



FEDERAL REGISTER

VOLUME 28 1934 NUMBER 213

Washington, Thursday, October 31, 1963

Contents

THE PRESIDENT

Executive Orders

- Delegating authority of the President under sections 205 and 208 of Title 18 of United States Code, relating to conflicts of interest..... 11609
- President's Advisory Council on the Arts; enlargement of membership..... 11607

EXECUTIVE AGENCIES

Agricultural Marketing Service

- NOTICES:
Administrator et al.; authority delegation..... 11647
- PROPOSED RULE MAKING:
Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County; expenses and rate of assessment..... 11637
- Milk in certain marketing areas; hearing on proposed amendments to tentative agreements and orders; correction..... 11637
- RULES AND REGULATIONS:
Cranberries; miscellaneous amendments..... 11611
- Raisins produced from grapes grown in California; conversion factors..... 11612

Agricultural Research Service

- PROPOSED RULE MAKING:
Brucellosis in domestic animals; individual identification of female cattle three years of age or over; extension of time for submitting views..... 11637
- Insecticides, fungicides, and rodenticides; extension of time for filing of comments..... 11637
- RULES AND REGULATIONS:
Scabies in sheep; interstate movement..... 11612

Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service.

Air Force Department

- RULES AND REGULATIONS:
Civilian personnel employment policies..... 11627

Census Bureau

- NOTICES:
Survey of distributors stocks of canned foods; consideration.... 11647

Commerce Department

- See also Census Bureau; National Bureau of Standards.
- RULES AND REGULATIONS:
Civil aviation; war risk insurance.. 11618

Customs Bureau

- RULES AND REGULATIONS:
Air commerce; mail manifest copy of transit air cargo manifest... 11628
- Crosby, N. Dak.; revocation as customs port of entry..... 11628

Defense Department

See Air Force Department.

Federal Aviation Agency

- NOTICES:
Tower of Motion Corp.; determination of hazard to air navigation..... 11648
- PROPOSED RULE MAKING:
Control zone; designation..... 11637
- RULES AND REGULATIONS:
Control area extension; revocation; change of effective date... 11615
- Control zones; alterations (2 documents)..... 11613
- Control zone and control area, alteration; and designation of transition areas..... 11613
- Control zone and transition area; designation..... 11615
- Control zones, transition areas, and control area extensions; alterations, designations, and revocation (2 documents) .. 11614, 11615
- Jet advisory areas; alteration..... 11616
- Restricted area, designation; and alteration of restricted area and controlled airspace..... 11615
- Restricted area; alteration..... 11616

Federal Communications Commission

- NOTICES:
Douglas, Allan Dave, Jr., and Frances Marie Douglas; show cause order..... 11648
- PROPOSED RULE MAKING:
Airborne television transmitters.. 11638
- RULES AND REGULATIONS:
Operation of educational television broadcast station in American Samoa..... 11635

Federal Maritime Commission

- NOTICES:
Agreements filed for approval:
Atlantic Passenger Steamship Conference..... 11649
- Isthmian Lines, Inc., and Alcoa Steamship Co., Inc. (3 documents)..... 11649
- Java Pacific & Hoegh Lines and American President Lines, Ltd..... 11649
- Matson Navigation Co. and Encinal Terminals..... 11650
- Meisner Shipping Service et al. New York Freight Bureau (Hong Kong)..... 11651
- Truck and lighter loading and unloading practices at New York Harbor; investigation and hearing..... 11651

Federal Power Commission

- NOTICES:
Hearings, etc.:
Cities Service Gas Co. (2 documents)..... 11652, 11653
- Holyoke Water Power Co..... 11653
- Pacific Gas and Electric Co..... 11653
- Sinclair Oil & Gas Co. et al..... 11654
- Transwestern Pipeline Co. et al. 11654

Food and Drug Administration

- RULES AND REGULATIONS:
Drug certification, tests, and methods of assay; bacitracin-neomycin undecylenate otic drops..... 11628
- Food additives; slimicides..... 11628

(Continued on next page)

Health, Education, and Welfare Department

See also Food and Drug Administration.

NOTICES:

Public Health Service and Education Office; statement of organization and delegations of authority; miscellaneous amendments 11647

Housing and Home Finance Agency

NOTICES:

Urban Renewal Commissioner, HHFA Regional Administrators, and Regional Directors of Urban Renewal; delegation of authority to execute requisition agreements securing bonds 11655

Indian Affairs Bureau

RULES AND REGULATIONS:

Establishment of roadless and wild areas on Indian reservations; definition of roadless areas 11630

Extension of trust or restricted status of certain Indian lands; trust periods expiring during calendar years 1964 through 1968, inclusive 11630

Interior Department

See also Indian Affairs Bureau; Land Management Bureau.

NOTICES:

Appointments and statements of financial interests:
Burlingame, Mark V 11646
Kincannon, Layton E 11646

Internal Revenue Service

RULES AND REGULATIONS:

Income tax; definition of controlled foreign corporation 11631

Interstate Commerce Commission

NOTICES:

Alaska Steamship Co. and Consolidated Freightways Corporation of Delaware; modified procedure 11656

Fourth section applications for relief 11655

Motor carrier transfer proceedings 11655

Labor Department

See Wage and Hour Division.

Land Management Bureau

NOTICES:

Alaska; small tract classifications: Amendment; correction 11646
Cancellation 11644

Proposed withdrawal and reservation of lands:
Alaska (2 documents) --- 11645, 11646
Oregon 11644
Utah 11645
Washington; terminations (2 documents) 11645

RULES AND REGULATIONS:

Bounty land warrants; revocation 11635

Supreme Court or surveyor general scrip; revocation 11635

National Bureau of Standards

NOTICES:

Time signals broadcast by National Bureau of Standards and by U.S. Navy radio stations; notice of change 11647

President's Committee on Equal Employment Opportunity

RULES AND REGULATIONS:

Public contracts; obligations of contractors and subcontractors; definition of subcontract; correction 11635

Treasury Department

See also Customs Bureau; Internal Revenue Service.

NOTICES:

Treasury notes, 3 $\frac{3}{8}$ percent, Series C-1965; invitation of subscriptions 11643

Wage and Hour Division

RULES AND REGULATIONS:

Records to be kept by employers; salary example 11632

Wage orders; various industries:
Puerto Rico:
Hosiery 11633
Rubber products 11635
Sugar manufacturing 11633
Sweater and knit swimwear 11633
Virgin Islands; minimum wage rates in industries 11633

Codification Guide

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

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

3 CFR

EXECUTIVE ORDERS:

11112 (amended by EO 11124) 11607
11124 11607
11125 11609

7 CFR

929 11611
989 11612

PROPOSED RULES:

362 11637
947 11637
1032 11637
1061 11637
1062 11637
1064 11637
1067 11637
1071 11637

9 CFR

74 11612

PROPOSED RULES:

78 11637

14 CFR

71 [New] (8 documents) --- 11613-11615
73 [New] (2 documents) --- 11615, 11616
75 [New] 11616
1501 11618

PROPOSED RULES:

71 [New] 11637

19 CFR

1 11628
6 11628

21 CFR

121 11628
141e 11628
146e 11628

25 CFR

Appendix 11630
163 11630

26 CFR

1 11631

29 CFR

516 11632
611 11633
687 11633
689 11633
694 11633
720 11635

32 CFR

880 11627

41 CFR

60-1 11635

43 CFR

131 11635
133 11635

47 CFR

2 11635

PROPOSED RULES:

3 11638

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11124

ENLARGING THE MEMBERSHIP OF THE PRESIDENT'S ADVISORY COUNCIL ON THE ARTS

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. Executive Order No. 11112 of June 12, 1963, headed "Establishing the President's Advisory Council on the Arts," is hereby amended by substituting for subsection (b) of Section 1 thereof the following:

"(b) The Council shall be composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Postmaster General, the Secretary of the Interior, the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Housing and Home Finance Administrator, the Chairman of the Commission of Fine Arts, the Secretary of the Smithsonian Institution, the Director of the United States Information Agency, the Administrator of General Services, the President of the National Gallery of Art, the Chairman of the Trustees of the National Cultural Center, the President's Special Consultant on the Arts, and no more than forty members appointed by the President from among persons in private life who are widely recognized for their role in the arts, including practicing artists, civic and cultural leaders, and others professionally engaged in the arts. Members from private life shall serve for terms of two years, except that the terms of members initially appointed shall be for one or two years as specified by the President. The Chairman shall also invite the Librarian of Congress to be a member of the Council."

SEC. 2. Section 1 of this order shall not be deemed to terminate or change the tenure, as a member of the President's Advisory Council on the Arts, of any person who on the date next preceding the date of this order is such a member.

JOHN F. KENNEDY

THE WHITE HOUSE,
October 28, 1963.

[F.R. Doc. 63-11560; Filed, Oct. 29, 1963; 12:38 p.m.]

Executive Order 11125**DELEGATING AUTHORITY OF THE PRESIDENT UNDER SECTIONS 205 AND 208 OF TITLE 18 OF THE UNITED STATES CODE, RELATING TO CONFLICTS OF INTEREST**

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. As used in this order, "department" means an executive department, "agency" means an independent agency or establishment or a government corporation and "head of an agency" means, in the case of an agency headed by more than one person, the chairman or comparable member of such agency.

SEC. 2. There is delegated, in accordance with and to the extent prescribed in sections 3 and 4 of this order, the authority of the President under sections 205 and 208(b) of title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible.

SEC. 3. Insofar as the authority of the President referred to in section 2 extends to any appointee of the President subordinate to or subject to the chairmanship of the head of a department or agency, it is delegated to such department or agency head.

SEC. 4. Insofar as the authority of the President referred to in section 2 extends to an appointee of the President who is within or attached to a department or agency for purposes of administration, it is delegated to the head of such department or agency.

SEC. 5. Notwithstanding any provision of the preceding sections to the contrary, this order shall not be deemed to include a delegation of the authority of the President referred to in section 2 insofar as it extends to (a) the head of a department or agency, including an agency in the Executive Office of the President; (b) presidential appointees in the Executive Office of the President who are not subordinate to the head of an agency in that Office; and (c) presidential appointees to committees, boards, commissions or similar groups established by the President.

JOHN F. KENNEDY

THE WHITE HOUSE,
October 29, 1963.

[F.R. Doc. 63-11624; Filed, Oct. 30, 1963; 11:11 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

PART 929—CRANBERRIES GROWN IN STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Miscellaneous Amendments

On September 13, 1963, notice of proposed rulemaking was published in the FEDERAL REGISTER (28 F.R. 9945) regarding rules and regulations pursuant to the marketing agreement and order No. 929 (7 CFR Part 929) regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons 10 days to file with the Department written data, views, or arguments pertaining to the proposal. None were filed.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, which was submitted by the Cranberry Marketing Committee (established pursuant to the said marketing agreement and order as the agency to administer the provisions thereof), it is hereby found that the establishment of said rules and regulations is in accordance with the provisions of the said marketing agreement and order and will tend to effectuate the declared purposes of the Agricultural Marketing Agreement Act of 1937, as amended. Therefore, establishment of said rules and regulations of the said committee is hereby approved as follows:

- Sec.
929.101 Minimum exemptions.
929.102 Procedure to determine quantity of screened cranberries in unscreened lots.
929.103 Inspection procedure.
929.104 Outlets for restricted cranberries.
929.105 Reporting.

AUTHORITY: §§ 929.101 to 929.105 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 929.101 Minimum exemption.

The requirements of § 929.41 Assessment and § 929.54 withholding and inspection shall not apply to any handler in a fiscal year during which he handles not more than a total of 25 barrels of cranberries.

§ 929.102 Procedure to determine quantity of screened cranberries in unscreened lots.

The determination pursuant to § 929.54 of the quantity of screened cranberries contained in an unscreened lot shall be made in accordance with the following procedure and on the basis of a sample of representative boxes comprising no less than 2 percent of the cranberries in the lot:

(a) The cranberries in the sample are cleaned to remove chaff, and the boxes of cleaned berries are weighed. The weight of the boxes themselves is then deducted to determine the weight of the cleaned berries. The weight of the cleaned berries is divided by the number of boxes in the sample to obtain the net weight of cleaned cranberries per box. The net weight is multiplied by the number of boxes in the lot to obtain the net weight of the berries in the unscreened lot.

(b) The cleaned berries are run through a separator, having a $\frac{3}{32}$ inch screen, and with the bounce boards in the lowest position.

(c) The berries from the lower three bounce boards are rerun through the separator.

(d) The berries from the upper four bounce boards are thoroughly mixed and a random cupful (approximately 1 pint) is used to determine, from a count of the sound and unsound berries, the percentage of sound berries in the lot.

(e) Such percentage is adjusted by increasing it by 5 percentage points but not to exceed a total of 100 percent. (This increase makes the sample comparable to lots of screened cranberries, as such lots generally contain an average of 5 percent unsound berries.)

(f) The net weight, as determined in accordance with paragraph (a) of this section, of the berries in the unscreened lot, is multiplied by the adjusted percentage to obtain the quantity of screened cranberries in the unscreened lot.

§ 929.103 Inspection procedure.

(a) Inspection of withheld cranberries shall be limited to any plant, storage facility, or other location, within the production area where facilities suitable to the inspection service are available for sampling, weighing, and inspection of cranberries.

(b) The handler offering any lot of cranberries for inspection shall furnish the necessary labor and pay the costs of moving, weighing, and otherwise making available the sample the inspector chooses for inspection. The size of the sample shall be determined by the inspector. In the case of inspection of a lot of unscreened cranberries, the sample shall be screened by the handler under the supervision of the inspector and the inspection certificate shall show

the quantity of cranberries in such lot which meets the requirements established for withheld cranberries pursuant to § 929.54(c).

§ 929.104 Outlets for restricted cranberries.

(a) After inspection pursuant to § 929.54(c), cranberries withheld from handling may, in accordance with § 929.57, be disposed of only through diversion in the following noncompetitive outlets but only if the requirements in paragraph (b) of this section also are complied with:

- (1) Foreign countries, except Canada.
- (2) Charitable institutions.
- (3) Any nonhuman food use.
- (4) Research and development projects dealing with dehydration, radiation, or freeze drying of cranberries, approved by the United States Department of Agriculture, for the development of foreign markets.

(b) The following requirements, as applicable, shall be met by the handler diverting the withheld cranberries in the noncompetitive outlets:

(1) Diversion to foreign countries except Canada: A copy of the on-board bill of lading showing the amount of cranberries loaded for export shall be submitted to the committee.

(2) Diversion to charitable institutions: A statement from the charitable institution showing the quantity of cranberries received and certifying that the cranberries will be consumed by the institution shall be submitted to the committee.

(3) Diversion to a nonhuman food use: Notification shall be given to the committee at least 48 hours prior to the disposition to enable the committee to supervise the disposition. If such disposition immediately follows inspection and is supervised by the inspector, no advance notice is necessary.

(4) Diversion to research and development projects: A report shall be given to the committee showing the project, quantity of cranberries, and date of disposition.

§ 929.105 Reporting.

Each report required to be filed with the committee pursuant to § 929.60 shall be mailed to the committee office at Wareham, Massachusetts, or delivered to that office. If the report is mailed, it shall be deemed filed when postmarked.

Dated, October 25, 1963, to become effective 30 days after publication in the FEDERAL REGISTER.

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

[F.R. Doc. 63-11510; Filed, Oct. 30, 1963; 8:48 a.m.]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Conversion Factors for Raisin Weight

The Raisin Administrative Committee has unanimously recommended that § 989.601 of Subpart—Conversion Factors be revised so as to change the conversion factors for raisin weight set forth therein for natural (sun-dried) Thompson Seedless raisins, the most important varietal type. The Committee is established under, and its recommendation is made pursuant to, the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. This marketing program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Some reconditioned raisins are acquired by handlers as packed raisins after different degrees of processing have been accomplished during the reconditioning. In order to place these acquisitions on the same weight basis as handlers' acquisitions of standard natural condition raisins (the weight of which setaside and assessment obligations attach), § 989.601 (7 CFR Part 989) prescribes conversion factors for adjusting the weight of reconditioned raisins acquired as packed raisins to natural condition weight.

The Committee recommended, with respect to natural (sun-dried) Thompson Seedless raisins and for the reasons stated, that the current conversion factor of 0.95 for weight of raisins taken after passing through stemmer and blower be changed to 0.94 and that the current conversion factor of 0.93 for weight of raisins taken after completion of processing be changed to 0.92. In arriving at its recommendation, the Committee used its previously adopted formula based on the historical relationship (for certain prior crop years) between the average dry weight of raisins per tray, determined early each crop year in connection with the official estimate of raisin production, and the average processing weight losses experienced by handlers. The formula recognizes that the weight loss in processing increases as the dry weight of raisins per tray decreases. Application of the formula to the dried weight of 4.86 pounds of raisins per tray estimated for the 1963 production results in the changed conversion factors recommended by the Committee and contained in the revision of § 989.601 hereinafter set forth.

Based upon the recommendation of the Raisin Administrative Committee, supported by its formula based on historical relationships, and other available information, it is concluded that § 989.601 Conversion factors for raisin weight (7 CFR 989.601) should be changed as hereinafter set forth to avoid, to the extent practicable, inequities under this program.

Therefore, § 989.601 is revised to read as follows:

§ 989.601 Conversion factors for raisin weight.

The following factors for different varietal types of raisins and degrees of

processing accomplished, as specified, shall be used to convert the net weight of reconditioned raisins acquired by handlers as packed raisins to natural condition weight:

Varietal type	Weight taken after—	
	Passing through stemmer and blower	Completion of processing
Natural (sun-dried) Thompson Seedless.....	0.94	0.92
Natural (sun-dried) or artificially dehydrated Sultana.....	.94	.92
Natural (sun-dried) or artificially dehydrated Zante.....	.93	.91
Current.....		
Natural (sun-dried) Muscat and Valencia:		
Seeded.....		.80
Unseeded.....	.94	.92
Soda dipped.....	.96	.95
Sulfur bleached.....	.96	.95
Golden seedless.....	.96	.95

The net weight of the raisins acquired as packed raisins shall be divided by the applicable factor to obtain the natural condition weight.

It is hereby found that it is impracticable, unnecessary, or contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for making this revision effective at the time hereinafter set forth and for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that: (1) Some natural (sun-dried) Thompson Seedless raisins of the 1963 production are now being reconditioned and acquired by handlers and, unless changed, the current conversion factors in § 989.601 are to be used, as required by § 989.158(c)(4)(i), in adjusting the reconditioned weight of the acquired raisins to natural condition weight; (2) the changed conversion factors hereby established are necessary to assure an equitable basis, in the light of the indicated change in processing loss experienced by handlers, for calculating the raisin weight on which program obligations are to apply; (3) information indicating the changed processing loss and thereby the need for changing the current conversion factors to conform thereto, only recently became available; (4) the changes in the factors are according to a formula, based on historical data, previously adopted by the Raisin Administrative Committee and generally known to handlers; (5) the changes in the conversion factors should be made effective as soon as possible to avoid inequities which could result from any postponement in the effective date beyond that of publication in the FEDERAL REGISTER; and (6) handlers do not need any additional time to prepare for use of the revised factors in their operations.

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

Dated, October 28, 1963, to become effective upon publication in the FEDERAL REGISTER.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-11511; Filed, Oct. 30, 1963; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 74—SCABIES IN SHEEP

Designation of Free, Infected and Eradication Areas

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby amended to read, respectively, as follows:

§ 74.2 Designation of free and infected areas.

(a) Notice is hereby given that sheep in the following States, territories, and district, or parts thereof as specified, are not known to be infected with scabies, and such States, territories, district, and parts thereof, are hereby designated as free areas:

(1) Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virgin Islands of the United States, Virginia, Washington, Wisconsin, and Wyoming;

(2) The following counties in Nebraska: Arthur, Banner, Blaine, Brown, Chase, Cherry, Cheyenne, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Scotts Bluff, and Thomas;

(3) The following counties in Hawaii: Honolulu, Kauai, and Maui;

(4) The following counties in Missouri: Jackson, Lafayette, Saline, Cooper, Moniteau, Cole, Osage, Gasconade, Franklin, St. Louis, and all Counties in the State of Missouri lying south thereof;

(5) The following counties in Illinois: Madison, Bond, Clinton, Marion, Clay, Richland, and Lawrence; and all Counties in the State of Illinois lying south thereof.

(b) Notice is hereby given also that sheep scabies exists in all States and territories and parts of States not designated as free areas in paragraph (a) of this section, and they are hereby designated as infected areas.

§ 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep, and

such States, and parts thereof, are hereby designated as eradication areas:

- (1) Kentucky and Tennessee;
- (2) All counties in Nebraska except Arthur, Banner, Blaine, Brown, Chase, Cherry, Cheyenne, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Scotts Bluff, and Thomas;
- (3) All counties in Hawaii except Honolulu, Kauai, and Maui;
- (4) The following counties in West Virginia: Berkeley, Fayette, Grant, Greenbrier, Hampshire, Hardy, Jefferson, Mercer, Mineral, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Raleigh, Randolph, Summers, Tucker, Upshur, and Webster;
- (5) All counties in Missouri except Jackson, Lafayette, Saline, Cooper, Moniteau, Cole, Osage, Gasconade, Franklin, St. Louis; and all counties in the State of Missouri lying south thereof;
- (6) All counties in Illinois except Madison, Bond, Clinton, Marion, Clay, Richland, and Lawrence; and all counties in the State of Illinois lying south thereof.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments delete the counties of Box Butte, Dawes, and Sioux in Nebraska from the free areas and add such counties to the infected areas and to the eradication areas, as sheep scabies is known to exist in the area consisting of such counties. After the effective date of these amendments, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will apply to these counties.

The amendments impose certain restrictions necessary to prevent the spread of scabies, a communicable disease of sheep, and must be made effective immediately in order to accomplish their purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 25th day of October 1963.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 63-11540; Filed, Oct. 30, 1963; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-SO-92]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation Regulations is to alter the designation of the Crestview, Fla., control zone.

The Crestview control zone is designated, in part, with reference to the Crestview VOR 110° and 290° True radials. Revised instrument approach procedures will utilize the Crestview VOR 109° and 289° True radials. Therefore, action is taken herein to designate the Crestview control zone with reference to the Crestview VOR 109° and 289° True radials.

Since the change effected by this amendment is minor in nature, notice and public procedure hereon are unnecessary and it may be made effective upon the date of publication in the FEDERAL REGISTER.

In consideration of the foregoing, the following action is taken:

Section 71.171 (27 F.R. 220-91, November 10, 1962, 27 F.R. 12165) is amended as follows: In the Crestview, Fla., control zone "Crestview VOR 110° and 290° radials" is deleted and "Crestview VOR 109° and 289° radials" is substituted therefor.

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

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

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11474; Filed, Oct. 30, 1963; 8:45 a.m.]

[Airspace Docket No. 62-WE-105]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone

On April 10, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 3490) stating that the Federal Aviation Agency proposed to alter the control zone at Seattle, Wash. (NAS Seattle).

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. Due consideration was given to all relevant matter presented.

The only objection received to the proposal questioned the need for including the Kenmore Air Harbor within the NAS Seattle control zone and also the reason for the exclusion of a portion of the 5-mile radius zone west of NAS Seattle.

As stated in the notice, the reason for the inclusion of Kenmore Air Harbor in the NAS Seattle control zone was to provide protection for aircraft by the use of uniform rules of flight for aircraft operating at both locations. The instrument approach and departure procedures for NAS Seattle fly over or near Kenmore, while, due to prevailing wind conditions, the majority of the aircraft departing Kenmore penetrate the NAS Seattle control zone. The reason for exclusion of the west portion of the NAS Seattle control zone would allow aircraft operating at Lake Union to remain clear of the control zone. In addition, the operations at NAS Seattle are so designed that this portion of the control zone would not be required. Therefore, action is taken herein to alter the NAS Seattle control zone as proposed.

The substance of the proposed amendment having been published, and for the reasons stated herein and in the notice, the following action is taken:

In § 71.171 (27 F.R. 220-91, November 10, 1962), the Seattle, Wash. (NAS Seattle) control zone is amended to read:

Seattle, Wash. (NAS Seattle).

Within a 5-mile radius of NAS Seattle (latitude 47°40'50" N., longitude 122°15'10" W.), and within a 1-mile radius of Kenmore Air Harbor, Seattle, Wash. (latitude 47°45'25" N., longitude 122°5'25" W.), excluding the portion W. of longitude 122°19'30" W.

This amendment shall become effective 0001 e.s.t., January 9, 1964.

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

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11475; Filed, Oct. 30, 1963; 8:45 a.m.]

[Airspace Docket No. 63-SW-15]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Control Area; Designation of Transition Areas

On August 9, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 8215) stating that the Federal Aviation Agency proposed to alter the NAS New Orleans-Alvin Callender Field, New Orleans, La., control zone; designate transition areas at New Orleans, Houma, La., Grand Isle, La., and Picayune, Miss.; and alter the description of Control 1216.

Subsequent to publication of the notice, Restricted Area R-4403 has been

revoked. Therefore, no reference is made to this restricted area in the action taken herein.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962, 28 F.R. 4611), the NAS New Orleans-Alvin Callender Field, New Orleans, La., control zone is amended to read:

New Orleans, La. (NAS New Orleans-Alvin Callender Field).

Within a 5-mile radius of NAS New Orleans-Alvin Callender Field (latitude 29°49'40" N., longitude 90°01'25" W.); within 2 miles each side of the Navy New Orleans RBN 241° bearing, extending from the 5-mile radius zone to 8 miles SW of the RBN; and within 2 miles each side of the Navy New Orleans RBN 131° bearing, extending from the 5-mile radius zone to 8 miles SE of the RBN.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

New Orleans, La.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 30°06'25" N., longitude 90°16'35" W.; to latitude 30°08'20" N., longitude 90°02'30" W.; thence clockwise along the arc of a 7-mile radius circle centered at the New Orleans Airport (latitude 30°02'20" N., longitude 90°01'25" W.); to latitude 30°02'20" N., longitude 89°54'20" W.; to latitude 29°49'40" N., longitude 89°54'20" W.; thence clockwise along the arc of a 7-mile radius circle centered at NAS New Orleans-Alvin Callender Field (latitude 29°49'40" N., longitude 90°01'25" W.); to latitude 29°44'45" N., longitude 90°05'25" W.; to latitude 29°53'45" N., longitude 90°20'00" W.; thence clockwise along the arc of an 8-mile radius circle centered at New Orleans International-Moisant Field (latitude 29°59'25" N., longitude 90°15'15" W.); to point of beginning; within 2 miles each side of the Navy New Orleans RBN 241° bearing extending from the RBN to 10 miles SW; and within 2 miles each side of the Navy New Orleans RBN 131° bearing, extending from the 7-mile radius area to 10 miles SE of the RBN; and that airspace extending upward from 1,200 feet above the surface, bounded by a line beginning at latitude 29°33'00" N., longitude 89°16'00" W.; to latitude 29°13'30" N., longitude 89°51'00" W.; to latitude 28°57'00" N., longitude 90°01'00" W.; to latitude 28°59'00" N., longitude 90°15'00" W.; to latitude 29°11'00" N., longitude 90°25'00" W.; to latitude 29°15'00" N., longitude 90°25'00" W.; to latitude 29°15'00" N., longitude 91°05'00" W.; to latitude 29°31'00" N., longitude 91°05'00" W.; to latitude 29°31'00" N., longitude 91°11'00" W.; to latitude 29°47'00" N., longitude 91°11'00" W.; to latitude 29°53'00" N., longitude 91°00'00" W.; to latitude 30°13'00" N., longitude 90°57'00" W.; to latitude 30°17'00" N., longitude 90°45'00" W.; to latitude 30°38'00" N., longitude 90°48'00" W.; to latitude 30°38'00" N., longitude 90°11'00" W.; to latitude 30°54'00" N., longitude 89°35'00" W.; to latitude 30°41'00" N., longitude 89°18'00" W.; to latitude 29°41'00" N., longitude 89°18'00" W.; thence to point of beginning; and that airspace extending upward from 3,000 feet MSL, bounded by a line be-

ginning at latitude 29°28'35" N., longitude 89°23'50" W.; thence along the outer limits of the territorial waters of the United States to the northern boundary of Control Area 1226; thence NW along the N boundary of Control Area 1226 to latitude 29°13'30" N., longitude 89°51'00" W.; thence NE to point of beginning.

Houma, La.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Houma Municipal Airport (latitude 29°34'10" N., longitude 90°39'40" W.), and within 2 miles each side of the Tibby, La., VOR 123° radial, extending from the 5-mile radius area to the VOR.

Grand Isle, La.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Grand Isle seaplane base (latitude 29°15'45" N., longitude 89°57'40" W.), and within 2 miles each side of the Grand Isle RBN 052° bearing, extending from the 5-mile radius area to the RBN.

Picayune, Miss.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Picayune Municipal Airport (latitude 30°31'20" N., longitude 89°42'25" W.), and within 2 miles each side of the Picayune VOR 332° radial, extending from the 5-mile radius area to 8 miles NW of the VOR.

3. In § 71.163 (27 F.R. 220-55, November 10, 1962), the following changes are made: In Control 1216 "That airspace from the United States coastline" and "and on the NW by the New Orleans control area extension, excluding the portion below 2,000 feet MSL outside the United States." is deleted and "That airspace extending upward from 2,000 feet MSL" and "and on the NW by the New Orleans transition area." is substituted therefor.

These amendments shall become effective 0001 e.s.t., January 9, 1964.

(Sec. 307(a) and 1110, 72 Stat. 749, and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11476; Filed, Oct. 30, 1963; 8:45 a.m.]

[Airspace Docket No. 63-SO-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Designation of Transition Area; Revocation of Control Area Extension

On August 15, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 8377) stating that the Federal Aviation Agency proposed to alter the Chattanooga, Tenn., control zone, revoke the Chattanooga control area extension and designate the Chattanooga transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962), the Chattanooga, Tenn., control zone is amended to read:

Chattanooga, Tenn.

Within a 5-mile radius of Lovell Field, Chattanooga, Tenn., (latitude 35°02'05" N., longitude 85°12'10" W.) within 2 miles each side of the Chattanooga VORTAC 333° radial, extending from the 5-mile radius zone to the VORTAC; within 2 miles each side of the Chattanooga ILS localizer NE course, extending from the 5-mile radius zone to 8 miles NE of the airport; and within 2 miles each side of the Chattanooga ILS SW course, extending from the 5-mile radius zone to the INT of the ILS SW course and the 263° radial of the Chattanooga VORTAC.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Chattanooga, Tenn.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Lovell Field, Chattanooga, Tenn. (latitude 35°02'05" N., longitude 85°12'10" W.), extending clockwise from the 020° to the 250° bearings from the airport; within a 20-mile radius of Lovell Field, extending clockwise from the 250° to the 020° bearings from the airport; within 5 miles each side of the Chattanooga VORTAC 263° radial, extending between the arcs of a 14-mile and a 25-mile radius circle each centered at Lovell Field; within 8 miles E and 5 miles W of the North Chattanooga, Tenn., RBN 016° bearing, extending from the RBN to 12 miles N; that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Lovell Field; within the area SE of Chattanooga, extending from the 25-mile radius area bounded on the E by the W boundary of V-5, on the S by a line through latitude 34°26'58" N., longitude 84°55'58" W., and latitude 34°25'30" N., longitude 84°59'30" W., and on the W by a line 9 miles W of and parallel to the Chattanooga VORTAC 152° radial; within the area N, NE and NW of Chattanooga extending from the 25-mile radius area bounded by a line beginning at the INT of the arc of a 25-mile radius circle centered at Lovell Field and a line 6 miles W of and parallel to the Chattanooga VORTAC 313° radial; thence NW along a line 6 miles W of and parallel to the Chattanooga VORTAC 313° radial to and clockwise along the arc of a 50-mile radius circle centered on the Chattanooga VORTAC to the W boundary of V-51 W alternate; thence S along the W boundary of V-51 W alternate to latitude 35°25'45" N., longitude 85°09'15" W.; to latitude 35°22'45" N., longitude 84°45'00" W.; to latitude 35°17'30" N., longitude 84°45'10" W.; to latitude 35°08'20" N., longitude 84°45'35" W.; thence via latitude 35°08'20" N., to the arc of a 25-mile radius circle centered at Lovell Field; and that airspace extending upward from 3,000 feet MSL bounded on the N by V-54, on the NE by the arc of a 25-mile radius circle centered at Lovell Field, on the SE by V-115, and on the W by a line extending through latitude 34°32'00" N., longitude 85°52'15" W., and latitude 34°48'00" N., longitude 85°57'10" W., excluding the portion within the Rome, Ga., transition area.

3. Section 71.165 (27 F.R. 220-59, November 10, 1962) is amended by revoking the Chattanooga, Tenn., control area extension.

These amendments shall become effective 0001 e.s.t., January 9, 1964.
(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11477; Filed, Oct. 30, 1963;
8:45 a.m.]

[Airspace Docket No. 63-WE-32]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Designation of Transition Area; Revocation of Control Area Extension

On August 21, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 9212) stating that the Federal Aviation Agency proposed to alter the Rawlins, Wyo., control zone, revoke the Sinclair, Wyo., control area extension, and designate the Rawlins transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962) the Rawlins, Wyo., control zone is amended to read:

Rawlins, Wyo.

Within a 5-mile radius of Rawlins Municipal Airport (latitude 41°48'15" N., longitude 107°12'05" W.).

2. Section 71.165 (27 F.R. 220-59, November 10, 1962) is amended by revoking the following control area extension: "Sinclair, Wyo."

3. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Rawlins, Wyo.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Sinclair, Wyo., RR E and W courses, extending from the arc of a 5-mile radius circle centered on the Rawlins Municipal Airport (latitude 41°48'15" N., longitude 107°12'05" W.) to 8 miles E of the RR, and within 2 miles each side of the RR 272° bearing, extending from the arc of a 5-mile radius circle centered on the Rawlins Municipal Airport to the RR; and that airspace extending upward from 1,200 feet above the surface within 8 miles N and 9 miles S of the Sinclair RR E and W courses, extending from 12 miles E to 18 miles W of the RR.

