forecasts and Synoptic Reports Division.  
Observations and Station Facilities Division.  
Hydrologic Services Division.  
Instrumental Engineering Division.

##### 3. Office of Director, Aviation Weather Services.

##### 4. Office of Director, Climatology.

##### 5. Office of Director, Meteorological Research and Development.

##### 6. Office of Director, National Weather Satellite Center.

##### 7. Office of Assistant Chief of Bureau for Administration—

Assistant Chief of Bureau for Administration.  
Budget and Management Division.  
Personnel Management Division.  
Administrative Operations Division.

##### 8. Field Organization—

National Meteorological Center.  
National Weather Records Center.  
Severe Local Storms Center.  
National Hurricane Research Project.  
National Severe Storms Project.  
Research Flight Facility.  
District Meteorological Offices.  
Regional Administrative Offices.  
Other Field Offices.

#### Sec. 3. Functions of the Office of the Chief of Bureau.

.01 The Chief of Bureau is responsible for developing the objectives of the Bureau, formulating policies and programs for achieving those objectives, and directing execution of these programs.

.02 The Deputy Chief of Bureau shall be the principal assistant to the Chief of Bureau and share with him generally in the direction of the Bureau and shall perform the functions of the Chief in the latter's absence.

.03 The Office of Planning shall provide staff assistance for the generation of plans in the respective technical offices directly engaged in scientific work and for coordination of the long term program plans of the Bureau.



.04 The Office of International Meteorological Plans shall advise the Chief of Bureau on the preparation, coordination and presentation of the position of the United States Government with respect to participation in and contribution to international cooperative meteorological activities and furnish Bureau representation before international meteorological organizations including the World Meteorological Organization and the International Civil Aviation Organization.

.05 The Office of Coordination of National Meteorological Requirements shall be responsible for the coordination of meteorological programs of national interest with other governmental agencies and, in addition, perform such other executive functions as the Chief of Bureau may direct.

.06 The Office of Public Information shall, under the policy guidance of the Department's Office of Public Information, provide information on Weather Bureau activities to news media and make recommendations on all matters pertaining to public and press relations of the Bureau and shall handle requests for special material and other data for purposes of publication or release for public consumption.

#### SEC. 4. *Functions of the Office of Assistant Chief of Bureau for Technical Services.*

.01 The Assistant Chief of Bureau for Technical Services shall be responsible for the development and conduct of programs in the fields of forecasting, observations, synoptic meteorology, hydrology, instrument engineering, communications, and station facilities and for the technical direction of these programs throughout the field service.

.02 The Forecasts and Synoptic Reports Division shall direct the collection, scheduling, and processing of weather reports, and the development and dissemination of weather forecasts, warnings, and reports; appraise demands for new or improved weather services; recommend appropriate modifications in programs to meet expressed needs; and adapt technical developments in the field of meteorology for use in forecasting operations of the Bureau.

.03 The Observations and Station Facilities Division shall plan, direct and implement the basic weather observational program; devise observational aids, instructions and manuals; develop and apply standards for efficient utilization of equipment and space at field stations; and coordinate the several networks of substations (paid and cooperative) to obtain the most effective utilization of part-time observers.

.04 The Hydrologic Services Division shall plan and direct all hydrologic activities including the river and flood forecast and warning service, water supply forecasting service, and hydrometeorological studies including those pursued in cooperation with other Federal agencies.

.05 The Instrumental Engineering Division shall develop instruments to meet operating requirements for observing and recording meteorological elements; prepare practical specifications

for the procurement of technical equipment and supplies; prepare and issue instructions for the installation, exposure, operation and maintenance of meteorological equipment; and establish standards for efficient instrumentation within the field network of meteorological stations.

SEC. 5. *Functions of the Office of Director, Aviation Weather Services.* The Director, Aviation Weather Services shall be responsible for advising the Chief of Bureau on all matters pertaining to aviation weather services; development of aviation meteorological services; working level coordination of special aviation weather programs with other agencies concerned; direction of certain aviation weather services by field offices; and fulfilling specialized aviation weather requirements to the maximum extent possible with available resources.

SEC. 6. *Functions of the Office of Director, Climatology.* The Director, Climatology shall be responsible for the collection of climatological data from field offices of the Weather Bureau and foreign countries and for the analysis, storage, summarization and utilization of these data for the national economy; formulating and conducting all phases of climatological research and development programs; and providing the application of climatological data to other aspects of the national meteorological service.

SEC. 7. *Functions of the Office of Director, Meteorological Research and Development.* The Director, Meteorological Research and Development shall be responsible for the meteorological research and development programs of the Bureau including research projects conducted in the field; and planning and leading basic and applied research programs directed toward discovery, extension, interpretation and application of new principles, concepts, data, and methods leading to a more complete knowledge and understanding of the atmosphere and the phenomena of weather which are important to the nation.

SEC. 8. *Functions of the Office of Director, National Weather Satellite Center.* The Director, National Weather Satellite Center shall be responsible for the establishment and operation of a meteorological satellite system for the continuous observations of worldwide meteorological conditions; research and development in the field of meteorological satellites; coordinating the over-all Bureau effort in the satellite field; coordinating user requirements for meteorological satellite data; and representing the Bureau in interagency and other negotiations concerning satellite and space programs.

SEC. 9. *Functions of the Office of the Assistant Chief of Bureau for Administration.*

.01 The Assistant Chief of Bureau for Administration shall be responsible for all administrative functions including budget, fiscal, personnel, administrative management, organization, general services, and safety and for the operation of the Regional Administrative Offices in

providing supporting services to field organization units.

.02 The Budget and Management Division shall administer the budget and management functions including budget preparation, presentation, and justification of program requirements to reviewing executive agencies and the Congress; allocate funds for authorized activities; establish and maintain budgetary controls; and shall be responsible for manpower utilization, reports control, management improvement practices, organizational planning, and the preparation of budgetary and other reports on the effectiveness of the Bureau's programs.

.03 The Personnel Management Division shall administer the personnel functions, including personnel management with specific emphasis on position classification, wage administration, recruitment, placement and health services, employee awards, grievances and disciplinary actions, employer-employee relationships, and executive, administrative, and technical training programs; and recommend the development, revision and improvement of policies and put them into practice.

.04 The Administrative Operations Division shall be responsible for the management and administration of procurement, property, accounting and fiscal, messenger services, control and utilization of Bureau automotive equipment, printing, distribution of printed and reproduced material, drafting, safety, security, and general administrative services; directing the development, application, and revision of standard administrative service policies throughout the Bureau; and shall serve as the focal point for all civil defense activities of the Bureau except those of a technical service program nature.

#### SEC. 10. *Functions of field organization.*

.01 The National Meteorological Center shall provide analyses of current weather conditions over the Northern Hemisphere and furnish maps and charts depicting the current and future state of the atmosphere for general national and international uses throughout the field; conduct research and development programs in numerical weather predictions; and provide for the gradual and orderly extension of objective techniques to all phases of the Bureau's hemispheric synoptic analysis, prognostic guidance and long-range forecast programs.

.02 The National Weather Records Center shall process, analyze, publish and store climatic data and serve as the national archives for weather records of the Weather Bureau, other Federal agencies and foreign countries.

.03 The Severe Local Storm Center shall analyze conditions that cause severe local storms, including tornadoes, and prepare forecasts and warnings of these storms for field offices to issue to the public in localities affected.

.04 The National Hurricane Research Project shall conduct research on hurricanes and tropical weather phenomena, including the collection of special weather data, to improve techniques for



hurricane and tropical storm warnings and forecasts.

05. The National Severe Storms Project shall conduct research on tornado and other severe local storms, including the collection of special weather data, to improve technique for forecasting these storms.

06. The Research Flight Facility shall maintain and operate aircraft instrumented specially for meteorological research projects and, in coordination with research groups of the Weather Bureau and other organizations, plan and conduct aircraft flights to obtain data required in investigating meteorological phenomena.

07. District Meteorological Offices shall, under the supervision of the Assistant Chief of Bureau for Technical Services, provide technical leadership and guidance to field stations with respect to meteorological observations, forecasts research, forecast services of all types, and other technical work.

08. Regional Administrative Offices shall provide administrative management services including personnel, procurement and fiscal services for the regular field offices of the Bureau; be responsible for facility installation, maintenance, and modification programs; appraise and make recommendations on field facilities and services; represent the Bureau with other designated Federal agencies in the field service and with designated state and municipal governments and others; and advise the Assistant Chief of Bureau for Administration on field operating problems and requirements.

09. Field Offices include (1) service offices where observations of surface and upper-air meteorological elements are taken, recorded, and transmitted on a daily, six-hourly, and/or hourly basis; forecasts of a general and specialized nature are prepared and disseminated on a regular basis; and special warnings and advices are issued when severe weather conditions are forecast; (2) a number of specialized service centers for the purpose of providing service on a national or regional scale or centralized support services of an internal nature, i.e., River Forecast Centers, Hydrologic Area Engineers Offices, Area and State Climatologist Offices, Radiosonde Reconditioning Center, and Ocean Weather Patrol Project Offices; and (3) subordinate weather observation reporting stations, manned chiefly by unpaid observers who make climatological, hydroclimatic, river and flood, and aviation weather observations.

10. For a listing of Weather Bureau field service offices and their locations see Appendix A below.

Effective date: May 23, 1963.

[SEAL] HERBERT W. KLOTZ,  
Assistant Secretary for  
Administration.

DO 91 (Revised) Appendix A (Revised)  
May 23, 1963

WEATHER BUREAU—FIELD ORGANIZATION  
The following abbreviations are used in this list:

DMO—District Meteorologist Office.  
NHRP—National Hurricane Research Project.

NSSP—National Severe Storms Project.  
NWRC—National Weather Records Center.  
WBAS—Weather Bureau Airport Station.  
WBO—Weather Bureau Office.  
WBSC—Weather Bureau State Climatologist.  
WBASO—Weather Bureau Agriculture Service Office.  
PSO—Pacific Supervisory Office.  
RAO—Regional Administrative Office.  
RFC—River Forecast Center.  
RFF—Research Flight Facility.