These amendments shall become effective 0001 e.s.t., January 9, 1964.

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

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11478; Filed, Oct. 30, 1963;
8:45 a.m.]

[Airspace Docket No. 63-WE-6]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Control Zone and Transition Area

On August 19, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 8216) stating that the Federal Aviation Agency proposed to designate a control zone and transition area at Astoria, Ore.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. Section 71.171 (27 F.R. 220-91, November 10, 1962) is amended by adding the following:

Astoria, Ore.

Within a 5-mile radius of Clatsop County Airport, Astoria, Ore. (latitude 46°09'25" N., longitude 123°52'40" W.), and within 2 miles each side of the Astoria VOR 268° radial, extending from the 5-mile radius zone to 8 miles W of the VOR.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Astoria, Ore.

That airspace extending upward from 700 feet above the surface bounded on the SW by the Astoria VOR 326° radial, on the NE by a line 5 miles NE of and parallel to the Astoria VOR 326° radial, extending from the arc of a 5-mile radius circle centered at the Clatsop County Airport to 12 miles NW of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 46°08'00" W., longitude 123°42'00" W., thence to latitude 46°02'00" N., longitude 123°53'00" W., thence to latitude 46°02'00" N., longitude 124°09'00" W., thence to latitude 46°16'00" N., longitude 124°09'00" W., thence to latitude 46°22'00" N., longitude 123°55'00" W., thence to point of beginning.

These amendments shall become effective 0001 e.s.t., January 9, 1964.

(Sec. 307(a) and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11479; Filed, Oct. 30, 1963;
8:45 a.m.]

[Airspace Docket No. 63-CE-40]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Revocation of Control Area Extension; Change of Effective Date

On October 11, 1963, there was published in the FEDERAL REGISTER (28 F.R.

10899) amendments to Part 71 [New] of the Federal Aviation Regulations that altered the Grand Rapids, Mich., control zone, revoked the Muskegon, Mich., control area extension and designated the Grand Rapids transition area. These amendments are to be effective 0001 e.s.t., November 23, 1963.

A subsequent examination of the controlled airspace requirements in the Grand Rapids and Muskegon terminal areas revealed that the retention of the Muskegon control area extension is required until December 12, 1962 to provide controlled airspace to the effective date for the establishment of a transition area at Muskegon as established in Airspace Docket No. 63-CE-12 (28 F.R. 9347).

Since thirty days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedures Act.

In consideration of the foregoing, effective immediately, Federal Register Document No. 63-10771 is hereby modified as follows: "These amendments shall become effective 0001 e.s.t., November 23, 1963." is deleted and "Numbered items 1 and 3 shall become effective 0001 e.s.t., November 23, 1963. Numbered item 2 shall become effective 0001 e.s.t., December 12, 1963." is substituted therefor.

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

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11480; Filed, Oct. 30, 1963;
8:45 a.m.]

[Airspace Docket No. 62-WE-81]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Designation of Restricted Area and Alteration of Restricted Area and Controlled Airspace

On July 26, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 7607) stating that the Federal Aviation Agency proposed to alter the Fort Ord, California, Restricted Area R-2511 by redesignating it into two restricted areas of lesser dimensions; designate the Federal Aviation Agency, Monterey Approach Control as controlling agency; alter the description of the Monterey, California, control area extension, the Monterey, California, and Fort Ord, California, control zones, VOR Federal Airway No. 230 to permit use of the airspace within the two restricted areas only after obtaining prior approval from appropriate authority; and alter the descriptions of VOR

Federal Airways Nos. 25 and 111 to delete reference to R-2511.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. Due consideration was given to all relevant matter presented.

Mr. Fred J. Kane, Manager, Monterey Peninsula Airport, commented that the Board of Directors of the Monterey Peninsula Airport had requested that the Monterey Peninsula control zone be enlarged to a 4-mile radius zone and that the Department of the Army and the Federal Aviation Agency insure that firing within the redescribed control zone will be stopped immediately upon request by the Monterey Tower. Mr. Kane further stated that this request is in the best interest of the flying public "and may avoid future accidents involving aircraft turning slightly wide on the down wind or base leg for Runway 28".

In recognition of the requirement for a larger control zone to encompass Monterey Peninsula Airport operations, the Agency has taken action (Airspace Docket No. 62-WE-78, effective January 10, 1963) to enlarge the Monterey Peninsula control zone to a 5-mile zone. However, this action excluded the portion within R-2511. The proposal to alter R-2511 would remove this exclusion from the control zone description and provide for joint use of the portion within R-2511. The Agency believes that the previous action, in conjunction with the action proposed in the notice, will satisfy the comments concerning the enlargement of the control zone submitted by Mr. Kane.

Further, the establishment of procedures whereby firing in those portions of the restricted area that impinge upon the control zone would cease immediately upon request by the Monterey Tower would seriously derogate the training mission of Fort Ord. In addition, the Federal Aviation Agency believes that the lateral distance of approximately three statute miles that exists from Runway 28 to the closest point of the boundaries of R-2511 and the proposed R-2529, provides adequate airspace to encompass the traffic patterns for the aircraft normally utilizing this runway. Since the amount of airspace available for aircraft maneuvering for a landing will not be decreased and no difficulty in remaining clear of the present restricted area has been noted in the past, the Federal Aviation Agency does not believe the procedure which Mr. Kane suggests would result in any increase in safety.

The substance of the proposed amendment having been published, therefore, for the reasons stated herein and in the notice, the following actions are taken:

1. In § 73.25 California, R-2511 Fort Ord, Calif. (28 F.R. 19-8, January 26, 1963), is amended to read:

R-2511 Fort Ord, California.

Boundaries. Beginning a latitude 36°37'-42" N., longitude 121°48'47" W.; to latitude 36°38'25" N., longitude 121°46'29" W.; thence counterclockwise around the arc of a 3-mile radius circle centered at latitude 36°40'55" N., longitude 121°45'41" W.; to latitude 36°38'43" N., longitude 121°44'00" W.; to latitude 36°38'08" N., longitude 121°43'20" W.;

to latitude 36°35'45" N., longitude 121°42'-42" W.; to latitude 36°34'45" N., longitude 121°47'24" W.; thence counterclockwise along the arc of a 3-mile radius circle centered at latitude 36°35'30" N., longitude 121°50'30" W.; to the point of beginning.

Designated altitudes. Surface to 5,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Monterey Approach Control.

Using agency. Commanding General, Fort Ord, California.

2. In § 73.25 California (28 F.R. 19-8, January 26, 1963), the following is added:

R-2529 Fort Ord West, California.

Boundaries. Beginning at latitude 36°-42'00" N., longitude 121°49'45" W.; to latitude 36°40'45" N., longitude 121°48'22" W.; thence south along California State Highway No. 1 to latitude 36°38'05" N., longitude 121°49'55" W.; to latitude 36°38'15" N., longitude 121°51'45" W.; to the point of beginning.

Designated altitudes. Surface to 1,000 feet MSL.

Time of designation. Thirty minutes before sunrise to thirty minutes after sunset.

Controlling agency. Federal Aviation Agency, Monterey Approach Control.

Using agency. Commanding General, Fort Ord, California.

3. Section 71.171 (27 F.R. 220-91, November 10, 1962, 27 F.R. 11532) is amended as follows:

a. In the Monterey, Calif., control zone, "and excluding the portions within R-2511." is deleted and ". The airspace within R-2511 and R-2529 shall be used only after obtaining prior approval from appropriate authority." is substituted therefor.

b. In the Fort Ord, Calif., control zone, "and excluding the portions within R-2511." is deleted and ". The airspace within R-2511 and R-2529 shall be used only after obtaining prior approval from appropriate authority." is substituted therefor.

4. Section 71.165 (27 F.R. 220-59, November 10, 1962, 28 F.R. 10332) is amended as follows:

a. In the Monterey, Calif., control area extension, "excluding the portions within R-2511 and R-2513" is deleted. At the end of the description, the following is added: "The airspace within R-2511, R-2513 and R-2529 shall be used only after obtaining prior approval from appropriate authority."

5. Section 71.123 (27 F.R. 220-6, November 10, 1962), is amended as follows:

a. In V-230 (28 F.R. 4552, 5187, 8282, 9809, 10332), "R-2511 is excluded." is deleted and "R-2511 and R-2529 shall be used only after obtaining prior approval from appropriate authority." is substituted therefor.

b. In V-25 (28 F.R. 722, 1419), "The airspace within R-2504, R-2511, R-2520, R-6714 and W-289 is excluded." is deleted and "The airspace within R-2504, R-2520, R-6714 and W-289 is excluded." is substituted therefor.

c. In V-111, "The airspace within R-2511 is excluded." is deleted.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

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

Issued in Washington, D.C., on October 25, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63-11483; Filed, Oct. 30, 1963; 8:46 a.m.]

[Airspace Docket No. 63-WE-107]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area

The purpose of this amendment to § 73.32 of the Federal Aviation Regulations is to alter the Arco, Idaho, Restricted Area R-3201 by lowering the designated ceiling from "Surface to 20,000 feet MSL" to "Surface to 10,000 feet MSL".

The Atomic Energy Commission has advised the Federal Aviation Agency that activities conducted within R-3201 are such that the designated ceiling can be lowered to 10,000 feet MSL without affecting the safety of aircraft. Accordingly, such action is taken herein.

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

In consideration of the foregoing, the following action is taken: In the text of § 73.32 Idaho, R-3201 Arco, Idaho (28 F.R. 19-19, January 26, 1963), "Designated altitudes. Surface to 20,000 feet MSL." is deleted and "Designated altitudes. Surface to 10,000 feet MSL." is substituted therefor.

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

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

Issued in Washington, D.C., on October 25, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63-11482; Filed, Oct. 30, 1963; 8:46 a.m.]

[Airspace Docket No. 63-WA-78]

PART 75—ESTABLISHMENT OF JET ROUTES [NEW]

Alteration of Jet Advisory Areas

The purpose of these amendments to Part 75 of the Federal Aviation Regulations is to revoke the designation of jet advisory areas on those segments of jet routes which lie within positive control areas.

In Airspace Docket No. 62-WA-129 (28 F.R. 1100) jet advisory areas were excluded from positive control areas. Therefore, §§ 75.200 and 75.300 are hereby amended to delete those en route and terminal jet advisory areas contained within positive control areas.

Since these amendments are editorial in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and they may be made effective upon publication.

In consideration of the foregoing the following actions are taken:

1. Section 75.200 (28 F.R. 19-60, January 26, 1963, 28 F.R. 1420, 4946) is amended to read:

§ 75.200 En route jet advisory areas.

(Unless otherwise specified, the place names appearing in the description of the jet advisory areas indicate the VOR or VORTAC facilities identified by such names.)

Jet Route No. 7 jet advisory area. Radar—From 65 nmi NE of Dillon, Mont., to United States/Canadian Border. Nonradar—From the positive control area boundary NE of Dillon, Mont., to 65 nmi NE of Dillon.

Jet Route No. 13 jet advisory area. Radar—From the positive control area boundary SE of Crazy Woman, Wyo., to the United States/Canadian Border.

Jet Route No. 16 jet advisory area. Radar—From the positive control area boundary W of Whitehall, Mont., to the positive control area boundary W of Sioux Falls, S. Dak., excluding the portion below FL 310 from 75 nmi W of Whitehall, to 97 nmi E of Whitehall. From the positive control area boundary E of Buffalo, N.Y., to Boston, Mass. Nonradar—From 75 nmi W of Whitehall, Mont., to 97 nmi E of Whitehall, FL 270 to FL 300 inclusive.

Jet Route No. 20 jet advisory area. Radar—From the positive control area boundary NW of Orlando, Fla., to Orlando.

Jet Route No. 25 jet advisory area. Radar—From the United States/Mexican Border to the positive control area boundary N of Brownsville, Tex.

Jet Route No. 29 jet advisory area. Radar—From the United States/Mexican Border to the positive control area boundary N of Brownsville, Tex. From the positive control area boundary SW of Syracuse, N.Y., to Plattsburgh, N.Y.

Jet Route No. 32 jet advisory area. Radar—From the positive control area boundary SW of Crazy Woman, Wyo., to the positive control area boundary NE of Aberdeen, S. Dak. Nonradar—From the positive control area boundary NE of Duluth, Minn., to the United States/Canadian Border only from FL 370 to FL 390, inclusive.

Jet Route No. 37 jet advisory area. Radar—From the positive control area boundary S of Albany, N.Y., to the United States/Canadian Border.

Jet Route No. 38 jet advisory area. Nonradar—From United States/Canadian Border to the positive control area boundary NW of Duluth, Minn., at FL 310 and FL 370 only.

Jet Route No. 41 jet advisory area. Radar—Miami, Fla., to the positive control area boundary SE of Tallahassee, Fla.

Jet Route No. 43 jet advisory area. Radar—St. Petersburg, Fla., to the positive control area boundary SE of Tallahassee, Fla.

Jet Route No. 49 jet advisory area. Radar—From the positive control area boundary SW of Albany, N.Y., to the United States/Canadian Border.

Jet Route No. 53 jet advisory area. Radar—Key West, Fla., to the positive control area boundary S of Jacksonville, Fla.

Jet Route No. 55 jet advisory area. Radar—From the positive control area boundary SW of Boston, Mass., to the United States/Canadian Border.

Jet Route No. 59 jet advisory area. Radar—From the positive control area SW of Syracuse, N.Y., to Syracuse.

Jet Route No. 62 jet advisory area. Radar—From the positive control area boundary SW of Nantucket, Mass., to Nantucket.

Jet Route No. 68 jet advisory area. Radar—From the INT of Jet Routes Nos. 68 and 55 to Nantucket, Mass.

Jet Route No. 70 jet advisory area. Radar—From the positive control area boundary E of Mullan Pass, Idaho, to the positive control area boundary E of Aberdeen, S. Dak.

Jet Route No. 75 jet advisory area. Radar—Miami, Fla., to the positive control area boundary S of Gainesville, Fla. From the positive control area boundary SW of Albany, N.Y., to the United States/Canadian Border.

Jet Route No. 77 jet advisory area. Radar—Miami, Fla., to West Palm Beach, Fla. From the positive control area boundary SW of Boston, Mass., to the United States/Canadian Border.

Jet Route No. 79 jet advisory area. Radar—Miami, Fla., to West Palm Beach, Fla.

Jet Route No. 81 jet advisory area. Radar—Miami, Fla., to Barracuda INT.

Jet Route No. 82 jet advisory area. Radar—From the positive control area boundary SW of Albany, N.Y., to Boston, Mass.

Jet Route No. 85 jet advisory area. Radar—Miami, Fla., to the positive control area boundary S of Gainesville, Fla.

Jet Route No. 89 jet advisory area. Radar—Miami, Fla., to the positive control area boundary S of Gainesville, Fla.

Jet Route No. 90 jet advisory area. Radar—From the positive control area boundary E of Mullan Pass, Idaho, to the positive control area boundary NW of Sioux Falls, S. Dak.

Jet Route No. 94 jet advisory area. Radar—From the positive control area boundary E of Buffalo, N.Y., to Boston, Mass.

Jet Route No. 95 jet advisory area. Radar—From the positive control area boundary NW of Huguenot, N.Y., to the positive control area boundary SE of Buffalo, N.Y.

Jet Route No. 97 jet advisory area. Radar—Nantucket, Mass., to Plattsburgh, N.Y.

Jet Route No. 103 jet advisory area. Radar—St. Petersburg, Fla., to Orlando, Fla.

Jet Route No. 107 jet advisory area. Radar—Crazy Woman, Wyo., to the United States/Canadian Boundary.

Jet Route No. 500 jet advisory area. Radar—From the United States/Canadian Border SE of Lakehead, Ont., Canada, to the United States/Canadian Border E of Sault Ste. Marie, Mich.; from the United States/Canadian Border W of Millinocket, Maine, to the United States/Canadian Border NE of Millinocket, excluding the airspace below FL 290 from the United States/Canadian Border SE of Lakehead to Sault Ste. Marie.

Jet Route No. 515 jet advisory area. Radar—Pembina, N. Dak., RR to the United States/Canadian Border.

Jet Route No. 560 Jet advisory area. Radar—Plattsburgh, N.Y., to the United States/Canadian Border.

2. Section 75.300 (28 F.R. 19-66, January 26, 1963) is amended to read:

§ 75.300 Terminal jet advisory areas.

(Unless otherwise specified the place names appearing in the description of the jet advisory areas indicate the VOR or VORTAC facilities identified by such names.)

Boston, Mass., jet advisory area.

RADAR

a. Nantucket, Mass., CONSOLAN via Control Area 1143 to boundary of the Continental Control Area.

b. Nantucket, Mass., CONSOLAN via Control Area 1144 to boundary of the Continental Control Area.

c. Nantucket, Mass., CONSOLAN via Control Area 1145 to boundary of the Continental Control Area.

d. Direct course between Boston, Mass., and East Boston INT (INT of 098° bearing from the Boston, Mass., RBN and the 041° radial of Whitman, Mass.).

Brownsville, Tex., jet advisory area.

RADAR

a. Brownsville, Tex., via Brownsville 024° radial to boundary of the Continental Control Area.

Los Angeles, Calif., jet advisory area.

RADAR

a. Los Angeles, Calif., via INT of Los Angeles 185° and Long Beach, Calif., 223° radials; thence via Control Area 1177 to boundary of the Continental Control Area.

b. Los Angeles, Calif., via INT of Los Angeles 185° and Santa Catalina, Calif., 355° radials; Santa Catalina; to Oceanside, Calif.

c. Los Angeles, Calif., via INT of Los Angeles 257° and Ventura, Calif., 155° radials; to Ventura.

Miami, Fla., jet advisory area.

RADAR

a. Lakeland, Fla., via Fort Myers, Fla.; INT of Ft. Myers 137° and Biscayne Bay, Fla., 262° radials; to Biscayne Bay.

b. Copeland, Fla., INT (INT of Fort Myers, Fla., 137° and Miami, Fla., 269° radials) to Miami.

c. West Palm Beach, Fla., to Biscayne Bay, Fla.

d. Miami, Fla., via Marathon, Fla., RBN; thence via Marathon RBN 219° bearing to boundary of the Continental Control Area.

e. Miami, Fla., via Miami 119° radial to boundary of Continental Control Area.

f. Biscayne Bay, Fla., via the Biscayne Bay 087° radial to boundary of Continental Control Area.

g. Biscayne Bay, Fla., via the Biscayne Bay 051° radial to boundary of Continental Control Area.

Minneapolis, Minn., jet advisory area.

RADAR

a. Aberdeen, S. Dak., to Watertown, S. Dak.

New Orleans, La., jet advisory area.

RADAR

a. New Orleans, La., via INT of New Orleans 100° and Mobile, Ala., 224° radials to Mobile.

b. New Orleans, La., via INT of New Orleans 100° and Picayune, Miss., 161° radials; to INT of Picayune 161° radial with Control Area 1226.

c. INT of Picayune, Miss., 161° and New Orleans, La., 122° radials to INT of New Orleans 122° radial with Control Area 1226.

New York, N.Y., jet advisory area.

RADAR

a. Poughkeepsie, N.Y., to Albany, N.Y.

San Francisco/Oakland, Calif., jet advisory area.

RADAR

a. Oakland, Calif., via INT of Oakland 221° and Point Reyes, Calif., 161° radials; INT of Point Reyes 161° and Big Sur, Calif., 325° radials; INT of Big Sur, 325° and Salinas, Calif., 281° radials; to Salinas.

b. INT of Point Reyes, Calif., 161° and Big Sur, Calif., 325° radials to Big Sur.

c. San Francisco, Calif., via INT of San Francisco 304° and Sacramento, Calif., 233° radials; to INT of Sacramento 233° and Linden, Calif., 269° radials.

Tampa, Fla., jet advisory area.

RADAR

a. St. Petersburg, Fla., via INT St. Petersburg 040° and Orlando, Fla., 258° radials; to Orlando.

b. St. Petersburg, Fla., via Lakeland, Fla., to Orlando, Fla.

c. St. Petersburg, Fla., to INT of St. Petersburg 275° radial with Control Area 1226.

d. Egmont Key, Fla., RBN direct to INT of Jet Routes Nos. 41 and 85.

e. Fort Meyers, Fla., via St. Petersburg, Fla., to Eddy, Fla., INT (INT of St. Petersburg 350° and Ocala, Fla., 241° radials).

f. Ocala, Fla., to INT of Ocala 241° and Cross City, Fla., 185° radials.

g. St. Petersburg, Fla., via INT of St. Petersburg 290° and Cross City, Fla., 185° radials; to the INT of Cross City 185° and Ocala, Fla., 241° radials.

h. St. Petersburg, Fla., to Ocala, Fla.

i. St. Petersburg, Fla., via St. Petersburg 320° radial to the boundary of the Continental Control Area.

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

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

Issued in Washington, D.C., on October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11481; Filed, Oct. 30, 1963; 8:45 a.m.]

Chapter XV—Defense Air Transportation Administration, Department of Commerce

[General Order—War Risk Insurance (Third Rev.)]

PART 1501—WAR RISK INSURANCE

The "General Order—War Risk Insurance (Second Revision)," dated October 31, 1962, is hereby further revised to read as follows:

Title XIII of the Federal Aviation Act of 1958 (72 Stat. 731, 49 U.S.C. 1531), which re-enacted the provisions of Public Law 47, 82d Congress (65 Stat. 65), as amended, authorizes the Secretary of Commerce, with the approval of the President, to provide insurance against loss or damage or legal liability arising out of war risks whenever it appears to the Secretary that such insurance adequate for the needs of the air commerce of the United States cannot be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States.

The Secretary of Commerce made a finding on September 11, 1952, that war risk insurance adequate for the needs of the air commerce of the United States cannot be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, and the President, on September 17, 1952, gave the required approval for providing such insurance.

The Secretary of Commerce, by Department Order No. 128 (Revised), dated May 9, 1963, authorized the Under Secretary of Commerce for Transportation to administer the War Risk Insurance program under Title XIII, Public Law 85-726 (49 U.S.C. 1531-1542).

The President has approved the providing of war risk insurance, without premium, to the Department of Defense for participants in the Civil Reserve Air Fleet (CRAF) Program, and for certain civil air carriers while providing international and overseas transportation regularly required by the Department of Defense, including emergency airlift requirements not sufficient to justify the

activation of CRAF, and to the Department of State for American air carriers entering into certain agreements with such Department, in consideration of agreements of the Secretary of Defense and the Secretary of State to indemnify the Secretary of Commerce against all losses covered by such insurance.

The Under Secretary of Commerce for Transportation is prepared to provide war risk hull insurance, war risk liability insurance, exclusive of cargo liability, and war risk carriers liability to cargo insurance, except that no insurance will be issued to cover any war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia. Geographical limits for the coverages may be prescribed by the Under Secretary of Commerce for Transportation.

The following rules and regulations¹ for the providing of such insurance are promulgated:

Subpart A—General

Sec.	
1501.1	Eligibility of aircraft for insurance.
1501.2	Change in status of an aircraft after interim binders have been issued.
1501.3	Applications for insurance and payment of binding fees.
1501.4	Time of attachment of insurance.
1501.5	Premiums and payment thereof.
1501.6	War risk insurance underwriting agents.
1501.7	Modifications.

Subpart B—War Risk Hull Insurance

1501.100	Amounts of insurance for which application may be made.
1501.101	Form of application.
1501.102	Issuance of interim binder: its terms and conditions.
1501.103	Sums which will be insured.
1501.104	Calculation of premiums.
1501.105	Additional war risk hull insurance.
1501.106	Standard forms of war risk hull insurance interim binders.
1501.107	Standard forms of war risk hull insurance policies.

Subpart C—War Risk Liability Insurance, Exclusive of Cargo Liability

1501.200	Limits of liability insurance for which application may be made.
1501.201	Form of application.
1501.202	Issuance of interim binder: its terms and conditions.
1501.203	Sums which will be insured.
1501.204	Calculation of premiums.
1501.205	Standard forms of war risk liability insurance, exclusive of cargo liability, interim binders.
1501.206	Standard forms of war risk liability insurance, exclusive of cargo liability, policies.

Subpart D—War Risk Carriers Liability to Cargo Insurance

1501.300	Limits of liability insurance for which application may be made.
1501.301	Form of application.
1501.302	Issuance of interim binder: its terms and conditions.
1501.303	Sums which will be insured.
1501.304	Calculation of premiums.

¹ UST Form No. WRI-1A (Rev. 10-62) and Schedule of Aircraft (Rev. 10-62) has been deleted from § 1501.101, and UST Form No. WRI-2A (Rev. 10-62) has been deleted from § 1501.106.

Sec.	
1501.305	Standard forms of war risk carriers liability to cargo insurance interim binders.
1501.306	Standard forms of war risk carriers liability to cargo insurance policies.
1507.307	Effect on other General Orders—War Risk Insurance.

AUTHORITY: §§ 1501.1 to 1501.307 issued under sec. 1307, Federal Aviation Act, 1958; 72 Stat. 803; 49 U.S.C. 1537.

Subpart A—General

§ 1501.1 Eligibility of aircraft for insurance.

An aircraft is eligible for insurance if it is:

(a) An American aircraft as defined in section 1301(a), Title XIII of the Federal Aviation Act of 1958, as amended; or

(b) A foreign-flag aircraft engaged in aircraft operations deemed by the Under Secretary of Commerce for Transportation to be in the interest of the national defense or the national economy of the United States.

§ 1501.2 Change in status of an aircraft after interim binders have been issued.

In the event that an aircraft shall cease to come within either paragraph (a) or (b) of § 1501.1 after any interim binders set forth in §§ 1501.106, 1501.205 and 1501.305 have been issued, interim binders covering such an aircraft shall automatically terminate. In the event of sale, lease, confiscation, requisition, or total loss of an aircraft, or any other change in the status, which by the terms of the binder causes same to terminate, prompt notice shall be given in writing to the Under Secretary of Commerce for Transportation.

§ 1501.3 Applications for insurance and payment of binding fees.

Applications for war risk hull and war risk liability, exclusive of cargo, insurance, shall be filed on the same form, in duplicate, and applications for war risk carriers liability to cargo insurance shall be filed on a separate form, also in duplicate. Applications for insurance on those foreign-flag aircraft referred to in § 1501.1 shall be accompanied by a signed statement in quadruplicate, setting forth the dates of the applications, the forms of insurance applied for, the identification number of the aircraft, its flag, the name of the owner or lessee, the operations in which the aircraft is engaged and the reason such operations should be considered to be in the interest of the national defense or national economy of the United States, which statement shall be deemed to be a part of each application for insurance filed with respect to such aircraft. Applications shall be made to the Under Secretary of Commerce for Transportation, Department of Commerce, Washington 25, D.C. A check payable to the Treasurer of the United States for the total amount of all binding fees payable by each applicant shall accompany the applications. Binding fees are not returnable unless applications are rejected.

§ 1501.4 Time of attachment of insurance.

The war risk insurance to be provided under this part shall attach:

(a) In the case of premium insurance, not earlier than the date and hour commercial war risk insurance terminates by reason of the operation of the "twenty-four hour automatic termination clause," whether or not the aircraft was covered by such commercial insurance; and

(b) In the case of non-premium insurance, as specified in the Binder or Policy.

§ 1501.5 Premiums and payment thereof.

The rates of premium for insurance shall be subject to review and revision by the Under Secretary of Commerce for Transportation each calendar month, and the Under Secretary of Commerce for Transportation may deem it appropriate to fix premium surcharges or rate loadings. Premiums shall accrue upon the fixing of the rates by the Under Secretary of Commerce for Transportation, and shall be payable within ten days after receipt of notice of the amounts thereof by the Insured. Premiums shall be paid to the Under Secretary of Commerce for Transportation by check payable to the order of the Treasurer of the United States.

§ 1501.6 War risk insurance underwriting agents.

Applications from companies or groups of companies authorized to do an aviation insurance business in any State of the United States for appointment as underwriting agents will not be received until the Under Secretary of Commerce for Transportation finds that it is practical to employ such companies as underwriting agents. The Under Secretary of Commerce for Transportation will promulgate, and publish in the FEDERAL REGISTER, the forms and agreements required for the appointment of underwriting agents.

§ 1501.7 Modifications.

The provisions of this part may be amended or modified at any time by the Under Secretary of Commerce for Transportation.

Subpart B—War Risk Hull Insurance

§ 1501.100 Amounts of insurance for which application may be made.

An applicant for war risk hull insurance shall state the amount of insurance desired, but any payment for damage to or total loss of the aircraft will be made as provided in § 1501.103.

§ 1501.101 Form of application.

Applications submitted shall be in strict accordance with one of the following forms:

(a) UST Form No. WRI-1 (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Application for Premium War Risk Hull and Liability, Exclusive of Cargo, Insurance

Application is made for premium War Risk Hull and Liability, exclusive of Cargo,

Insurance, pursuant to Title XIII of the Federal Aviation Act of 1958, as amended, and in accordance with all provisions of law and subject to all limitations thereof, on the aircraft described in the attached Schedule of Aircraft, with the understanding that this application does not commit the Government to any liability or make the applicant liable for any premium unless insurance is effected by the Under Secretary of Commerce for Transportation.

Name of applicant
Address
Applicant's interest in aircraft described is that of
Mortgage, or other encumbrance, if any
Hull loss, if any, payable to

Hull

Amounts set forth in the attached "Schedule of Aircraft" as representing the amount of war risk hull insurance desired for each such aircraft shall not exceed the amount in effect on the date of this application, by which the applicant has insured, or self-insured, that aircraft against risks other than war risks.

Liability

The type of coverage required for the aircraft described in the attached "Schedule of Aircraft" shall be indicated and the limits of liability for each such coverage shall be specified in the schedule, but such limits shall not exceed the corresponding amounts in effect on the date of this application by which the applicant has insured, or self-insured, itself against liability arising from risks other than war risks.

Table with columns: Type of coverage, Each person amount requested, Each occurrence amount requested, Insurance (including self-insurance) in effect for risks other than war risks (Each person, Each occurrence). Rows include Bodily injury or death (excluding passengers), Property damage, Bodily injury or death (passengers), Baggage and personal effects.

General

Insurance to attach, in the event of outbreak of war between any of the four Great Powers (France, Great Britain and/or any of the British Commonwealth of Nations, the Union of Soviet Socialist Republics and the United States of America), at and from 24 hours from midnight G.M.T. of the day on which such outbreak of war occurs. Nevertheless, should the aircraft:

(1) Be in the air when such outbreak of war occurs, or

(2) Being at an airport depart therefrom as a measure of safety in respect of an insured peril within 24 hours of such outbreak of war, this insurance shall not attach until midnight G.M.T. of the day on which the aircraft lands wherever such landing may be regardless of whether or not accidental damage has been sustained by the aircraft.

If this application is for insurance with respect to a foreign-flag aircraft, it shall be accompanied by the statement specified in § 1501.3 of Under Secretary of Commerce for Transportation General Order—War Risk Insurance (Third Revision) (Part 1501, Title 14, Code of Federal Regulations) which statement shall be deemed to be part of this application.

Binding fee (not returnable unless application is rejected) is \$100 per aircraft.

Check payable to the Treasurer of the United States for the total amount of all binding fees enclosed herewith.

Rate of premium shall be fixed by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce.

The war risk insurance applied for hereunder shall not cover war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia.

Applicant warrants that the particulars herein are true and complete to the best of his knowledge and that no information has been withheld or suppressed.

Applicant agrees that this application and the terms and conditions of the form of policy prescribed by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, will constitute the basis of any contract between him and the United States of America.

Applicant By (Name and Title)

Date

Schedule of Aircraft

(To be attached to UST Form No. WRI-1 (Revised 9-63))

Table with columns: Make, model and configuration (passenger, cargo, or convertible), FAA identification No. or equivalent, Amount of war risk hull insurance desired for each aircraft, Amount for which each aircraft is currently insured (including self-insurance) for risks other than war risks.

RULES AND REGULATIONS

(b) UST Form No. WRI-1B (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Application for Non-Premium War Risk Hull and Liability, Exclusive of Cargo, Insurance

Application is made for War Risk Hull and Liability, exclusive of Cargo, insurance, without premium, pursuant to Title XIII of the Federal Aviation Act of 1958, as amended, and in accordance with all provisions of law and subject to all limitations thereof, on the aircraft described in the attached "Schedule of Aircraft and Government Contracts," while being operated under the air transportation contract(s) with the Department of Defense, referred to in such schedule, with the understanding that this application does not commit the Government to any liability unless insurance is effected by the Under Secretary of Commerce for Transportation.

Name of applicant
Address
Applicant's interest in aircraft described is that of
Mortgage, or other encumbrance, if any
Hull loss, if any, payable to

Hull

Amounts set forth in the attached "Schedule of Aircraft and Government Contracts" as representing the amount of war risk hull insurance desired for each such aircraft shall not exceed the amount, in effect on the date of this application, by which the applicant has insured, or self-insured, that aircraft against risks other than war risks.

Liability

The type of coverage required for the aircraft described in the attached "Schedule of Aircraft and Government Contracts" shall be indicated and the limits of liability for each such coverage shall be specified in the schedule, but such limits shall not exceed the corresponding amounts in effect on the date of this application by which the applicant has insured, or self-insured, itself against liability arising from risks other than war risks.

The application shall be accompanied by copies of any commercial war risk insurance policy and any company plan of self-insurance applicable to the aircraft listed in the "Schedule of Aircraft and Government Contracts."