#### Field Organizations and Locations

WBAS—Abilene, Texas.  
WBO—Agana, Guam, Mariana Islands.  
WBAS—Akron, Ohio.  
WBAS—Alamosa, Colorado.  
WBAS, WBO—Albany, New York.  
WBAS—Albuquerque, New Mexico.  
WBAS—Alexandria, Louisiana.  
WBAS—Allentown, Pennsylvania.  
WBAS—Alpena, Michigan.  
WBAS—Amarillo, Texas.  
RAO, WBAS, WBSC—Anchorage, Alaska.  
WBAS—Annette, Alaska.  
WBO—Apalachicola, Florida.  
WBO, NWRC—Asheville, North Carolina.  
WBAS—Astoria, Oregon.  
WBAS, WBSC—Athens, Georgia.  
WBAS—Atlanta, Georgia.  
WBAS—Atlantic City, New Jersey.  
WBASO—Auburn, Alabama.  
WBAS, RFC—Augusta, Georgia.  
WBAS—Austin, Texas.  
WBAS—Bakersfield, California.  
WBAS—Baltimore, Maryland.  
WBAS—Barrow, Alaska.  
WBAS—Barter Island, Alaska.  
WBAS—Baton Rouge, Louisiana.  
WBAS—Beckley, West Virginia.  
WBAS—Bethel, Alaska.  
WBAS—Billings, Montana.  
WBAS—Binghamton, New York.  
WBAS—Birmingham, Alabama.  
WBAS—Bishop, California.  
WBAS—Bismarck, North Dakota.  
WBAS—Block Island, Rhode Island.  
WBAS—Blue Canyon, California.  
WBAS—Boise, Idaho.  
WBAS, WBSC—Boston, Massachusetts.  
WBAS—Bridgeport, Connecticut.  
WBAS—Bristol, Tennessee.  
WBSC—Brookings, South Dakota.  
WBAS—Brownsville, Texas.  
WBAS—Buffalo, New York.  
WBAS—Burbank, California.  
WBAS—Burlington, Iowa.  
WBAS—Burlington, Vermont.  
WBO—Burns, Oregon.  
WBO—Burrwood, Louisiana.  
WBO—Cairo, Illinois.  
WBAS—Canton Island, Pacific.  
WBO—Cape Hatteras, North Carolina.  
WBO—Cape Henry, Virginia.  
WBAS—Caribou, Maine.  
WBAS—Casper, Wyoming.  
WBSC—Champaign, Illinois.  
WBAS—Charleston, South Carolina.  
WBAS—Charleston, West Virginia.  
WBAS—Charlotte, North Carolina.  
WBAS—Chattanooga, Tennessee.  
WBAS—Cheyenne, Wyoming.  
WBAS (Midway)—Chicago, Illinois.  
WBAS (O'Hare)—Chicago, Illinois.  
WBO (University)—Chicago, Illinois.  
WBO (Downtown)—Chicago, Illinois.  
WBAS, WBO, RFC—Cincinnati, Ohio.  
WBAS—Clayton, New Mexico.  
WBASO—Clemson, South Carolina.  
WBAS—Cleveland, Ohio.  
WBAS—Cold Bay, Alaska.  
WBAS—Colorado Springs, Colorado.  
WBAS, WBSC—Columbia, Missouri.  
WBAS—Columbia, South Carolina.  
WBAS—Columbus, Georgia.  
WBAS, WBSC—Columbus, Ohio.  
WBAS—Concord, New Hampshire.  
WBAS—Concordia, Kansas.  
WBAS—Cordova, Alaska.  
WBAS—Corpus Christi, Texas.

WBASO—Corvallis, Oregon.  
WBAS—Dallas, Texas.  
WBAS—Dayton, Ohio.  
WBAS—Daytona Beach, Florida.  
WBAS—Del Rio, Texas.  
WBAS, WBSC—Denver, Colorado.  
WBAS, WBSC—Des Moines, Iowa.  
WBAS (Willow Run)—Detroit, Michigan.  
WBAS (Metropolitan)—Detroit, Michigan.  
WBAS (City Airport)—Detroit, Michigan.  
WBO—Devils Lake, North Dakota.  
WBAS—Dodge City, Kansas.  
WBAS—Dubuque, Iowa.  
WBAS—Dulles International Airport, Virginia.  
WBAS—Duluth, Minnesota.  
WBAS—Elkins, West Virginia.  
WBAS—Elko, Nevada.  
WBAS—El Paso, Texas.  
WBAS—Ely, Nevada.  
WBAS—Erie, Pennsylvania.  
WBO—Escanaba, Michigan.  
WBAS—Eugene, Oregon.  
WBO—Eureka, California.  
WBAS—Evansville, Indiana.  
WBAS—Fairbanks, Alaska.  
WBAS—Fargo, North Dakota.  
WBAS—Flagstaff, Arizona.  
WBAS—Flint, Michigan.  
WBAS—Florence, South Carolina.  
WBAS—Fort Myers, Florida.  
WBAS—Fort Smith, Arkansas.  
WBAS—Fort Wayne, Indiana.  
RAO, WBAS, RFC—Forth Worth, Texas.  
WBAS—Frederick, Maryland.  
WBAS—Fresno, California.  
WBSC—Gainesville, Florida.  
WBAS, WBO—Galveston, Texas.  
WBAS—Glasgow, Montana.  
WBAS—Goodland, Kansas.  
WBAS—Grand Island, Nebraska.  
WBAS—Grand Junction, Colorado.  
WBAS—Grand Rapids, Michigan.  
WBAS—Great Falls, Montana.  
WBAS—Green Bay, Wisconsin.  
WBAS—Greensboro, North Carolina.  
WBAS—Greenville-Spartanburg, South Carolina.  
WBASO—Griffin, Georgia.  
WBAS—Harrisburg, Pennsylvania.  
WBAS, RFC—Hartford, Connecticut.  
WBAS—Havre, Montana.  
WBAS—Helena, Montana.  
WBAS—Hilo, Hawaii.  
PSO, WBAS, WBSC—Honolulu, Hawaii.  
WBAS—Houston, Texas.  
WBAS—Huntington, West Virginia.  
WBAS—Huntsville, Alabama.  
WBAS—Huron, South Dakota.  
WBAS—Indianapolis, Indiana.  
WBAS—International Falls, Minnesota.  
WBSC—Ithaca, New York.  
WBAS—Jackson, Mississippi.  
WBASO—Jackson, Tennessee.  
WBAS—Jacksonville, Florida.  
WBAS—Johnston Island, Pacific.  
WBAS—Juneau, Alaska.  
WBAS—Kahului, Hawaii.  
WBAS—Kalispell, Montana.  
RAO, DMO, WBAS, RFC, NSSP—Kansas City, Missouri.  
WBASO—Kearneysville, West Virginia.  
WBASO—Keiser, Arkansas.  
WBAS—Key West, Florida.  
WBAS—King Salmon, Alaska.  
WBAS—Klamath Falls, Oregon.  
WBAS—Knoxville, Tennessee.  
WBO—Koror, Pacific.  
WBAS—Kotzebue, Alaska.  
WBAS—LaCrosse, Wisconsin.  
WBSC—Lafayette, Indiana.  
WBAS—Lake Charles, Louisiana.  
WBO—Lakeland, Florida.  
WBO—Lancaster, Pennsylvania.  
WBAS—Lander, Wyoming.  
WBAS, WBASO—Lansing, Michigan.  
WBAS—Laredo, Texas.  
WBAS—Las Vegas, Nevada.  
WBAS—Lewiston, Idaho.  
WBAS, WBSC—Lexington, Kentucky.



WBAS—Lihue, Hawaii.  
 WBO—Lincoln, Nebraska.  
 WBAS—Little Rock, Arkansas.  
 WBAS—Long Beach, California.  
 WBAS, WBO—Los Angeles, California.  
 WBAS—Louisville, Kentucky.  
 WBAS—Lubbock, Texas.  
 WBAS—Lynchburg, Virginia.  
 WBAS—McGrath, Alaska.  
 WBAS—Macon, Georgia.  
 WBAS, WBSC—Madison, Wisconsin.  
 WBAS—Majuro, Pacific.  
 WBAS—Mansfield, Ohio.  
 WBO—Marquette, Michigan.  
 WBAS—Meacham, Oregon.  
 WBAS—Medford, Oregon.  
 WBAS, WBO—Memphis, Tennessee.  
 WBAS—Meridian, Mississippi.  
 DMO, WBAS, NHRP, RFF—Miami, Florida.  
 WBAS—Midland, Texas.  
 WBAS—Milford, Utah.  
 WBAS—Milwaukee, Wisconsin.  
 WBAS, WBO—Minneapolis, Minnesota.  
 WBAS—Missoula, Montana.  
 WBAS—Mobile, Alabama.  
 WBAS—Moline, Illinois.  
 WBAS—Montgomery, Alabama.  
 WBSC—Morgantown, West Virginia.  
 WBO—Mount Shasta, California.  
 WBAS—Muskegon, Michigan.  
 WBAS—Nantucket, Massachusetts.  
 WBAS—Nashville, Tennessee.  
 WBASO—New Brunswick, New Jersey.  
 WBAS—New Haven, Connecticut.  
 WBAS, WBO—New Orleans, Louisiana.  
 RAO, WBO—New York, New York.  
 WBAS (International)—New York, New York.  
 WBAS (LaGuardia)—New York, New York.  
 WBAS—Newark, New Jersey.  
 WBAS—Nome, Alaska.  
 WBAS—Norfolk, Nebraska.  
 WBAS—Norfolk, Virginia.  
 WBAS—North Platte, Nebraska.  
 WBAS—Oakland, California.  
 WBAS, WBSC—Oklahoma City, Oklahoma.  
 WBAS—Olympia, Washington.  
 WBAS—Omaha, Nebraska.  
 WBAS—Orlando, Florida.  
 WBO—Parkersburg, West Virginia.  
 WBAS—Pendleton, Oregon.  
 WBO—Pensacola, Florida.  
 WBAS—Peoria, Illinois.  
 WBAS—Philadelphia, Pennsylvania.  
 WBAS—Phoenix, Arizona.  
 WBAS, WBO—Pittsburgh, Pennsylvania.  
 WBAS—Pittsfield, Massachusetts.  
 WBAS—Pocatello, Idaho.  
 WBO—Pomona, California.  
 WBO—Ponape, Pacific.  
 WBASO—Portageville, Missouri.  
 WBAS—Port Arthur, Texas.  
 WBAS—Portland, Maine.  
 WBAS, WBO, RFC—Portland, Oregon.  
 WBAS—Prescott, Arizona.  
 WBAS—Providence, Rhode Island.  
 WBAS—Pueblo, Colorado.  
 WBASO—Quincy, Florida.  
 WBAS—Raleigh, North Carolina.  
 WBAS—Rapid City, South Dakota.  
 WBAS—Raton, New Mexico.  
 WBO—Reading, Pennsylvania.  
 WBAS—Red Bluff, California.  
 WBO—Redding, California.  
 WBAS—Reno, Nevada.  
 WBAS—Richmond, Virginia.  
 WBAS—Roanoke, Virginia.  
 WBAS—Rochester, Minnesota.  
 WBAS—Rochester, New York.  
 WBAS—Rockford, Illinois.  
 WBAS—Rome, Georgia.  
 WBAS—Roseburg, Oregon.  
 WBAS—Roswell, New Mexico.  
 WBAS, WBO, RFC—Sacramento, California.  
 WBAS—St. Cloud, Minnesota.  
 WBAS—St. Joseph, Missouri.  
 WBAS, RFC—St. Louis, Missouri.  
 WBAS—St. Paul Island, Alaska.  
 WBAS—Salem, Oregon.  
 RAO, WBAS—Salt Lake City, Utah.  
 WBAS—San Angelo, Texas.

WBAS—San Antonio, Texas.  
 WBO—Sandberg, California.  
 WBAS—San Diego, California.  
 WBO—Sandusky, Ohio.  
 WBAS, WBSC—San Francisco, California.  
 WBAS, WBSC—San Juan, Puerto Rico.  
 WBAS—Santa Catalina Island, California.  
 WBAS—Santa Maria, California.  
 WBAS—Sault Ste. Marie, Michigan.  
 WBAS—Savannah, Georgia.  
 WBAS—Scottsbluff, Nebraska.  
 WBAS—Scranton, Pennsylvania.  
 WBAS (Boeing)—Seattle, Washington.  
 WBAS (Seattle-Tacoma), WBO—Seattle, Washington.  
 WBO—Sexton Summit, Oregon.  
 WBAS—Shemya, Alaska.  
 WBAS—Sheridan, Wyoming.  
 WBAS—Shreveport, Louisiana.  
 WBAS—Silver City, New Mexico.  
 WBAS—Sioux City, Iowa.  
 WBAS—Sioux Falls, South Dakota.  
 WBAS—South Bend, Indiana.  
 WBAS—Spokane, Washington.  
 WBAS—Springfield, Illinois.  
 WBAS—Springfield, Missouri.  
 WBO—Stampede Pass, Washington.  
 WBAS—Stockton, California.  
 WBASO—Stoneville, Mississippi.  
 WBO—Swan Island, West Indies.  
 WBAS—Syracuse, New York.  
 WBAS—Tallahassee, Florida.  
 WBAS—Tampa, Florida.  
 WBO—Tatoosh Island, Washington.  
 WBAS—Texarkana, Arkansas.  
 WBO—Thomasville, Georgia.  
 WBASO—Tifton, Georgia.  
 WBAS—Toledo, Ohio.  
 WBAS, WBSC—Topeka, Kansas.  
 WBO—Trenton, New Jersey.  
 WBAS—Truk, Pacific.  
 WBAS—Tucson, Arizona.  
 WBAS, RFC—Tulsa, Oklahoma.  
 WBASO—Twin Falls, Idaho.  
 WBAS—Valdosta, Georgia.  
 WBAS—Valentine, Nebraska.  
 WBO—Vicksburg, Mississippi.  
 WBAS—Victoria, Texas.  
 WBAS—Waco, Texas.  
 WBAS—Wake Island, Pacific.  
 WBO—Walla Walla, Washington.  
 DMO—Washington, D.C.  
 WBAS—Waterloo, Iowa.  
 WBO—Wenatchee, Washington.  
 WBAS—Wendover, Utah.  
 WBASO—Weslaco, Texas.  
 WBAS—West Palm Beach, Florida.  
 WBAS—Wichita, Kansas.  
 WBAS—Wichita Falls, Texas.  
 WBAS—Williamsport, Pennsylvania.  
 WBAS—Williston, North Dakota.  
 WBAS—Wilmington, Delaware.  
 WBAS—Wilmington, North Carolina.  
 WBAS—Winnemucca, Nevada.  
 WBAS—Winslow, Arizona.  
 WBAS—Winston-Salem, North Carolina.  
 WBAS—Worcester, Massachusetts.  
 WBAS—Yakima, Washington.  
 WBAS—Yakutat, Alaska.  
 WBO—Yap, Pacific.  
 WBAS—Youngstown, Ohio.  
 WBAS—Yuma, Arizona.

[F.R. Doc. 63-6087; Filed, June 10, 1963; 8:45 a.m.]

### JAMES H. SANDS

#### Statement of Changes in Financial Interests

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

A. Deletions: Vendo Co., Helena Rubinstein, Strong Cobb Arner, Scott Foresman, Scantlin Electric onics, Inc.

B. Additions: Panhandle Eastern Pipeline Co., Grumman Aircraft Engineering Corp., Rhodesian Selection Trust Limited.

This statement is made as of May 19, 1963.

JAMES H. SANDS,

MAY 20, 1963.

[F.R. Doc. 63-6036; Filed, June 10, 1963; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 14437]

### NORTH ATLANTIC ROUTES

#### Investigation of Tariff and Rate Activities and Practices; Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on June 17, 1963, at 10:00 a.m., e.d.s.t., at the C.A.B. office, 2 Park Avenue, New York, New York, before Examiner William F. Cusick.

Dated at Washington, D.C., June 5, 1963.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 63-6125; Filed, June 10, 1963; 8:47 a.m.]

[Docket No. 13527 etc.]

### TWA/ALLEGHENY/MOHAWK TRANSFER 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 heard on June 19, 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., June 5, 1963.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 63-6126; Filed, June 10, 1963; 8:47 a.m.]

## FEDERAL AVIATION AGENCY

[OE Docket No. 63-SW-4]

### ROYAL STREET CORP.

#### Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (SW-OE-3850) to determine its effect upon the safe and efficient utilization of airspace.



The Royal Street Corporation, New Orleans, Louisiana, proposes to increase by 571 feet the height of its existing television antenna structure near Chalmette, Louisiana, at latitude 29°57'01" N., longitude 89°57'28" W. The over-all height of the structure would be 1549 feet above mean sea level (1546 feet above ground level).

The proposed structure would be located approximately 8 miles north/northeast of the New Orleans Naval Air Station; approximately 6.8 miles southeast of the New Orleans Municipal Airport; and approximately 17.4 miles east of the New Orleans International Airport.

The aeronautical study disclosed that the structure at this location and height would require an increase in minimum flight altitudes for four of the five standard instrument approach procedures for the New Orleans International Airport as follows:

1. From 2000 feet to 2500 feet in the missed approach altitude in the SIAP AL-609-ADF-1,
2. From 2000 feet to 2500 feet in the procedure turn altitude for SIAP AL-609-ADF-2,
3. From 2000 feet to 2500 feet in the missed approach altitude for SIAP AL-609-ILS-RWY 10, and
4. From 2000 feet to 2500 feet in the procedure turn altitude for SIAP AL-609-ILS-RWY 28.

The aeronautical study also disclosed that the structure would have an adverse effect upon the major east bound routings from the New Orleans area by requiring increases in minimum en route altitudes as follows:

1. From 2000 feet to 2500 feet in the MEA on the segment of VOR Federal airway No. 240 between the New Orleans VORTAC and the Jade, Louisiana Intersection,
2. From 2000 feet to 2500 feet in the MEA on the segment of off-airway route 116d between the New Orleans VORTAC and the Violet, Louisiana Intersection, and
3. From 1400 feet to 1600 feet in the MEA on the segment of V20 between the New Orleans VORTAC and the Clam Intersection.

The proposed increase in height of the proposed structure would also require an increase in the minimum radar vector altitude from 2000 feet to 2500 feet within a three mile radius of the site.

The aeronautical study further disclosed that the proposed structure would exceed the present acceptable minimum departure climb ratio of 40:1 for those aircraft departing the New Orleans Municipal Airport and the New Orleans NAS and proceeding in its direction by approximately 652 feet and 493 feet respectively. This would require aircraft departing Runways 17 and 13 of the New Orleans Municipal Airport and Runway 4 of the New Orleans NAS to alter course during climb-out in order to obtain adequate vertical or horizontal obstruction clearance from the proposed structure.

The increases in MEA's as listed above would result in the loss of the cardinal altitude of 2,000 feet in the general area

east of the New Orleans VORTAC. There were 65 aircraft reported in the affected route structure on the peak day for FY 1962.

Both the New Orleans International and Municipal Airports are in the large hub category. During calendar year 1962, there were 4,633 instrument approaches to the International Airport. Also, during the same period there were 330,538 operations and approximately 276 aircraft based in the area to which the above minimum en route altitude would apply.

Based upon the aeronautical study, it is the finding of the Agency that the utilization of the above minimum en route altitudes and instrument approach procedures would be hazardous to aircraft using them and the changes in minimum altitudes and procedures which would be required to accommodate the structure would result in a substantial adverse effect upon aeronautical operations in the New Orleans terminal area.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace; and it is hereby determined that the proposed structure would be a hazard to air navigation.

This determination is effective and becomes final 30 days after the date of issuance unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later.

Issued in Washington, D.C., on June 3, 1963.

GEORGE R. BORSARI,  
Chief,

Obstruction Evaluation Branch.

[F.R. Doc. 63-6088; Filed, June 10, 1963;  
8:45 a.m.]

## FEDERAL MARITIME COMMISSION

[No. 1019]

### LEEWARD AND WINDWARD ISLANDS AND GUIANAS CONFERENCE

#### Notice of Filing of Modification of Contract Utilized by Conference for Dual Rate System

In the matter of Agreement No. 7540, Leeward and Windward Islands and Guianas Conference; request for permission to extend the commodity coverage of its dual rate contracts.

Notice is hereby given that the parties to Agreement No. 7540 have filed a modification to their Merchants Freighting Agreement, which agreement is maintained for use by the Leeward and Windward Islands and Guianas Conference, and is now under consideration pursuant to section 3 of Public Law 87-346 to ascertain whether the same should be approved, disapproved or modified under Docket No. 1019.

The parties desire to modify the Merchants Freighting Agreement by elim-

inating the words "Passenger and freight automobiles" in the first numbered paragraph thereof and substituting therefor appropriate wording so that the agreement will embrace all commodities.

Notice of the institution of this proceeding appeared in the FEDERAL REGISTER on April 18, 1963, 28 F.R. 3806, and a preliminary hearing was held at Washington, D.C. on May 6, 1963. A further hearing is scheduled beginning at 9:00 a.m., July 8, 1963 in Room 114, 1321 H Street NW., Washington, D.C.