The application shall also be accompanied by a statement signed, in his personal capacity, by the same corporate official who signs the application on behalf of the applicant, which statement shall be considered to be incorporated in the application and to form a part thereof. The statement shall show that the applicant:

(a) Controls and operates the aircraft listed in the attached "Schedule of Aircraft and Government Contracts" and that such aircraft are committed, under the contracts listed in such schedule, to the Department of Defense for use during an air transportation emergency;

(b) Cannot obtain war risk insurance of the type requested on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, or has partial commercial insurance coverage against war risks, but is unable to obtain the additional needed insurance of the type requested on reasonable terms and conditions from such commercial sources;

(c) Is maintaining and has maintained during the six month period preceding this application (or since the aircraft was ac-

quired if acquired during the six month period) insurance, including demonstrable self-insurance, covering possible injury, loss or damage from risks other than war risks in amounts which equal or exceed the war risk insurance coverages requested in the application; and

(d) Shall name the commercial insurance carriers which have been contacted and the premium rates quoted by such carriers which he considers not reasonable, and any conditions or limitations which those carriers would impose in connection with war risk insurance which would cause their insurance to be inapplicable to some or all of the operations under the Government contracts listed in the "Schedule of Aircraft and Government Contracts."

General

Insurance to attach at the time and date specified in the Policy issued pursuant to this application.

The war risk insurance applied for hereunder shall not cover war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia.

The "Schedule of Aircraft and Government Contracts" attached hereto may be revised from time to time by agreement of the Under Secretary of Commerce for transportation and the Insured and with the approval

of the Military Air Transport Service to add aircraft or to add contracts.

Applicant warrants that the particulars herein are true and complete to the best of his knowledge and that no information has been withheld or suppressed.

Applicant agrees that this application, including all attachments hereto, all revisions of such schedule hereinafter accepted by the Government and the terms and conditions of the policies issued by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, for war risk hull and liability, exclusive of cargo, insurance, will constitute the basis of any contract between him and the United States of America.

Binding fee (not returnable unless application is rejected) is \$100 per aircraft listed on the "Schedule of Aircraft and Government Contracts," or any revision of such schedule adding aircraft.

Check payable to the Treasurer of the United States for the total amount of all binding fees enclosed herewith.

Applicant By (Name and Title)

Date

(Application must be signed by a responsible corporate official authorized to sign the application and to agree, for the Insured, in changes to the schedule.)

Schedule of Aircraft and Government Contracts

(To be attached to Department of Commerce Forms No. WRI-1B, WRI-3B and WRI-4B (Rev. 9-63))

Aircraft

Table with 4 columns: Make, model and configuration; FAA identification No. or equivalent; Amount of war risk hull insurance desired for each aircraft; Amount for which each aircraft is currently insured (including self-insurance) for risks other than war risks.

Contracts with the military air transport service in effect for overseas or foreign transportation:

Liability

Table with 5 columns: Type of coverage; Each person amount requested; Each occurrence amount requested; Insurance (including self-insurance) in effect for risks other than war risks - Each person; Insurance (including self-insurance) in effect for risks other than war risks - Each occurrence.

(c) UST Form No. WRI-1C (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Application for Non-Premium War Risk Hull and Liability, Exclusive of Cargo, Insurance

Application is made for War Risk Hull and Liability, exclusive of Cargo, Insurance, without premium, pursuant to Title XIII of the Federal Aviation Act of 1958, as amended, and in accordance with all provisions of law and subject to all limitations thereof, on the aircraft described in the attached Schedule of Aircraft, with the understanding that this application does not commit the Government to any liability unless insurance is effected by the Under Secretary for Transportation.

Name of Applicant
Address
Date and number of Applicant's Department of State contract(s)
Applicant's interest in aircraft described is

that of
Mortgage, or other encumbrance, if any

Hull loss, if any, payable to

Hull

Amounts set forth in the attached "Schedule of Aircraft" as representing the amount of war risk hull insurance desired for each such aircraft shall not exceed the amount in effect on the date of this application, by which the applicant has insured, or self-insured, that aircraft against risks other than war risks.

Liability

The type of coverage required for the aircraft described in the attached "Schedule of Aircraft" shall be indicated and the limits of liability for each such coverage shall be specified in the schedule, but such limits shall not exceed the corresponding amounts in effect on the date of this application by which the applicant has insured, or self-insured, itself against liability arising from risks other than war risks.

Type of coverage	Insurance (including self-insurance) in effect for risks other than war risks			
	Each person amount requested	Each occurrence amount requested	Each person	Each occurrence
() Bodily injury or death (excluding passengers).....	-----	-----	-----	-----
() Property damage.....	-----	-----	-----	-----
() Bodily injury or death (passengers).....	-----	-----	-----	-----
() Baggage and personal effects.....	-----	-----	-----	-----

General

Insurance to attach while the aircraft described in the attached schedule are being operated under applicant's Department of State contract(s) No., dated

Binding fee (not returnable unless application is rejected) is \$100 per aircraft.

Check payable to the Treasurer of the United States for the total amount of all binding fees enclosed herewith.

The war risk insurance applied for hereunder shall not cover war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia.

Applicant warrants that the particulars herein are true and complete to the best of

his knowledge and that no information has been withheld or suppressed.

Applicant agrees that this application and the terms and conditions of the form of policy prescribed by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, for war risk hull and liability, exclusive of cargo, insurance provided to United States air carriers having agreements with the Department of State will constitute the basis of any contract between him and the United States of America.

Applicant _____
By _____
(Name and title)
Date _____

Schedule of Aircraft

(To be attached to UST Form No. WRI-1C (Revised 9-63))

Make, model and configuration (passenger, cargo, or convertible)	FAA identification No. or equivalent	Amount of war risk hull insurance desired for each aircraft	Amount for which each aircraft is currently insured (including self-insurance) for risks other than war risks
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

§ 1501.102 Issuance of interim binder; its terms and conditions.

Upon acceptance of an application, an interim binder in the form of one of those set forth in § 1501.106 will be issued and there shall be deemed to be incorporated therein by reference, all of the terms, conditions and warranties contained in the standard war risk hull insurance policy to be prescribed by the Under Secretary of Commerce for Transportation pursuant to the provisions of § 1501.107, to the same extent as if such policy were made a part of the binder. The binding fee shall be \$100 per aircraft.

§ 1501.103 Sums which will be insured.

The sum insured, in each instance, may not exceed the amount in effect on the date of application by which the air carrier has insured, or self-insured, the aircraft against risks other than war risks, Provided, That such amount is not in excess of the "fair and reasonable value of the aircraft" within the meaning of section 1307(a) of the Federal Aviation Act of 1958, as amended.

§ 1501.104 Calculation of premiums.

Premiums will be calculated on the basis of the applicable premium rate multiplied by the dollar amount of insurance in force during the period under consideration.

§ 1501.105 Additional war risk hull insurance.

Persons having insurable interests in aircraft may obtain, on an excess basis, additional war risk hull insurance in such amounts as desired, and such insurance shall not inure to the benefit of the Under Secretary of Commerce for Transportation as underwriter.

§ 1501.106 Standard forms of war risk hull insurance interim binders.

The following are the standard forms of war risk hull insurance interim binders for premium and non-premium war risk hull insurance:

(a) UST Form No. WRI-2 (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE
Interim Binder No. PR-H&LWR

The United States of America, represented by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, in consideration of the binding fee and premium provided for herein, hereby insures, in accordance with applicable provisions of law and subject to all limitations thereof, particularly Title XIII of the Federal Aviation Act of 1958, as amended, against Hull and Liability, exclusive of Cargo, War Risks only, subject to the conditions stated herein, on the aircraft described in the attached Schedule of Aircraft.

Name of Insured _____
Address _____
Hull loss, if any, payable to _____

Hull

Amounts set forth in the "Schedule of Aircraft" attached to the Insured's application for premium war risk hull and liability, exclusive of cargo, insurance, a copy of which is attached hereto and made a part hereof, as representing the amount of war risk hull insurance desired for each of such aircraft, shall be deemed to be the "sum insured"; Provided, This amount, in each instance, may not exceed either (1) the amount determined by the Under Secretary of Commerce for Transportation in accordance with the provisions of section 1307(a), Title XIII of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1537(a)), or (11) the amount in effect on the date of application for this insurance by which the Insured has insured, or

self-insured, that aircraft against risks other than war risks covered by this binder.

Liability

Insurance of the type indicated and in the limits shown below is provided in respect to each of the aircraft shown in the attached "Schedule of Aircraft":

Type of coverage	Each person	Each occurrence
Bodily injury or death (excluding passengers).....	\$.....	\$.....
Property damage.....	-----	-----
Bodily injury or death (passengers).....	\$.....	\$.....
Baggage and personal effects.....	-----	-----

The above amounts may not exceed the corresponding amounts in effect on the date of application for this insurance by which the Insured has insured, or self-insured, itself against similar liabilities arising from risks other than war risks covered by this binder.

General

Attaching in the event of outbreak of war between any of the four Great Powers (France, Great Britain and/or any of the British Commonwealth of Nations, the Union of Soviet Socialist Republics and the United States of America), at and from 24 hours from midnight G.M.T. of the day on which such outbreak of war occurs. Nevertheless, should the aircraft:

- (1) Be in the air when such outbreak of war occurs, or
- (2) Being at an airport depart therefrom as a measure of safety in respect to an insured peril within 24 hours of such outbreak of war, this insurance shall not attach until midnight G.M.T. of the day on which the aircraft lands wherever such landing may be regardless of whether or not accidental damage has been sustained by the aircraft.

This binder shall terminate:

- (a) Upon expiration of the authority of the Secretary of Commerce to provide War Risk Insurance under Title XIII of the Federal Aviation Act of 1958, as amended, or
- (b) Three years from its date, or
- (c) Five days after telegraphic notice of cancellation has been dispatched to the Insured by the Under Secretary of Commerce for Transportation, or
- (d) Upon the issuance of a policy by the Under Secretary of Commerce for Transportation with respect to any insurance bound herein which is covered by that policy,

whichever shall occur first.

The Insured agrees that if the amounts of insurance, or self-insurance, carried against loss, damage, or liability arising from risks other than war risks are voluntarily reduced to amounts less than the amounts of insurance provided by this binder, the insurance under this binder shall be considered to have been automatically reduced to the new amounts at the time of such reduction.

The insurance provided hereunder does not cover any war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia.

There shall be deemed to be incorporated herein all of the terms, conditions, and warranties contained in the applicable war risk hull and war risk liability, exclusive of cargo, insurance policies prescribed by the Under Secretary of Commerce for Transportation pursuant to the provisions of §§ 1501.107 and 1501.206, respectively, of Under Secretary of Commerce for Transportation General Order—War Risk Insurance (Third Revision) (Part 1501, Title 14, Code of Federal Regulations).

The premium rate for this insurance shall be subject to review and revision by the Under Secretary of Commerce for Transportation each calendar month. Unless the revised premium rate is accepted in writing

RULES AND REGULATIONS

by the Insured within ten days after dispatch of notice of the amount thereof, the insurance provided hereunder shall automatically terminate at the end of such ten day period. Premium at the new revised rate shall be charged for the ten day period during which this insurance remained in force, unless the Under Secretary of Commerce for Transportation receives notice within such period of the refusal of the insured to accept such new revised premium rate, in which event premium at the new revised rate shall be charged for that portion of the ten day period prior to receipt of such notice. Upon receipt of such notice of non-acceptance, the insurance provided hereunder shall terminate, notwithstanding any other provision for cancellation in this binder. In the event this insurance is cancelled, or otherwise terminated, and not replaced by a policy, there shall be a premium charge hereunder for the period during which this insurance has been in force. Premium payments shall be made to the Under Secretary of Commerce for Transportation by check payable to the order of the Treasurer of the United States of America.

In the event of any loss covered by this binder, prompt notice thereof shall be given by the Insured to the Under Secretary of Commerce for Transportation, but failure to give such prompt notice because of wartime conditions or regulations shall not prejudice this insurance. The Insurer shall be subrogated to all rights which the Insured may have against any other person or entity in respect of any payment made under this binder to the extent of such payment, and the Insured shall, upon the request of the Insurer, execute all documents necessary to secure such rights to the Insurer.

Warranted that during the period of this binder and the term of any insurance attaching hereunder the aircraft is (1) an American aircraft as defined in section 1301 (a), Title XIII of the Federal Aviation Act of 1958, as amended, or (2) a foreign-flag aircraft engaged in aircraft operations deemed by the Under Secretary of Commerce for Transportation to be in the interest of the national defense or the national economy of the United States, and if, at any time during the binder period or after insurance attached hereunder, the aircraft shall cease to come within either (1) or (2) above, this binder and insurance provided hereunder shall automatically terminate at the time of such change with respect to such aircraft, without return of premium unless the Under Secretary of Commerce for Transportation agrees otherwise.

UNITED STATES OF AMERICA
By UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION, ACTING FOR THE SECRETARY OF COMMERCE.

(Under Secretary of Commerce for Transportation)

Date _____

(b) UST Form No. WRI-2B [Revised].

(c) UST Form No. WRI-2C (Rev. 9-63), war risks only.

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Interim Binder No. NON-PR-H&LWR

The United States of America, represented by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, in consideration of the agreement of the Secretary of State to indemnify the Secretary of Commerce against all losses covered by war risk insurance provided, without premium, for United States air carriers having agreements with the Department of

State for the continuation of regularly scheduled service or the provision of charter service, and in consideration of the binding fee provided for herein, hereby insures, in accordance with applicable provisions of law and subject to all limitations thereof, particularly Title XIII of the Federal Aviation Act of 1958, as amended, against Hull and Liability, exclusive of Cargo, War Risks only, subject to the conditions stated herein, on the aircraft described in the attached Schedule of Aircraft while being operated by the Insured under Department of State contract(s) No. _____, dated _____.

Name of Insured _____
Address _____
Hull loss, if any, payable to _____

Hull

Amounts set forth in the "Schedule of Aircraft" attached to the Insured's application for war risk hull and liability, exclusive of cargo, insurance, without premium, a copy of which is attached hereto and made a part hereof, as representing the amount of war risk hull insurance desired for each of such aircraft, shall be deemed to be the "sum insured"; Provided, This amount, in each instance, may not exceed either (i) the amount determined by the Under Secretary of Commerce for Transportation in accordance with the provisions of section 1307(a), Title XIII of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1537(a)), or (ii) the amount in effect on the date of application for this insurance by which the Insured has insured, or self-insured, that aircraft against risks other than war risks covered by this binder.

Liability

Insurance of the type indicated and in the limits shown below is provided in respect to each of the aircraft shown in the attached "Schedule of Aircraft";

Type of coverage	Each person	Each occurrence
Bodily injury or death (excluding passengers).....	\$.....	\$.....
Property damage.....		\$.....
Bodily injury or death (passengers).....	\$.....	\$.....
Baggage and personal effects....		\$.....

The above amounts may not exceed the corresponding amounts in effect on the date of application for this insurance by which the Insured has insured, or self-insured, itself against similar liabilities arising from risks other than war risks covered by this binder.

General

Attaching when the Insured commences performance of services under Department of State contract(s) No. _____, dated _____.

- This binder shall terminate:
- (a) Upon expiration of the authority of the Secretary of Commerce to provide War Risk Insurance under Title XIII of the Federal Aviation Act of 1958, as amended, or
 - (b) Three years from its date, or
 - (c) Upon expiration or cancellation of the Insured's Department of State contract(s) No. _____, dated _____, or
 - (d) Five days after telegraphic notice of cancellation has been dispatched to the Insured by the Under Secretary of Commerce for Transportation, or
 - (e) Upon the issuance of a policy by the Under Secretary of Commerce for Transportation with respect to any insurance bound herein which is covered by that policy, whichever shall occur first.

The Insured agrees that if the amounts of insurance, or self-insurance, carried against loss, damage, or liability arising from risks other than war risks are voluntarily reduced to amounts less than the amounts of insurance provided by this binder, the

insurance under this binder shall be considered to have been automatically reduced to the new amounts at the time of such reduction.

The insurance provided hereunder does not cover any war risks on persons or property engaged or transported exclusively in air commerce within the several States of the United States and the District of Columbia.

There shall be deemed to be incorporated herein all of the terms, conditions, and warranties contained in the applicable war risk hull and war risk liability, exclusive of cargo, insurance policies prescribed by the Under Secretary of Commerce for Transportation pursuant to the provisions of §§ 1501.107 and 1501.206, respectively, of Under Secretary of Commerce for Transportation General Order—War Risk Insurance (Third Revision) (Part 1501, Title 14, Code of Federal Regulations).

In the event of any loss covered by this binder, prompt notice thereof shall be given by the Insured to the Under Secretary of Commerce for Transportation, but failure to give such prompt notice because of wartime conditions or regulations shall not prejudice this insurance. The Insurer shall be subrogated to all rights which the Insured may have against any other person or entity in respect to any payment made under this binder to the extent of such payment, and the Insured shall, upon the request of the Insurer, execute all documents necessary to secure such rights to the Insurer.

Warranted that during the period of this binder and the term of any insurance attaching hereunder the aircraft is an American aircraft as defined in section 1301(a), Title XIII of the Federal Aviation Act of 1958, as amended, and if at any time during the binder period or after insurance attaches hereunder, the aircraft shall cease to be an American aircraft as so defined, or ceases to be under the agreement with the Department of State, this binder and insurance provided hereunder shall automatically terminate at the time of such change with respect to such aircraft, without return of binding fee unless the Under Secretary of Commerce for Transportation agrees otherwise.

UNITED STATES OF AMERICA
By UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION, ACTING FOR THE SECRETARY OF COMMERCE.

(Under Secretary of Commerce for Transportation)

Date _____

§ 1501.107 Standard forms of war risk hull insurance policies.

UST Form No. WRI-3B (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Policy No. NON-PR-HWR _____

The United States of America (hereinafter referred to as the Insurer), represented by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, in accordance with applicable provisions of law and subject to all limitations thereof, particularly Title XIII of the Federal Aviation Act of 1958, as amended, and in consideration of the agreement of the Secretary of Defense to indemnify the Secretary of Commerce against all losses covered by War Risk Insurance provided, without premium, for United States air carriers having air transportation contracts with the Department of Defense and the payment of binding fees, does insure, without premium, the aircraft described in the attached "Schedule of Air-

craft and Government Contracts" for the account of _____ (hereinafter referred to as the Insured) while being operated by the Insured under a contract listed in the Schedule.

Loss, if any, payable to _____

Amounts set forth in the "Schedule of Aircraft and Government Contracts" attached to the Insured's application for war risk hull and liability, exclusive of cargo, insurance, without premium, a copy of which is attached hereto and made a part hereof, as representing the amount of war risk hull insurance desired for each of such aircraft shall be deemed to be the "sum insured"; *Provided*, This amount, in each instance, may not exceed either (i) the amount determined by the Under Secretary of Commerce for Transportation in accordance with the provisions of section 1307(a), Title XIII of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1537(a)), or (ii) the amount in effect on the date of application for this insurance by which the Insured has insured, or self-insured, that aircraft against risks other than war risks covered by this Policy.

The Insured agrees that if the amount of insurance, or self-insurance, carried against loss or damage from risks other than war risks is voluntarily reduced to an amount less than the amount of insurance provided by this Policy, the insurance under this Policy shall be considered to have been automatically reduced to the new amounts at the time of such reduction.

The "Schedule of Aircraft and Government Contracts" attached hereto may be revised from time to time by agreement of the Under Secretary of Commerce for Transportation and the Insured and with approval of the Military Air Transport Service to add aircraft or to add contracts.

This insurance covers from _____ M., e.s.t. of the _____ day of _____, 19__ until cancelled or terminated in accordance with the terms of this Policy.

This insurance covers all physical loss or damage to the aircraft described and set forth in the "Schedule of Aircraft and Government Contracts" attached hereto, including engines, navigational instruments, parts and equipment usually carried on said aircraft, resulting from the risks which would be excluded from a commercial Aviation Hull Policy by the following clause:

"Loss or damage due to or resulting from: (1) Capture, seizure, arrest, restraint or detention or the consequences thereof or of any attempt thereat, or any taking of the property insured or damage to or destruction thereof by any Government or governmental authority or agent (whether secret or otherwise) or by any military, naval or usurped power, whether any of the foregoing be done by way of requisition or otherwise and whether in time of peace or war and whether lawful or unlawful; (2) war, invasion, civil war, revolution, rebellion, insurrection or warlike operations, whether there be a declaration of war or not."

Notwithstanding anything contained in the foregoing clause, this insurance does not cover any loss or damage caused by or resulting from capture, seizure, arrest, restraint, detention, pre-emption, confiscation or requisition by the Government of the United States, or from arrest, restraints, or detentions under Customs or quarantine regulations or similar arrests, restraints, or detentions not arising from actual or impending hostilities or sanctions.

The Insurer will pay, subject to the terms and conditions of this Policy: (1) In respect to total loss, the insured value of the aircraft, and (2) in respect to partial loss:

(a) If repairs are made by other than the Insured, the cost to repair the damaged property with material of like kind and quality, plus the reasonable cost of transporting new and/or damaged parts and/or the damaged aircraft to place of repair and

the return of the repaired aircraft to place of accident or home airport, whichever be nearer.

(b) If repairs are made by the Insured, the total of the following items:

I. Actual cost of material or parts of like kind and quality.

II. Actual wages paid for direct labor, excluding extra charges for overtime.

III. A reasonable percentage of Item II in lieu of all overhead, including supervisory services, or actual overhead costs as determined by the Under Secretary of Commerce for Transportation.

IV. The reasonable cost of transporting new and/or damaged parts and/or the damaged aircraft to place of repair and return of the repaired aircraft to place of accident or home airport, whichever be nearer.

(c) If repairs are not made and the aircraft is subsequently lost, then the estimated cost of making such repairs to the damaged property with material of like kind and quality.

The amount due under this Policy in respect to a partial loss shall not exceed the amount due were the loss payable as a total loss. Where the amount paid hereunder is equal to the amount payable as a total loss, any salvage value remaining shall inure to the benefit of the Insurer. There shall, however, be no abandonment without the consent of the Insurer.

The sum insured shall be reduced by the amount of any loss or damage, whether or not covered by this Policy, until repairs have been completed.

In the event of any loss covered by this Policy, prompt notice thereof, on being known to the Insured, shall be given by the Insured to the Under Secretary of Commerce for Transportation, but failure to give such prompt notice because of wartime conditions or regulations shall not prejudice this insurance.

Within sixty (60) days after loss or damage, the Insured shall render to the Under Secretary of Commerce for Transportation a proof of loss signed and sworn to by the Insured, stating the place, time and cause of the loss or damage, the interest of the Insured and of all others in the property, the sound value thereof, the amount and nature of the loss or damage, all encumbrances thereon, all changes in title, and all other insurance covering said property whether valid and collectible or not.

The Insurer shall be subrogated to all the rights which the Insured may have against any other person or entity, in respect of any payment made under this Policy, to the extent of such payment, and the Insured shall, upon the request of the Insurer, execute all documents necessary to secure to the Insurer such rights.

The insurance provided hereunder covers only loss or damage to the aircraft described in the attached "Schedule of Aircraft and Government Contracts" while the aircraft is being operated by the Insured, during the Policy period, under a contract listed in that Schedule when the loss or damage occurs. Such operations under the listed contracts shall be deemed to include ferry flights to position or deposition the aircraft, provided that on such ferry flight the aircraft does not carry any passengers, cargo or mail for remuneration or hire, and provided further that such ferry flight is operated nonstop (i) to the point of origin of the military traffic flight or (ii) from the point of destination of the military traffic flight back to the point of origin, or to a maintenance base normally used by the Insured, or to a point where the Insured intends to place the aircraft in commercial or military service.

The insurance provided hereunder does not cover any war risks on aircraft engaged exclusively in air commerce within the several States of the United States and the District of Columbia.

This Policy shall terminate:

(a) Upon expiration of the authority of the Secretary of Commerce to provide War Risk Insurance under Title XIII of the Federal Aviation Act of 1958, as amended, or

(b) Five (5) days after telegraphic notice of cancellation has been dispatched to the Insured by the Under Secretary of Commerce for Transportation, or

(c) As to any aircraft or contract upon the date specified in a notice from the Insured to the Under Secretary of Commerce for Transportation requesting such cancellation, or

(d) As to any aircraft or contract five (5) days after telegraphic notice of cancellation has been dispatched to the Insured by the Under Secretary of Commerce for Transportation with the approval of the Military Air Transport Service.

Warranted free from any claim for loss, damage or expense covered under any commercial policy in effect for the benefit of the Insured. This Policy may be cancelled, in whole or in part, by the Under Secretary of Commerce for Transportation if comparable insurance becomes obtainable on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States. The Insured agrees that it will promptly notify the Under Secretary of Commerce for Transportation of any significant change in the terms and conditions under which insurance of the type provided by this Policy is obtainable from such sources.

Warranted during the term of this insurance the aircraft insured hereunder are American aircraft as defined in section 1301 (a), Title XIII of the Federal Aviation Act of 1958, as amended, and if at any time during such term an aircraft shall cease to be an American aircraft as so defined, the insurance provided hereunder shall automatically terminate at the time of such change with respect to such aircraft without the return of binding fee unless the Under Secretary of Commerce for Transportation agrees otherwise.

UNITED STATES OF AMERICA
By UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION, ACTING FOR THE SECRETARY OF COMMERCE.

(Under Secretary of Commerce for Transportation)

Date _____

(Additional standard forms of war risk hull insurance policies will be prescribed by the Under Secretary of Commerce for Transportation, and published in the FEDERAL REGISTER as an amendment to this section.)

Subpart C—War Risk Liability Insurance, Exclusive of Cargo Liability

§ 1501.200 Limits of liability insurance for which application may be made.

Applicants for war risk liability insurance, exclusive of cargo liability, shall state the limits of liability desired, but such limits shall not exceed the corresponding amounts in effect on the date of application by which the Insured has insured, or self-insured, itself against liability arising from risks other than war risks involving the following coverages:

- (a) Bodily Injury or Death (Excluding Passengers)
- (b) Property Damage
- (c) Bodily Injury or Death (Passengers)
- (d) Baggage and Personal Effects

RULES AND REGULATIONS

§ 1501.201 Form of application.

Applications submitted shall be in strict accordance with the forms set forth in § 1501.101.

§ 1501.202 Issuance of interim binder; its terms and conditions.

Upon acceptance of an application, there will be issued either an interim binder or a policy in the form of one of those set forth in § 1501.106, § 1501.107 or § 1501.206, and there shall be deemed to be incorporated in the interim binder by reference all of the terms, conditions and warranties contained in the standard war risk liability insurance, exclusive of cargo liability, policy prescribed or to be prescribed by the Under Secretary of Commerce for Transportation, pursuant to the provisions of § 1501.206, to the same extent as if such policy were made a part of the binder. The binding fee of \$100 per aircraft set forth in § 1501.102 for war risk hull insurance shall also cover the cost of binding war risk liability insurance, exclusive of cargo liability.

§ 1501.203 Sums which will be insured.

The sums insured shall not exceed the limits prescribed in § 1501.200.

§ 1501.204 Calculation of premiums.

Premiums for Bodily Injury or Death (Excluding Passengers) and Property Damage liability will be calculated by multiplying the applicable premium rate by airplane miles. Premiums for Bodily Injury or Death, Baggage and Personal Effects liability will be calculated by multiplying the applicable premium rate by passenger miles.

§ 1501.205 Standard forms of war risk liability insurance, exclusive of cargo liability, interim binders.

The standard forms of war risk liability insurance, exclusive of cargo liability, interim binders for premium and non-premium insurance shall be those set forth in § 1501.106.

§ 1501.206 Standard forms of war risk liability insurance, exclusive of cargo liability, policies.

UST Form No. WRI-4B (Rev. 9-63), war risks only:

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE

Policy No. NON-PR-LWR -----

The United States of America (hereinafter referred to as the Insurer), represented by the Under Secretary of Commerce for Transportation, acting for the Secretary of Commerce, by this Policy of insurance, in accordance with applicable provisions of law and subject to all limitations thereof, particularly Title XIII of the Federal Aviation Act of 1958, as amended, and in consideration of the agreement of the Secretary of Defense, to indemnify the Secretary of Commerce against all losses covered by War Risk Insurance provided, without premium, for United States air carriers having air transportation contracts with the Department of Defense and the payment of binding fees, does insure, without premium, ----- (hereinafter referred to as the Insured) as specified in this Policy.

Insurance of the type indicated and in the limits shown below is provided in respect to each of the aircraft shown in the "Schedule of Aircraft and Government Contracts," at-

tached hereto and made a part hereof, while being operated by the Insured under a contract listed in such schedule. The "Schedule of Aircraft and Government Contracts" may be revised from time to time by agreement of the Under Secretary of Commerce for Transportation and the Insured and with the approval of the Military Air Transport Service to add aircraft or to add contracts.

Type of coverage	Each person	Each occurrence
Bodily injury or death (excluding passengers)-----	\$-----	\$-----
Property damage-----	\$-----	\$-----
Bodily injury or death (passengers)-----	\$-----	\$-----
Baggage and personal effects---	\$-----	\$-----

The above amounts may not exceed the corresponding amounts in effect on the date of application for this insurance by which the Insured has insured, or self-insured, itself against similar liability arising from risks other than the war risks covered by this Policy.

The Insured agrees that if the amounts of insurance, or self-insurance, carried against liabilities arising from such other risks are reduced to amounts less than the amounts of insurance provided by this Policy, the insurance under this Policy shall be considered to have been automatically reduced to the new amounts at the time of such reduction.

This insurance covers from ----- M., e.s.t. of the ----- day of -----, 19--, until cancelled or terminated in accordance with the terms of this Policy.

Subject to the limits of liability, exclusions, conditions and other terms of this Policy, the Insurer hereby agrees to pay on behalf of the Insured all sums which the Insured shall be legally liable to pay and shall pay or by final judgment be adjudged to pay to any person or persons, including damages for care and loss of services, for personal injuries sustained, including death at any time resulting therefrom, or by reason of loss or damage to or destruction of property, including the loss of use thereof (but excluding property owned, rented, leased, in charge of, or transported by the Insured other than passenger baggage), in respect of the aircraft described and set forth in the attached "Schedule of Aircraft and Government Contracts" (each aircraft separately insured), while such aircraft are being operated by the Insured under the contracts listed in the Schedule, resulting from the risks which would be excluded from a commercial Aviation Liability Policy by the following clause:

"Any liability arising out of occurrence due directly or indirectly to war, invasion, insurrection, military, naval or usurped power, or by order of any civil authority."

Notwithstanding anything contained in the foregoing clause, this insurance does not cover any loss or damage or any legal liability arising out of or caused by or resulting from capture, seizure, arrest, restraint, detention, preemption, confiscation or requisition by the Government of the United States, or from arrests, restraints, or detentions under Customs or quarantine regulations or similar arrests, restraints or detentions not arising from actual or impending hostilities or sanctions.

The Insured shall, unless directed otherwise by the Insurer: defend in its name and behalf any suit against it alleging such injury or destruction and seeking damages on account thereof, even if such suit is groundless, false or fraudulent; but the Insurer shall at its election have the right to participate in or conduct such defense and to make such investigation, negotiation and settlement of any claim or suit as may be deemed expedient by the Insurer.

The Insurer shall reimburse the Insured, if suit is defended by the Insured, for: All

premiums on bonds to release attachments for an amount not in excess of the applicable limits of liability of this Policy, all premiums on appeal bonds required in such suit, all costs taxed against the Insured in such suit, all expenses incurred by the Insured, all interest accruing after entry of judgment until the Insurer has paid, tendered or deposited in court such part of such judgment as does not exceed the limit of the Insurer's liability thereon; *Provided*, That the Insurer shall pay only such expenses incurred as a result of a claim covered by this Policy.

In the event of any happening which may result in loss, damage or expense for which the Insurer may become liable, prompt notice thereof, on being known to the Insured, shall be given by the Insured to the Under Secretary of Commerce for Transportation, but failure to give such prompt notice because of wartime emergency conditions or regulations shall not prejudice this insurance.

If claim is made or suit is brought against the Insured, the Insured shall immediately forward to the Insurer a copy of every demand, notice, summons or other process received by him or his representatives.

The Insured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Insurer may be liable. The Insured shall not interfere in any negotiations of the Insurer for settlement of any legal proceedings in respect of any occurrence for which the Insurer is liable under this Policy: *Provided, however*, That in respect of any occurrence likely to give rise to a claim under this Policy, the Insured is obligated to and shall take such steps to protect his and the Insurer's interests as would reasonably be taken in the absence of this or similar insurance.

Whenever required by the Insurer, the Insured shall aid in securing information and evidence and in obtaining witnesses and shall cooperate with the Insurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

No action shall lie against the Insurer unless as a condition precedent thereto, the Insured shall have fully complied with all of the terms of this Policy nor until the amount of the Insured's obligation to pay shall have been finally determined either by judgment against the Insured after actual trial or by written agreement of the Claimant and the Insurer. Any person or organization or the legal representative thereof who has secured such judgment or written agreement shall thereafter be entitled to recover under this Policy to the extent such judgment or written agreement is not in excess of the insurance afforded by this Policy. Nothing contained in this Policy shall give any person or organization any right to join the Insurer as a co-defendant in any action against the Insured to determine the Insured's liability. Bankruptcy or insolvency of the Insured or of the Insured's estate shall not relieve the Insurer of any of its obligations hereunder.

The Insurer shall be subrogated to all the rights which the Insured may have against any other person or entity, in respect of any payment made under this Policy, to the extent of such payment, and the Insured shall, upon the request of the Insurer, execute all documents necessary to secure to the Insurer such rights.

The insurance provided hereunder applies only to the aircraft described in the attached "Schedule of Aircraft and Government Contracts" while the aircraft involved is being operated by the Insured, during the Policy period, under a contract listed in that Schedule when the injury, loss or damage leading to the liability occurs. Such operations under the listed contracts shall be deemed to include ferry flights to position or deposit-

Schedule of Aircraft to be operated by the Insured under Department of State contract(s) No. _____, dated _____.

Name of Insured _____
 Address _____
 Loss, if any, payable to _____

Limits of liability set forth in the Schedule of Aircraft attached to the Insured's application for war risk carriers liability to cargo insurance, without premium, a copy of which is attached hereto and made a part hereof, as representing the limits of liability insurance desired for each of such aircraft shall be the sums insured, but liability for any one accident shall not exceed \$1,000,000.00.

Attaching while the aircraft described in the schedule are being operated by the Insured under its Department of State contract(s) No. _____, dated _____.