All persons (including individuals, corporations, associations, firms, partnerships and public bodies) having an interest in the Merchants Freighting Agreement of the Leeward and Windward Islands and Guianas Conference and desiring to intervene in Docket No. 1019 (if they have not already intervened) should file petitions for leave to intervene within fifteen (15) days after publication of this notice in the FEDERAL REGISTER, and serve copies thereof on respondents, with fifteen (15) copies to the Commission.

By order of the Commission, May 16, 1963.

[SEAL]

THOMAS LIST,  
Secretary.

[F.R. Doc. 63-6128; Filed, June 10, 1963;  
8:47 a.m.]

[No. 1115]

### DIXIE FORWARDING CO., INC.

#### Application for Freight Forwarding License

On May 29, 1962, pursuant to section 44 of the Shipping Act, 1916 (Public Law 87-254, 46 U.S.C. 841b), Dixie Forwarding Co., Inc., filed application for a license as an independent ocean freight forwarder. After consideration of the application, the Commission notified Dixie Forwarding Co., Inc., by letter of March 22, 1963, that the Commission intended to deny the application for a license because the applicant was neither qualified, nor fit, willing and able properly to carry on the business of an independent ocean freight forwarder. The grounds for the denial of the license are as follows:

1. The applicant has continued without authorization to carry on the business of forwarding in violation of section 44 of the Shipping Act, 1916;

2. The applicant has entered into many agreements with other freight forwarders which have not been filed with the Commission and thereby has violated section 15 of the Shipping Act, 1916 (46 U.S.C. 814);

3. The applicant has signed false certifications and submitted them to steamship companies in order to collect compensation from the carriers;

4. The applicant has mishandled customer funds; and

5. The applicant is not financially qualified to be licensed.

Whereas Dixie Forwarding Co. Inc., has requested the opportunity to show at a hearing that denial of the application is unwarranted:



Therefore it is ordered, That pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 821, 841b), a proceeding is hereby instituted to determine whether the applicant qualifies for a license within the meaning of section 44(a) of the Shipping Act, 1916.

It is further ordered, That Dixie Forwarding Co. Inc., be made respondent in this proceeding and the matter assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

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, Dixie Forwarding Co. Inc.:

It is further ordered, That any persons, other than respondent, 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 June 19, 1963; 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 the Commission, June 4, 1963.

[SEAL] THOMAS LISI,  
Secretary.

[F.R. Doc. 63-6129; Filed, June 10, 1963;  
8:47 a.m.]

[No. 1116]

### L. H. GRAVES AND PATRICK & GRAVES

#### Application for Freight Forwarding License

On May 18, 1962, pursuant to section 44 of the Shipping Act, 1916 (Public Law 87-254, 46 U.S.C. 841b), L. H. Graves d/b/a Patrick & Graves, filed an application for a license as an independent ocean freight forwarder. After consideration of the application, the Commission notified L. H. Graves d/b/a Patrick & Graves, by letter of March 22, 1963, that the Commission intends to deny the application for a license because the applicant is neither qualified, nor fit, willing, and able properly to carry on the business of an independent ocean freight forwarder. The grounds for the denial of the license are as follows:

1. The applicant has no present intention of "carrying on the business of an independent ocean freight forwarder";

2. The applicant submitted false information in response to Item 12(b), Part I of the application;

3. The applicant, L. H. Graves, as President of Dixie Forwarding Co. Inc., violated section 44 of the Shipping Act, 1916, by continuing without authorization to carry on the business of ocean freight forwarding; signed false certifications and submitted them to steamship companies in order to collect compensation from the carriers; violated section 15 of the Shipping Act, 1916 by failing

to file with the Commission many agreements with other ocean freight forwarders which are required to be filed pursuant to that section; and mishandled clients' funds;

4. The applicant is not financially qualified.

Whereas L. H. Graves d/b/a Patrick & Graves, has requested the opportunity to show at a hearing that denial of the application is unwarranted:

Therefore it is ordered, That pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 821, 841b), a proceeding is hereby instituted to determine whether the applicant qualifies for a license within the meaning of section 44(a) of the Shipping Act, 1916.

It is further ordered, That L. H. Graves d/b/a Patrick & Graves, be made respondent in this proceeding and the matter assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

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, L. H. Graves d/b/a Patrick & Graves:

It is further ordered, That any persons, other than respondent, 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 June 19, 1963; 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 the Commission, June 4, 1963.

[SEAL] THOMAS LISI,  
Secretary.

[F.R. Doc. 63-6130; Filed, June 10, 1963;  
8:47 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP62-83]

### ARKANSAS LOUISIANA GAS CO.

#### Notice of Application and Date of Hearing

JUNE 4, 1963.

Take notice that Arkansas Louisiana Gas Company (Applicant), a Delaware corporation with principal office at Shreveport, Louisiana, filed an application in Docket No. CP62-83 on September 28, 1961, as amended November 8, 1961, pursuant to section 7(b) of the Natural Gas Act, seeking permission and approval to abandon certain natural gas facilities, subject to the jurisdiction of the Commission, all as hereinafter described and as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon a part of its interstate pipeline system and related gas facilities which extend from the eastern Panhandle Field in Texas, through Oklahoma, and into Kansas.

The facilities to be abandoned are located wholly within the State of Oklahoma and generally extend from a point approximately 5 miles from the Texas-Oklahoma state line: (1) In a northeasterly direction, through Enid, Oklahoma, to a point approximately 42 miles northeast of that city and (2) in a southeasterly direction for approximately 72 miles to a point of termination in Jackson County, Oklahoma.

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 formal hearing will be held on July 16, 1963, at 10:00 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.

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 28, 1963.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6089; Filed, June 10, 1963;  
8:46 a.m.]

[Project Nos. 2269, 2271]

### CALAVERAS COUNTY WATER DISTRICT AND TUOLUMNE COUNTY WATER DISTRICT NO. 2

#### Order Consolidating Proceedings and Fixing Date of Hearing

JUNE 4, 1963.

On August 5, 1959, as amended on July 12, 1961, Calaveras County Water District (Calaveras), a municipal corporation, of San Andreas, California, filed an application for preliminary permit under the Federal Power Act for a proposed hydroelectric development (Project No. 2269), to be located on North Fork Stanislaus River and Highland and Beaver Creeks in California, the project facilities to be located in Alpine, Calaveras and Tuolumne Counties, California, affecting lands of the United States within Stanislaus National Forest. The proposed project would consist of the Ganns and the Squaw Hollow developments on the North Fork Stanislaus River, and the Big Tree development on Beaver Creek, and of enlarging the Spicer Meadow development on Highland Creek which is part of the project works under the license issued to Pacific Gas and Electric Company as Project No. 2019; each development consisting of a dam, reservoir, powerhouse, and appurtenant facilities.

On January 8, 1960, Tuolumne County Water District No. 2 (Tuolumne), a municipal corporation, of Sonora, California, filed an application for preliminary permit under the Federal Power Act for a proposed hydroelectric development (Project No. 2271), to be located on North Fork Stanislaus River, the project facilities to be located in Alpine and



Tuolumne Counties, California, affecting lands of the United States within the Stanislaus National Forest. The proposed project would divert water from the existing Union Reservoir on the North Fork Stanislaus River, to the existing Spicer Reservoir, both of which Reservoirs are presently part of the project works under license to Pacific Gas and Electric Company as Project No. 2019; enlargement of Spicer Reservoir; and diversion therefrom, by tunnel and penstock, to a powerhouse to be located ¼ mile upstream from the Donnell's Dam on the Middle Fork Stanislaus River, which is under Commission license as Project No. 2005 of the Oakdale and South San Joaquin Irrigation Districts.

The proposed projects are in conflict with each other, in their proposed usage of the flow of North Fork Stanislaus River, and in the proposed development and use of Spicer Reservoir.

Tuolumne has intervened against the granting of the application for preliminary permit for Calaveras' Project No. 2269, and the latter District has in turn intervened against Tuolumne's Project No. 2271. In addition, the Pacific Gas and Electric Company has been permitted to intervene against both applications, and others have intervened with respect to Project No. 2269.

The Commission, in issuing the license for Pacific Gas and Electric's Project No. 2019 recognized the need for further development of the Stanislaus River watershed, and expressly reserved the right to grant another license authorizing an applicant, alone or jointly with the licensee of Project No. 2019, to raise the dams and increase the storage capacity of any or all of the licensed reservoirs.

The Commission finds: It is desirable and in the public interest to consolidate these two matters for the purpose of a public hearing and to hold such a hearing respecting the matters involved and the issues presented by the two applications.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly section 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on Tuesday, June 25, 1963, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington D.C., respecting the matters involved and issues presented by the applications for preliminary permits in Project Nos. 2269 and 2271.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6090; Filed, June 10, 1963;  
8:46 a.m.]

[Docket No. E-7102]

# COMMUNITY PUBLIC SERVICE CO. Notice of Application Regarding Issuance of Bonds

JUNE 4, 1963.

Take notice that on May 27, 1963 an application was filed with the Federal

Power Commission, pursuant to section 204 of the Federal Power Act, by Community Public Service Company (Applicant), incorporated under the laws of the State of Texas and doing business as a qualified foreign corporation in the State of New Mexico, with its principal place of business at 408 West Seventh Street, Fort Worth, Texas, seeking an order authorizing the issuance of First Mortgage Bonds, Series G, due 1993, in the maximum principal amount of \$13,000,000, to be sold at competitive bidding. The proposed Series G Bonds will be dated as of July 1, 1963 and will be secured by Applicant's Indenture of Mortgage and Deed of Trust, dated as of November 1, 1944, to Continental Illinois National Bank and Trust Company of Chicago, Trustee, as heretofore supplemented and as to be further supplemented. Applicant proposes to invite bids on or about July 16, 1963 for the purchase of the Series G Bonds and to sell the Series G Bonds at competitive bidding on or about July 23, 1963. The interest rate on the proposed Series G Bonds will be determined by competitive bidding. According to the application, the proceeds to be obtained by Applicant from the proposed issuance and sale of the Series G Bonds will be applied to (1) reimburse Applicant's treasury up to \$5,000,000 for expenditures heretofore made in connection with Applicant's construction program; (2) redeem Applicant's outstanding First Mortgage Bonds, Series E, 5¾ percent, due 1987, in the principal amount of \$2,850,000 and Series F, 5¼ percent, due 1991, in the principal amount of \$4,950,000; and (3) retire Applicant's outstanding bank loans in the principal amount of \$2,500,000. Applicant represents that if the best bid received by it for the purchase of \$13,000,000 principal amount of the proposed Series G Bonds would result in a cost of money so high that there would be no economic justification for refunding Applicant's Series E and Series F Bonds, then in that event Applicant will not redeem its Series E and Series F Bonds and will issue and sell \$5,000,000 principal amount only of the proposed Series G Bonds and will apply the proceeds from such sale to reimburse, in part, Applicant's treasury for construction expenditures and to retire Applicant's bank loans of \$2,500,000, all as referred to above.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 24, 1963, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6092; Filed, June 10, 1963;  
8:46 a.m.]

[Docket No. CP63-212]

## EAST TENNESSEE NATURAL GAS CO.

### Notice of Application and Date of Hearing

JUNE 4, 1963.

Take notice that on January 21, 1963, East Tennessee Natural Gas Company (East Tennessee), P.O. Box 10245, Knoxville 19, Tennessee filed an application in Docket No. CP63-212. The application was filed pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain lateral pipeline facilities to provide more adequate natural gas service to existing customers for resale in their present service areas.

East Tennessee seeks budget type authorization to construct and operate an unspecified number of lateral line facilities, inclusive of relocation, replacement with larger pipe and looping of existing lateral line facilities together with the installation, if necessary and when temporarily required, of a skid mounted portable compressor on its service laterals. The total cost of these facilities, to be financed from short-term bank loans, will not exceed \$150,000 nor will the cost of any single facility exceed \$50,000.

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 July 8, 1963 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

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 25, 1963.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6093; Filed, June 10, 1963;  
8:46 a.m.]

[Docket No. G-20519]

## EL PASO NATURAL GAS CO.

### Notice of Application and Date of Hearing

JUNE 5, 1963.

Take notice that on December 24, 1959, as supplemented on December 3, 1962, El Paso Natural Gas Company (Applicant) with its principal place of business in El Paso, Texas, filed in Docket No. G-20519 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain compressor and metering facilities; necessary general structures and equipment; and a certain gathering system, all as more fully set forth in the application which is on file



[Docket No. CP63-126 etc.]

**EL PASO NATURAL GAS CO. ET AL.****Order To Show Cause, Notice of Applications, and Consolidation of Proceedings**

JUNE 4, 1963.

El Paso Natural Gas Company, Docket No. CP63-126; Southwest Production Company, Docket No. CI63-618; Pan American Petroleum Corporation, Docket No. CI63-1455.

with the Commission and open to public inspection.

Applicant proposes to construct and operate (1) an addition of 1800 horsepower to Applicant's existing Chaco Compressor Station, together with the necessary standard appurtenances for the operation of same; (2) those necessary metering facilities; (3) those necessary general structures and equipment; and (4) a gathering system consisting of approximately 120.9 miles of natural gas pipelines ranging in size from 4½" through 16" in diameter and approximately 7,580 horsepower in field compressor units, all located in the Bisti Field area in San Juan County New Mexico.

Pursuant to authorized temporary authority, Applicant has completed the construction of and is presently operating all of the facilities sought with the exception of the 1800 horsepower addition to the Chaco Compressor Station. Such installation is presently in progress and substantially complete.

The estimated total cost of the above described facilities is \$6,620,658 to be financed out of its current working funds or by making short term bank loans, as required, without additional financing at this time.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 9, 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 noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 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. 63-6094; Filed, June 10, 1963; 8:46 a.m.]

Take notice that El Paso Natural Gas Company (El Paso), a Delaware corporation with its principal place of business in El Paso, Texas, filed in Docket No. CP63-126 on November 7, 1962, as supplemented March 11, 1963, an application pursuant to section 7(c) of the Natural Gas Act (Act) for a certificate of public convenience and necessity authorizing El Paso to construct and operate pipeline facilities for the acquisition of an additional gas supply, and Southwest Production Company (Southwest), a partnership composed of John H. Hill and Joseph P. Driscoll, with principal place of business at 3108 Southland Center, Dallas 1, Texas, filed in Docket No. CI63-618 on November 9, 1962, an application pursuant to section 7(c) of the Act for a certificate of public convenience and necessity authorizing Southwest to sell and deliver to El Paso in interstate commerce for resale natural gas to be produced from acreage in San Juan and Rio Arriba Counties, New Mexico, all as hereinafter described, subject to the jurisdiction of the Commission, as more fully represented in the applications which are on file with the Commission and open for public inspection.

Southwest proposes to acquire the working interest which Pan American Petroleum Corporation (Pan American) has in certain leaseholds located in the San Juan Basin in San Juan and Rio Arriba Counties, New Mexico. The interest Southwest expects to acquire is confined to the Dakota formation<sup>1</sup> underlying approximately 81,000 acres. For Pan American's leases, Southwest proposed to pay a total amount of \$56,<sup>2</sup> 390,655 to be due as follows: (a) \$8,500,000 to be paid on the date of closing, (b) \$23,490,655<sup>2</sup> due on the fourth day of the next succeeding calendar year following the date of closing, and (c) \$24,400,000

<sup>1</sup> The Lease Purchase Agreement defines the "Dakota" formation as " \* \* \* all formations lying between the base of the Greenhorn Limestone Formation and a point 400 feet below the base of the Greenhorn Limestone Formation, consisting of the Graneros Formation, the Dakota Formation and the productive upper portion of the Morrison Formation".

<sup>2</sup> This payment includes \$3,500,000 to reimburse Pan American for its unrecovered costs attributable to the drilling, completing and equipping of wells which have been drilled and completed by Pan American; this price is subject to adjustment upward or downward to the extent that Pan American's unrecovered well costs are greater or less than \$3,500,000.

to consist of 10 non-interest bearing notes, in the principal amount of \$2,440,000 each, which mature and are due annually in the eleventh through the twentieth year after the date of closing. A redetermination of reserves is required ten years after the date of closing and the purchase price is to be adjusted upward or downward if the recoverable reserves are then calculated to be more or less than the estimate of 735 billion cubic feet (at 15.025 psia)<sup>3</sup> which served as the basis for the negotiation of the purchase price.

Southwest states that it filed with its application a gas purchase contract with El Paso dated September 27, 1962. Southwest's application indicates that it expects to dedicate to the performance of this contract with El Paso the interest it proposes to acquire from Pan American except for: (1) The reservation of sufficient reserves, not to exceed 7,500 Mcf per day, which have been previously committed for service by Pan American Gas Company to the City of Farmington, New Mexico, and (2) the volumes, not to exceed 2,500 Mcf per day, which have been previously committed for repressuring in the Bisti Field, San Juan County, New Mexico. Southwest avers that it is presently engaged in the production and sale of natural gas to El Paso and Southern Union Gas Company from lands located in the same area as those which are the subject of its application herein.

Southwest's application states that it will develop the reserves to be acquired from Pan American over a five-year drilling period so as to make the gas available as El Paso needs it to meet future market requirements. El Paso's application also indicates that the gas to be acquired from Southwest is not desired for new or additional sales but for augmenting El Paso's present gas supply. Southwest expects to acquire the funds needed for developing its leases from the Texas Bank & Trust Company of Dallas (Texas Bank) pursuant to a loan agreement with Texas Bank whereby the latter will advance to Southwest a sum not to exceed \$26,735,000.<sup>4</sup> This sum will be used to pay Pan American for its unrecovered well costs,<sup>5</sup> presently

<sup>3</sup> Although the first supplement to El Paso's application refers to recoverable reserves of 781 billion cubic feet of gas, Article III of the Lease Purchase Agreement between Pan American and Southwest states that the purchase price set forth therein " \* \* \* is based upon a calculated reserve of 735,000,000,000 cubic feet of recoverable reserves of gas attributable to the net leasehold interests assigned."

<sup>4</sup> According to the first supplement to El Paso's application, this amount will be reduced to \$24,735,000 because Southwest now proposes to amend its loan agreement with Texas Bank so as to borrow \$1,000,000, instead of \$3,000,000 as originally proposed, for defraying preparatory costs and other expenses during the contemplated five-year drilling and development program.

<sup>5</sup> See footnote 2 supra for explanation of unrecovered well costs.



estimated at \$3,500,000, to defray preparatory costs of the initial five-year drilling program, and to supply \$95,000 for each full-working-interest well completed over the five-year period. The obligation of Southwest to repay Texas Bank will be evidenced by notes in the respective amounts thereof bearing interest at 6 percent per annum, both interest and principal being payable within 15 years.

Under the aforementioned gas purchase contract, El Paso is obligated to take or pay for the volumes of gas set forth in the following tabulation:

Volumes to be taken or paid for during the year (Mcf at 15.025 psia)<sup>1</sup>

Contract year:	
1st	4,615,251
2d	4,821,228

<sup>1</sup> These volumes are related to the working interest to be acquired by Southwest from Pan American. The first supplement to El Paso's application states that when Southwest develops Pan American's working interest on the 320-acre drillsite spacing required by the New Mexico Oil Conservation Commission, El Paso will also have opportunity to acquire about 362 billion cubic feet of gas underlying 37,101 acres not owned by Pan American and apparently not dedicated to any purchaser at the present time.

Volumes to be taken or paid for during the year (Mcf at 15.025 psia)

Contract year:	
3d	5,282,436
4th	7,269,489
5th	11,319,379
6th	27,918,289
7th	26,391,039
8th	26,382,809
9th	26,382,060
10th	26,376,449
11th	42,965,800
12th through 15th	40,751,068
16th	17,512,677
17th through 20th	16,654,212

According to the contract, El Paso's obligation to take or pay for the volumes set forth above cannot be reduced " \* \* \* by reason of restriction on production imposed under proration or similar regulation, but shall be reduced to the extent that Seller's wells are inadequate to deliver the volumes specified above". During the first year of purchases under the contract, El Paso must pay 12 cents per Mcf (at 15.025 psia). The price per Mcf is subject to a one-cent escalation on January 1, 1964, and to a further one-cent escalation at the end of each five-year period thereafter.

Attached to the gas purchase contract is a schedule which sets forth the prices for gasoline and additional products and El Paso is obligated to pay Southwest an amount for liquid hydrocarbons in accordance with this schedule, but El Paso may never pay Southwest less than one cent per Mcf for liquid hydrocarbons, irrespective of whether the gas to be purchased from Southwest is processed for extraction of such liquids. This charge for liquid hydrocarbons would be in addition to the basic natural-gas prices given above.