This binder shall terminate:

- (a) Upon expiration of the authority of the Secretary of Commerce to provide War Risk Insurance under Title XIII of the Federal Aviation Act of 1958, as amended, or
- (b) Three years from its date, or
- (c) Upon expiration or cancellation of the Insured's agreement(s) with the Department of State dated _____, or
- (d) Five days after telegraphic notice of cancellation has been dispatched to the Insured by the Under Secretary of Commerce for Transportation, or
- (e) Upon the issuance of a policy by the Under Secretary of Commerce for Transportation with respect to any insurance bound herein which is covered by that policy,

whichever shall occur first.

The insurance provided hereunder does not cover any war risks on property (cargo) transported exclusively in air commerce within the several States of the United States and the District of Columbia.

There shall be deemed to be incorporated herein all of the terms, conditions, and warranties contained in the applicable war risk carriers liability to cargo insurance policies prescribed by the Under Secretary of Commerce for Transportation pursuant to the provisions of § 1501.306 of Under Secretary of Commerce for Transportation General Order—War Risk Insurance (Third Revision) (Part 1501, Title 14, Code of Federal Regulations).

In the event of any loss covered by this binder, prompt notice thereof shall be given by the Insured to the Under Secretary of Commerce for Transportation, but failure to give such prompt notice because of wartime conditions or regulations shall not prejudice this insurance. The Insurer shall be subrogated to all rights which the Insured may have against any other person or entity in respect to any payment made under this binder to the extent of such payment, and the Insured shall, upon the request of the Insurer, execute all documents necessary to secure such rights to the Insurer.

Warranted that during the period of this binder and the term of any insurance attaching hereunder the aircraft is an American aircraft as defined in section 1301(a), Title XIII of the Federal Aviation Act of 1958, as amended, and if, at any time during the binder period or after insurance attaches hereunder the aircraft shall cease to be an American aircraft as so defined, or ceases to be under the agreement with the Department of State, this binder and insurance provided hereunder shall automatically terminate at the time of such change with respect to such aircraft, without return of binding fee unless

the Under Secretary of Commerce for Transportation agrees otherwise.

UNITED STATES OF AMERICA
 By UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION, ACTING FOR THE SECRETARY OF COMMERCE.

(Under Secretary of Commerce for Transportation)

Date _____

§ 1501.306 Standard forms of war risk carriers liability to cargo insurance policies.

Standard forms of war risk carriers liability to cargo insurance policies for premium and non-premium insurance will be prescribed by the Under Secretary of Commerce for Transportation, and published in the FEDERAL REGISTER as an amendment to this section.

§ 1501.307 Effect on other General Orders—War Risk Insurance.

This part supersedes all General Orders—War Risk Insurance previously issued.

Dated: September 30, 1963.

C. D. MARTIN, JR.,
 Under Secretary of Commerce
 for Transportation.

[F.R. Doc. 63-11405; Filed, Oct. 30, 1963; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER G—PERSONNEL

PART 880—CIVILIAN PERSONNEL EMPLOYMENT POLICIES

A new Part 880 is added as follows:

- Sec. 880.1 Purpose.
- 880.2 Employment objective.
- 880.3 Factors to consider in making employee selections.
- 880.4 Keeping employees informed on policies.
- 880.5 Releasing employees for position change or transfer.

AUTHORITY: §§ 880.1 to 880.5 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 40-301, October 7, 1963.

§ 880.1 Purpose.

This part states employment policies for positions in either the competitive or the excepted service when paid from appropriated funds. These policies also apply to non-U.S. citizen personnel in foreign areas and in Guam, provided that they are not in conflict with the local laws, customs, and practices.

§ 880.2 Employment objective.

The principal objective of the Air Force civilian personnel program is to recruit, place, and retain the best available civilian personnel to provide the maximum productivity and economy of operation for the Air Force.

§ 880.3 Factors to consider in making employee selections.

(a) *Order of consideration.* Air Force employees and former employees on the reemployment priority list are given first consideration for positions which provide advancement or opportunity for growth. Present or long-range management needs, however, may require recruiting of new employees who have potential or who possess qualifications not readily available to the same extent in the workforce. In considering applicants outside the Air Force, provision will be made for adequate consideration of qualified employees and comparative evaluation of outside applicants, but formal ranking of these applicants with Air Force employees is not required.

(b) *Unbiased consideration.* In filling positions, recommendations and selections will be based on merit and qualifications. This means that selections must be made without regard to age, race, sex, color, religion, national origin, physical handicap, marital status, or lawful political or group affiliation. For the majority of positions these factors are not related to qualification requirements and to use them as such constitutes discrimination.

(c) *Sex consideration.* Consideration of eligibles for appointment, noncompetitive action, or for purposes of training, will not be restricted by sex, except in unusual circumstances where such action is found justified by the Civil Service Commission.

§ 880.4 Keeping employees informed on policies.

The civilian personnel officer will keep employees informed of Air Force, command, and installation policies for filling positions—both by recruitment and in-service placement. He provides this information through planned staff visits to supervisors, base newspapers, bulletin boards, orientation sessions, or other communications media.

§ 880.5 Releasing employees for position change or transfer.

(a) Attempting to restrict employees from accepting position changes is contrary to the Air Force policy of maintaining a competent career service and of making maximum use of available skills. It is an undesirable practice which results in employee dissatisfaction, lowered efficiency, and the loss of desirable employees through resignation, the consequences of which are more detrimental to the Air Force as a whole than the loss to a particular unit of the services of an employee. Also, employees will not be refused a release for the purpose of accepting a position in another Federal agency.

(b) Employees will be released promptly for position change, whether within an installation or between Air Force installations. Normally, a release will be granted within 20 calendar days following notice to the losing supervisor of the selection. In unusual cases the

[T.D. 56032]

PART 6—AIR COMMERCE REGULATIONS

Mail Manifest Copy of Transit Air Cargo Manifest

release may be extended by mutual agreement to a maximum of 30 calendar days. A release will not be conditioned upon ability to obtain a replacement.

(c) In negotiating the date an employee will leave to accept appointment with another Federal agency, supervisors may request two weeks' notice; or when a longer period is necessary to permit training of a replacement, they may request up to 30 days. In no case will a period be requested which would jeopardize the employee's transfer.

By order of the Secretary of the Air Force.

WILLIAM L. KOCH,
Lt. Colonel, U.S. Air Force, Chief,
Special Activities Group,
Office of The Judge Advocate
General.

[F.R. Doc. 63-11471; Filed, Oct. 30, 1963; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56035]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Deletion of Crosby, N. Dak., as Customs Port of Entry

OCTOBER 22, 1963.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 1 (26 F.R. 11877), the designation of Crosby, North Dakota, as a customs port of entry in Customs Collection District No. 34 (Dakota) is revoked, effective 30 days after publication of this Treasury decision in the FEDERAL REGISTER.

Section 1.1(c), Customs Regulations, is amended by deleting "Crosby, N. Dak." from the column headed "Ports of Entry" in District No. 34 (Dakota).

Notice of the proposed revocation of Crosby, North Dakota, as a customs port of entry was published in the FEDERAL REGISTER on September 5, 1963 (28 F.R. 9696), pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No objections were received.

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

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 63-11532; Filed, Oct. 30, 1963; 8:48 a.m.]

Section 6.23 of the Customs Regulations provides a procedure for the transportation of transit air cargo from the port of arrival to another port for exportation with the use of the required number of transit air cargo manifest sheets. Section 6.23(g) implies that the mail manifest copy, which is forwarded to the port of exportation from the port of arrival, may be closed out at the port of exportation with the use of the carrier manifest copy, which is required to be delivered to Customs upon arrival of the shipment at the port of exportation. There is no requirement that the carrier manifest copy show the exporting aircraft number, flight number and date, which is essential to a certification of exportation. This information is required to be shown on the exportation copy furnished to customs.

Therefore, the second sentence of § 6.23 (g), Customs Regulations, is amended by substituting "an exportation copy" for "a carrier manifest copy." The sentence as amended reads as follows: "When all or part of the cargo covered by a mail manifest copy is not closed out by an exportation copy, or a diversion copy endorsed by Customs at another port, within 40 days from the date of receipt of the mail manifest copy, the collector of customs must, without making inquiry of any carrier, make an appropriate report to the port of arrival and this report must be processed and action taken in accordance with § 6.22 (c), (d), and (e) of these regulations."

(R.S. 161, as amended, 251, sec. 624, 46 Stat. 759, sec. 1109, 72 Stat. 799, as amended; 5 U.S.C. 22, 19 U.S.C. 66, 1624, 49 U.S.C. 1509)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: October 22, 1963.

JAMES A. REED,
Assistant Secretary of the
Treasury.

[F.R. Doc. 63-11531; Filed, Oct. 30, 1963; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

SLIMICIDES

The Commissioner of Food and Drugs, having evaluated the data submitted in

a petition (FAP 1111) filed by Cavedon Chemical Company, Inc., 26 Avenue C, Woonsocket, Rhode Island, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of alkenyl (C₁₆-C₁₈) - dimethylethylammonium bromide as a slime-control substance in the preparation of slimicides employed in the manufacture of paper and paper-board intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.2505 *Slimicides* is amended by inserting alphabetically in paragraph (c) the following new item:

List of substances	Limitations
* * *	* * *
Alkenyl(C ₁₆ -C ₁₈)dimethylethylammonium bromide.	-----

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

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

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

Dated: October 24, 1963.

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

[F.R. Doc. 63-11529; Filed, Oct. 30, 1963; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 141e—BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

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

Bacitracin-Neomycin Undecylenate Otic Drops

Under the authority vested in the Secretary of Health, Education, and Wel-

fare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for bacitracin and bacitracin-containing drugs are amended to provide for the certification of and tests and methods of assay for bacitracin-neomycin undecylenate otic drops by adding to Parts 141e and 146e two new sections, as follows:

§ 141e.432 Bacitracin-neomycin undecylenate otic drops.

(a) *Otic drops*—(1) *Potency*—(i) *Bacitracin content*. Proceed as directed in § 141e.401(a) except § 141e.401(a)(3), and in lieu of the directions in § 141e.401(a)(1)(ii) prepare the sample as follows: Place an accurately measured representative portion of the sample (usually approximately 1 milliliter) in a blending jar containing 1.0 milliliter of polysorbate 80 and sufficient 1 percent phosphate buffer, pH 6.0, to give a final volume of 200 milliliters. Using a high-speed blender, blend the mixture for 2 minutes and then make the proper dilutions in 1 percent phosphate buffer, pH 6.0, to one unit per milliliter (estimated). Its content of bacitracin is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

(ii) *Neomycin content*. Proceed as directed in § 141e.410(b)(1), except prepare the sample for assay as follows: Place an accurately measured representative portion of the sample (usually approximately 1 milliliter) in a 100-milliliter volumetric flask containing 5.0 milliliters chloroform, and mix well. Fill the flask to volume with 95 percent ethyl alcohol and mix well. Dilute an aliquot with 0.1M potassium phosphate buffer, pH 8.0, to either reference point, depending on the organism used. Its content of neomycin is satisfactory if it contains not less than 85 percent of the number of milligrams of activity that it is represented to contain.

(2) *Moisture*. Proceed as directed in § 141a.7(c) of this chapter.

(b) *Neomycin undecylenate used in making the otic drops*—(1) *Neomycin content*. Proceed as directed in § 141e.410(b)(1), except prepare the sample for assay as follows: Accurately weigh approximately 500 milligrams of neomycin undecylenate, transfer to a 250-milliliter volumetric flask, add 50 milliliters of chloroform, and mix well. Adjust to volume with 95 percent ethyl alcohol, and mix well. Dilute an aliquot with 0.1M potassium phosphate buffer, pH 8.0, to either reference point, depending on the organism used.

(2) *Undecylenic acid content*. (i) *Reagents*:

95 percent ethyl alcohol (aldehyde-free).
Phenolphthalein indicator: Dissolve 1 gram of phenolphthalein in 100 milliliters of alcohol.
Alcoholic sodium hydroxide (about 0.1 normal): Weigh rapidly about 5 grams of sodium hydroxide pellets, dissolve in 10 milliliters of water, and add sufficient aldehyde-free alcohol to make 1 liter. Allow the solution to stand in a tightly stoppered bottle protected from light for

24 hours, then quickly decant the clear supernatant into a suitable tight container, and store protected from light. Determine the undecylenic acid equivalent of this solution each time an assay is performed.

(ii) *Procedure*: Weigh accurately two 100-milligram portions of undecylenic acid (N.F. grade), and place each into separate Erlenmeyer flasks. Also, make two accurate weighings of the neomycin undecylenate sample, each consisting of about 120 milligrams, and place each into separate Erlenmeyer flasks. Carefully dissolve each of the undecylenic acid authentics and each of the samples in 10 milliliters of 95 percent ethyl alcohol. Add two drops of phenolphthalein indicator to each of the four flasks. Titrate each sample with 0.1N alcoholic sodium hydroxide to a phenolphthalein endpoint. Determine the amount of alcoholic sodium hydroxide equivalent to 10 milliliters of 95 percent ethyl alcohol and make this reagent-blank correction for each titration. From the undecylenic acid equivalent of the alcoholic sodium hydroxide, calculate the undecylenic acid content of neomycin undecylenate.

(3) *Moisture*. Proceed as directed in § 141a.5(a) of this chapter.

(4) *pH*. Proceed as directed in § 141a.5(b) of this chapter, except use a solution containing 50 milligrams per milliliter in 80 percent methyl alcohol.

(5) *Identity*. Weigh approximately 1 milligram of neomycin undecylenate and mix thoroughly with 200 milligrams of dried infra-red spectrophotometric quality potassium bromide in a small ball mill for about 1 minute. Prepare a potassium bromide disk by transferring the uniform mixture to a dye of suitable size. Evacuate gradually while raising the pressure to 3,000 pounds per square inch. Hold at 3,000 pounds per square inch until evacuation is complete and then raise the pressure to 20,000 pounds per square inch. Hold the pressure for 2 or 3 minutes. Using a suitable infra-red spectrophotometer, run the spectrum from 2 microns to 16 microns. Use an attenuator if necessary. Characteristic undecylenic acid peak absorbancies occur at 7.1 and 11 microns, distinguishing neomycin undecylenate from neomycin sulfate.

§ 146e.432 Bacitracin-neomycin undecylenate otic drops.

(a) *Standards of identity, strength, quality, and purity*. Bacitracin-neomycin undecylenate otic drops is bacitracin and neomycin undecylenate in a vegetable oil vehicle, with a suitable and harmless suspending agent. It may contain a suitable local anesthetic and cortisone or a suitable derivative of cortisone. Each milliliter contains not less than 500 units of bacitracin and the equivalent of not less than 3.5 milligrams of neomycin. The moisture content is not more than 1 percent. The bacitracin used conforms to the standards prescribed therefor by § 146e.401(a), except § 146e.401(a)(2), (3), (4), and (8). The neomycin undecylenate used has a potency of not less than 300 micrograms of neomycin base activity per milligram (calculated on the anhydrous basis), an undecylenic acid content of not less than 600 micrograms per milligram, and a

moisture content of not more than 5.0 percent. Its pH in a solution containing 50 milligrams per milliliter in 80 percent methyl alcohol is not less than 6.5 and not more than 7.0. It gives a positive infra-red identity test for neomycin undecylenate. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging*. In all cases the immediate container shall be glass, so closed as to be a tight container as defined by the U.S.P., and of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling*. In addition to the labeling requirements prescribed by § 1.106(b) of this chapter (regulations issued under section 502(f) of the act), each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) The statement "Expiration date _____," the blank being filled in with the date that is 12 months after the month during which the batch was certified.

(ii) If it contains one or more of the active ingredients specified in paragraph (a) of this section, after the name "bacitracin-neomycin undecylenate otic drops," wherever it appears, the words "with _____," in juxtaposition with such name, the blank being filled in with the common or usual name of each such ingredient used.

(d) *Request for certification; samples*. (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch marks and (unless they were previously submitted) the dates on which the latest assays of the bacitracin and neomycin undecylenate used in making such batch were completed, the number of units of bacitracin and the number of milligrams of neomycin in each milliliter, the quantity of each ingredient used in making the batch, the date on which the latest assay of the batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch: The number of units of bacitracin and the number of milligrams of neomycin per milliliter, and moisture content.

(ii) The bacitracin used in making the batch: Potency, moisture, pH, and ash content.

(iii) The neomycin undecylenate used in making the batch: Neomycin content,

Title 25—INDIANS

**Chapter I—Bureau of Indian Affairs,
Department of the Interior**

SUBCHAPTER O—RIGHTS-OF-WAY—ROADS

**PART 163—ESTABLISHMENT OF
ROADLESS AND WILD AREAS ON
INDIAN RESERVATIONS**

Wind River Reservation, Wyoming

On page 7949 of the FEDERAL REGISTER of August 3, 1963, there was published a notice of intention to amend § 163.1 of Title 25 Code of Federal Regulations. The purposes of the amendment are to reduce the size of the roadless area on the Wind River Reservation, Wyoming from 220,000 acres to 180,387 acres and to change the name of the roadless area to the "Wind River Reserve."

Interested persons were given an opportunity to submit their comments, suggestions or objections in writing on the proposed amendment within 30 days from the date of publication of the notice in the FEDERAL REGISTER. During the 30 day period, no comments, suggestions or objections were received, and the proposed amendment is hereby adopted without change and is set forth below.

The lands affected by the regulation are the private property of the Shoshone and Arapahoe Tribes of the Wind River Reservation, Wyoming, though held in trust by the United States, and the portions to be eliminated from the reserve are needed by the tribes for development as an outdoor recreational site and for gathering of fallen timber by tribal members for firewood. Further, the councils of the two tribes requested the promulgation of the amendment. For these reasons, it has been determined that it is in the best interest of the Indians and the public to make the amendment effective immediately. Therefore, the amendment shall become effective on the date of this publication in the FEDERAL REGISTER.

(R.S. 161, 5 U.S.C. 22)

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1963.

Section 163.1 is amended to reflect a reduced and renamed roadless area on the Wind River Reservation, Wyoming, and to read as follows:

§ 163.1 Definition of roadless areas.

A roadless area has been defined as one which contains no provision for the passage of motorized transportation and which is at least 100,000 acres in forested country and at least 500,000 acres in non-forested country. Under this definition the Secretary of the Interior ordered (3 F.R. 609, March 22, 1938) certain roadless areas established on Indian reservations. The following are the presently existing roadless areas:

Name of area	Reservation	State	Approximate acreage
Wind River Reserve.	Wind River...	Wyoming.	180,387
Mesa Verde....	Ute Mountain.	Colorado..	115,000

undecylenic acid content, moisture, pH, and identity.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch: One immediate container for each 5,000 immediate containers in the batch, but in no case less than six immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The bacitracin used in making the batch: Six packages, containing approximately equal portions of not less than 0.5 gram.

(iii) The neomycin undecylenate used in making the batch: 10 Packages, each containing approximately equal portions of not less than 300 milligrams.

(iv) In case of an initial request for certification, each other substance used in making the batch: One package of each containing approximately 5 grams.

(4) The results referred to in subparagraph (2) (i) and (iii) of this paragraph and the samples referred to in subparagraph (3) (ii) and (iii) of this paragraph are not required if such results or samples have been previously submitted.

(e) Fees. The fees for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$5.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) (i) of this section; \$4.00 for each immediate container in the samples submitted in accordance with paragraph (d) (3) (ii), (iii), and (iv) of this section.

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d) of this chapter.

Notice and public procedure are not necessary prerequisites to the promulgation of the order, and I so find, since the drug bacitracin-neomycin undecylenate otic drops has been found to be safe and efficacious for use, conditions precedent to its certification.

Effective date. This order becomes effective 30 days from the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: October 24, 1963.

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

[F.R. Doc. 63-11528; Filed, Oct. 30, 1963; 8:48 a.m.]

(a) The boundaries of the Wind River Reserve roadless area are as follows: Wind River Meridian, Wyoming. Starting at the SW corner of sec. 22, T. 2 S., R. 3 W., on the south boundary of the Wind River Indian Reservation, thence north six (6) miles to the NE corner of sec. 28, T. 1 S., R. 3 W., thence west three (3) miles to the SW corner of sec. 19, T. 1 S., R. 3 W., thence north four (4) miles along range line to the Wind River Base Line, thence west one (1) mile along Wind River Base Line to the SW corner of sec. 36, T. 1 N., R. 4 W., thence north six (6) miles to the NW corner of sec. 1, T. 1 N., R. 4 W., thence west five (5) miles along township line to the NE corner of sec. 1, T. 1 N., R. 5 W., thence north four and one-half (4½) miles along Range line to the NE corner of the SE¼ of sec. 12, T. 2 N., R. 5 W., thence west one and one-half (1½) miles to the center of sec. 11, T. 2 N., R. 5 W., thence on a straight line in a northwesterly direction to the top of Bold Mountain, thence on a straight line to the SE corner of sec. 35, T. 4 N., R. 6 W., thence west one (1) mile along township line to the SW corner of sec. 35, T. 4 N., R. 6 W., thence north two (2) miles to the NW corner of sec. 26, T. 4 N., R. 6 W., thence on a straight line in a northwesterly direction to the point where the north line of sec. 15, T. 4 N., R. 6 W. intersects the West boundary of the Reservation, thence south, southeasterly and east along the Reservation boundary to point of beginning.

(b) The boundaries of the Mesa Verde roadless area are as follows: Starting at the point where U.S. Highway No. 666 cuts the northern boundary of the reservation, thence south along said highway to the junction with the road in sec. 31, T. 33 N., R. 17 W., thence along the road running east to Floyd Reservoir, thence along the road running to Kraft Reservoir, thence along the east and north boundary of the reservation to the point of beginning.

[F.R. Doc. 63-11491; Filed, Oct. 30, 1963; 8:47 a.m.]

**APPENDIX—EXTENSION OF THE
TRUST OR RESTRICTED STATUS OF
CERTAIN INDIAN LANDS**

Trust Periods Expiring During Calendar Years 1964 Through 1968, Inclusive

By virtue of and pursuant to the authority delegated by Executive Order No. 10250 of June 5, 1951, and pursuant to section 5 of the Act of February 8, 1887 (24 Stat. 388, 389), the Act of June 21, 1906 (34 Stat. 325, 326), and the Act of March 2, 1917 (39 Stat. 969, 976), and other applicable provisions of law, it is hereby ordered that the periods of trust or other restrictions against alienation contained in any patent applying to Indian lands, whether of a tribal or individual status, which, unless extended would expire during calendar years 1964 through 1968, inclusive, be, and the same are hereby, extended until January 1, 1969.

This Order is not intended to apply to any case in which Congress has specifically reserved to itself authority to

extend the period of trust on tribal or individual Indian lands.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1963.

[F.R. Doc. 63-11492; Filed, Oct. 30, 1963;
8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6688]

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

Definition of Controlled Foreign Corporation

On January 29, 1963, notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 828) regarding the amendments of the Income Tax Regulations (26 CFR Part 1) to conform such regulations to section 957(a) of the Internal Revenue Code of 1954, as added by section 12(a) of the Revenue Act of 1962 (76 Stat. 1017). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments set forth below are hereby adopted. The amendments shall apply with respect to taxable years of foreign corporations beginning after December 31, 1962, and to taxable years of United States shareholders within which or with which such taxable years of such corporations end. In addition, paragraph 3 hereof contains an amendment which was inadvertently omitted from Treasury Decision 6683.

PARAGRAPH 1. Section 1.957 is amended to read as follows:

§ 1.957 Statutory provisions; controlled foreign corporations; United States persons.

SEC. 957. *Controlled foreign corporations; United States persons*—(a) *General rule.* For purposes of this subpart, the term "controlled foreign corporation" means any foreign corporation of which more than 50 percent of the total combined voting power of all classes of stock entitled to vote is owned (within the meaning of section 958(a)), or is considered as owned by applying the rules of ownership of section 958(b), by United States shareholders on any day during the taxable year of such foreign corporation.

(c) *Corporations organized in United States possessions.* For purposes of this subpart, the term "controlled foreign corporation" does not include any corporation created or organized in the Commonwealth of Puerto Rico or a possession of the United States or under the laws of the Commonwealth of Puerto Rico or a possession of the United States if—

(1) 80 percent or more of the gross income of such corporation for the 3-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within the Commonwealth of

Puerto Rico or a possession of the United States; and

(2) 50 percent or more of the gross income of such corporation for such period, or for such part thereof, was derived from the active conduct within the Commonwealth of Puerto Rico or a possession of the United States of any trades or businesses constituting the manufacture or processing of goods, wares, merchandise, or other tangible personal property; the processing of agricultural or horticultural products or commodities (including but not limited to livestock, poultry, or fur-bearing animals); the catching or taking of any kind of fish or the mining or extraction of natural resources, or any manufacturing or processing of any products or commodities obtained from such activities; or the ownership or operation of hotels.

For purposes of paragraphs (1) and (2), the determination as to whether income was derived from sources within the Commonwealth of Puerto Rico or a possession of the United States and was derived from the active conduct of a described trade or business within the Commonwealth of Puerto Rico or a possession of the United States shall be made under regulations prescribed by the Secretary or his delegate.

[Sec. 957 (a) and (c) as added by sec. 12(a), Revenue Act 1962 (76 Stat. 1017)]

PAR. 2. There is inserted immediately after § 1.957 the following new section:

§ 1.957-1 Definition of controlled foreign corporation.

(a) *In general.* For purposes of sections 951 through 964, the term "controlled foreign corporation" means any foreign corporation of which more than 50 percent (or more than 25 percent, in a case to which section 957(b) and § 1.957-2 apply) of the total combined voting power of all classes of stock entitled to vote is owned within the meaning of section 958(a), or is considered as owned by applying the rules of ownership of section 958(b), by United States shareholders on any day of the taxable year of such foreign corporation. For definition of the term "United States shareholder," see section 951(b) and the regulations thereunder. For definition of the term "foreign corporation," see § 301.7701-5 of this chapter (Procedure and Administration Regulations). For treatment of associations as corporations, see section 7701(a)(3) and §§ 301.7701-1 and 301.7701-2 of this chapter. For definition of the term "stock," see sections 958(a)(3) and 7701(a)(7). For the classification of a member in an association, joint-stock company, or insurance company as a shareholder, see section 7701(a)(8).

(b) *Percentage of total combined voting power owned by United States shareholders*—(1) *Meaning of combined voting power.* In determining for purposes of paragraph (a) of this section whether United States shareholders own the requisite percentage of total combined voting power of all classes of stock entitled to vote, consideration will be given to all the facts and circumstances of each case. In all cases, however, United States shareholders of a foreign corporation will be deemed to own the requisite percentage of total combined voting power with respect to such corporation—

(i) If they have the power to elect, appoint, or replace a majority of that body of persons exercising, with respect to such corporation, the powers ordinarily exercised by the board of directors of a domestic corporation;

(ii) If any person or persons elected or designated by such shareholders have the power, where such shareholders have the power to elect exactly one-half of the members of such governing body of such foreign corporation, either to cast a vote deciding an evenly divided vote of such body or, for the duration of any deadlock which may arise, to exercise the powers ordinarily exercised by such governing body; or

(iii) If the powers which would ordinarily be exercised by the board of directors of a domestic corporation are exercised with respect to such foreign corporation by a person whom such shareholders have the power to elect, appoint, or replace.

(2) *Shifting of formal voting power.* Any arrangement to shift formal voting power away from United States shareholders of a foreign corporation will not be given effect if in reality voting power is retained. The mere ownership of stock entitled to vote does not by itself mean that the shareholder owning such stock has the voting power of such stock for purposes of section 957. For example, if there is any agreement, whether express or implied, that any shareholder will not vote his stock or will vote it only in a specified manner, or that shareholders owning stock having not more than 50 percent of the total combined voting power will exercise voting power normally possessed by a majority of stockholders, then the nominal ownership of the voting power will be disregarded in determining which shareholders actually hold such voting power, and this determination will be made on the basis of such agreement. Moreover, where United States shareholders own shares of one or more classes of stock of a foreign corporation which has another class of stock outstanding, the voting power ostensibly provided such other class of stock will be deemed owned by any person or persons on whose behalf it is exercised or, if not exercised, will be disregarded if the percentage of voting power of such other class of stock is substantially greater than its proportionate share of the corporate earnings, if the facts indicate that the shareholders of such other class of stock do not exercise their voting rights independently or fail to exercise such voting rights, and if a principal purpose of the arrangement is to avoid the classification of such foreign corporation as a controlled foreign corporation under section 957.

(c) *Illustrations.* The application of this section may be illustrated by the following examples:

Example (1). Foreign corporation R has two classes of capital stock outstanding, 60 shares of class A stock, and 40 shares of class B stock. Each share of each class of stock has one vote for all purposes. E, a United States person, owns 51 shares of class A stock. Corporation R is a controlled foreign corporation.

Example (2). Foreign corporation S has three classes of capital stock outstanding, consisting of 60 shares of class A stock, 40 shares of class B stock, and 200 shares of class C stock. The owners of a majority of class A stock are entitled to elect 6 of the 10 corporate directors, and the owners of a majority of the class B stock are entitled to elect the other 4 of the 10 directors. Class C stock has no voting rights. D, a United States person, owns all of the shares of the class C stock. He also owns 31 shares of class A stock and as such an owner can elect 6 members of the board of directors. None of the remaining shares of class A stock, or the 40 shares of class B stock, is owned, or considered as owned, within the meaning of section 958, by a United States person. Since, as owner of 31 shares of the class A stock, D has sufficient voting power to elect 6 directors, D has more than 50 percent of the total combined voting power of all classes of stock entitled to vote, and S Corporation is a controlled foreign corporation.

Example (3). M, a United States person, owns a 51-percent interest in R Company, a foreign company of which he is a member. The company, if it were domestic, would be taxable as a corporation. The remaining interest of 49 percent in the company is owned by seven other members none of whom is a United States person. The memorandum of association of R Company provides for only one manager, who with respect to the company exercises the powers ordinarily exercised by a board of directors of a domestic corporation. The manager is to be elected by unanimous agreement of all the members. Since M owns 51 percent of the company, he will be deemed to own more than 50 percent of the total combined voting power of all classes of stock of R Company entitled to vote, notwithstanding that he has power to elect a manager only with the agreement of the other members. Company R is a controlled foreign corporation.

Example (4). Domestic corporation M owns a 49-percent interest in S Company, a foreign company of which it is a member. The company, if it were domestic, would be taxable as a corporation. Company S is formed under the laws of foreign country Y. The remaining interest of 51 percent in S Company is owned by persons who are not United States persons. The organization contract of S Company provides for one manager, B, a citizen and resident of country Y who is an officer of M Corporation in charge of its foreign operations in such country, or any person M Corporation may at any time appoint to succeed B in such capacity. The manager has the sole authority with respect to S Company to exercise powers ordinarily exercised by a board of directors of a domestic corporation. Since M Corporation has the discretionary power to replace B and to appoint his successor as manager of S Company, the company is a controlled foreign corporation.

Example (5). N, a United States person, owns 50 percent of the outstanding shares of the only class of capital stock of foreign corporation R. An additional 48 percent of the outstanding shares is owned by foreign corporation S. The remaining 2 percent of shares is owned by P, a citizen and resident of foreign country T, who regularly acts as attorney for N in the conduct of N's business affairs in country T. All of the shares of the outstanding capital stock of R Corporation are bearer shares. At the time of the issuance of the shares to him, P places the certificates for such shares in a depository to which N has access. On several occasions N, with P's acquiescence, has taken such shares from the depository and, on one such occasion, used the shares as collateral in borrowing funds on a loan. Although dividends, when paid, are paid to P on his shares, his charges to N for legal fees are reduced by the amount of the divi-

dends paid on such shares. Although P votes his shares at meetings of shareholders, the facts set forth above indicate an implied agreement between P and N that N is really to retain dominion over the stock. N is deemed to own the voting rights ostensibly attached to the stock owned by P, and R Corporation is a controlled foreign corporation.

Example (6). M, a domestic corporation which manufactures in the United States and distributes all of its production for foreign consumption through N, a person other than a related person or a United States person, forms foreign corporation S to purchase products from M Corporation and sell them to N. Corporations S and M have common directors. The outstanding capital stock of S Corporation consists of 10,000 shares of \$100 par value class A stock, which has no voting rights except to vote for dissolution of the corporation on a share for share basis, and 500 shares of no par class B stock which has full voting rights. Each class of the outstanding stock is to participate on a share for share basis in any dividend. The class A stock has a preference as to assets on dissolution of the corporation to the extent of its par value as well as the right to participate with the class B stock in all other assets on a share for share basis. All of the shares of class A stock are issued to M Corporation in return for property having a value of \$1 million. Of the class B stock, 300 of the shares are issued to N in return for \$3,000 in cash and 200 shares are issued to M Corporation for \$2,000 in cash. At stockholder meetings N never votes in opposition to M Corporation on important issues. Corporation S has average annual earnings of \$200,000, all of which will be subpart F income if S Corporation is held to be a controlled foreign corporation. All such earnings are accumulated. Although N ostensibly has 60 percent of the voting power of S Corporation by virtue of his ownership of 300 shares of class B stock, he has the right to only approximately 3 percent of any dividends which may be paid by S Corporation; in addition, upon liquidation of S Corporation, N is entitled to share in the assets only after M Corporation has received the par value of its 10,000 shares of class A stock, or \$1 million. Thus, the voting power owned by N is substantially greater than its proportionate share of the earnings of S Corporation. In addition, the facts set forth above indicate that N is not exercising his voting rights independently and that a principal purpose of the capitalization arrangement is to avoid classification of S Corporation as a controlled foreign corporation. For these reasons, the voting power ostensibly provided the class B stock will be deemed owned by M Corporation, and S Corporation is a controlled foreign corporation.

Example (7). Foreign corporation A, authorized to issue 100 shares of one class of capital stock, issues, for \$1,000 per share, 45 shares to domestic corporation M, 45 shares to foreign corporation B, and 10 shares to foreign corporation C. Corporation C, a bank, lends \$3 million to finance the operations of A Corporation. In the course of negotiating these financial arrangements, D, an officer of C Corporation, and E, an officer of M Corporation, orally agree that C Corporation will vote its stock as M Corporation directs. By virtue of such oral agreement M Corporation possesses the voting power ostensibly owned by C Corporation, and A Corporation is a controlled foreign corporation.

PAR. 3. In Treasury Decision 6683, published in the FEDERAL REGISTER on October 18, 1963 (28 F.R. 11177), subparagraph (2) was inadvertently omitted

from paragraph (d) of § 1.955-6. Subparagraph (2) of such paragraph should read as follows:

§ 1.955-6 Gross income from sources within less developed countries.

* * * * *
(d) Sale of tangible personal property. * * *

(2) Production defined. For purposes of this paragraph, the term "produced" means manufactured, grown, extracted, or constructed and includes a substantial transformation of property purchased for resale or the manufacture of a product when purchased components constitute part of the property which is sold. See paragraph (a)(4)(ii) and (iii) of § 1.954-3 for a statement and illustration of the principles set forth in the preceding sentence.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] BERTRAND M. HARDING,
Acting Commissioner
of Internal Revenue.

Approved: October 29, 1963.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

[F.R. Doc. 63-11541; Filed, Oct. 30, 1963;
8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 516—RECORDS TO BE KEPT BY EMPLOYERS

Salary Example

Pursuant to section 11 of the Fair Labor Standards Act of 1938 (29 U.S.C. 211), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), 29 CFR 516 is hereby amended to show a change in the figures in the salary example contained in 29 CFR 516.3.

As this amendment merely reflects a change made necessary by the change in salary test in 29 CFR 541, and concerns interpretative rules, notice and opportunity for public participation regarding it are deemed unnecessary and are not required by section 4 of the Administrative Procedure Act (5 U.S.C. 204). This fact also provides good cause for making the amendment effective immediately. The amendment is hereby made effective immediately.

Section 516.3 of 29 CFR 516 is amended to read as follows:

§ 516.3 Bona fide executive, administrative, professional, and outside sales employees as referred to in section 13(a)(1) of the act—items required.

With respect to persons employed in a bona fide executive, administrative or professional capacity or in the capacity of outside salesman, as defined in Part 541 of this chapter (pertaining to so-called "white collar" employee exempt-

tions), employers shall maintain and preserve records containing all the information and data required by § 516.2 (a) except subparagraphs (6) through (10) thereof, and, in addition thereto the basis on which wages are paid (this may be shown as "\$435 mo."; "\$115 wk."; or "on fee").

Signed at Washington, D.C., this 24th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11504; Filed, Oct. 30, 1963;
8:47 a.m.]

PART 611—SWEATER AND KNIT SWIMWEAR INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205, 206, and 208), the Secretary of Labor by Administrative Order No. 578 (28 F.R. 10270) appointed and convened Review Committee 6-A and referred to it and duly noticed a hearing on the question of the minimum rate or rates of wages to be paid under paragraph (C) of Proviso (1) of subsection 6(c) of the Act in lieu of those provided under paragraph (B) of Proviso (1) to employees in the sweater and knit swimwear industry in industry in Puerto Rico as that industry is defined in 29 CFR 611.1.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by sections 6 and 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of the committee are hereby published in this order amending 29 CFR 611.2(a) (1) effective November 3, 1963, to read as follows:

§ 611.2 Wage rates.

(a) (1) General classification: \$1.17 an hour.

(Sec. 8, 52 Stat. 1064; 29 U.S.C. 208)

Signed at Washington, D.C., this 25th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11507; Filed, Oct. 30, 1963;
8:47 a.m.]

PART 687—HOSIERY INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205, 206, and 208), the Secretary of Labor by Administrative Order No.

577 (28 F.R. 10270) appointed and convened Review Committee 5-B and referred to it and duly noticed a hearing on the question of the minimum rate or rates of wages to be paid under paragraph (C) of Proviso (1) of subsection 6(c) of the Act in lieu of those provided under paragraph (B) of Proviso (1) to employees in the hosiery industry in Puerto Rico as that industry is defined in 29 CFR 687.1.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by sections 6 and 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of the committee are hereby published in this order amending 29 CFR 687.2 effective November 3, 1963, to read as follows:

§ 687.2 Wage rates.

The hosiery industry in Puerto Rico is divided into two classifications. Wages at rates not less than those prescribed in this section shall be paid under subsection 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the hosiery industry in Puerto Rico who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or the production of goods for commerce as those terms are defined in section 3 of the Act.

(a) *General classification.* (1) The minimum wage for this classification is 82 cents an hour.

(2) This classification applies to all activities of employees in the industry to whom section 6 of the Act applies without reference to the Fair Labor Standards Amendments of 1961.

(b) *New coverage classification.* (1) The minimum wage for this classification is 78 cents an hour.

(2) This classification applies to all activities of employees in the industry to whom section 6 of the Act applies only by reason of the Fair Labor Standards Amendments of 1961.

(Sec. 8, 52 Stat. 1064; 29 U.S.C. 208)

Signed at Washington, D.C., this 25th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11502; Filed, Oct. 30, 1963;
8:47 a.m.]

PART 689—SUGAR MANUFACTURING INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205, 206, and 208), the Secretary of Labor by Administrative Order No. 577 (28 F.R. 10270) appointed and

convened Review Committee 5-A and referred to it and duly noticed a hearing on the question of the minimum rate or rates of wages to be paid under paragraph (C) of Proviso (1) of subsection 6(c) of the Act in lieu of those provided under paragraph (B) of Proviso (1) to employees in the sugar manufacturing industry in Puerto Rico as that industry is defined in 29 CFR 689.1.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by sections 6 and 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of the committee are hereby published in this order amending 29 CFR 689.2(a) (1) effective November 3, 1963, to read as follows:

§ 689.2 Wage rates.

(a) (1) *General sugar classification:* \$1.175 an hour.

(Sec. 8, 52 Stat. 1064; 29 U.S.C. 208)

Signed at Washington, D.C., this 24th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11506; Filed, Oct. 30, 1963;
8:47 a.m.]

PART 694—MINIMUM WAGE RATES IN INDUSTRIES IN THE VIRGIN ISLANDS

Wage Order

Pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205 and 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 576 (28 F.R. 8325), the Secretary of Labor appointed and convened Special Industry Committee No. 8 for the Virgin Islands, and referred to it the following: (1) The question of the minimum rate or rates of wages to be fixed for all industry wherein employees are engaged in commerce or in the production of goods for commerce (except those industries or parts thereof formerly described in 29 CFR 694.1 (b), (g), and (h)), and (2) the question of the minimum rate or rates of wages to be fixed for employees covered by the Act for the first time by reason of the 1961 Amendments (i.e., those employed in any enterprise engaged in commerce or in the production of goods for commerce or who are covered by virtue of amendments made to section 13(a) of the Act (29 U.S.C. 213)). Administrative Order No. 576 also gave due notice of the hearing of the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing findings

of fact and recommendations with respect to the matters referred to it.

Accordingly, pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Special Industry Committee No. 8 for the Virgin Islands are hereinafter published in this order revising 29 CFR Part 694.

This revision also sets forth the minimum rates which are to be paid in the Virgin Islands between November 3, 1963, and November 15, 1963, under the provisions of Proviso (1) of paragraph 6 (c) of the Act (29 U.S.C. 206).

Accordingly, 29 CFR Part 694 is hereby revised to read as follows:

Sec.	
694.1	Definitions of industries; classifications.
694.2	Minimum wage rates.
694.3	Notices.

AUTHORITY: §§ 694.1 to 694.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 694.1 Definitions of industries; classifications.

(a) *Air transportation industry.* This industry shall include the transportation of passengers and cargo by air, and all activities in connection therewith.

(b) *Alcoholic beverage and industrial alcohol industry.* This industry shall include the manufacture of alcoholic beverages, including, but not by way of limitation, the distilling, rectifying, blending, or bottling of rum, gin, whiskey, brandy, liqueurs, cordials, wine and beer, and the manufacture of industrial and other types of alcohol.

(c) *Banking, real estate, accounting, and insurance industry.* This industry shall include the business carried on by any banking, insurance, financial, real estate, or accounting firm, institution, agency, or enterprise.

(d) *Bay rum and other toilet preparations industry.* This industry shall include the manufacture, including bottling and packaging, of bay oil, bay rum, perfumes, colognes, toilet waters and other toilet preparations.

(e) *Communications and public utilities industry.* This industry shall include the activities carried on by any radio or television system of communication or by any messenger service; and the activities carried on by any public utility enterprise engaged in the furnishing of such services as the transmission of messages, the operation of a telephone system, the generation or distribution of electric power, the manufacture or distribution of gas, the storage or distribution of water, or any similar service.

(f) *Distribution, trucking and construction industry.* This industry shall include: (1) The wholesaling, warehousing,

and other distribution of commodities, including, but without limitation, the activities of importers, exporters, wholesalers, retailers, public warehouses, and brokers and agents (except realty and financial), including manufacturers' selling agencies; (2) the activities carried on by any common or contract carrier engaged in the transportation of property by motor vehicle; (3) the designing, construction, reconstruction, alteration, repair, and maintenance of buildings, structures, and other improvements, the assembling at the construction site and the installation of machinery and other facilities in or upon such buildings, structures, and improvements, and the dismantling, wrecking or other demolition of such improvements and facilities. This industry is divided into two classifications which are designated and defined as follows:

(1) *Retailing classification.* The activities performed by employees of retail enterprises who are subject to section 6 of the Act by reason of the Fair Labor Standards Amendments of 1961.

(2) *General classification.* All activities of employees in the industry except those included in the retailing classification.

(g) *Jewelry, pen, thermometer, industrial belting and miscellaneous metal products industry.* This industry shall include the manufacture of precious and costume jewelry, watchbands, cigarette lighters, scissors, fishing rods and reels, binoculars, ball point pens, thermometers, metal floor dividers, industrial belting and parts therefor, and the assembling and manufacture of clocks and watches. This industry is divided into two classifications which are designated and defined as follows:

(1) *Clock, watch and watchband classification.* The assembling and manufacture of clocks, watches and watchbands.

(2) *General classification.* All activities in the industry except those included in the clock, watch and watchband classification.

(h) *Shipping, marine transportation, and ship and boat building industry (1) The industry.* This industry shall include: The transportation of passengers and cargo by water, and all activities in connection therewith, including, but without limitation, the operation of terminals, piers, wharves, and docks, including bunkering, stevedoring, storage, and lighterage operations, and the operations of tourist bureaus, and travel and ticket agencies; and the building, repairing, and maintenance of ships and boats, and the manufacture and repairing of sails, rope, fenders, and other marine equipment.

(2) *Seamen classification in the industry.* This classification of the shipping, marine transportation, and ship and boat building industry in the Virgin Islands shall include the activities of seamen in this industry as defined in sub-

paragraph (1) of this paragraph, and who are no longer exempt from section 6 of the Fair Labor Standards Act of 1938 by reason of the Fair Labor Standards Amendments of 1961.

(i) *Miscellaneous industry.* This industry shall include the manufacture of all products and other activities except those included in the definitions of other industries in the Virgin Islands as defined herein. This industry is divided into four classifications which are designated and defined as follows:

(a) *Textile classification.* The manufacture of all textile and textile products from natural or synthetic fibers, except the spinning of woolen yarn, the making of shoe laces and the manufacture of garments or other articles from purchased fabrics.

(b) *Fruit and vegetable packing, farm products assembling and meat packing classification.* The assembling and preparing for market of fresh fruits, vegetables and other related products; and the slaughtering of meat animals and the dressing and packing of meat, and all operations incidental thereto.

(c) *Stone crushing and quarrying and ready-mixed concrete classification.* All activities of employees engaged in stone crushing, quarrying, sand and gravel operations, the production of ready-mixed concrete, and cement products, and asphalt plant operations.

(d) *General classification.* All services and the manufacture of all products included in the miscellaneous industry, except those products and activities included in any other classification of this industry.

§ 694.2 Minimum wage rates.

(a) *General requirement.* Every employer shall pay to each of his employees in the Virgin Islands, who in any work-week is engaged in commerce or in the production of goods for commerce or in any enterprise engaged in commerce or in the production of goods for commerce, wages at a rate not less than the minimum rate or rates of wages prescribed in paragraph (b) of this section for the industries and classifications in which such employee is engaged.

(b) *Minimum wage rate table—(1) Columns.* The minimum wage rates set forth in column 1 of the following table shall be paid between November 3, 1963, and November 15, 1963, to employees to whom section 6 of the Fair Labor Standards Act of 1938 applies without reference to the Fair Labor Standards Amendments of 1961 and the minimum wages set forth in column 2 shall be paid to them thereafter. The minimum wages set forth in column 3 shall be paid between November 16, 1963, and September 2, 1964, to employees to whom section 6 of the Act applies by reason of the Fair Labor Standards Amendments of 1961, and the minimum rates set forth in column 4 shall be paid to them thereafter.

(2) Table.

Industry and classification	Minimum wage rates			
	Column 1	Column 2	Column 3	Column 4
Air transportation	\$1.25	\$1.25	\$1.00	\$1.15
Alcoholic beverage	.81	.90	.90	.90
Banking, real estate, accounting and insurance	1.25	1.25	1.00	1.15
Bay rum and other toilet preparations	1.00	1.15	1.00	1.15
Communications and public utilities	(*)	1.25	1.00	1.15
Distribution, trucking and construction:				
Retailing classification			1.00	1.05
General classification	.96	1.15	1.00	1.15
Jewelry, pen, thermometer, industrial belting and miscellaneous metal products:				
Clock, watch and watchband classification	.75	1.15	1.00	1.15
General classification	.81	1.00	1.00	1.00
Shipping, marine transportation and ship and boat building industry:				
Seaman classification			1.00	1.00
General classification	1.25	1.25	1.00	1.15
Miscellaneous industry:				
Textile classification	.75	1.00	1.00	1.00
Fruit and vegetable packing, farm products assembling, and meat packing classification	.75	.75	.75	.75
Stone crushing and quarrying and ready-mixed concrete classification	.75	1.15	1.00	1.15
General classification	.75	.82½	.82½	.82½

* The rate applicable to the custodial workers and brush cutters' general classification (29 CFR 694.1(d)(2)) shall be \$.96 an hour and the rate applicable to the general classification (29 CFR 694.1(d)(3)) shall be \$1.00 an hour. These classifications are deleted as of November 16, 1963.

§ 694.3 Notices.

Every employer subject to the provisions of § 694.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 694.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 24th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11503; Filed, Oct. 30, 1963; 8:47 a.m.]

PART 720—RUBBER PRODUCTS INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205, 206, and 208), the Secretary of Labor by Administrative Order No. 577 (28 F.R. 10270) appointed and convened Review Committee 5-C and referred to it and duly noticed a hearing on the question of the minimum rate or rates of wages to be paid under paragraph (C) of Proviso (1) of subsection 6(c) of the Act in lieu of those provided under paragraph (B) of Proviso (1) to employees in the rubber products industry in Puerto Rico as that industry is defined in 29 CFR 720.1.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by sections 6 and 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950 (3 CFR 1949-

53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of the committee are hereby published in this order amending 29 CFR 720.2 (b)(1), (c)(1), and (e)(1) effective November 3, 1963, to read as follows:

§ 720.2 Wage rates.

* * * * *

(b)(1) Rubber bucket classification: 93.5 cents an hour.

* * * * *

(c)(1) Rubber footwear classification: \$1.00 an hour.

* * * * *

(e)(1) Miscellaneous rubber products classification: \$1.25 an hour.

(Sec. 8, 52 Stat. 1064; 29 U.S.C. 208)

Signed at Washington, D.C., this 25th day of October 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-11505; Filed, Oct. 30, 1963; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER D—CERTIFICATES AND SCRIP

[Circular No. 2125]

PART 131—BOUNTY LAND WARRANTS

Revocation

Public Law 87-558 (76 Stat. 246) repealed the laws relating to military bounty land warrants and provided for cancellation of recorded warrants. The regulations in 43 CFR Part 131 are now obsolete, and pursuant to authority contained in section 2478 of the Revised Statutes, are hereby revoked, effective

on the date of publication of this revocation in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1963.

[F.R. Doc. 63-11498; Filed, Oct. 30, 1963; 8:47 a.m.]

[Circular No. 2126]

PART 133—SCRIP

Supreme Court and Surveyor General Scrip; Revocation

The Act of August 5, 1955 (69 Stat. 534) provides that scrip not recorded pursuant thereto cannot be accepted as a basis for acquisition of lands. No Supreme Court or surveyor general scrip have been recorded and the time for recording has expired. The regulations pertinent thereto, 43 CFR 133.2 and 133.3, are therefore obsolete and, pursuant to the authority contained in section 2478 of the Revised Statutes, are hereby revoked effective on the date of publication of this revocation in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1963.

[F.R. Doc. 63-11499; Filed, Oct. 30, 1963; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS

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

PART 60-1—OBLIGATIONS OF CONTRACTORS AND SUBCONTRACTORS

Definition of Subcontract; Correction

Correction

In the above captioned document appearing in the issue for Wednesday, October 23, 1963, at page 11305, the Federal Register document number in the file line should read "F.R. Doc. 63-11567" instead of "F.R. Doc. 63-11183".

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 63-969]

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

Operation of Educational Television Broadcast System in American Samoa

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 24th day of October 1963;

RULES AND REGULATIONS

The Commission having under consideration a request from the Department of the Interior, with the concurrence of the Office of Emergency Planning, to amend its rules so as to permit the operation of an educational television broadcast system in American Samoa; and

It appearing, that this service would be operated by an agency of the United States Government for educational purposes only, and that the Department of the Interior administers all Government radio operations in American Samoa; and

It further appearing, that there are no specific TV channels allotted for use in American Samoa; and

It further appearing, that Part 2, § 2.106, Footnote US24 prohibits the use of the band 54-60 Mc/s for Government or non-Government broadcasting at certain island locations in the Pacific Ocean, including American Samoa; and

It further appearing, that there is a justifiable need for the use of TV channels for the operation of an educational television network of stations in American Samoa; and

If further appearing, that use of the band 54-60 Mc/s for TV broadcasting in American Samoa would not conflict with any non-Government operations in this area, and would be subject to causing no interference to future non-Government operations; and

It further appearing, that in view of the above, the public interest would be served by the amendment of Footnote US24 to provide for the operation of broadcasting stations in the 54-60 Mc/s band in American Samoa; and

It further appearing, in view of the foregoing, that the amendment herein ordered imposes no disadvantage upon any person or group, that those who might conceivably be adversely affected

have joined in advocating the change, that the Commission accordingly has no reason to believe that adverse comments would be filed in public proceedings on the proposal, and hence that notice and public procedure under section 4(a) of the Administrative Procedure Act are unnecessary; and

It further appearing, that the amendment herein relieves an existing restriction, and hence that the amendment may be made effective upon publication; and

It further appearing, that authority for this Order is contained in section 303 (c) and (r) of the Communications Act of 1934, as amended;

It is ordered, Effective November 1, 1963, that Footnote US24 in § 2.106 is amended as set forth below.

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

Released: October 28, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

Footnote US24 to § 2.106 of the Commission's rules and regulations is amended to read as follows:

US24 Government fixed stations in the Midway Islands use frequencies in the band 54.0-54.4 Mc/s; U.S. stations in the broadcasting service will not be authorized to use frequencies in the band 54-60 Mc/s at any island in the Pacific Ocean west of the Island of Oahu, Hawaii, except within American Samoa; non-Government experimental stations, other than contract developmental stations, will not be authorized to use frequencies in the band 54.0-54.4 Mc/s at any island in the Pacific Ocean west of the Island of Oahu, Hawaii. This note does not apply to Alaska.

[F.R. Doc. 63-11537; Filed, Oct. 30, 1963; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 947]

IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Notice of Proposed Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering approval of the expenses and rate of assessment hereinafter set forth which were recommended by the Oregon-California Potato Committee established pursuant to Marketing Agreement No. 114 as amended, and Order No. 947, as amended (7 CFR Part 947) regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon, except Malheur County. This is a regulatory program issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Consideration will be given to any written data, views, or arguments pertaining thereto which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250, not later than 10 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 947.216 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Oregon-California Potato Committee, established pursuant to Marketing Agreement No. 114 and Order No. 947, both as amended, to enable such committee to perform its functions pursuant to the provisions of the aforesaid amended agreement and order during the fiscal period ending June 30, 1964, will amount to \$21,800.00.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 114 and Order No. 947, both as amended, shall be \$0.003 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in said marketing agreement and order.

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

Dated: October 25, 1963.

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

[F.R. Doc. 63-11509; Filed, Oct. 30, 1963;
8:48 a.m.]

No. 213—5

[7 CFR Part 1032 etc.]

HANDLING OF MILK IN CERTAIN MARKETING AREAS

Correction to Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and to Orders

7 CFR Part	Docket No.	Marketing area
1032-----	AO-313-A5-----	Suburban St. Louis.
1061-----	AO-327-A4-----	St. Joseph, Mo.
1062-----	AO-10-A30-----	St. Louis, Mo.
1064-----	AO-23-A25-----	Greater Kansas City.
1067-----	AO-222-A14-----	Ozarks.
1071-----	AO-227-A15-----	Neosho Valley.

This notice of hearing was issued October 21, 1963, and published in the FEDERAL REGISTER on Wednesday, October 23, 1963 (28 F.R. 11313; F.R. Doc. 63-11238).

The following corrections are made to the notice of hearing on proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in each of the above designated marketing areas: Docket No. "AO-313-A4" is changed to "AO-313-A5", and Docket No. "AO-108-30" is changed to "AO-10-A30".

Signed at Washington, D.C., on October 25, 1963.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 63-11508; Filed, Oct. 30, 1963;
8:47 a.m.]

Agricultural Research Service

[7 CFR Part 362]

REGULATIONS UNDER FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Notice of Extension of Time for Filing Comments on Proposed Revision

On September 6, 1963, a notice of a proposed revision of the regulations (7 CFR Part 362) for the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act was published in the FEDERAL REGISTER (28 F.R. 9783), and interested persons were given 60 days within which to submit written data, views, or arguments concerning the proposed revision. Requests for an extension of this period of time have been received by this Department.

In view of the substantial public interest in this matter, it appears that an extension of time is appropriate. Accordingly, the time within which written data, views, and arguments may be submitted to the Director, Pesticides Regulation Division, Agricultural Research

Service, U.S. Department of Agriculture, Washington, D.C., 20250, is extended to include November 30, 1963.

Done at Washington, D.C., this 28th day of October 1963.

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

[F.R. Doc. 63-11539; Filed, Oct. 30, 1963;
8:48 a.m.]

[9 CFR Part 78]

BRUCellosIS IN DOMESTIC ANIMALS

Individual Identification of Female Cattle Three Years of Age or Over; Notice of Extension of Time for Submission of Views Regarding Proposed Amendment to Regulations

On October 1, 1963, there was published in the FEDERAL REGISTER (28 F.R. 10524) a notice with respect to a proposed amendment of § 78.12 of Part 78, Title 9, Code of Federal Regulations, relating to the individual identification of female cattle three years of age and over. It has been determined that interested persons should be allowed additional time to review the proposal. Accordingly, the final date for the filing of written data, views, and arguments concerning the proposal, with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., 20250, has been extended from October 31, 1963 to March 1, 1964.

Done at Washington, D.C., this 30th day of October 1963.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 63-11623; Filed Oct. 30, 1963;
10:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-75]

CONTROL ZONE

Proposed Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to § 71.171 of the Federal Aviation Regulations, the substance of which is stated below.

The San Antonio, Tex. (Stinson Field), control zone is designated as that airspace within a 3-mile radius of Stinson Field, from 0700 to 2300 hours, local time, daily, excluding the portion within the Kelly AFB control zone.

The FAA has under consideration the redesignation of the Stinson Field control zone as that airspace within a 3-mile radius of Stinson Field (latitude 29°20'15" N., longitude 98°28'20" W.) and

11637

within 2 miles each side of the Stinson VOR 346° True radial, extending from the 3-mile radius zone to the VOR, effective from 0700 to 2300 hours, local time, daily, excluding the portion within the Kelly AFB control zone.

The proposed alteration would provide additional controlled airspace for the protection of aircraft executing prescribed instrument approach procedures at Stinson Field. Due to the immediate requirement for controlled airspace in this area, the CAR Amendments 60-21/60-29 implementation program is being deferred until a later date.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth Texas, 76101. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division Federal Aviation Agency, Washington, D.C., 20553. 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, D.C., 20553. 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 October 24, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11472; Filed, Oct. 30, 1963;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 15201; FCC 63-974]

AIRBORNE TELEVISION TRANSMITTERS

Notice of Proposed Rule Making

In the matter of amendment of Part 3 of the Commission's rules governing TV broadcast stations to authorize the use of airborne television transmitters; Docket No. 15201, RM-407.

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

2. The Commission has before it for consideration the following:

(a) A petition for rule making filed by Midwest Program for Airborne Television Instruction, Inc. (MPATI) on January 15, 1963, looking toward (1) the regularization of the use of UHF channels for airborne educational television in the six-State Midwest area of Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin; (2) the adoption of engineering rules and criteria governing such airborne educational television use; and (3) the allocation of 6 specific UHF television channels for airborne educational television use in the said Midwest area;

(b) Amendment to Petition for Rule Making providing information with regard to the particular allocation assignments proposed and the changes which would be required in the Table of Assignments;

(c) Partial Opposition filed by Association of Maximum Service Telecasters, Inc. (MST); and Reply by MPATI;

(d) Statements of National Association of Educational Broadcasters and National Educational Television and Radio Center;

(e) Opposition of Lloyd P. Morris, Elmwood Park, Illinois.

3. For reasons discussed below (paragraphs 25 to 33), the Commission believes there is a question as to whether permanent reservation of UHF television channels in the Midwest (or elsewhere) for airborne educational use is justified, either to the extent presently used by MPATI or on the more elaborate scale now advocated by that group. However, we believe that issuance of the present Notice is appropriate, to elicit pertinent information concerning whether reservation of channels for this purpose is in the public interest, and if so how it may best be accomplished.

Background. 4. On October 3, 1959, Purdue University (Purdue),¹ Lafayette, Indiana, filed applications for experimental stations to use airborne television to provide educational programming to elementary schools, secondary schools, colleges and universities located within a radius of approximately 200 miles of Montpelier, Indiana.

5. As justification for the experiment, Purdue pointed to the increased enrollment expected in our schools and colleges and the necessity of providing education of the highest quality to a greater number of students at the lowest possible price. Applicant maintained that a system of multi-channel airborne television holds a definite promise of achieving this goal.

6. On December 22, 1959, the Commission granted applications for twelve construction permits (involving use of eight television channels) for experimental television stations as requested. Two stations were located in an aircraft and began operation on Channels 72 and 76

in 1961. Other airborne facilities were authorized for operation on Channels 75 and 73 and four ground-to-air facilities were authorized to use UHF channels. Purdue has also been granted two permits for UHF translators (Channels 79 and 83) to rebroadcast the programs of the airborne experimental television stations to Detroit and Chicago. On July 24, 1963 MPATI, Inc., was granted authority to rebroadcast on Channels 81 and 83 to Cleveland.

7. In its petition for rule making, MPATI reported on the Purdue experiment as follows:

In September 1959 fifteen leading educational and civic leaders formed the Midwest Council on Airborne Television Instruction. The facilities of Purdue University were placed at its disposal and the Purdue Research Foundation served as the fiscal agent for the project, which was designated as the Midwest Program on Airborne Television Instruction. On September 11, 1961 regular telecasts to all equipped schools began.

8. The project was financed by a \$7,200,000 grant from the Ford Foundation and \$1,000,000 contributed by industries and foundations in the region. The cost of equipping a school to receive the telecasts ranged from \$250 to \$900 a classroom. It was not contemplated that the participating schools and colleges would have to pay for the telecasts during the experimental year. During the 1962-63 academic year, however, a registration fee for schools based upon total enrollment and an annual membership fee of approximately \$1.00 per pupil enrolled was charged the schools and colleges. In April 1962 the Ford Foundation announced its second grant to the project in the amount of \$7,500,000. Of this, \$5,500,000 is to be used for the operation of the project during the four-year period beginning July 1, 1962 to supplement membership income. It will be allocated in decreasing amounts annually as revenue from the schools increases until the project is self-sufficient.

9. During the period of operation from the fall of 1959 to June 1962, \$10,870,000 was spent on the experiment: \$4,575,000 went into the capital cost of the aircraft and television transmitting equipment and \$6,295,000 was for other expenses.

10. MPATI had stated in its application that it would explore the possibility of transmitting on a 3-megacycle, or "narrow" band, as distinguished from the regular 6-megacycle, or "wide" band. \$400,000 was allocated for this purpose, but after this amount was spent, work was suspended on this phase pending availability of additional funds.

11. Westinghouse Electric Corporation designed, installed and operated the two-channel broadcast system. Ampex Corporation assisted in adapting the video tape recorders to airborne use. Purdue Aeronautics Corporation operated and maintained the aircraft and Purdue University operated the facility for receiving, handling, inspecting and duplicating the video-taped lessons.

12. In the present installation the programs are recorded on video tape and two video tape playback machines are carried in the aircraft as well as two complete transmitters and other video

¹ On March 15, 1963, the Commission granted an application for transfer of the licenses for the transmitters from Purdue University to Midwest Program for Airborne Television Instruction, Inc.

and audio input equipment. In order to accommodate six transmitters in one aircraft, however, it will be necessary to remove the video tape recorders and use a ground-to-air relay. MPATI recognizes it would not be appropriate to provide this auxiliary function by the use of UHF broadcast channels on a permanent basis and that some other auxiliary service will be needed. MPATI suggests that six channels in the 2000 Mc band could be used for this purpose.

13. After working with manufacturers of television receiving equipment to determine how such equipment should be built in order to assure good reception, MPATI prepared a set of equipment specifications for the schools to use in letting installation contracts.

14. The airborne transmitters cover approximately a 140,000 square mile area within which lie portions of six States: Indiana, most of Ohio, and parts of Kentucky, Illinois, Michigan and Wisconsin. It is estimated more than 26 million people live within this area, of which about 6.5 million are enrolled in 15,000 elementary and secondary schools and nearly 700,000 in over 300 colleges and universities in the region.

15. The region was subdivided into 20 resource areas. Helping to administer the program in each area was a college or university, a committee consisting of leading educators and representatives of the member schools and an area co-ordinator appointed by the foregoing colleges and universities.

16. A policy was initiated of working closely with school leaders to assure that the courses were responsive to the needs of the participating schools and colleges. For the school year beginning in the fall of 1961, a schedule was developed which utilized both channels 5 1/4 hours a day, 4 days a week, for 32 weeks. During the 1962-63 academic year, MPATI provided a total of 1,344 hours of telecasting for classroom instruction.

17. MPATI states that a questionnaire circulated in the fall of 1961, and again in May of 1962, indicated that 9 out of 10 teachers rated airborne television instruction as "good" or "excellent" on a given day. Flying and telecasting operations have been carried out with an operational reliability in excess of 98 percent since the beginning of the operation, according to MPATI. There were, however, two technical problems cited in the MPATI filing: the existence of a limited area under the aircraft where reception problems are encountered; and schools in high-rise urban centers situated at considerable distance from the aircraft orbit center have great difficulty in obtaining adequate service and may therefore require land-based translators.

18. MPATI asserts that two major areas of difficulty were indicated in its experiment. The first of these was scheduling. Elementary schools were able to adapt the airborne television programs to their regular schedules, but junior high and high schools had difficulty doing so. The second problem concerned the number of courses it was able to offer. Demands have been made for more courses and for follow-up courses. The decision was therefore reached to apply for more channels.

Petition for rule making. 19. MPATI proposes that Channels 72, 74, 76, 78, 80 and 82 be allocated on a regular basis for airborne educational television use in the Midwest area, for the establishment of a regular airborne television system which would provide six educational services simultaneously, operating with an effective radiated power of 100 kw visual, 10 kw aural, from an aircraft at a height of 23,000 feet above sea level, approximately 22,000 feet above ground from the vicinity of an orbit reference point near Montpelier, Indiana. MPATI's purpose in the proposed rule making is to develop suitable criteria for the integration of an airborne system into an allocation plan based primarily on ground-based facilities.

20. The Commission's rules include no provisions limiting the maximum height of a station, but do provide for reduction in power with heights above 2000 feet. However, in UHF the reduction ceases when the effective radiated power drops to 500 kw which is in excess of that contemplated for the airborne operation. MPATI therefore points out that the rules do not preclude an airborne operation. However, if we were to authorize such an operation on a regular basis it is obvious that changes would have to be made in the allocation criteria to accommodate an airborne system MPATI has concluded from its experiment that service can be provided to substantially all of the locations within a 200-mile radius of the aircraft, and that signal strength of free space level can be obtained throughout the area. Thus these signals are far in excess of those predicted by the usual propagation curves and different concepts of service and signal strength available would be needed and are proposed by MPATI.

21. Where an airborne facility would be surrounded with ground-based facilities, MPATI proposes that the following minimum mileage separation requirements be applied between the orbit reference point of the airborne facility and the transmitter location of the ground-based stations. In its evaluation of interference problems between ground-based signals in the presence of airborne signals and airborne signals in the presence of ground-based signals, consideration was given to the fact that the primary users of the airborne system are intended to be schools in the area and that they employ special receiving techniques which differ from that of the typical receiving installation.

Partial opposition of association of Maximum Service Telecasters, Inc. 22. MST took no position on whether airborne television should be regularized as requested by MPATI or whether or not the proposed engineering standards are appropriate. It did oppose institution of rule making at this time because of the present lack of adequate technical data to permit meaningful evaluation of MPATI's proposals. MPATI replied that the accuracy of predictions of free-space fields within the airborne service range is excellent, that its experience has shown that antennae can be located so as to receive such fields and that the position taken by MST would prevent the Commission from instituting proceedings looking toward the implementation of advances and new uses in the television art.