The gas purchase contract between El Paso and Southwest also provides that El Paso's take-or-pay obligations under the contract will be increased or reduced to the extent that the reserve redetermi-

nation in the 10th year after closing varies above or below the estimate of 735 billion cubic feet which was used by the parties when they negotiated the contract. For each 1,000,000 Mcf that the estimate of recoverable reserves varies above or below 735 billion cubic feet, the annual take-or-pay obligations will be increased or reduced by the following annual volumes:

Increase or decrease in annual purchase obligation per 1,000,000 Mcf of variance above or below 735 MMMcf (at 15.025 psia)

Contract year:	
11th	54,416 Mcf
12th through 16th	51,611 Mcf
17th through 20th	49,081 Mcf

If the Federal Power Commission should allow prices which are more or less than the prices set forth in the contract, the contract provides that the minimum volumes tabulated above shall be increased in case of a price reduction and decreased in the event of a price increase pursuant to a formula given in Article IV of the gas purchase contract. The contract indicates that El Paso may take subsequently throughout the life of the reserves any quantity of gas for which El Paso has paid without actually having received delivery thereof from Southwest.

El Paso's application indicates that it will advance a total of \$28,490,655 to Southwest so that the latter may make the down payment of \$8,500,000 to Pan American on the date of closing and pay Pan American the additional sum of \$19,990,655 which is due on the fourth day of the next succeeding calendar year after the date of closing. Southwest's obligation to repay El Paso, according to the first supplement to El Paso's application, will be evidenced by promissory notes providing that of the principal amount of \$28,490,655 a sum of \$10,000,000 will bear interest at the rate of 3½ percent per annum and will first be repaid, and that the remaining principal amount advanced will bear interest at the rate of 5 percent and will be repaid following full repayment of the \$10,000,000 portion of the advance. The cash flow statement (Exhibit L) to the first supplement of El Paso's application shows that \$8,301,294 of the total amount to be advanced by El Paso would still be unpaid after the 30th year of operation.

Texas Bank, in addition to advancing about \$24,735,000 to Southwest so as to enable the latter to reimburse Pan American for unrecovered well costs and to pay for development of the leases over a five-year period, will function as a depository and disbursement agent for receipt of funds payable to Southwest by El Paso under the gas purchase contract and for receipt of any other income resulting from the operation of the properties to be conveyed by Pan American to Southwest. Texas Bank will disburse these funds in the following priority: (1) Payment monthly of royalties and taxes attributable to the properties to be conveyed by Pan American to Southwest; (2) payment monthly to Southwest, for operating and overhead expenses in connection with the properties, a sum equal to \$50 per net well, plus \$8,333.33, plus

one-twelfth of the annual ad valorem tax assessed against the properties; (3) repayment to Texas Bank of the \$24,735,000 advanced to Southwest by Texas Bank for developing the properties; (4) payment to Pan American of the annual notes in the amount of \$2,440,000 which are to mature in the 11th through 20th years after the properties are acquired; and (5) repayment to El Paso of the \$28,490,655 advanced to Southwest by El Paso to cover Southwest's initial down payment and subsequent lump sum payment on the leases to be acquired from Pan American.<sup>6</sup>

Southwest will execute a mortgage on the properties to be acquired from Pan American so as to give a first and prior lien on the properties in favor of Pan American subject to priority in favor of Texas Bank until the advances made by Texas Bank are repaid and thereafter in favor of El Paso subject to Pan American's having received payment in full for the properties.

El Paso states in the first supplement to its application that it proposes and intends to treat a portion of the \$28,490,655 advance to be made to Southwest, that is, the \$10,000,000 portion which is to bear interest at 3½ percent, as an investment which will be added to El Paso's rate base so as to earn a return and related taxes thereon with appropriate credit made for interest earned on such investment.

In order to receive the gas supplies from Southwest as hereinbefore described, El Paso seeks authorization to construct and operate, over a five-year period, approximately 291.8 miles of field pipelines, consisting of 4½-inch through 20-inch pipe of varying lengths, and the necessary measuring, regulating, and connecting facilities required to attach Southwest's wells to El Paso's system in the San Juan Basin area in San Juan and Rio Arriba Counties, New Mexico. The total estimated cost of these facilities, including allowance for overhead and contingency provisions, is \$11,548,000.

El Paso will finance its proposed advance of \$28,490,655 to Southwest by means of short-term bank loans as required to supplement current working funds. The application states that the bank loans will probably be repaid through the sale of funded debt securities during the first or second quarter of 1963. This sale would consist of approximately \$30,000,000 of First Mortgage Bonds secured by previously constructed bondable additions and an approximately equal amount of debentures. El Paso believes that the bonds can be sold at a rate of 5 percent and that the debentures can be sold at substantially the same terms as its debentures issued August 7, 1961, which call for an interest rate of 5¼ percent and retirement

<sup>6</sup> Under the "depository" agreement, if Texas Bank has funds during the first ten years in excess of those needed to pay royalties, taxes, and operating expenses plus repaying Texas Bank's advances, Texas Bank will make payments to El Paso rather than apply funds to paying the Pan American notes prior to their maturity dates.



over a period of 20 years. The funds, in the estimated amount of \$11,548,000, required for the construction of the proposed pipeline facilities will be expended over a five-year period and will be provided as required from current working funds, supplemented as necessary by short-term bank loans.

On April 16, 1963, the Commission's Secretary mailed a letter to Pan American Petroleum Corporation, P.O. Box 591, Tulsa 2, Oklahoma, requesting that Pan American advise the Commission as to whether it is currently delivering gas to El Paso from the leases which are the subject of the Lease Purchase Agreement, heretofore described, between Southwest and Pan American. On May 9, 1963, Pan American filed in reply to the Secretary's inquiry a statement indicating that gas is being delivered to El Paso from many of the same leases which Southwest proposes to purchase from Pan American under the Lease Purchase Agreement, a copy of which is attached as Exhibit X-1 to El Paso's application in Docket No. CP63-126. In Docket No. CI63-618 Southwest seeks authorization to make sales to El Paso from much of the same acreage from which Pan American's gas is apparently now being delivered to El Paso.

Pan American's reply, for example, shows that its gas is currently being sold to El Paso from Huerfano Unit Well Nos. 92, 99, 103, 104, 105, 107, 109, 110, and 111 and that El Paso is the operator of each of these Huerfano Unit wells. Pan American's reply further shows that the smallest amount it received in 1962 for gas produced from these wells was \$1,451.93 for its 35.09849 percent interest in Huerfano Unit Well No. 103, and that the largest amount it received in 1962 for gas produced from these wells was \$10,074.61 for its 35.09849 percent interest in Huerfano Unit Well No. 104. Page 38 of the Annual Report of the New Mexico Oil & Gas Engineering Committee, Volume II, 1960, shows that all of the aforementioned Huerfano Unit wells are located in T26N, R9W, or T26N, R10W, or T27N, R10W.

An examination of the map which is Exhibit F to El Paso's application in Docket No. CP63-126 reveals that all of the Huerfano Unit wells, according to the locations given in the New Mexico Oil & Gas Engineering Committee's Annual Report, are situated on the acreage which Southwest proposes to acquire from Pan American under its Lease Purchase Agreement with Pan American. Pan American's reply to the Secretary's letter indicates that no rate schedule has been filed with the Commission in connection with Pan American's sales of gas from the Huerfano Unit wells where El Paso is the operator. Section 154.91 (c) (2) of the Commission's regulations under the Natural Gas Act provides that:

(2) Where the operator is an interstate pipe-line transmission company and delivers gas into its own lines for interstate transmission it shall file a statement setting forth the names of all the co-owners whose gas is so delivered and the respective per centum of ownership therein, and such coowners shall make all required filings.

The Commission finds:

(1) Pursuant to § 1.20(b) of the Commission's rules of practice and procedure, the applications hereinbefore described and Pan American's Docket No. CI63-1455 should be consolidated for the purposes of hearing on all matters at issue therein.

(2) It is necessary and appropriate in the public interest that Pan American be ordered in Docket No. CI63-1455 to show cause, if any there be, why it should not be found to be engaged in the sale of natural gas to El Paso subject to the jurisdiction of the Commission without having secured requisite authorization therefor pursuant to sections 7 and 4 of the Natural Gas Act and the Commission's regulations thereunder, and to show cause, if any there be, why it should not be required to file an application for abandonment, pursuant to section 7 of the Act, for sales from the leases which it proposes to sell to Southwest under the Lease Purchase Agreement, a copy of which is attached as Exhibit X-1 to El Paso's application in Docket No. CP63-126.

The Commission orders:

(A) The applications filed in Docket Nos. CP63-126 and CI63-618 and Pan American's Docket No. CI63-1455 are hereby consolidated for purposes of hearing on all matters at issue therein.

(B) At the hearing provided for in paragraph (C) hereof, Pan American in Docket No. CI63-1455 shall show cause, if any there be, why it should not be found to be engaged in the sale of natural gas to El Paso subject to the jurisdiction of the Commission without having secured requisite authorization therefor pursuant to sections 7 and 4 of the Natural Gas Act and the Commission's regulations thereunder, and shall show cause, if any there be, why it should not be required to file an application for abandonment, pursuant to section 7 of the Act, of sales from the leases which it proposes to sell to Southwest under the Lease Purchase Agreement, a copy of which is attached as Exhibit X-1 to El Paso's application in Docket No. CP63-126.

(C) Pursuant to the authority contained in, and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, including particularly sections 7, 14, 15, and 16, and the Commission's rules and regulations under that Act, a public hearing shall be held commencing September 10, 1963, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington 25, D.C., concerning the matters involved in and the issues presented by paragraphs (A) and (B) hereof.

(D) Protests or petitions to intervene in this consolidated 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 August 1, 1963.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6095; Filed, June 10, 1963; 8:46 a.m.]

[Docket No. CP63-287]

## MICHIGAN GAS STORAGE CO.

### Notice of Application and Date of Hearing

JUNE 4, 1963.

Take notice that on April 22, 1963, Michigan Gas Storage Company (Applicant), 212 West Michigan Avenue, Jackson, Michigan, filed in Docket No. CP63-287 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 10,500 horsepower of compressor capacity by the installation of one gas turbine-driven centrifugal compressor at Applicant's Muskegon River Compressor Station in Clare County, Michigan, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that larger than anticipated increases in the number of customers served by Consumers Power Company (Consumers), which is Applicant's sole customer, and the necessity of meeting a 70 degree day on a peak day will require Applicant to alter its pattern of deliveries to Consumers so that larger volumes of gas from Applicant's three storage fields will be delivered earlier in the heating season. In order to maintain the required peak day deliverability of its fields throughout the heating season, but with a greater cyclical withdrawal, Applicant proposes to install the additional compressor.