Other comments filed. 23. The National Association of Educational Broadcasters and the National Educational Television and Radio Center are of the view that questions involved in MPATI's Petition raise important issues of policy which should be carefully considered by the Commission in a rule-making proceeding, but take no position on the merits or any of the questions raised in the petition.

24. Mr. Lloyd P. Morris, of Elmwood Park, Illinois, on behalf of himself, and not for the organizations of which he is a member, opposed the Petition. Mr. Morris has been active in educational work for twenty years and is presently president of the Board of Education, Illinois District No. 85. He is a member of the Executive Committee of the Tri-County ETV Council, an organization supported by Boards of Education in six counties in northeast Illinois. Mr. Morris objects to the proposal on the ground that the MPATI operation would usurp large portions of the spectrum which could be used more efficiently by ground-based educational television stations, especially in the area around Chicago which is so near saturation. He also claims there is possible danger of centralization of large area educational programming as opposed to local educational programming designed to meet the changing area needs.

Commission action. 25. The Commission is desirous of eliciting comments on the proposal herein to determine whether or not a substantial portion of the spectrum should be devoted to the proposed operation. MPATI requests the use of six UHF television channels for its airborne operation. It also has authorizations for Channels 79 and 83 to use as translators at Detroit and Chicago and Channels 81 and 83 to use as translators at Cleveland. MPATI states that if six UHF channels are made available for airborne use it would expect to use six translator channels in Detroit, Chicago, and Cleveland. If regular broadcast channels are not available, MPATI states it would hope to use the new Instructional TV service for the purpose of serving the schools in those cities. Similarly, to provide ground-to-air relay equipment MPATI would require six more channels in the 2000 Mc/s TV auxiliary band. In our notice of pro-

Type of interference	Present minimum mileage separation between ground-based stations	Proposed mileage separation between an airborne station and a ground-based station
Cochannel separation (±0 channel).....	155	200
Adjacent channel separation (±1 channel).....	55	200
I.F. beat (+7, 8 channels).....	20	0
Intermodulation (±2, 3, 4, 5 channels).....	20	0
Local oscillator (±7 channels).....	60	0
Sound image (±14 channels).....	60	0
Picture image (±15 channels).....	75	0

posed rule making in Docket No. 14229,² our proceeding to foster expanded use of UHF television channels, we emphasized our acceptance of the principle that the UHF television spectrum is indispensable to the achievement of a nationwide fully competitive commercial television service. We also indicated that we would give careful consideration to the probable future spectrum needs for educational television. The States here involved have indicated interest in extensive ground-based educational network systems. On August 2, 1962, the Commission amended the table of assignments to reserve nine additional channels for educational use in the State of Kentucky,³ and Ohio has filed a Petition for Rule Making, RM-296, requesting the reservation of additional channels for an educational network. It is expected that the other States involved will also require additional channels for educational use. The Survey of the Needs of Education for Television Channel Allocations⁴ filed in Docket No. 14229 indicates that the television channel assignment structure presently in existence will not satisfy the growing needs of educational broadcasting; it is claimed that a minimum of 1197 channel assignments will be required in the next ten to fifteen years. The Survey further claims that a reasonable projection is that between 20 and 27 additional educational assignments will be required in Illinois; that Indiana will need at least 10 more; that Ohio will need 58 additional assignments; and that Wisconsin will need 36 additional assignments.

26. In order to assess the impact of the increased demands for educational reservations on the anticipated growth of commercial television, we have recently concluded a series of allocation studies of the 70 UHF channels. Based on these studies, we are issuing a further notice in Docket No. 14229 setting forth a proposed Table of Assignments for UHF channels.⁵ In the populous areas of the country, it was impossible to satisfy the projected needs of educators and the anticipated demand for commercial television channels, particularly those which will be needed for local outlets. The proposed plan represents a compromise and interested parties have been invited to comment and suggest possible improvements. The plan is based exclusively on the operation of ground-based television stations and uses the engineering principles set forth in the present rules of the Commission. We can thus examine the effect of the MPATI proposal, first with respect to the proposed operation and then on the assumption

that there will be demands for similar operations in other parts of the country.

27. If we accept the MPATI assumption that we need to be concerned only with cochannel and adjacent channel separations, 15 of the assignments proposed in the new UHF table would not meet the proposed 290 mile cochannel separation and 17 would fail to meet the proposed 200 mile adjacent channel separation requirement. We have proposed the reservation of eight of these channels for educational use. In addition, 4 assignments which Canada has recently assigned in the Province of Ontario fall short of the required cochannel separation.⁶ Even if such conflicts were absent we could not proceed unilaterally to provide for the use of airborne transmitters on UHF television broadcast channels in the vicinity of the Canadian-USA border. We would have to negotiate an agreement with the Government of Canada. Similarly any such operation in the vicinity of the USA-Mexican border would require mutual agreement.

28. Also to be considered is the possible impact of the proposal on the UHF translator service, wherein stations operate on Channels 70 and above. The Midwest states which MPATI proposes to serve are not the portion of the nation where this service is most used; but within these six states there are at least two translators authorized within 290 miles of Montpelier, Indiana on channels MPATI seeks, and another on an adjacent channel within 200 miles. Two additional translators are authorized in western Pennsylvania on channels MPATI would use, within the 290-mile radius. With respect to these, and other translators which may be authorized within this area, obviously interference considerations might exist. Furthermore, the Commission indicated in the initial notice in Docket No. 14229 that we anticipated that UHF translators would be used to provide more uniform coverage by UHF stations. The efforts which we are making to foster the expanded use of the UHF channels could be hampered if prospective UHF broadcasters in the MPATI area were precluded from using UHF translators.

29. Under our assignment principles for ground-based television stations, we avoid making UHF assignments 7 channels above other assignments, within 60 miles of such other assignments. This is because conventional television receivers designed with local oscillators on the high side (as most receivers are) radiate an unwanted signal which is capable of causing interference, over a distance of 100 to 200 feet, to receivers tuned to a channel 7 channels higher. MPATI states that it can rely on its own receiving installations to minimize any problems it might face in this connection. It also points out that since the in-school receivers would usually be located several hundred feet from the nearest homes, interference due to local oscillator radiation from these receivers would be unlikely. We recognize these considerations. However, with respect to UHF stations on Channels 79, 81 and 83 located fairly close to the 200-mile adjacent channel protected distance proposed,

such interference could be a problem, especially if home reception of MPATI were involved.

30. "Image" interference occurs when a receiver is tuned to a desired station in the presence of a relatively strong signal from another television station operating on a channel either 14 or 15 channels above the channel of the desired station. This assumes again that the local oscillator is on the high side of the intermediate frequency. Since the MPATI receivers will be operating in the upper end of the UHF television band, receivers tuned to their signals will not be exposed to potential "image" interference due to the operation of the MPATI transmitters. Such interference is most likely to occur in the weaker signal areas of the ground-based television stations which are located within or near the service area of the airborne stations. If interference is to be avoided, the signal from an airborne station operating on the fifteenth channel above the one to which a television receiver is tuned cannot exceed a level equal to, or in some cases 10 decibels weaker than the desired signal. In order to protect the normal service area of a ground-based television station operating with ½ megawatt of power from an antenna 1,000 feet above average terrain, the airborne station flying at 23,000 feet and radiating 100 kilowatts would have to be about 200 miles away. While somewhat shorter separation could be tolerated with respect to the sound image (fourteenth channel above the desired channel) for monochrome reception, protection for color reception would require about the same separation as the picture image protection.

31. If the above assumptions are correct, ground-based television stations could not be operated within the service area of the airborne stations without having impaired coverage due to "image" interference. This would require deletion of assignments in 30 additional places proposed in the new table, or, if assignments were made in spite of the "image" interference problem, 30 stations would suffer impaired coverage due to interference.⁷

32. We have thus far been concerned only with the proposed MPATI operation of 6 transmitters from an aircraft circling at a little over 20,000 feet above a point in northeastern Indiana. If we consider the airborne television service on a nationwide basis, it becomes obvious that 12 to 18 alternate channels would have to be set apart exclusively for such operation, with from 13 to 19 adjacent channels rendered unusable over most of the United States, making a total of between 25 and 37 UHF channels wholly or largely withdrawn from the 70 channels in the UHF television band (of which only 69 are available at present, following our decision in Docket No. 15022 to withdraw Channel 37 for radio astronomy for a ten-year period (FCC 63-901, adopted October 4, 1963)). This would not only mean a very substantial loss in possible UHF broadcast station assignments, but, in view of the channels involved, would have a substantial impact on the UHF translator service, especially in parts of

² In the Matter of Fostering Expanded Use of UHF Television Channels, FCC 61-993.

³ In the Matter of Amendment of Table of Assignments, Docket No. 14396, FCC 62-873. We have since added one additional reservation in Kentucky and another is the subject of rule making (FCC 63-776 and 63-777, adopted August 1, 1963).

⁴ National Association of Educational Broadcasters and the U.S. Dept. of Health, Education and Welfare: United States Government Printing Office, 1962.

⁵ See the further notice of proposed rule making issued today in Docket 14229 (FCC 63-975).

⁶ See Appendix I set forth below.

⁷ See Appendix II set forth below.

the country where that service is more used than it is in the Midwest. Moreover, use in other parts of the nation often would involve negotiations with the Mexican Government as well as Canada before it could become effective.

33. It may be questioned whether such an impact can be justified, especially since the transmissions of the airborne stations are intended primarily for reception in specially equipped schools and the material is tailored for instructional purposes rather than for viewing by a home audience.⁵ It may be that such an operation is more properly to be provided for as a private service. On July 25, 1963, we amended our rules by establishing a new class of educational television service to accomplish objectives similar to those of the MPATI proposal through use of ground-based stations operating in the 2500-2690 Mc/s band (Docket No. 14744, FCC 63-722). Standard television transmissions would be employed and the signals could be displayed on conventional television receivers. The only difference between the new Instructional Fixed Service and the proposed MPATI operation would be in the transmitting apparatus and the receiver-converter employed at the participating schools. Instead of converting the received signals from a UHF television channel to a VHF channel for distribution to the classrooms and display on a regular television receiver, the signals would be received on a channel in the UHF fixed band at between 2500 and 2690 Mc/s and converted to a VHF television channel for distribution and display. We have been informed that suitable Klystron amplifiers are available to provide ten to twenty kilowatts transmitter power output on 2,500 Mc/s. This is comparable to the transmitter powers proposed for operation on UHF television broadcast channels aboard the aircraft. The propagation characteristics of the upper UHF television band and 2,500 Mc/s are similar enough to provide approximately the same coverage from an aircraft flying at or above 20,000 feet. The highly directive properties which can be built into receiving antennas used at 2,500 Mc/s would simplify the problems of interference. An aircraft flying in a relatively small circle over a fixed geographic point would correspond closely to a "fixed" operation and would not introduce problems normally associated with a true mobile operation. The demands for 2500 Mc/s channels for the airborne service would be substantial: for ground-to air, air-to-ground, and in high-rise urban centers distant from the aircraft. Nevertheless, it ap-

⁵ MPATI's transmissions may be received by UHF-equipped homes. However, since the aircraft is in constant motion, a fairly strong signal is necessary for satisfactory reception. At large distances from the aircraft the signal would tend to rise and fall in strength due to change in the standing wave pattern, and the receiving antenna and reception would be marred. MPATI's primary objective is in-school instruction; its petition refers to "possible nonclassroom instruction uses", including general education and agriculture. There are apparently no specific plans in this respect.

pears that the airborne demands for 2500 Mc/s channels might well be met. Furthermore, schools operating their own private instructional television service on the 2500 Mc/s band could more easily participate in the proposed MPATI operation. The use of a nonbroadcast band for the MPATI operation would assure a degree of protection against unauthorized use of the instructional material.

34. As indicated above, there is a question as to whether adoption of the MPATI proposal would be in the public interest, both because of the impact on regular UHF television and because the 2500-2690 Mc/s band is now available for in-school television. However, we believe that the proposal warrants consideration, and therefore we are initiating the present proceeding, inviting interested parties to comment on the MPATI proposal and on the following questions:

(a) Should such rules as may be adopted provide for the airborne operation only in the area proposed by MPATI or should it be considered for other regions or on a nationwide basis?

(b) What are the minimum and maximum numbers of channels required for a successful operation in the area proposed by MPATI? For a nationwide system?

(c) Is it technically feasible to design, install, and operate a six channel television facility in an aircraft? Is there sufficient financial support for such a system on a continuing basis?

(d) How many additional channels will be required for translators or "repeaters" to supplement the airborne operation, and in what band will they operate?

(e) Will additional auxiliary facilities for ground-to-air transmissions be required to supply program material to the airborne transmitters and if so, in what band will they operate and how many channels will be needed?

(f) Are the co-channel and adjacent channel separations proposed by MPATI reasonable and may the "taboo" separations be disregarded as proposed by MPATI?

(g) Is it technically feasible to conduct the air-to-ground operation proposed by MPATI on channels in the 2500-2690 Mc/s band? If so, what are the answers to items (a) to (f) above when applied to this band?

(h) If the proposed operation is conducted in the 2500-2690 Mc/s band, how would the costs, both for transmitting equipment and for receiving installations at the schools participating in the MPATI operation, compare with similar costs for operation on channels in the upper UHF television broadcasting band? For schools with UHF conversion, what additional costs would be incurred in a shift to 2500-2690 Mc/s?

(i) In view of the substantial investment that has been made in present equipment by MPATI for its experimental operation, should it be permitted to continue operation on Channels 72 and 76 for a period of no more than 5 years so that the investments by MPATI and

the individual schools presently participating in the operation may be amortized?

(j) Would the proposed airborne operation actually provide satisfactory reception to typical home television installations?

(k) If MPATI programmed for the evening television audience at home, how would this affect the cost of the operation and how would this be financed?

(l) How many schools in the area proposed to be served by MPATI plan to subscribe to the service? What has been the experience of schools that have subscribed to MPATI with respect to the technical and other aspects of the service? For the 1963-64 season, how many schools are subscribing and what are their total expected payments for the service? How many schools which subscribed in 1962-63 are continuing their subscription? How many are not?

(m) What would be the effect of granting MPATI's request on overall educational television development, particularly in light of the needs for land-based educational stations in the States covered, the assignments that would have to be deleted as a result of the MPATI operation, and the possible interference to land-based stations?

(n) To what extent do the service and interference fields resulting from the MPATI operation exceed those which would be predicted by our usual UHF propagation curves, and what standards for evaluating service and interference from such an operation are appropriate? (See paragraph 20.)

34. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

35. Pursuant to applicable procedure set out in § 1.213 of the Commission's rules, interested parties may file comments on or before January 3, 1964 and reply comments on or before February 3, 1964. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision herein, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

36. In accordance with the provisions of § 1.215 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Attention is directed to the provisions of paragraph (c) of § 1.215 which require that any person desiring to file identical documents in more than one docketed rule making proceeding shall furnish the Commission two additional copies of any such document for each additional docket unless the proceedings have been consolidated.

Adopted: October 24, 1963.

Released: October 28, 1963.

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

PROPOSED RULE MAKING

APPENDIX I

CHANNELS WHICH WOULD NOT MEET CO-CHANNEL SEPARATION REQUIREMENT

City:	Channel
Macomb, Ill.....	*72
Benton Harbor, Mich.....	*72
Decatur, Ill.....	*74
Kalamazoo, Mich.....	74
Newport, Ky.....	74
Danville, Ill.....	76
Springfield, Ohio.....	76
Pittsburgh, Pa.....	76
Muskegon, Mich.....	78
Clinton, Iowa.....	80
Richmond, Ky.....	80
Kalamazoo, Mich.....	80
Peoria, Ill.....	*82
Frankfort, Ky.....	82
Charleston, W. Va.....	82

CHANNELS WHICH WOULD NOT MEET ADJACENT CHANNEL SEPARATION REQUIREMENT

City:	Channel
Bloomington, Ill.....	*71
Muncie, Ind.....	71
Akron, Ohio.....	71
Terre Haute, Ind.....	73
Lima, Ohio.....	73
Kenosha, Wis.....	*73
Aurora, Ill.....	75
Seymour, Ind.....	75
Findlay, Ohio.....	75
Hillsboro, Ohio.....	*77
Waukegan, Ill.....	*79
Toledo, Ohio.....	79
Washington, Ind.....	81
Tiffin, Ohio.....	81
Elgin, Ill.....	83
Anderson, Ind.....	*83
Jackson, Mich.....	83

PROPOSED CANADIAN ASSIGNMENTS WHICH WOULD NOT MEET REQUIRED CO-CHANNEL SEPARATIONS

City:	Channel
Sarnia, Ontario.....	72
Windsor, Ontario.....	76
Chatham, Ontario.....	80
Leamington, Ontario.....	82

APPENDIX II

CHANNELS WHICH WOULD BE AFFECTED BY PICTURE IMAGE INTERFERENCE

City:	Channel
Terre Haute, Ind.....	*57
Piqua, Ohio.....	57
Lafayette, Ind.....	59
Ashland, Ky.....	59
Elizabethtown, Ky.....	59
Fremont, Ohio.....	59
Anderson, Ind.....	61
Akron, Ohio.....	61
Portsmouth, Ohio.....	*61
Kenosha, Wis.....	61
Terre Haute, Ind.....	63
Bellefontaine, Ohio.....	63
Streator, Ill.....	*65
Cleveland, Ohio.....	65
Hamilton, Ohio.....	65
Indianapolis, Ind.....	67

CHANNELS WHICH WOULD BE AFFECTED BY SOUND IMAGE INTERFERENCE

City:	Channel
Shelbyville, Ind.....	58
Battle Creek, Mich.....	*58
Mt. Vernon, Ohio.....	58
Lansing, Mich.....	60
Michigan City, Ind.....	62
Athens, Ohio.....	62
Lexington, Ky.....	64
Battle Creek, Mich.....	64
Gary, Ind.....	*66
Madison, Ind.....	*66
Ann Arbor, Mich.....	66
Newark, Ohio.....	66
South Bend-Elkhart, Ind.....	68
Lancaster, Ohio.....	68

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Department Circular, Public Debt Series—
No. 17-63]

3% PERCENT TREASURY NOTES OF SERIES C-1965

Invitation for Subscriptions

OCTOBER 24, 1963.

I. Offering of notes. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, subject to allotment, at par and accrued interest, from the people of the United States for notes of the United States, designated 3% percent Treasury Notes of Series C-1965. The amount of the offering under this circular is \$7,600,000,000, or thereabouts. The following securities maturing November 15, 1963, will be accepted at par in payment or exchange, in whole or in part, for the notes subscribed for, to the extent such subscriptions are allotted by the Treasury:

3% percent Treasury Certificates of Indebtedness of Series D-1963; or
4% percent Treasury Notes of Series C-1963.

The books will be open only on October 28, 1963, for the receipt of subscriptions for this issue.

II. Description of notes. 1. The notes will be dated November 15, 1963, and will bear interest from that date at the rate of 3% percent per annum, payable semi-annually on May 15 and November 15, 1964, and on May 15, 1965. They will mature May 15, 1965, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, \$1,000,000, \$100,000,000 and \$500,000,000. Provision will be made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Treasury Department,

now or hereafter prescribed, governing United States notes.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C., 20220. Only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers provided the names of the customers are set forth in such subscriptions. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be restricted in each case to an amount not exceeding 50 percent of the combined capital, surplus and undivided profits of the subscribing bank. Subscriptions will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, Federal Reserve Banks and Government Investment Accounts. Subscriptions from all others must be accompanied by payment (in cash or in securities of the two issues enumerated in paragraph 1 of Section I hereof, which will be accepted at par) of 2 percent of the amount of notes applied for, not subject to withdrawal until after allotment. Registered notes submitted as deposits should be assigned as provided in Section V hereof. Following allotment, any portion of the 2 percent payment in excess of 2 percent of the amount of notes allotted may be released upon the request of the subscribers.

2. All subscribers requesting registered notes will be required to furnish appropriate identifying numbers as required on tax returns and other documents submitted to the Internal Revenue Service, i.e., an individual's social security number or an employer identification number.

3. All subscribers are required to agree not to purchase or to sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue, until after midnight October 28, 1963.

4. Commercial banks in submitting subscriptions will be required to certify that they have no beneficial interest in any of the subscriptions they enter for the account of their customers, and that

their customers have no beneficial interest in the banks' subscriptions for their own account.

5. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of notes applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. Subject to these reservations, and the submission of a written certification by the subscriber that the amount of the subscription does not exceed the amount of the two eligible securities (listed in paragraph 1 of Section I) owned or contracted for purchase for value, at 4 p.m., e.d.s.t., October 23, 1963, all subscriptions from States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks and Government Investment Accounts will be allotted in full. In the absence of such certification the total amount of subscriptions entered by any subscriber will be allotted on the basis of the allotment to be publicly announced. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before November 15, 1963, or on later allotment. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number, as required by paragraph 2 of Section III hereof, has not been furnished; provided, however, if a subscriber has applied for but is unable to furnish the identifying number by the payment date only because it has not been issued, he may elect to receive, pending the furnishing of the identifying number, interim receipts and in this case payment will be deemed to have been completed. In every case where full payment is not completed, the payment with application up to 2 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Payment may be made for any notes allotted hereunder in cash or by exchange of securities of the two issues enumerated in paragraph 1 of Section I hereof, which will be accepted at par. Where payment is made with certificates or notes in bearer form, coupons dated November 15, 1963, should be detached and cashed when due. In the case of registered notes, the final interest due on November 15, 1963, will be paid by check drawn in accordance with the assignments on the notes surrendered, or by credit in any account maintained by

NOTICES

a banking institution with the Federal Reserve Bank of its District.

V. *Assignment of registered notes.* 1. Treasury Notes of Series C-1963 in registered form tendered as deposits and in payment for notes allotted hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department, in one of the forms hereafter set forth. Notes tendered in payment should be surrendered to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C., 20220. The maturing notes must be delivered at the expense and risk of the holder. If the new notes are desired registered in the same name as the notes surrendered, the assignment should be to "The Secretary of the Treasury for 3 $\frac{7}{8}$ percent Treasury Notes of Series C-1965"; if the new notes are desired registered in another name, the assignment should be to "The Secretary of the Treasury for 3 $\frac{7}{8}$ percent Treasury Notes of Series C-1965 in the name of _____"; if new notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for 3 $\frac{7}{8}$ percent Treasury Notes of Series C-1965 in coupon form to be delivered to _____".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis of and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

DOUGLAS DILLON,
Secretary of the Treasury.

[F.R. Doc. 63-11533; Filed, Oct. 30, 1963;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Cancellation of Small Tract Classification Order No. 31, as Amended

OCTOBER 21, 1963.

1. Pursuant to the authority redelegated to me from Bureau Order 684, dated August 28, 1961 (26 F.R. 6215), as amended, by the Alaska State Director in Section 3, Delegation of Authority (F.R. Doc. 63-219) dated January 9, 1963, Small Tract Classification Order No. 31 of August 23, 1950 (F.R. Doc. 50-7595, published at pages 5917-5918 in the issue of August 31, 1950), as amended by the General Small Tract Amendment of February 19, 1957, which classified the

following lands for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. Section 682a), as amended, is hereby cancelled:

Fairbanks Meridian, Alaska

T. 1 S., R. 1 E.,
Sec. 11, Lots 5 and 6.

Containing 51.44 acres, more or less.
2. A dependent resurvey and subdivision plat of Section 11, was accepted on August 19, 1952; thereafter Lots 5 and 6 became Lots 14-31 inclusive, to which Small Tract Classification Order No. 31 then attached.

3. This Order will take effect immediately. Cancellation of this Order does not affect valid existing rights as to the lands embraced thereby.

PEDRO DENTON,
*Acting Chief, Branch of
Lands and Minerals Operations.*

[F.R. Doc. 63-11493; Filed, Oct. 30, 1963;
8:47 a.m.]

[Oregon 013914]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

OCTOBER 21, 1963.

The Forest Service, United States Department of Agriculture, has filed an application, Serial No. Oregon 013914, for the withdrawal of the lands described below, from location and entry under the general mining laws, subject to valid existing rights.

The applicant desires the land withdrawn to protect and develop three existing campgrounds and one ski area, and to protect eleven administrative sites, located in the Malheur National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 Northeast Holladay, Portland, Oregon, 97232.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

MALHEUR NATIONAL FOREST

Blue Creek Work Center

T. 20 S., R. 28 E.,
Sec. 9.

Total—20 acres.

Bear Tree Guard Station

T. 19 S., R. 29 E.,
Sec. 7.

Total—10 acres.

Sugarloaf Lookout

T. 19 S., R. 29 E.,
Sec. 21.

Total—10 acres.

West Myrtle Lookout

T. 18 S., R. 30 E.,
Sec. 31.

Total—10 acres.

Burnt Mountain Lookout

T. 19 S., R. 30 E.,
Sec. 36.

Total—10 acres.

Crow Flat Guard Station

T. 20 S., R. 31 E.,
Sec. 13.

Total—40 acres.

Joaquin Miller Campground

T. 20 S., R. 31 E.,
Sec. 23.

Total—40 acres.

Idlewild Campground

T. 20 S., R. 31 E.,
Sec. 27;

Sec. 34.

Total—60 acres.

Hi-Desert Ski Area

T. 20 S., R. 31 E.,
Sec. 34.

Total—20 acres.

Rock Springs Campground

T. 18 S., R. 32 E.,
Sec. 23.

Total—20 acres.

King Mountain Lookout

T. 20 S., R. 32 E.,
Sec. 27.

Total—10 acres.

Wolf Mountain Lookout

T. 17 S., R. 33 E.,
Sec. 33.

Total—10 acres.

Cove Springs Work Center

T. 18 S., R. 33 E.,
Sec. 13.

Total—20 acres.

Calamity Butte Lookout

T. 19 S., R. 33 E.,
Sec. 13.

Total—20 acres.

Call Meadows Guard Station

T. 20 S., R. 33 E.,
Sec. 29.

Total—20 acres.

The total combined area is 320 acres.

STANLEY D. LESTER,
Land Office Manager.

[F.R. Doc. 63-11494; Filed, Oct. 30, 1963;
8:47 a.m.]

[Utah 0124796]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 22, 1963.

United States Department of Agriculture, Forest Service, has filed an application Utah 0124796 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws except the mining and mineral leasing laws. The purpose of the withdrawal is to extend the boundaries of the Wasatch and Uinta National Forests to include lands that are suitable for multiple use management by the Forest Service. The primary value would be for watershed management, flood control and fire protection. The lands described include 1,481.40 acres of private lands within the boundaries of the Wasatch National Forest. This withdrawal will in no way adversely affect ownership or use of these private lands.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 777, Salt Lake City, Utah, 84110.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

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

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

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

UINTA NATIONAL FOREST

Public Lands

T. 4 S., R. 1 E.,
Sec. 1, that portion within Utah County.

WASATCH NATIONAL FOREST

Public Lands

T. 1 N., R. 1 E.,
Sec. 10, Lots 9, 10, 11, and 12;
Sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

No. 213—6

T. 2 S., R. 1 E.,
Sec. 36, NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 3 S., R. 1 E.,
Sec. 12, Lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, Lots 1, 2, 6, 7, 8, 9, 10, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 35, S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$.
T. 4 S., R. 1 E.,
Sec. 1, That portion within Salt Lake County;
Sec. 3, Lots 3, 5, 6, 7, 8, S $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 1 S., R. 2 E.,
Sec. 17, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 1 S., R. 6 E.,
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 2 S., R. 6 E.,
Sec. 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$.

Private Lands

T. 3 S., R. 1 E.,
Sec. 12, Lots 6 and 7, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, Mining claims, metes & bounds survey;
Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 23, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 36, All.
T. 4 S., R. 1 E.,
Sec. 3, Lot 4.
T. 2 S., R. 6 E.,
Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$.

	Acres
Total public lands within Uinta National Forest.....	524.24
Total public lands within Wasatch National Forest.....	4,920.16
Total private lands within Wasatch National Forest.....	1,481.40
Total.....	6,925.80

R. D. NIELSON,
State Director.

[F.R. Doc. 63-11495; Filed, Oct. 30, 1963; 8:47 a.m.]

[Washington 02428]

WASHINGTON

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Washington 02428 for withdrawal and reservation of lands was published as Federal Register Document No. 60-7224 on page 7337 of the issue for August 4, 1960, and corrected as Federal Register Document No. 60-8119 on page 8386 of the issue for August 31, 1960. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on November 4, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

WILLAMETTE MERIDIAN

TOWER ROCK RECREATION AREA

T. 11 N., R. 7 E.,
Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Lot 1.
Total—10 acres.

NORTH FORK RECREATION AREA

T. 11 N., R. 8 E., Unsurveyed,
Sec. 10, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Total—40 acres.

CAT CREEK ADMINISTRATIVE SITE

T. 10 N., R. 9 E., Unsurveyed,
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.
Total—40 acres.

The areas described aggregate approximately 90 acres.

JOHN E. BURT, Jr.,
Officer in Charge.

[F.R. Doc. 63-11496; Filed, Oct. 30, 1963; 8:47 a.m.]

[Washington 03536]

WASHINGTON

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Washington 03536 for withdrawal and reservation of lands was published as Federal Register Document No. 62-10652 on page 10419 of the issue for October 25, 1962. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on November 4, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

WILLAMETTE MERIDIAN

T. 23 N., R. 16 E.,
Sec. 8, All;
Sec. 10, All.
T. 23 N., R. 17 E.,
Sec. 8, All;
Sec. 16, NW $\frac{1}{4}$;
Sec. 18, All;
Sec. 20, All.

The areas described aggregate approximately 3,211.11 acres.

JOHN E. BURT, Jr.,
Officer in Charge.

[F.R. Doc. 63-11497; Filed, Oct. 30, 1963; 8:47 a.m.]

[Anchorage 060246]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 25, 1963.

The U.S. Army Engineer District, Alaska, has filed an application for the Department of the Army, Serial Number Anchorage 060246, for the withdrawal of the lands described below from all forms of appropriation. The applicant desires the land for the development of a hydroelectric power project and future development for recreational purposes and fish and wildlife potential.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present

their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 555 Cordova Street, Anchorage, Alaska, 99501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the maximum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested for the Department of the Army.

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

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

The lands involved in the application consist of the drainage into Bradley Lake, Battle Creek, and the Nuka River, and are more particularly described as:

SEWARD MERIDIAN

PROTRACTED

- T. 5 S., R. 8 W.,
Sec. 19, All;
Sec. 20, W $\frac{1}{2}$;
Sec. 29, NW $\frac{1}{4}$;
Secs. 30, 31, All.
- T. 6 S., R. 8 W.,
Sec. 5, SW $\frac{1}{4}$;
Sec. 6, All;
Sec. 7, E $\frac{1}{2}$, NW $\frac{1}{4}$;
Sec. 8, All;
Sec. 9, SW $\frac{1}{4}$;
Sec. 16, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 17, All;
Sec. 18, NE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$;
Sec. 21, N $\frac{1}{2}$.
- T. 4 S., R. 9 W.,
Secs. 29, 30, 31, 32, 33, All.
- T. 5 S., R. 9 W.,
All.
- T. 4 S., R. 10 W.,
Sec. 25, All;
Sec. 35, All south of Kachemak Bay;
Sec. 36, All.
- T. 5 S., R. 10 W.,
Secs. 1, 2, 3, 4: All;
Sec. 9, NE $\frac{1}{4}$;
Secs. 10, 11, 12, 13, 14, 15, All.
Sec. 24, N $\frac{1}{2}$.

The areas described aggregate approximately 38,103.0 acres.

GEORGE R. SCHMIDT,
*Chief, Branch of Lands and
Minerals Operations.*

[F.R. Doc. 63-11525; Filed, Oct. 30, 1963;
8:48 a.m.]

[Anchorage 059123]

ALASKA

**Notice of Termination of Proposed
Withdrawal and Reservation of
Lands**

OCTOBER 22, 1963.

Notice of an application Serial No. Anchorage 059123, for withdrawal and reservation of lands was published as Federal Register Document No. 63-6203 on page 6024 of the issue for June 13, 1963. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on November 12, 1963, relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

South Addition, Anchorage Townsite
Block 19, N $\frac{1}{2}$ of Lot 2

Containing approximately 20,000 sq. ft.

GEORGE R. SCHMIDT,
*Chief, Branch of Lands and
Minerals Operations.*

[F.R. Doc. 63-11526; Filed, Oct. 30, 1963;
8:48 a.m.]

ALASKA

**Small Tract Classification No. 51;
Amdt. 1**

Correction

In the above captioned document appearing in the issue for Thursday, October 24, 1963, at page 11427, the Federal Register docket number in the file line should read "F.R. Doc. 63-11568" instead of "F.R. Doc. 63-11242".

Office of the Secretary
MARK V. BURLINGAME

**Notice of Appointment and Statement
of Financial Interests**

OCTOBER 25, 1963.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Mark V. Burlingame.

Name of employing agency: Office of Oil and Gas, Washington, D.C.

The title of the appointee's position: Consultant.

The name of the appointee's private employer or employers: Natural Gas Pipeline Company of America, Chicago, Illinois.

The statement of "financial interests" for the above appointee is enclosed.

THOMAS H. TELLIER,
Personnel Officer.

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following state-

ment for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 15, 1963, as Consultant (WOC) Office of Oil & Gas, an officer or director:

Executive Vice President and Director, Natural Gas Pipeline Company of America.
Executive Vice President and Director, Texoma Production Company.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

The Peoples Gas Light and Coke Co.
J. C. Penney Co.
Middlestates Telephone Co.
United States Steel Co.
Southern Pacific Railroad Co.
General Electric.
Standard Oil Company of New Jersey.
Northern States Power Co.
Royal Dutch Shell Petroleum Co.
Fairmont Foods Co.
Eaton & Howard Mutual Investment Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

M. V. BURLINGAME.

OCTOBER 15, 1963.

[F.R. Doc. 63-11500; Filed, Oct. 30, 1963;
8:47 a.m.]

LAYTON E. KILCANNON

**Notice of Appointment and Statement
of Financial Interests**

OCTOBER 25, 1963.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Layton E. Kilcannon.

Name of employing agency: Office of Oil and Gas, Washington, D.C.

The title of the appointee's position: Regional Administrator, Emergency Petroleum and Gas Administration, Region 4, Battle Creek, Michigan.

The name of the appointee's private employer or employers: Rock Island Refining Corporation, Indianapolis, Indiana.

The statement of "financial interests" for the above appointee is enclosed.

THOMAS H. TELLIER,
Personnel Officer.

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 9, 1963, as Regional Administrator, Emergency Petroleum & Gas Administration, an officer or director:

- American Petroleum Institute.
- Indianapolis Chamber of Commerce.
- National Petroleum Refiners Assn.
- Colonial Oil Co., Inc.
- G-R Realty Corp.
- Mesa Realty, Inc.
- Owens Oil Co. of Ohio, Inc.
- Progressive Oil Co., Inc.
- Rock Island Refining Corp.
- Rock Island Trading Co.
- Stop-Ten Realty Corp.
- Wake Up Oil Co., Inc.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

- American Cement Corp.
- American Hospital Supply Co.
- American Rubber and Plastic.
- A. J. Armstrong Co.
- Banker Mortgage Corp.
- Basic Incorporated.
- Becton Dickinson Co.
- Berkey Photo, Inc.
- Business Capital.
- Cont. Mtge. Inv. Sh. BI.
- Devoe & Reynolds Co.
- Dresser Industries.
- Electronic Special.
- Friden, Inc.
- Great American Corp.
- Halliburton Co.
- Hamilton N/Life Insurance.
- Hawley Products Co.
- Helene Curtis Industries.
- Hulletron, Inc.
- Howard Johnson Co.
- Marathon Oil Co.
- McWood Corp.
- Microwave Assoc., Inc.
- N.Y., Chicago, St. Louis.
- Outboard Jet, Inc.
- Perini Corp.
- Pneumodynamics Corp.
- Printing Corporation of America.
- Rock Island Refining Corp.
- Ross Gear and Tool.
- Standard Oil of Indiana.
- Standard Oil of New Jersey.
- Welch Scientific Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

L. E. KINCANNON.

OCTOBER 14, 1963.

[F.R. Doc. 63-11501; Filed, Oct. 30, 1963; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

ADMINISTRATOR ET AL.

Delegation of Authority

Pursuant to Reorganization Plan No. 2 of 1953, section 3 of the Administrative Procedure Act (5 U.S.C. 1002) and the Packers and Stockyards Act, 1921, as

amended (7 U.S.C. 181 et seq.), authority is hereby delegated to the Administrator, Agricultural Marketing Service, and upon his designation to the Associate and Deputy Administrators of the Agricultural Marketing Service, to make the determinations as to the availability of official records and information made or obtained in connection with the administration of the Packers and Stockyards Act and which are considered confidential under such Act or the regulations of the Department.

Done at Washington, D.C., this 28th day of October 1963.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 63-11538; Filed, Oct. 30, 1963; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Consideration

Notice is hereby given that the Bureau of the Census is planning to conduct its usual annual survey of inventories covering 29 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1963 under the provisions of the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225. This survey, together with the previous surveys, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry and the distributive trades, and governmental agencies and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." In addition, a number of selected multiunit firms will be requested to provide information on the location of establishments maintaining canned food stocks but are not currently reporting in the Canned Food Survey.

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington, D.C., 20233.

Any suggestions or recommendations concerning the subject matter of this

proposed survey should be submitted in writing to the Director of the Census within 30 days after the date of this publication and will receive consideration.

RICHARD M. SCAMMON,
Director,
Bureau of the Census.

[F.R. Doc. 63-11470; Filed, Oct. 30, 1963; 8:45 a.m.]

National Bureau of Standards

TIME SIGNALS BROADCAST BY NATIONAL BUREAU OF STANDARDS AND U.S. NAVY RADIO STATIONS

Notice of Change

Notice is hereby given that time signals broadcast by National Bureau of Standards radio stations WWV, Beltsville, Maryland; WWVH, Maui, Hawaii; WWVB, Fort Collins, Colorado, and U.S. Navy stations NBA, Canal Zone, NPG, San Francisco, Calif., NPM, Lualualei, Hawaii, NPN, Guam, and NSS, Annapolis, Md. will be retarded 100 milliseconds at 0000 UT, on November 1, 1963.

This change is made in accordance with international coordination of time signals.

R. D. HUNTOON,
Deputy Director,
National Bureau of Standards.

L. W. WOOLLEY,
Acting Superintendent,
U.S. Naval Observatory.

[F.R. Doc. 63-11546; Filed, Oct. 30, 1963; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

PUBLIC HEALTH SERVICE AND OFFICE OF EDUCATION

Statement of Organization and Delegations of Authority

The Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (22 F.R. 1045, as amended by 28 F.R. 10433 and 10688), is hereby amended as follows:

1. Part 4, entitled "Public Health Service", section 4.20(b) thereof, is hereby amended by renumbering subparagraph 12 to become subparagraph 13, and by adding a new subparagraph 12 as follows:

(12) The functions vested in the Secretary by sections 740-745 (Part C of Title VII) of the Public Health Service Act, 42 U.S.C. 294 to 294e, as added by the Health Professions Educational Assistance Act of 1963, Public Law 88-129, 70 Stat. 164.

2. Part 4, entitled "Public Health Service", section 4.30 thereof, under the heading "Limitations on Authority" is hereby amended by adding a new paragraph (e) as follows:

(e) The functions exercised by the Surgeon General under Part C of Title VII of the Public Health Service Act, as added by the Health Professions Educational Assistance Act of 1963, shall be exercised by the Surgeon General after consultation with the Commissioner of Education in order to ensure the maximum possible consistency between the policies and methods of administration of the student loan program of the Health Professions Educational Assistance Act and the student loan program authorized by the National Defense Education Act.

3. Part 6, entitled "Office of Education", section 6.20 thereof, under the heading "Statement of Functions", is hereby amended by adding a new subparagraph (31) to read as follows:

(31) Section 721(b) of the Public Health Service Act as added by the Health Professions Educational Assistance Act, Public Law 88-129, 70 Stat. 164, 42 U.S.C. 293a (to approve bodies for accrediting schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, nursing and public health).

Dated: October 24, 1963.

[SEAL] ANTHONY J. CELEBREZZE,
Secretary.

[F.R. Doc. 63-11530; Filed, Oct. 30, 1963;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 63-EA-16]

TOWER OF MOTION CORPORATION

Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (1-OE-3463) to determine its effect upon the safe and efficient utilization of navigable airspace.

Tower of Motion Corporation, New York, New York, proposes to construct an observation tower in Flushing, New York, at latitude 40°43'41" N., longitude 73°50'11" W. The overall height of the structure would be 655 feet above mean sea level (650 feet above ground). The structure would be located on the World's Fair grounds and is planned as a temporary building to be removed at the close of the fair.

The proposal was originally submitted and circularized as a permanent tower 1,755 feet above mean sea level (1,750 feet above ground) at the same location. Subsequently, the Tower of Motion Corporation revised its proposal changing the overall height to 650 feet above ground and advising that the structure would be removed at the termination of the fair.

The proposed observation tower would be approximately three miles south of the Flushing Airport, 3.5 miles southeasterly of the LaGuardia Airport and five miles northwesterly of the Idlewild International Airport. At the proposed location and height the observation tower would exceed hazard standards in

Part 77, Federal Aviation Regulations as follows:

1. Section 77.23(a) (2) by 450 feet since it would be within the La Guardia Airport control zone and within several Federal airways.

2. Section 77.25(b) (1) by 318 feet since it would penetrate the conical surface for La Guardia Airport.

3. Section 77.25(c) (1) by 143 feet since it would penetrate the outer horizontal surface for Idlewild International Airport.

4. Section 77.25(c) (2) by 151 feet since it would penetrate the outer horizontal surface for Flushing Airport.

The aeronautical study disclosed that the observation tower would adversely affect instrument flight rules minimum flight altitudes and procedures as follows:

1. Raise the La Guardia Airport circling minimums from 700 feet to 800 feet.

2. Raise the Floyd Bennet Airport ground controlled approach (GCA) pattern to Runway 19 from 1,500 feet to 1,700 feet.

3. Raise the radar vectoring minimum altitude in the southeast quadrant of La Guardia from 1,600 feet to 1,700 feet.

4. Raise the minimum obstruction clearance altitude on Victor 1 between Idlewild VOR and New Rochelle Intersection from 1,400 feet to 1,700 feet.

None of the affected IFR minimum flight altitudes can be changed to accommodate the observation tower without a substantial adverse effect upon aeronautical operations and the efficient utilization of airspace in the New York terminal area.

The study also disclosed that the observation tower would be, by far, the highest structure within a six-mile radius of its site and, with the exception of the Manhattan skyscrapers, would be the highest structure within a 16-mile radius. There are 18 known landing areas in that area, five of which are major airports.

The observation tower would be on an established helicopter route between La Guardia Airport and Idlewild International Airport and would be in the 500-foot helicopter holding pattern.

The observation tower would be in the flight path of aircraft departing from La Guardia Airport making a right turn out from Runway 13, making a left turn out from Runway 22, and of aircraft operating in a left traffic pattern for landing on Runway 31. These affected aeronautical procedures have been established to provide the most effective patterns and efficient air traffic handling possible. To change them would have a substantial adverse effect upon aeronautical operations in the New York 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 navigable airspace; and it is hereby determined that the proposed structure would be a hazard to air navigation.

This determination is effective and will become 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 October 24, 1963.

JOSEPH VIVARI,
Acting Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 63-11473; Filed, Oct. 30, 1963;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15200]

ALLAN DAVE DOUGLAS, JR., AND FRANCES MARIE DOUGLAS

Order To Show Cause

In the matter of Allan Dave Douglas, Jr. and Frances Marie Douglas, Gardena, California, Docket No. 15200; order to show cause why there should not be revoked the license for Radio Station WM-3812 aboard the vessel "Black Douglas".

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

It appearing, That, pursuant to § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee at his address of record as follows: "Letter dated March 11, 1963, concerning violation of §§ 8.156, 8.111(e), 8.357(b), and 8.367(a) of the Commission's rules."

It further appearing, That said licensee did not reply to such communication or to a follow-up letter dated Aug. 19, 1963, also mailed to the licensee at his address of record; and

It further appearing, That, in view of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules:

It is ordered, This 25th day of October 1963, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b) (8) of Part 0 of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order:

And it is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at his last known address of P.O. Box 1291, Gardena, California.

Released: October 28, 1963.

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

[F.R. Doc. 63-11534; Filed, Oct. 30, 1963;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 7840-55, between the member lines of the Atlantic Passenger Steamship Conference, modifies the basic agreement, as amended, to provide for the extension of reduced fares for military personnel and their families for a further period from October 1, 1964 through December 31, 1964, on sailings described therein.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: October 25, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11512; Filed, Oct. 30, 1963; 8:48 a.m.]

ISTHMIAN LINES, INC., AND ALCOA STEAMSHIP CO., INC.

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9266, between Isthmian Lines, Inc., and Alcoa Steamship Company, Inc., provides for a through billing arrangement for general cargo transported from loading ports of Isthmian Lines, Inc., in the Philippines, Federation of Malaya, State of Singapore, Thailand, South Viet Nam, Cambodia, Indonesia, Burma, India, Pakistan, Ceylon, Persian Gulf, Red Sea, and Gulf of Aden ports, and ports in Egypt, Lebanon, Syria, Turkey and Greece, to ports of call of the Alcoa Steamship Company, Inc., in the Virgin Islands, with transshipment at the ports of New York, N.Y., Baltimore, Md., and Philadelphia, Pa., in accordance with the terms and conditions set forth in the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: October 25, 1963.

By order of the Federal Maritime Commission

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11514; Filed, Oct. 30, 1963; 8:48 a.m.]

ISTHMIAN LINES, INC., AND ALCOA STEAMSHIP CO., INC.

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9267, between Isthmian Lines, Inc., and Alcoa Steamship Company, Inc., provides for a through billing arrangement for general cargo transported from loading ports of Isthmian Lines, Inc., in the Philippines, Federation of Malaya, State of Singapore, Thailand, South Viet Nam, Cambodia, Indonesia, Burma, India, Pakistan, Ceylon, Persian Gulf, Red Sea, and Gulf of Aden ports, and ports in Egypt, Lebanon, Syria, Turkey and Greece, to ports of call of the Alcoa Steamship Company, Inc., in Puerto Rico with transshipment at the ports of Mobile, Alabama, and New Orleans, Louisiana, in accordance with the terms and conditions set forth in the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: October 25, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11515; Filed, Oct. 30, 1963; 8:48 a.m.]

ISTHMIAN LINES, INC., AND ALCOA STEAMSHIP CO., INC.

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9268, between Isthmian Lines, Inc., and Alcoa Steamship Company, Inc., provides for a through billing arrangement for general cargo transported from loading ports of Isthmian Lines, Inc., in the Philippines, Federation of Malaya, State of Singapore, Thailand, South Viet Nam, Cambodia, Indonesia, Burma, India, Pakistan, Ceylon, Persian Gulf, Red Sea, and Gulf of Aden ports, and ports in Egypt, Lebanon, Syria, Turkey and Greece, to ports of call of the Alcoa Steamship Company, Inc., in Puerto Rico, with transshipment at the ports of Baltimore, Md., and Philadelphia, Pa., in accordance with the terms and conditions set forth in the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulations, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: October 25, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11516; Filed, Oct. 30, 1963; 8:48 a.m.]

JAVA PACIFIC & HOEGH LINES AND AMERICAN PRESIDENT LINES, LTD.

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 9271, between Java Pacific & Hoegh Lines a joint service operating under approved agreement 7838 and American President Lines, Ltd., establishes a through billing arrangement which covers and is restricted to the transportation of frozen shrimp from ports in Cochin, India to ports in Hawaii with transshipment at Hong Kong or Manila, P.I.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulations, Federal Maritime Commission, Washington

25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: October 25, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11517; Filed, Oct. 30, 1963;
8:48 a.m.]

MATSON NAVIGATION CO. AND ENCINAL TERMINALS Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement No. T-27, between Matson Navigation Company (Matson) and Encinal Terminals (Encinal), provides for the lease of certain property adjacent to Encinal's Berth 5 at Alameda, California, to be used exclusively by Matson as a marshalling yard for the handling of containers, automobiles and trucks. The lease also grants to Matson a non-exclusive right of way between the leased area and Encinal's Berth 5 and the right to install and operate a gantry crane on Berth 5 for its own use. Encinal's Terminal Tariff No. 3 will apply to Matson's operations at Berth 5 except that in lieu of the "service and facilities" charge, Matson will be assessed a miscellaneous charge as contained in Encinal's Terminal Tariff No. 3.

Interested parties may inspect the agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should a hearing be desired.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

October 25, 1963.

[F.R. Doc. 63-11518; Filed, Oct. 30, 1963;
8:48 a.m.]

MEISNER SHIPPING SERVICE ET AL.

Freight Forwarder Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916 (75 Stat. 763 and 46 U.S.C. 814). All parties involved are eligible to operate as independent ocean freight forwarders pursuant to section 44 of the Shipping Act, 1916.

Unless otherwise indicated, these agreements are non-exclusive cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided between the parties as agreed.

Meisner Shipping Service, New York, New York, is party to the following agreements, the terms of which are identical. The other parties are:

General Export Forwarding Co., Chicago, Ill.	FF-1143
Win-Mar, Inc., New Orleans, La.	FF-1144
Anderson Shipping Co., Savannah, Ga.	FF-1145

The following agreements have similar terms:

Marine Forwarding Co., Inc., New York, N.Y. and Fillette, Green & Co. of Tampa, Tampa, Fla.	FF-1137
Fillette, Green & Co. of Tampa, Tampa, Fla. and Triangle For- warding Corp., New York, N.Y.	FF-1136
Gulf Florida Terminal Co., Tampa, Fla. and United Forwarders Ser- vice, Miami, Fla.	FF-1142
Gulf Florida Terminal Co., Tampa, Fla. and Universal Transport Corp., New York, N.Y.	FF-1150
JayJay Forwarding Co., Boston, Mass. and Universal Transconti- nental Corp., New York, N.Y.	FF-1134
Franoren Shipping Corp., New York, N.Y. and W. R. Zanes & Co. of La., Inc., New Orleans, La.	FF-1147
J. D. Smith Inter-Ocean, Inc., New York, N.Y. and W. N. Proctor Co., Boston, Mass.	FF-1139
J. E. Lowden & Co., San Francisco, Calif. and Castelazo & Associates, Los Angeles, Calif.	FF-1140
Foreign Shipping Service Co., Inc., New York, N.Y. and T. J. Hanson, Inc., Beaumont, Tex.	FF-1146
Universal Transcontinental Corp., New York, N.Y. and Wilmington Shipping Co., Wilmington, N.C.	FF-1152
Republic Interocean Corp., New York, N.Y. and General Shipping Company, Tampa, Fla.	FF-1135
Hugo Zanelli & Company, Houston, Tex. and Buckley & Company, New York, N.Y.	FF-1151
Dumont Shipping Co., Inc., New York, N.Y. and Coastal Forward- ers, Charleston, S.C.	FF-1153
International Shipping Services, Inc., Houston, Tex. and Nolan Shipping Co., New Orleans, La.	FF-1155
Marine Forwarding Company, New York, N.Y. and Ellis Forwarding Co., Houston, Tex.	FF-1158
The Hipage Co., Inc., Norfolk, Va. and Footner & Company, Balti- more, Md.	FF-1157

The Interport Co., Chicago, Ill. and Adolf Blum & Popper, Inc., New York, N.Y.	FF-1156
Premier Shipping Co., Inc., New York, N.Y. and Harper, Robinson & Co., San Francisco, Calif. and branch offices.	FF-1159
Triangle Forwarding Corp., New York, N.Y. and J. G. R. Williams, Inc., New Orleans, La.	FF-1160
Stone Forwarding Co., Inc., Galves- ton, Houston, and Corpus Christi, Tex. and Abarim Freight Service, Inc., Brooklyn, N.Y.	FF-1163
Rohner, Gehrig & Co., Inc., New York, N.Y. and Footner & Co., Inc., Baltimore, Md.	FF-1164

Agreement No. FF-1138 between N. D. Cunningham and Company, Inc., Mobile, Alabama, party (a), and Major Forwarding Company, Inc., New York, New York, party (b), is an arrangement under which on shipments of paper, paper products or wood pulp, party (a) receives one-third (no less than \$5.00) and party (b) receives two-thirds of ocean freight compensation. For all other shipments party (b) will pay party (a) a minimum of \$5.00 forwarding fee, plus \$0.50 for passing export declaration, plus one-third of the ocean freight compensation.

Agreement No. FF-1162 between Acco Foreign Shipping, Inc., Miami, Florida, and T. M. A. Shipping Company, New York, New York, is an arrangement under which forwarding and service fees are to be divided as agreed. Ocean freight compensation is to be retained by the initiating forwarder.

Agreement No. FF-1141 between Chary Company, Inc., New York, New York, and Hugo Zanelli & Co., Houston, Texas, is an arrangement under which forwarding and service fees are \$5.00 per shipment. Special services remain subject to negotiation. Ocean freight brokerage is to be divided equally.

Agreement No. FF-1148 between C. S. Greene and Company, Inc., Chicago, Ill., and Anderson Shipping Company, Savannah, Georgia, is an arrangement under which forwarding and service fees are \$5.00 per shipment. Special services remain subject to negotiation. Ocean freight brokerage is to be divided equally.

Agreement No. FF-1149 between C. S. Greene and Company, Inc., Chicago, Illinois and Herbert B. Moller, Jacksonville, Florida, is an arrangement under which forwarding and service fees are \$5.00 per shipment. Special services remain subject to negotiation. Ocean freight brokerage is divided 40 percent to Herbert B. Moller and 60 percent to C. S. Greene and Company, Inc.

Agreement No. FF-1154 between Lusk Shipping Company, Inc., New Orleans, Louisiana, and J. K. Ebberwein, Savannah, Georgia, is an arrangement under which forwarding and service fees will be retained by the party accomplishing the work. Ocean freight brokerage is to be divided equally.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C. or at the Commission's field offices at:

45 Broadway, New York, N.Y.
180 New Montgomery Street, San Francisco, Calif.

Room 333 Federal Office Building, South, 600 South Street, New Orleans 12, La.
Mail address:
P.O. Box 30550, Lafayette Station, New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: October 28, 1963.

By the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11513; Filed, Oct. 30, 1963; 8:48 a.m.]

**NEW YORK FREIGHT BUREAU
(HONG KONG)**

Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement No. 5700-5-C between the member lines of the New York Freight Bureau (Hong Kong) (Agreement No. 5700) further modifies temporary pooling and ceiling Agreement 5700-5, covering the trade from Hong Kong to U.S. Atlantic and Gulf ports, by increasing the ceiling of 1500 tons to 1800 revenue tons for sailings occurring on and after October 8, 1963.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: October 28, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-11519; Filed, Oct. 30, 1963; 8:48 a.m.]

[Docket No. 1153]

TRUCK AND LIGHTER LOADING AND UNLOADING PRACTICES AT NEW YORK HARBOR

Order of Investigation and Hearing

The New York Terminal Conference operates under approved Federal Mari-

time Commission Agreement No. 8005, as amended, which authorizes the fixing of charges for services of loading and unloading freight onto or from trucks, lighters and barges at piers operated by the Conference members. The agreement provides in pertinent part as follows:

1. That they shall establish, publish and maintain tariffs containing just and reasonable rates, charges, classifications, rules, regulations and practices with respect to the services of loading and unloading of waterborne freight onto and from trucks, lighters and barges, and the service of storage of waterborne import freight on the pier (including the fixing of free time period), as aforesaid; * * *

On January 20, 1961, the conference issued Lighterage Tariff No. 1, effective February 20, 1961, and on April 26, 1963, issued Lighterage Tariff No. 2, superseding Tariff No. 1, effective May 27, 1963, and increasing the rates by about 14 percent. These tariffs name rates, rules and regulations for the services of loading and unloading lighters and barges alongside vessels moored at piers operated by the conference members. Both of these tariffs were protested on the grounds that (1) the lighterage charges duplicate stevedoring charges assessed against the vessel and result in double payment for the same service; (2) the tariffs do not state all of the terms and conditions applicable to the services covered by the tariff; and (3) the charges assessed are "unduly high."

The conference also has on file Truck Loading and Unloading Tariff No. 6, F.M.C.-T. No. 7 naming rates, rules, and regulations for loading and unloading trucks at piers operated by the members. On July 19, 1963, the conference issued a First Revised Page 3 to Tariff No. 6, effective August 19, 1963, which amended the definition of truck unloading to provide that such service shall cover the "removing of cargo from the body of the truck to the dock, vessel or other terminal facility designated by the Terminal Operator." The previous definition covered the removing of cargo from the truck "to place of rest designated by the Terminal Operator." The purpose of the amendment is to permit the conference members to assess truck unloading charges on direct movements between truck and ship. Protests against the practice of assessing truck unloading charges on direct movement from truck to ship have been received on the ground that such movement is not properly "truck unloading," since "place of rest" cannot be construed as the vessel itself.

Information before the Commission also indicates that certain agreements may exist between the terminal operators and ocean carriers whereby part of the revenues collected from the lighter operators is refunded to the carriers. It appears that such practice may be unjust and unreasonable under section 17 of the Shipping Act, 1916, and may also violate Article 2 of Agreement No. 8005 which prohibits refunds "in any manner or by any device."

In addition, Lighterage Tariff No. 2 contains the following provision:

There shall be no charges for the loading or unloading of single pieces of cargo weigh-

ing six tons to 35 tons, inclusive, providing said cargo is received from or destined to a railroad.

It appears that such preference of rail over non-rail traffic may violate section 16 First of the Shipping Act, 1916, by giving "undue or unreasonable preference or advantage" to railroad traffic or may subject traffic not so destined or received to "undue or unreasonable prejudice or disadvantage" within the meaning of that section.

While Agreement No. 8005 permits the conference to fix rates for lighters and trucks at piers, it may not authorize the fixing of rates for lighters alongside vessels at those piers or for truck unloading services when cargo moves directly from truck to vessel. Therefore, the conference may have exceeded its authority, in violation of section 15 of the Act, in fixing and assessing such charges. It further appears that the assessing of such charges, even if within the scope of Agreement No. 8005, may constitute an unreasonable practice under section 17 of the Act, inasmuch as such charges may duplicate stevedoring charges assessed for the same service.

Furthermore, while the conference apparently assesses charges against lighters alongside the piers (as distinguished from alongside vessels), no tariff containing such charges has been filed with the Commission. Failure to file such tariff may constitute a violation of section 15 of the Act, as well as a violation of Article 4 of the conference agreement.

Therefore, it is ordered, That pursuant to sections 15, 16, 17 and 22 of the Shipping Act, 1916, the Commission, upon its own motion, enter into an investigation and hearing to determine:

(1) Whether Agreement No. 8005, as amended, permits the members thereof to consult and agree with respect to the rates, rules and regulations contained in Lighterage Tariffs No. 1 and 2 or whether the rate-fixing authority granted by that agreement is limited to the fixing of rates only with respect to lighters and barges alongside piers; and whether the practice of assessing charges against lighters alongside vessels may be an unjust or unreasonable practice under section 17 of the Act.

(2) Whether Agreement No. 8005, as amended, permits the parties thereto to amend the definition of truck unloading in Truck Loading and Unloading Tariff No. 6, to include the vessel itself as a "place of rest"; whether such definition, if authorized by the conference agreement, may result in an unjust or unreasonable practice in violation of section 17 of the Act; and whether the parties to Agreement No. 8005 engaged in that practice even prior to the amended definition.

(3) Whether the failure of the parties to Agreement No. 8005 to file a Tariff including rates assessed against lighters and barges alongside piers (as distinguished from alongside vessels) is a violation of section 15 of the Act and of Article 4 of Agreement No. 8005, as amended.

(4) Whether the tariffs filed with the Commission by the parties to Agreement No. 8005 state all of the terms and conditions applicable to the services covered

by said tariffs; whether any of the terms and conditions go beyond the routine rate-making authority granted by Agreement No. 8005, as amended, and thus require independent section 15 approval; and if so, whether such terms and conditions should be approved, disapproved or modified pursuant to section 15 of the Act.

(5) Whether any of the rates, charges, rules or regulations contained in the tariffs filed with the Commission by the parties to Agreement No. 8005 result in any undue or unreasonable preference or advantage or any undue or unreasonable prejudice or disadvantage in violation of section 16 First of the Act.

(6) Whether any agreements exist between the parties to Agreement No. 8005 and the ocean carriers using their facilities whereby part of the revenues collected from lighter operators is refunded to the carriers; whether such agreements are subject to section 15 of the Act; and whether such agreements violate Article 2 of Agreement No. 8005, which prohibits refunds "in any manner or by any device."

(7) Whether any of the rates, rules, regulations or practices of the respondents are unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operate to the detriment of the commerce of the United States, or are contrary to the public interest, or in any manner violate the Shipping Act, 1916.

It is further ordered, That the parties named in the Appendix attached hereto are hereby made respondents in this proceeding.

It is further ordered, That notice of this Order be published in the FEDERAL REGISTER, and that a copy thereof and notice of hearing be served upon respondents in this proceeding.

It is further ordered, That any persons, other than respondents, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before November 20, 1963.

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.

It is further ordered, That this matter be assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be determined and announced by the Chief Examiner.

By order of the Commission, October 10, 1963.

[SEAL]

THOMAS LISI,
Secretary.

APPENDIX

American Export Lines, Inc., 26 Broadway, New York 4, N.Y.
American Stevedores, Inc., 67 Broad Street, New York 4, N.Y.
Bay Ridge Operating Co., Inc., 34 Whitehall Street, New York, N.Y.

Compania Sud-Americana De Vapores (Chilean Line), 29 Broadway, New York 6, N.Y.
Cunard Steam-Ship Co. Ltd., 25 Broadway, New York 4, N.Y.
Grace Lines, Inc., 3 Hanover Square, New York 4, N.Y.
International Terminal Operating Co., Inc., 2 Broadway, New York 4, N.Y.
Maher Stevedoring Co., Inc., 80 Broad Street, New York 4, N.Y.
Marra Bros., Inc., 725 Court Street, Brooklyn 31, N.Y.
Maude/James Inc., 185 Montague, Brooklyn, N.Y.
John W. McGrath Corp., 39 Broadway, New York 6, N.Y.
Nachrema Operating Co. Inc., 21-24 State Street, New York 4, N.Y.
Nederlandsch-Amerikaansche Stoomvaart Maatschappij "Holland-Amerika Lyn" (Holland America Line), 29 Broadway, New York 6, N.Y.
Northeast Marine Terminal Co., Inc., 17 Battery Place, New York, N.Y.
Norwegian America Line Agency, Inc., 24 State Street, New York 4, N.Y.
Packet Shipping Corp., 39 Broadway, New York 6, N.Y.
Pier 8 Terminals, Inc., Foot of Congress Street, Brooklyn 1, N.Y.
Pioneer Terminal Corp., 17 Battery Place, New York 4, N.Y.
Pittston Stevedoring Corp., 17 Battery Place, New York 4, N.Y.
Reliable Marine Service Co., Inc., 11 Atlantic Basin, Brooklyn, N.Y.
Transoceanic Terminal Corp., 63 Broad Street, New York, N.Y.
Turner & Blanchard, Inc., 21 State Street, New York, N.Y.
United Port Service Co., The, 26 Beaver Street, New York 4, N.Y.
Universal Terminal & Stevedoring Corp., 24 State Street, New York 4, N.Y.

[F.R. Doc. 63-11520; Filed, Oct. 30, 1963; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RP62-1]

CITIES SERVICE GAS CO.

Order Reconvening Hearing and Prescribing Procedure Therefor

OCTOBER 24, 1963.

This proceeding involves proposed rate increases submitted by Cities Service Gas Company (Cities Service) on June 21, 1961, for its jurisdictional natural gas sales. On July 21, 1961, the Commission suspended the increased rates and charges proposed by Cities Service until December 23, 1961¹ and ordered a public hearing thereon. Prior to the end of the suspension period, the Commission approved a Settlement Agreement on December 22, 1961, which had been submitted to it by Cities Service and agreed to by all the parties to this proceeding. The Settlement Agreement and the Commission order thereon reserved for future determination the issue relating to the proper allowance for federal income taxes to be reflected in Cities Service's cost of service attached to the Settlement Agreement.

On July 15, 1963, the Commission issued its Opinion No. 396 and order in

¹ The proposed increased rate applicable to the sales of gas for resale for industrial use only was permitted to become effective as of July 23, 1963—the date proposed by Cities Service.

Cities Service Gas Company, Docket No. G-18799. By its Opinion No. 396, the Commission determined the proper federal income tax allowance for Cities Service in that proceeding and the method by which the tax allowance was computed. Cities Service's petition for rehearing of Opinion No. 396 was denied by the Commission on September 10, 1963.

It is now appropriate to reconvene the hearing in this proceeding to resolve the federal income tax issue reserved by the Settlement Agreement and the Commission's order thereon. In order to expedite this hearing and to avoid possible duplication of evidence, we shall prescribe the procedure and the evidence that should be placed in the record. We shall require Cities Service to present its direct evidence, in advance of hearing as hereinafter ordered, on the proper federal income tax allowance to be included in its cost of service in accordance with our method of computation in Opinion No. 396. This requirement, however, does not preclude Cities Service from presenting additional testimony and exhibits reflecting another method of computing the federal income tax allowance based on changed activities or operations, which substantiate a deviation in the method of computation established under Opinion No. 396. Thereafter the Commission Staff will serve its direct case upon the parties in this proceeding, and, in order to avoid possible duplication of evidence and unnecessary expenditure of time, energy, and money, we will permit the interveners to serve their direct evidence 10 days after the service of the Staff's direct case. After the filing of the direct cases of the parties, we will order the Presiding Examiner to convene a prehearing conference and, thereafter, to control the procedure of the proceedings to an expeditious determination of the issue involved herein.

In addition to the aforementioned direct testimony and exhibits, Cities Service shall serve and place in the record the following information with respect to the consolidated income tax returns filed by its parent, Cities Service Company, with the Internal Revenue Service:

(1) By years and for each year, 1960, 1961, and 1962, the information required to be filed under § 154.63, section H(3)—3, of the Commission's regulations under the Natural Gas Act pertaining to consolidated federal income tax returns.

(2) A statement of the business activities of each company included in the consolidated tax returns and whether that company is regulated, in whole or in part, by any regulatory agency, federal, state, municipal, etc.

It is immaterial to the Commission whether the above information is supplied by Cities Service or its parent, Cities Service Company. If the latter wishes to participate in this proceeding, its petition for intervention will be granted.

The Commission finds: It is necessary and proper in enforcing the provisions of the Natural Gas Act that a public hearing be held on the issue of the proper federal income tax allowance to be reflected in Cities Service's cost of serv-

ice attached to the Settlement Agreement approved herein and to prescribe the procedure for the expeditious hearing thereon.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held at a time and place hereinafter to be designated by the Presiding Examiner, concerning the proper federal income tax allowance to be reflected in Cities Service's cost of service attached to the Settlement Agreement approved herein on December 22, 1961.

(B) On or before November 12, 1963, Cities Service shall serve upon all parties to this proceeding its direct testimony and exhibits as set out above and the information designated in paragraphs (1) and (2) above.

(C) On or before December 3, 1963, the Commission Staff shall serve upon all parties to this proceeding its direct testimony and exhibits.

(D) Any intervener proposing to submit evidence shall serve its direct testimony and exhibits upon all parties to this proceeding on or before December 13, 1963.

(E) A prehearing conference shall be held on December 17, 1963, at 10:00 a.m., e.s.t. in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., 20426, for the purposes of reaching such agreements as will expedite the determination herein including, but not limited to, stipulation of facts, narrowing and defining issues, establishing dates for service of rebuttal testimony and for cross-examination of all testimony.