The estimated cost of the proposed facilities is \$2,000,000, which will be financed from bank loans and funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 10, 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 noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 28, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the inter-



mediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6096; Filed, June 10, 1963;  
8:46 a.m.]

[Docket No. E-7101]

## NORTHERN STATES POWER CO.

### Notice of Application Regarding Promissory Notes

JUNE 4, 1963.

Take notice that on May 27, 1963, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Northern States Power Company, incorporated under the laws of the State of Wisconsin and doing business in Wisconsin, with its principal place of business at 100 North Barstow Street, Eau Claire, Wisconsin, seeking an order authorizing Applicant to issue from time to time its promissory notes in amounts not exceeding an aggregate of \$12,000,000 at any one time outstanding to evidence short-term borrowings from commercial bonds. This \$12,000,000 aggregate includes the presently outstanding sum of \$4,600,000 in promissory notes bearing interest at 4½ percent per annum. The notes to be issued will be unsecured, may be prepaid without premium, and will not be made under a credit agreement or contract. No commitment, finder's, or other fee will be paid in connection with the issuance of any of the promissory notes or with the borrowings evidenced by said notes. Any borrowings under the requested authorization will be at the prime loan interest rate at the time and place of making. No notes will mature more than twelve months after date of issue or renewal, nor shall the maturity date of any note be later than December 31, 1964. The notes will not be resold to the public.

The proceedings for the bank borrowings to be evidenced by the aforesaid promissory notes will be added to the general funds of Applicant and will be used, among other things, to pay in part the expenditures made and to be made in 1963 and 1964 in connection with Applicant's construction program, including \$124,000 for electric production facilities; \$3,254,000 for electric transmission facilities; \$5,809,000 for electric distribution facilities; \$1,242,000 for gas plant and gas distribution facilities; \$9,000 for reconstructing heating mains, and \$665,000 for general corporate purposes.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 24th day of June, 1963 file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6097; Filed, June 10, 1963;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATION FOR RELIEF

JUNE 6, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 38358: *Phosphatic clay from Dunnellon, Fla.* Filed by O. W. South, Jr., agent (No. A4321), for interested rail carriers. Rates on phosphatic clay, in carloads, from Dunnellon, Fla., and points grouped therewith, to points in official (including Illinois) and western trunk-line territories.

Grounds for relief: Modified short-line distance formula and grouping.

Tariff: Southern Freight Association, agent, tariff I.C.C. S-348.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-6112; Filed, June 10, 1963;  
8:47 a.m.]

[Notice 27]

### BOSTON AND MAINE RAILROAD AND CENTRAL RAILROAD COMPANY OF N.J.

#### Applications for Loan Guaranties

JUNE 5, 1963.

Notice is hereby given of the filing of the following applications under Part V of the Interstate Commerce Act:

Finance Docket No. 22369, filed June 4, 1963, by Boston and Maine Railroad, 150 Causeway Street, Boston 14, Massachusetts, for guaranty by the Interstate Commerce Commission of a loan in amount not exceeding \$1,000,000. Applicant's representative: G. F. Glacy, Vice President-Accounting and Finance, Boston and Maine Railroad, 150 Causeway Street, Boston 14, Massachusetts. Loan is for the purpose of reimbursing applicant's treasury for expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements.

Finance Docket No. 22640, filed June 4, 1963, by The Central Railroad Company of New Jersey, Jersey Central Terminal, Jersey City 2, New Jersey, for guaranty by the Interstate Commerce Commission of a loan in an amount not exceeding \$5,000,000. Applicant's representative: Judson C. McLester, Jr., Vice President and General Counsel, The Central Railroad Company of New Jersey, Jersey Central Terminal, Jersey City 2, New Jersey. Loan is for the purpose of reimbursing applicant's treasury for expenditures made from its own funds after January 1, 1957 for additions and

betterments, and other capital improvements.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-6113; Filed, June 10, 1963;  
8:47 a.m.]

[Notice 817]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 6, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65706. By order of May 31, 1963, the Transfer Board approved the transfer to S.T.L. Transport, Inc., Webster, N.Y., of portions of certificates in Nos. MC 11899 and MC 11899 (Sub-No. 8), issued November 17, 1955 and November 10, 1960, respectively, to Stevens Truck Lines, Inc., Webster, N.Y., authorizing the transportation of: Canned foodstuffs, frozen fruit in containers and dried beans, from Oakfield, N.Y., and points within 25 miles of Oakfield, to Connecticut and Massachusetts; burlap bags, from Connecticut and Massachusetts to Oakfield, N.Y. and points within 25 miles of Oakfield; frozen foods, from points in Erie, Niagara, Monroe, and Wayne Counties, N.Y. to Maine, New Hampshire, and Vermont; canned and preserved foodstuffs, from points in Monroe and Wayne Counties, N.Y. to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; empty containers for frozen foods and canned and preserved foodstuffs, from the above-specified destination points to the above-designated origin points; frozen foods, from points in Genesee, Livingston, Ontario, Oswego, and Orleans Counties, N.Y. to points in Maine, New Hampshire, and Vermont; cereal preparations, dry; from Holley, N.Y. to points in Connecticut and Massachusetts, from Fairport, Hamlin, Hilton, Rochester, Sodus, and Williamson, N.Y. to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; teething biscuits, from Rochester, N.Y. to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; frozen fruits, frozen berries and frozen vegetables, from points in New York on and west of a line beginning at Oswego and extending along New York Highway 57



to Syracuse, including Syracuse, and thence along U.S. Highway 11 to the New York-Pennsylvania State line, to East Hartford, Hartford and New Haven, Conn., Portland, Maine, Springfield, Boston, Watertown, and North Abington, Mass., and Manchester, N.H. Raymond A. Richards, 35 Curtice Park, Webster, N.Y., representative for applicants.

No. MC-FC 65805. By order of May 29, 1963, the Transfer Board approved the transfer to United Motor Ways, Inc., 409 North Walnut, Grand Island, Nebr., of certificate in No. MC 1988, issued February 11, 1958, to Wilford F. Williams, doing business as P.C.T. Stages, 317 North Vine, Grand Island, Nebr., authorizing the transportation of: Passengers, and certain related commodities between specified points in Nebraska.

No. MC-FC 65871. By order of May 31, 1963, the Transfer Board approved the substitution of Laura C. Zimmerman, doing business as Zimmerman Truck Lines, Burlington, Colo., in lieu of Paul G. Zimmerman, Burlington, Colo., as applicant in No. MC 97471 (Sub-No. 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 Colorado certificate in No. 961 authorizing the transportation, not on schedule, on call and demand of farm products, including livestock farm supplies (including lumber out of Burlington), farm equipment and used household furniture, out of, into, and between points; from Burlington 35 miles north; west to a point 5 miles west of Stratton; south to Kit Carson County line; and east to Colorado-Kansas state line; and for transportation of petroleum products and elevator products from Denver to above described area. Extension and enlargement of operations under PUC 961 so that the base of his territory shall be bounded on the south by a line 2 miles south of the Kit Carson-Cheyenne County line and parallel thereto, and so that the commodity description shall include general commodities other than those requiring the use of tank trucks with a load limit of 30,000 pounds. Herbert M. Boyle, 946 Metropolitan Building, Denver 2, Colo., attorney for applicants.

No. MC-FC 65973. By order of May 31, 1963, the Transfer Board approved the transfer to Trans-World Moving & Storage Co., Inc., Brooklyn, N.Y., of the operating rights in certificate in No. MC 52900, issued September 26, 1962, to Beatrice Panzica, doing business as Panzica Bros., New York, N.Y., authorizing the transportation, over irregular routes, of household goods, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Pennsylvania. Morris Honig, 150 Broadway, New York 38, N.Y., attorney for applicant.

No. MC-FC 65981. By order of May 31, 1963, the Transfer Board approved the transfer to Ernest L. Thomas and Ethan T. Kilmer, a partnership, doing business as E. W. Thomas & Sons, Schenectady, N.Y., of certificate in No. MC 14304, issued May 25, 1943, to Ernest W. Thomas, doing business as E. W.

Thomas & Sons, Schenectady, N.Y., authorizing the transportation of: Household goods, as defined by the Commission, over irregular routes, between Schenectady, N.Y., and points in New York within 25 miles of Schenectady, on the one hand, and, on the other, points in Connecticut, Delaware, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Vermont; and bakery store fixtures, and equipment, over irregular routes, between points in Connecticut, Massachusetts, New York, and Vermont. John J. Brady, Jr., 75 State Street, Albany, N.Y., attorney for applicant.

No. MC-FC 65983. By order of May 31, 1963, the Transfer Board approved the transfer to Abreau Trucking, Inc., Taunton, Mass., of the operating rights in certificate in No. MC 14249, issued March 31, 1954, to E. G. Cola Trucking Co., Inc., Cranston, R.I., authorizing the transportation, over irregular routes, of road-building and excavating materials and machinery, between points in Rhode Island, on the one hand, and, on the other, points in Bristol County, Mass., and those in New London and Windham Counties, Conn., and of solid fuel between Providence, R.I., on the one hand, and, on the other, Putnam and Thompson, Conn., Worcester, Mass., and points in Rhode Island, and those in Massachusetts within 30 miles of Providence, R.I. Russell B. Curnett, 49 Weybosset Street, Providence 3, R.I., representative for applicants.

No. MC-FC 65987. By order of May 31, 1963, the Transfer Board approved the transfer to Billy Lee Campbell and Shirley C. Campbell, a partnership, doing business as Billy Lee Campbell, Post Office Box 337, Sutherland, Nebr., of certificate in No. MC 68694, issued November 30, 1949 to Elza Burcham, Sutherland, Nebr. (present address: 2020 West E Street, North Platte, Nebr.), authorizing the transportation of: Livestock and agricultural products, over irregular routes, between Hershey, Nebr., and points within 50 miles thereof, on the one hand, and, on the other, points in Colorado, and coal, feed, and lumber, on return.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-6114; Filed, June 10, 1963;  
8:47 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 432]

### GEORGIA

#### Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1963, because of the effects of certain disasters, damage resulted to residences and business property located in Fulton and De Kalb Counties in the State of Georgia;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about May 25, 26, and 27, 1963.

#### OFFICE

Small Business Administration Regional Office,  
90 Fairlie Street NW.,  
Atlanta 3, Georgia

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1963.

Dated: May 29, 1963.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 63-6102; Filed, June 10, 1963;  
8:46 a.m.]

## OFFICE OF EMERGENCY PLANNING

### WEST VIRGINIA

#### Notice of Major Disaster; Amendment

Notice of Major Disaster for the State of West Virginia, dated March 29, 1963, and published April 4, 1963 (28 F.R. 3300), is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of March 13, 1963:

Doddridge.  
Ritchie.

Dated: June 5, 1963.

EDWARD A. McDERMOTT,  
Director,  
Office of Emergency Planning.

[F.R. Doc. 63-6099; Filed, June 10, 1963;  
8:46 a.m.]

## VETERANS ADMINISTRATION

### STATEMENT OF ORGANIZATION

#### Field Stations and Areas of Jurisdiction

The Veterans Administration statement of organization (27 F.R. 4972) is amended to read as follows:

1. In section 4, paragraph (a) is amended as follows:

SEC. 4. Addresses of Veterans Administration installations and jurisdictional



MAINE

Delete all stations under Maine and insert:

Center (Regional Office and Hospital), Veterans Administration Center.  
Togus.  
VA Office, Portland-----171 Middle St.  
Outpatient Clinic Substation, 171 Middle St. Mail: VA Center, Togus.  
Portland.

MASSACHUSETTS

Regional Office, Boston 8 through Hospital, Brockton—Delete in its entirety and insert:

Regional Office, Boston 8-----1 Beacon St.  
VA Office, Springfield-----1200 Main St.  
Outpatient Clinic, Boston 8-----17 Court St.  
Outpatient Clinic Substation, Old Post Office Bldg. Mail: VA Outpatient Clinic,  
Lowell.  
Outpatient Clinic Substation, 1200 Main St. Mail: VA Outpatient Clinic, Boston.  
Springfield.  
Outpatient Clinic Substation 9 Walnut St. Mail: VA Outpatient Clinic, Boston.  
Worcester.  
Hospital, Bedford-----200 Springs Road.  
Hospital, Boston 30-----150 South Huntington Ave.  
Hospital, Brockton-----Veterans Administration Hospital.  
Outpatient Clinic Substation, New 75 Pleasant St. (Under Regional Office, Providence,  
Bedford. R.I.) Mail: VA Regional Office, Federal Bldg.,  
Exchange Pl., Providence, R.I.

NEW JERSEY

Under and subordinate to Regional Office, Newark 2 insert:

Outpatient Clinic Substation, Cam- Broadway-Stevens Bldg., 300 Broadway. Mail: VA  
den. Regional Office, Newark.

NEW YORK

Regional Office, Buffalo 3 through Hospital, Batavia—Delete in its entirety and insert:

Regional Office, Buffalo 3-----1021 Main St.  
VA Office, Rochester-----39 State St.  
Regional Office, New York 1-----252 7th Ave.  
Regional Office, Syracuse 2-----Chimes Bldg., 500 South Salina.  
Outpatient Clinic, Brooklyn 1-----35 Ryerson St.  
Hospital, Albany-----Veterans Administration Hospital.  
Hospital, Batavia-----Veterans Administration Hospital.  
Outpatient Clinic Substation, 39 State St. Mail: VA Hospital, Batavia.  
Rochester.

OHIO

Delete all stations under Ohio and insert:

Regional Office, Cincinnati 2-----222 East Central Pkwy.  
VA Office, Columbus 22-----48 Starling St.  
Regional Office, Cleveland 14-----Cuyahoga Bldg.  
Outpatient Clinic Substation, New Federal Bldg., Summit and Madison Sts.  
Toledo. Mail: VA Regional Office, Cleveland 14.  
Hospital, Brecksville 41-----Veterans Administration Hospital.  
Broadview Heights Hospital Divi- Mail: 10000 Brecksville Rd., Brecksville 41, Ohio.  
sion. Veterans Administration Hospital.  
Brecksville Hospital Division-----Brecks- Brecksville 41, Ohio.  
Hospital, Chillicothe-----Veterans Administration Hospital.  
Hospital, Cincinnati 20-----Veterans Administration Hospital.  
Cincinnati Hospital Division-----Cincinnati 20.  
Fort Thomas (Ky.) Hospital Divi- Mail: 3200 Vine St., Cincinnati 20.  
sion. Mail: 3200 Vine St., Cincinnati 20.  
Outpatient Clinic Substation, Co- 38 Starling St. Mail: VA Hospital, Cincinnati 20.  
lumbus 22.

areas of insurance centers—(a) Ad- obtained by personal contact or corre-  
dresses of Veterans Administration in- spondence concerning benefits to veterans  
stations. This is a guide to the loca- and their dependents and beneficiaries.  
tion of Veterans Administration field The parent regional offices, and centers  
stations in each State (also Canal Zone, having regional office activities, are listed  
Philippines, and Commonwealth of with the VA Offices (formerly subregional  
Puerto Rico) where information may be and contact offices) indented thereunder.

ALABAMA

Regional Office, Montgomery 4: Delete "400 Lee St." and insert "Aronov Bldg., 474 South  
Court St."  
VA Office, Birmingham 3—Delete in its entirety.

CALIFORNIA

Regional Office, Los Angeles through Outpatient Clinic, Los Angeles—Delete in its entirety  
and insert:

Regional Office, Los Angeles 25-----1380 South Sepulveda Blvd.  
VA Office, San Diego 1-----Wusaaw Medical Bldg., 2131 Third Ave.  
Regional Office, San Francisco 3-----49 Fourth St.  
Outpatient Clinic Substation, Oak- 1305 Franklin St. Mail: VA Regional Office, San  
land 12. Francisco 3.  
Outpatient Clinic, Los Angeles-----1031 South Broadway.  
Outpatient Clinic Substation, San Wusaaw Medical Bldg., 2131 Third Ave. Mail: VA  
Diego 1. Outpatient Clinic, Los Angeles.

COLORADO

Center (Regional Office and Insurance), Denver—Delete in its entirety and insert:

Regional Office, Denver 25-----Denver Federal Center.

VA Office, Colorado Springs—Delete in its entirety.

CONNECTICUT

Delete all stations under Connecticut and insert:

Regional Office, Hartford 3-----450 Main St.  
Hospital, Newington 11-----Veterans Administration Hospital.  
Outpatient Clinic Substation, 2400 Main St. Mail: VA Hospital, Newington 11.  
Bridgeport.  
Hospital, West Haven 16-----West Spring St.

DELAWARE

Delete all stations under Delaware and insert:

Regional Office, Wilmington-----P.O. Box 1266, 1601 Kirkwood Highway.  
Hospital, Wilmington-----Veterans Administration Hospital.

FLORIDA

Regional Office, St. Petersburg through VA Office, West Palm Beach—Delete in its entirety  
and insert:

Regional Office, St. Petersburg-----P.O. Box 1437.  
VA Office, Jacksonville-----Jacksonville Post Office and Courthouse Bldg., 311  
West Monroe St. Mail: P.O. Box 505.  
Outpatient Clinic Substation, Jacksonville Post Office and Courthouse Bldg., 311  
Jacksonville. West Monroe St. Mail: VA Regional Office, St.  
Petersburg.  
VA Office, Miami-----984 West Flagler St.

KENTUCKY

Hospital, Outwood—Delete in its entirety.



## OHIO—Continued

Hospital, Cleveland 30----- 7200 York Rd.  
Center (Hospital and Domiciliary), Veterans Administration Center.  
Dayton.

## OKLAHOMA

VA Office: Tulsa—Delete in its entirety.

## PENNSYLVANIA

Insurance Center, Philadelphia 1: Delete "Insurance" and insert "VA".  
Regional Office, Philadelphia 2: Delete "Regional Office" and insert "Outpatient".  
VA Office, Wheeling, W. Va.—Delete in its entirety and insert:

Outpatient Clinic Substation, 11th and Chapline Sts. Mail: VA Regional Office,  
Wheeling, W. Va. 107 Sixth St., Pittsburgh, Pa.

Under and subordinate to Hospital, Wilkes-Barre, insert:

• Outpatient Clinic Substation, Harrisburg. Center-Industrial Bldg., 100 North Cameron St.  
Mail: VA Hospital, Wilkes-Barre.

## PHILIPPINES

VA Office, Cebu City: Delete in its entirety.

## RHODE ISLAND

Under and subordinate to Regional Office, Providence 3 insert:

Outpatient Clinic Substation, New Bedford, Mass. 757 Pleasant St.

## TENNESSEE

VA Office, Knoxville: Delete in its entirety.

Under and subordinate to Hospital, Nashville 5 insert:

Outpatient Clinic Substation, 301 Cumberland Ave. Mail: VA Hospital, Nashville 5.  
Knoxville 2.

## TEXAS

VA Offices, Fort Worth, El Paso and Austin: Delete in their entirety.  
Regional Office, Houston: Delete in its entirety and insert:

Regional Office, Houston 2----- 515 Rusk Ave.

After "Hospital, Waco" insert "11".

## VIRGINIA

VA Offices, Norfolk and Richmond 19: Delete in their entirety.

## WASHINGTON

VA Office, Tacoma: Delete in its entirety.

## WEST VIRGINIA

VA Offices, Charleston 1, Morgantown, and Wheeling—Delete in their entirety.  
After and not subordinate to Center (Hospital and Domiciliary), Martinsburg, insert:

Outpatient Clinic Substation, 11th and Chapline Sts. (under Regional Office,  
Wheeling. Pittsburgh, Pa.) Mail: VA Regional Office,  
107 Sixth St., Pittsburgh 22, Pa.

2. In section 4, paragraph (b) is revised as follows:

(b) *Jurisdictional areas of insurance centers—see sec. 3(a) for functions;*

## LOCATION AND AREA

## Philadelphia, Pa. (center)

Alabama.	New York.
Connecticut.	North Carolina.
Delaware.	Ohio.
District of Columbia.	Pennsylvania.
Florida.	Puerto Rico (including Virgin Islands).
Georgia.	Rhode Island.
Kentucky.	South Carolina.
Maine.	Tennessee.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
New Hampshire.	
New Jersey.	

## St. Paul, Minn. (center)

Alaska.	Missouri.
Arizona.	Montana.
Arkansas.	Nebraska.
California.	Nevada.
Colorado.	New Mexico.
Hawaii.	North Dakota.
Idaho.	Oklahoma.
Illinois.	Oregon.
Indiana.	South Dakota.
Iowa.	Texas.
Kansas.	Utah.
Louisiana.	Washington.
Minnesota.	Wisconsin.
Mississippi.	Wyoming.

By direction of the Administrator.

[SEAL]

W. J. DRIVER,  
Deputy Administrator.

[F.R. Doc. 63-6115; Filed, June 10, 1963;  
8:47 a.m.]

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