(F) The cross examination, when commenced, shall be continuous as to all witnesses to be presented, unless the Presiding Examiner finds that extraordinary circumstances preclude such procedure.

(G) The Presiding Examiner shall control the progress of this proceeding to its prompt conclusion.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11484; Filed, Oct. 30, 1963; 8:46 a.m.]

[Docket No. RP64-9]

CITIES SERVICE GAS CO.

Notice of Proposed Changes in Rates and Charges

OCTOBER 25, 1963.

Pursuant to § 2.59(a) of the Commission's rules of practice and procedure (18 CFR 2.59(a)), notice is hereby given that Cities Service Gas Company on October 23, 1963, filed proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1 and Original Volume No. 2, to become effective on November 23, 1963. The newly proposed changes reflect in-

creased rates and charges in Rate Schedules F-1, F-2, C-1, C-2, I-1, I-2, P, and X-5. The total proposed increase in rates and charges amount to \$5,296,571, based on actual sales during the twelve-month period ending June 30, 1963.

Protests, petitions to intervene, or notices of intervention may be filed with the Federal Power Commission, Washington, D.C., 20426, pursuant to the Commission's rules of practice and procedure on or before November 15, 1963.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11485; Filed, Oct. 30, 1963; 8:46 a.m.]

[Docket No. E-7132]

HOLYOKE WATER POWER CO.

Notice of Application

OCTOBER 25, 1963.

Take notice that on October 21, 1963, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Holyoke Water Power Company (Applicant), specially chartered and organized under the laws of the Commonwealth of Massachusetts and doing business in that State with its principal place of business in Holyoke, Massachusetts, seeking an order authorizing the issuance of 240,000 shares of Common Stock, par value \$5 per share, to be issued pro rata to existing holders of capital stock of the Applicant as of the close of business on December 20, 1963.

According to the application, Applicant proposes to reduce the par value of the 240,000 shares of its capital stock presently issued from \$10 per share to \$5 per share. The proposed issuance of 240,000 additional shares to its existing stockholders is simply a stock split and will result in no change in their equity or in the capitalization of Applicant, the application states. Applicant represents that the purpose of the proposed issuance of Common Stock is to increase the availability of the stock to potential investors, and thus achieve wider distribution of Applicant's capital stock. Applicant believes this would be beneficial particularly in connection with any future financing through the issuance of securities. Applicant states there is presently a rather thin market for Applicant's stock which is traded over the counter.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 15th day of November, 1963, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the rules of practice and procedure of the Commission (CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11486; Filed, Oct. 30, 1963; 8:46 a.m.]

[Project No. 2105]

PACIFIC GAS AND ELECTRIC CO.

Order Fixing Hearing and Prescribing Procedure

OCTOBER 24, 1963.

A license issued to Pacific Gas and Electric Company January 24, 1955, authorized construction of a hydroelectric plant on the North Fork of the Feather River to be known as the Belden development. This development is one of a series of plants operated by the licensee on the Feather River, and would consist of a diversion dam just below the Caribou Plants, where water would be diverted through a tunnel and series of conduits to a power house a considerable distance downstream. Article 26 of the license provided for studies between the licensee and "interested Federal and State of California agencies" for the purpose of arriving at an agreement on the quantities of water to be released at the Belden Diversion Dam and from Alamanor Dam for the benefit of fish and recreational purposes.

By letter of June 29, 1961, the Department of Fish and Game of the State of California referred to Article 26, and stated that it considered that the investigations and studies provided for by this Article has been completed. Further, it was stated that although meetings between the licensee and interested agencies had been held, no agreement under Article 26 could be achieved. Provisions for water releases and other measures were then recommended for incorporation in Article 26.

On July 16, 1962, the licensee requested additional time within which to complete construction of the balance of the Belden development (the diversion dam and reservoir were completed on schedule), for the reason that agreements on water releases under Article 26 had not been concluded. Since the design of the remaining facilities would depend on the amount of water available for power, the licensee could not proceed with construction according to schedule. The Commission's Order of May 6, 1963, extended the time for completion of the Belden Project works on December 31, 1966.

By application for amendment filed February 27, 1963, licensee requested modification of Article 26 of the license, stating that it had accepted the license provisions with the expectation that an agreement on water flows could be reached. The licensee stated that in view of the responses it has received from the interested agencies, it felt that further negotiations would be futile. Thus the licensee recommends that its proposed modifications of Article 26 be adopted by the Commission after notice and opportunity for hearing.

Notice of the Application for Amendment of License filed on February 27, 1963, was given by the Commission on April 3, 1963. Pursuant to this notice a Petition for Intervention was filed by the State of California acting by and through its Department of Fish and Game on May 24, 1963, and by the Secre-

tary of the Interior acting by and through the Bureau of Sport Fisheries and Wildlife on May 27, 1963. By letter of June 10, 1963, the Department of Agriculture stated that if a hearing were scheduled on Article 26 the Forestry Service would wish to present testimony. These foregoing agencies are "interested Federal and State of California agencies" within the terms of Article 26 without any further intervention on their part.

The Commission finds: It is appropriate and in the public interest to hold a public hearing affording the Licensee, the Department of Fish and Game of the State of California, the U.S. Bureau of Sport Fisheries, the U.S. Forest Service, and Commission staff, opportunity to present evidence as hereinafter provided on the issues involved.

The Commission orders:

(A) 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 in San Francisco, California on January 27, 1964, at 10 a.m., P.s.t. in a hearing room to be designated, respecting Article 26 and the application for amendment of license for Project No. 2105.

(B) The following procedure in this proceeding is prescribed:

(1) A prehearing conference will be held on November 5, 1963 at 10 a.m., e.s.t. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., 20426 before the Presiding Examiner.

(2) The parties, including Commission staff, shall by December 16, 1963, file their direct testimony and exhibits.

(3) The parties, including Commission staff, shall file their rebuttal testimony and exhibits by January 13, 1964.

(4) No exhibits (except those of which official notice may properly be taken) shall contain narrative material other than brief explanatory notes, and all exhibits shall be fully explained in the prepared testimony by the witness or witnesses sponsoring them.

(5) Any motions to strike any part of the prepared testimony and exhibits shall be filed by January 20, 1964, and answers thereto shall be filed by January 27, 1964.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11487; Filed, Oct. 30, 1963;
8:46 a.m.]

[Docket No. G-20082]

SINCLAIR OIL & GAS CO. ET AL.

Order Redesignating Proceeding

OCTOBER 24, 1963.

Sinclair Oil & Gas Company (Operator), et al. (formerly Sinclair Oil & Gas Company), Docket No. G-20082.¹

¹ Consolidated with AR61-1.

Sinclair Oil & Gas Company (Sinclair) filed a petition to amend its certificate issued in Docket No. G-14739 to include the interest of 15 signatory co-owners in acreage located in Texas Railroad Commission District No. 7-c. The co-owners have each executed a ratification agreement dedicating their interest to applicant's contract. On August 6, 1963, a letter order was issued by the Commission amending the certificate issued in Docket No. G-14739 to include the term "(Operator), et al.". The rate presently in effect subject to refund in Docket No. G-20082 for the sale of gas certificated by Docket No. G-14739 is 13.68225 cents per Mcf at 14.65 psia. The agreement and undertaking filed by Sinclair to assure refund of any excess charges in Docket No. G-20082 is also to be deemed to cover the 15 signatory co-owners involved here.

The Commission finds: Good cause has been shown for designating the proceeding as hereinabove captioned.

The Commission orders: The proceeding in Docket No. G-20082 is redesignated as indicated in the caption hereof.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11488; Filed, Oct. 30, 1963;
8:46 a.m.]

[Docket No. G-20464 etc.]

TRANSWESTERN PIPELINE CO. ET AL.

Order Granting Severance, Denying Consolidation and Fixing Date of Hearing

OCTOBER 24, 1963.

Transwestern Pipeline Company, et al., Docket No. G-20464, etc.; Cities Service Production Company, Docket No. CI63-888; Shell Oil Company, Docket No. CI63-892; Gulf Oil Corporation, Docket No. CI63-962; Phillips Petroleum Company, Docket No. CI63-1005; California Oil Company, Western Division, Docket No. CI63-1105; Tidewater Oil Company, Docket No. CI63-1161; Sun Oil Company, Docket No. CI63-1171; Humble Oil & Refining Company, Docket No. CI63-1187; Texas Pacific Coal & Oil Company, Docket No. CI63-1216; Sinclair Oil & Gas Company, Docket No. CI63-1221; The Pure Oil Company, Docket No. CI63-1242; Olen F. Featherstone, et al., Docket No. CI63-1308; The Oil Capitol Corporation, Docket No. CI63-1349; George G. Anderman, et al., Docket No. CI63-1405; Peter Henderson Oil Company, Docket No. CI63-1523; Husky Oil Company, Docket No. CI63-1534; Patrick A. Doheny, et al., Docket No. CI63-1562; Continental Oil Company, Docket No. CI64-39.

The following, of the above listed, independent producers on the dates indicated, filed motions for severance of the proceedings upon their respective applications from the consolidated proceedings in Transwestern Pipeline Company, et al., Docket Nos. G-20464, et al.

Date	Applicant	Docket Nos.
1963		
Aug. 16	Cities Service Production Co. (Cities Service)	CI63-888
	Shell Oil Co. (Shell)	CI63-892
	Phillips Petroleum Co. (Phillips)	CI63-1005
	Tidewater Oil Co. (Tidewater)	CI63-1161
	Humble Oil Co. (Humble)	CI63-1187
	Sinclair Oil & Gas Co. (Sinclair)	CI63-1221
	The Pure Oil Co. (Pure)	CI63-1242
	Patrick A. Doheny, et al. (Doheny)	CI63-1562
	Continental Oil Co. (Continental)	CI64-39
Aug. 20	Texas Pacific Coal & Oil Co. (Texas)	CI63-1216
Aug. 26	Gulf Oil Corp. (Gulf)	CI63-962
	George G. Anderman, et al. (Anderman)	CI63-1405
Aug. 29	Husky Oil Co. (Husky)	CI63-1534

The aforementioned producer applicants seek certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the sale of natural gas from the Wind River Basin, Wyoming to Colorado Interstate Gas Company (CIG). CIG is the applicant in Docket No. CP63-206 for a certificate authorizing, among other things, the construction and operation of facilities necessary to purchase natural gas from the Wind River producers. The proceedings upon the applications of the Wind River producers, CIG's application filed in Docket No. CP63-206 and other applications have heretofore been consolidated for hearing with the proceeding upon CIG's applications in Docket No. CP63-344 (Phase Two).

Since, by Commission order of September 9, 1963, CIG was directed to make a full showing for any need for additional reserves in the proceedings in Western Transmission Corporation (Western), Docket No. CP63-329 and U.S. Natural Gas Corporation (U.S. Natural) Docket No. CI63-1460, there appears to be no reason why CIG should be unable to present the same full showing, i.e., total system-wide reserves and deliverability and a complete market showing to substantiate, in this instance, a need for the Wind River reserves in a separate hearing on the application of all the Wind River producers.

Sinclair, Shell and Continental on October 1, and Pure on October 8, 1963, filed motions for consolidation of their applications with those of Western in Docket No. CP63-329 and U.S. Natural in Docket No. CI63-1460. The applications of Western and U.S. Natural were severed by the Commission's order of September 9, 1963, from the consolidated proceedings in Transwestern Pipeline Company, et al., Docket Nos. G-20464, et al. Western and U.S. Natural by answer of October 3, 1963, opposed the aforementioned motions for consolidation of Sinclair, Shell and Continental, California Oil Company, Western Division (California), on October 1, and Sinclair, Shell and Continental on October 8, 1963, filed petitions for leave to intervene in the aforementioned proceedings of Western and U.S. Natural which petitions were granted by the Commission's order of October 15, 1963. Since the as-

serted rights and interests of these producers may be protected by their status as intervenors, consolidation would be unnecessary and only needlessly complicate the proceedings in CP63-329 and CT63-1460. Pure's pending motion for consolidation with the aforementioned proceedings should be denied since they, as a Wind River Producer, will be granted severance from Docket Nos. G-20464, et al. and a separate hearing.

The Commission finds:

(1) It is in the public interest to sever all of the Wind River producers from the proceedings in Transwestern Pipeline Company, et al., Docket Nos. G-20464, et al. and fix a date for separate hearing of the severed proceedings.

(2) It is in the public interest to deny the motions for consolidation with the proceedings in Docket Nos. CP63-329 and CT63-1460.

The Commission orders:

(A) Severance of the Wind River producers from the consolidated proceedings in Docket Nos. G-20464, et al.

(B) The motions for consolidation are hereby denied.

(C) 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 December 3, 1963, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW, Washington, D.C., concerning the matters involved in and the issues presented by the applications in the proceedings of the Wind River producers.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11490; Filed, Oct. 30, 1963; 8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

URBAN RENEWAL COMMISSIONER, HHFA REGIONAL ADMINISTRATORS, AND REGIONAL DIRECTORS OF URBAN RENEWAL

Delegation of Authority To Execute Requisition Agreements Securing Bonds

The Urban Renewal Commissioner, and the HHFA Regional Administrator and the Regional Director of Urban Renewal within his respective Region, each is hereby authorized to execute requisition agreements under section 102(c) of the Housing Act of 1949, as amended (42 U.S.C. 1452(c)), securing the payment of the principal of and interest on bonds evidencing a definitive loan under section 102(a) of said Act, and, as an incident to the security and marketability of such bonds, securing the payment of

premiums and the cost of the redemption of bonds and the fees and charges of paying agents, each of which bonds provides that it shall not be valid until the paying agent has executed an agreement appearing on the bond to act as paying agent, and under which requisition agreement the United States, among other things:

1. Pledges the full faith and credit of the United States to the payment of the principal of and interest on such bonds, and agrees under section 102(c) of the Act that the payment agreement set forth under subparagraph 2 below shall be construed separate and apart from the pertinent loan contract, including the specific loan payment contract under such requisition agreement, and shall be incontestable in the hands of a bearer; and

2. Agrees, as an incident to the security and marketability of such bonds, to pay or cause to be paid the premiums and cost of the redemption of the bonds and the fees and charges of paying agents, and also agrees to evidence its promise to pay or cause to be paid each such bond, including the interest thereon, by a payment agreement executed on behalf of the United States by the facsimile signature of the Housing and Home Finance Administrator holding office on the date of sale by the local public agency of the particular bonds, in substantially the following form:

PAYMENT AGREEMENT

Pursuant to section 102(c) of the Housing Act of 1949, as amended (42 U.S.C. 1452(c)), the United States hereby unconditionally agrees that on the maturity of the within Bond, and on the respective dates established for the payment of the interest thereon, it will pay or cause to be paid to the bearer or registered owner of either or both said Bond or interest thereon, as the case may be, the principal of and interest on such Bond, upon the presentation and surrender of such Bond or the uncanceled interest coupons appertaining thereto, if any, as the case may be, to the Paying Agent or the alternate Paying Agent identified therein; and the full faith and credit of the United States is pledged to such payment. Under section 102(c) of the Act, this Agreement shall be construed separate and apart from the loan contract and the specific loan payment contract evidenced by the Requisition Agreement referred to in the within Bond, and shall be incontestable in the hands of a bearer.

In witness whereof, this Agreement has been executed on behalf of the United States by the duly authorized facsimile signature of the Housing and Home Finance Administrator, as of the date of the within Bond.

UNITED STATES OF AMERICA
By (Facsimile signature)
Housing and Home
Finance Administrator.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

This delegation is effective as of the 31st day of October 1963.

[SEAL] ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 63-11521; Filed, Oct. 30, 1963; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 28, 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. 38614: *Sulphuric acid to Tennessee points.* Filed by O. W. South, Jr., agent (No. A4388), for interested rail carriers. Rates on sulphuric acid, in tankcar loads, from Baton Rouge and North Baton Rouge, La., to Charleston, Kingsport and Port Rayon, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 67 to Southern Freight Association, agent, tariff I.C.C. S-162.

FSA No. 38615: *Sulphuric acid to Mount Pleasant, Tenn.* Filed by O. W. South, Jr., agent (No. A4389), for interested rail carriers. Rates on sulphuric acid, in tankcar loads, from Baton Rouge, La., to Mount Pleasant, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 68 to Southern Freight Association, agent, tariff I.C.C. S-162.

FSA No. 38616: *Soybeans to Sherman, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8465), for interested rail carriers. Rates on soybeans, in bulk, in carloads, from points in Kansas, Missouri and Oklahoma, to Sherman, Tex.

Grounds for relief: Carrier competition.

Tariff: Supplement 33 to Southwestern Freight Bureau, agent, tariff I.C.C. 4496.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-11522; Filed, Oct. 30, 1963; 8:48 a.m.]

[Notice 890]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 28, 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

[Sec. 5(a) Application No. 84]

ALASKA STEAMSHIP CO., AND CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE

Modified Procedure Regarding Application for Approval of Agreement

order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66337. By order of October 24, 1963, the Transfer Board approved the transfer to Johnson Motor Freight, Inc., Barberton, Ohio, of Certificates in Nos. MC 48974, and MC 48974 (Sub-No. 3), issued April 4, 1957 and October 19, 1960, respectively, to A. L. Johnson, doing business as Johnson Motor Freight, Barberton, Ohio, authorizing the transportation of: Sodium Hypochlorite solution, in shipper-owned tank trailers, from Barberton, Ohio, to Kit-tanning and New Castle, Pa.; empty shipper-owner trailers, from the destination points specified above, to Barberton, Ohio; compressed gases (other than petroleum gases), in shipper-owned trailers, from Euclid and Barberton, Ohio, to points in Allegheny, Beaver, Washington, and Westmoreland Counties, Pa.; empty shipper-owned trailers, from destination counties named above, to Euclid and Barberton, Ohio; and household goods, between points in Summit County, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Maryland, New Jersey, New York, Pennsylvania, West Virginia, and the District of Columbia, and points in the Southern Peninsula of Michigan. Richard H. Brandon, Hartman Building, Columbus 15, Ohio, attorney for applicants.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11523; Filed, Oct. 30, 1963;
8:48 a.m.]

Upon consideration of the petition filed August 15, 1963, by the Alaska Steamship Company and the Consolidated Freightways Corporation of Delaware requesting approval of an agreement implementing the establishment of through routes and joint rates and charges for coordinated motor-steamship-motor service between Seattle, Washington and points and places in Alaska;

It is ordered, That this proceeding be handled under modified procedure; that the parties listed below or their representatives comply with the provisions of rules 1.45 to 1.54, inclusive, of the Commission's general rules of practice, the filing and service of pleadings (see footnotes 1 and 2 below) to be as follows: (a) Opening statement of facts and argument by applicants (and any parties supporting applicants) on or before November 21, 1963; (b) 30 days after that date, statement of facts and argument by protestants (and any supporting parties); and (c) reply by applicants (and any supporting parties) 10 days thereafter. The stated specific time periods apply to all parties.

It is further ordered, That within 25 days from the date hereof protestants shall advise applicants and this Commis-

sion of the identity, including addresses, of the individuals composing the protestants' defense committee (should it be protestants' intention in the instant proceeding to have such a committee), together with an indication of the number of copies of applicants' statement which are desired, and to whom the copies are to be sent.

And it is further ordered, That a copy of this order be filed with the Director, Division of the Federal Register.

Dated at Washnigton, D.C., this 22d day of October A.D. 1963.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

NOTE 1. The general rules of practice provide in rule 1.50 that facts asserted in any pleading filed under modified procedure must be sworn to by persons having knowledge thereof, which latter fact must affirmatively appear in the affidavit. Failure to observe the requirement indicated by underscoring will result in rejection of the pleading.

NOTE 2: All communications pertaining to this proceeding shall be addressed to Harold D. McCoy, Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Bogle, Bogle & Gates, Stanley B. Long, 14th Floor Norton Building, Seattle 4, Wash., attorneys for Alaska Steamship Co., Pier 42, Seattle 4, Wash.

Eugene T. Liipfert, 801 National Grange Building, 1616 H Street NW., Washington 6, D.C., attorney for Consolidated Freightways Corporation of Delaware, 175 Linfield Drive, Menlo Park, Calif.

[F.R. Doc. 63-11524; Filed, Oct. 30, 1963;
8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—OCTOBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during October.

1 CFR	Page
CFR Checklist.....	10511
3 CFR	
PROCLAMATIONS:	
Nov. 5, 1891.....	11427
Feb. 25, 1893.....	10885
June 3, 1905.....	10887
3178.....	10853
3548.....	10853
3556.....	10509
3557.....	10811
3558.....	10853
3559.....	10941
EXECUTIVE ORDERS:	
Feb. 26, 1852.....	10973
Dec. 27, 1859.....	10973
Mar. 9, 1914.....	11070
Sept. 30, 1916.....	11069
Apr. 17, 1926.....	10909
10152.....	10631
10168.....	10631
10204.....	10631
10847.....	11171
10853.....	11249
11112.....	11607
11120.....	10631
11121.....	10855
11122.....	11171
11123.....	11249
11124.....	11607
11125.....	11609
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Memorandum, Oct. 10, 1963.....	10943
Notice, Oct. 21, 1963.....	11251, 11301
5 CFR	
2.....	11033
6.....	10511,
10512, 10735, 10957, 11131, 11303,	11473.
25.....	10847, 10947, 11219
27.....	10947
30.....	10947
34.....	11033
213.....	10511,
10512, 10735, 10857, 11131, 11303,	11473.
337.....	11033
530.....	10947
531.....	10947, 11219
534.....	10952
539.....	10953
550.....	10954, 10993
610.....	10960
630.....	10961
690.....	11033
1202.....	10633
7 CFR	
7.....	10813
14.....	10858, 11011
26.....	11531
28.....	10633
210.....	11531
354.....	10564
401.....	10736, 10867, 11033
718.....	10899
722.....	11011, 11012, 11034, 11041
724.....	11049
728.....	10565
729.....	11471

7 CFR—Continued	Page
750.....	11449
811.....	11449
851.....	11220
864.....	11257
874.....	11049
905.....	10737-10739, 11132, 11221-11223
908.....	10740, 10965
909.....	10965
910.....	10512,
10740, 10769, 10966, 11013, 11259,	11472.
929.....	10634, 11052, 11611
947.....	11259
958.....	11401
982.....	11401
984.....	10813
987.....	10568
989.....	10569, 11052, 11612
1002.....	11223
1040.....	10512
1044.....	11053
1067.....	10740
1097.....	11531
1126.....	10635
1130.....	11532
1421.....	10512,
10636, 10966, 11224, 11227, 11450,	11473.
1443.....	11054, 11058
1446.....	11227
1482.....	11501
PROPOSED RULES:	
26.....	10753, 10924
29.....	11232
51.....	11548
53.....	11197
81.....	11017, 11197
362.....	11197, 11637
815.....	11480
909.....	11136
929.....	11457
947.....	11637
970.....	10975
980.....	11279, 11414
982.....	10822, 11018
987.....	11414
989.....	11280, 11457
1004.....	10646, 11073
1010.....	10646, 11073
1032.....	11313, 11637
1061.....	11313, 11637
1062.....	11313, 11637
1064.....	11313, 11637
1067.....	11313, 11637
1071.....	11196, 11313, 11549, 11637
1097.....	10660,
11019, 11136, 11480, 11550	11480
1102.....	10660, 11019, 11480, 11550
1104.....	11566
1106.....	11566
1108.....	10660, 11019, 11480, 11550
1126.....	10521
1130.....	11138
1193.....	10675
8 CFR	
212.....	11533
9 CFR	
74.....	11612
78.....	11402, 11450

9 CFR—Continued	Page
PROPOSED RULES:	
71.....	10823
74.....	11457
78.....	10524, 11637
10 CFR	
115.....	11259
12 CFR	
1.....	10741, 11501
545.....	10512
PROPOSED RULES:	
563.....	11317
13 CFR	
107.....	10868
108.....	10967
14 CFR	
6.....	10994
10.....	10868
42.....	11058
71 [New].....	10513,
10563, 10564, 10703, 10741, 10742,	10813, 10814, 10899, 10900, 10999,
11059, 11185, 11228, 11260, 11261,	11303, 11347, 11348, 11450, 11451,
11473, 11474, 11501-11503, 11533,	11613-11615.
73 [New].....	10703
10742, 11228, 11451, 11615, 11616	11616
75 [New].....	11228
91 [New].....	11228
93 [New].....	11185
95 [New].....	10704, 11000, 11348
97 [New].....	11189
159 [New].....	10564,
507.....	10637, 10638, 10868, 10967, 11010,
11451, 11474, 11534.	11304
1204.....	11618
1501.....	
PROPOSED RULES:	
1.....	11481
3.....	11481
4a.....	11481
4b.....	11481, 11507
8.....	11481
9.....	11481
10.....	11481
18.....	10786
40.....	11481, 11507
41.....	11481, 11507
42.....	11481, 11507
43.....	11481
43 [New].....	10786
44.....	10792
47 [New].....	10793
49 [New].....	10793
71 [New].....	10540-
10544, 10546-10550, 10581, 10679-	10680,
10681, 10717, 10752, 10924, 10925,	10978, 11019, 11073, 11140, 11197,
11198, 11280, 11415, 11457-11459,	11567, 11637.
73 [New].....	10681, 10752, 11073, 11074, 11199
75 [New].....	10581, 11019, 11568
91 [New].....	11075
129 [New].....	10792
187 [New].....	10793
241.....	10793
288.....	10977
399.....	10977

14 CFR—Continued Page

PROPOSED RULES—Continued

501 10793

502 10793

503 10793

504 10793

505 10793

507 10719,

10753, 10978, 10979, 11568

514 10823

627 10550

15 CFR

373 11014

375 10569

380 10569

16 CFR

13 10570,

10571, 10743-10747, 10769-10771,

10814, 10815, 10967-10971, 11059,

11060, 11189-11191, 11229, 11230,

11403, 11452, 11453, 11475, 11503

400 10900

PROPOSED RULES:

320 10925

17 CFR

PROPOSED RULES:

270 10753

18 CFR

32 11404

35 10572, 11404

131 11404

PROPOSED RULES:

35 11415

101 10550, 11568

104 10550, 11568

153 11075

157 11075

201 10550, 11568

204 10550, 11568

19 CFR

1 11266, 11304

6 11132, 11628

15 11628

PROPOSED RULES:

1 11140, 11414

20 CFR

404 10971

21 CFR

1 10638, 10993

8 10749, 10816, 11504

19 10816

20 11191

27 10900, 11453

120 10869

121 10577,

10706, 10749, 10816, 10869, 10871,

10908, 11192, 11261, 11262, 11453,

11454, 11475, 11628.

130 10972

132 11263

141a 11264

141e 11628

146a 11264, 11454

146b 10750, 11265

146e 11628

PROPOSED RULES:

8 11235, 11459

17 10717

19 11279, 11459

25 10976

45 10977

121 10976

22 CFR

41 11535

24 CFR Page

203 11504

213 11504

234 11504

809 10513

810 10513

25 CFR

Appendix 11630

163 11630

PROPOSED RULES:

131 10676

26 CFR

1 10514,

10515, 11109, 11173, 11177, 11404,

11631.

16 11109

20 10871, 11407

25 10871

48 11410

PROPOSED RULES:

1 10520, 10882

20 10882

25 10882

46 10821

28 CFR

2 10750

42 11304

43 11535

29 CFR

516 11632

519 11230

522 11061

528 11230

545 11540

548 11266

601 11538

604 11538

606 11537

610 11537

611 11633

612 11538

613 11538

614 11537

615 11538

616 11536

619 11536

661 11536

670 11536

671 11537

672 11537

673 11538

675 11538

677 11538

678 11538

681 11540

683 11539

687 11633

688 11536

689 11633

690 11538

694 11633

699 11539

720 11633

1307 10517, 11505

PROPOSED RULES:

1-25 11313

526 11316, 11317

31 CFR

315 11132

316 11133

332 11133

32 CFR

46 11062

66 11063, 11359

269 10817

507 11268

563 11268

32 CFR—Continued Page

590 11359

591 11366

592 11366

593 11366

594 11370

595 11371

598 11374

599 11374

600 11382

601 11382

602 11383

603 11392

604 11393

605 11393

606 11397

836 11133

862 11133

880 11627

888 10873, 11133, 11475

1001 11063

1002 11065

1003 11066

1006 11067

1007 11067

1009 11068

1013 11068

1016 11068

1030 11069

1053 11069

32A CFR

PROPOSED RULES:

OIA (Ch. X):

OI Reg. 1 10677

33 CFR

90 11015

95 11015

124 10818

135 10577

203 11268

36 CFR

6 10909

7 11540

311 11411

PROPOSED RULES:

7 10677

38 CFR

3 11541

13 10750

36 11505

39 CFR

5 10518

41 11506

43 11506

61 10518

168 11506

41 CFR

1-1 10706

1-1 10706

2-2 10706

2-7 10709

2-17 11402

5B-1 11454

8-1 11454

8-4 10819

8-6 10709

9-1 11542

9-4 10711

9-16 10879

39-1 11306

50-202 11305, 11635

60-1 11305, 11635

PROPOSED RULES:

50-204 10524

42 CFR

73 11268, 11270, 11476

43 CFR	
131.....	11635
133.....	11635
192.....	11192
PROPOSED RULES:	
192.....	10883, 11017
200.....	10883, 11017
PUBLIC LAND ORDERS:	
390.....	11456
540.....	11456
846.....	11456
1102.....	10910
1227.....	10887
1549.....	11456
1552.....	11456
1559.....	11456
1564.....	10887
1723.....	11456
2712.....	10887
2931.....	10887
3141.....	11071
3142.....	10820
3180.....	10820
3187.....	10820
3237.....	10519
3238.....	10639
3239.....	10820
3240.....	10909
3241.....	10910
3242.....	10910
3243.....	10910
3244.....	10973
3245.....	11069
3246.....	11070
3247.....	11070
3248.....	11070
3249.....	11071
3250.....	11071
3251.....	11306
3252.....	11306
3253.....	11306
3254.....	11306
3255.....	11412
3256.....	11412
3257.....	11456

46 CFR	
2.....	11014
30.....	10773
35.....	11477

46 CFR—Continued	Page
38.....	10773
40.....	10778
55.....	11477
71.....	11477
78.....	11477
91.....	11477
94.....	10578
97.....	11477
98.....	11477
166.....	10579
222.....	10703
223.....	10703
226.....	10703
231.....	10703
236.....	10703
310.....	10880
511.....	10973
522.....	10703
526.....	10703
531.....	10703
PROPOSED RULES:	
501—535.....	11318
531.....	10825

47 CFR	
0.....	10579
1.....	10579, 10911, 11270
2.....	10915, 11213, 11478, 11635
3.....	10915, 11270, 11478
4.....	11275
7.....	10921
8.....	10921
9.....	10921
10.....	10921, 11213, 11478
11.....	10921, 11213, 11478
12.....	10921, 11275
14.....	10921
16.....	10921, 11213, 11478
19.....	10921
64.....	10580

PROPOSED RULES:	
3.....	11280, 11281, 11638
4.....	10825
16.....	10582

48 CFR	11275, 11306
---------------	--------------

49 CFR	
1.....	10518, 11016, 11455
10.....	11478

49 CFR—Continued	Page
95.....	11276
123.....	10711
206.....	10711
PROPOSED RULES:	
0—450.....	11235
71—78.....	11416, 11425
123.....	10682
170.....	11569
206.....	10682
301.....	10682

50 CFR	
12.....	10782
32.....	10639, 10640, 10643, 10644, 10783, 10784, 10880, 10881, 10973, 11134, 11135, 11192, 11276, 11306, 11308, 11412, 11413.
266.....	11193
301.....	11308

Announcing first
5-year Cumulation

UNITED STATES
STATUTES AT LARGE

TABLES OF LAWS AFFECTED
in Volumes 70-74

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of public laws enacted during the years 1956-1960. Includes index of popular name acts affected in Volumes 70-74.

Price: \$1.50

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402



FEDERAL REGISTER
Telephone
WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

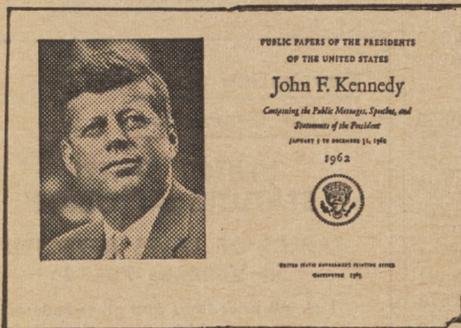
The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

Latest Edition in the series of . . .

PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

John F. Kennedy, 1962



1108 pages Price: \$9.00

Contains verbatim transcripts of the President's news conferences and speeches and full texts of messages to Congress and other materials released by the White House during the period January 1–December 31, 1962.

Among the 557 items in the book are: special messages to the Congress on education, national health needs, and foreign aid; reports to the American people concerning the state of the national economy, nuclear testing and disarmament, and the Cuban crisis; joint statements with leaders of foreign governments; and a special interview with representatives of the radio and television networks in which the President reviewed some of the highlights of his first 2 years in office.

A valuable reference source for scholars, reporters of current affairs and the events of history, historians, librarians, and Government officials.

VOLUMES of PUBLIC PAPERS of the PRESIDENTS
currently available:

HARRY S. TRUMAN:

1945	-----	\$5.50
1946	-----	\$6.00
1947	-----	\$5.25

DWIGHT D. EISENHOWER:

1953	-----	\$6.75	1957	-----	\$6.75
1954	-----	\$7.25	1958	-----	\$8.25
1955	-----	\$6.75	1959	-----	\$7.00
1956	-----	\$7.25	1960-61	-----	\$7.75

JOHN F. KENNEDY:

1961	-----	\$6.00
1962	-----	\$9.00

Volumes are published annually, soon after the close of each year. Earlier volumes are being issued periodically, beginning with 1945.

Contents:

- Messages to the Congress
- Public speeches
- News conferences
- Radio and television reports to the American people
- Remarks to informal groups
- Public letters

Order from the: Superintendent of Documents,
Government Printing Office,
Washington, D.C., 20402