FEDERAL REGISTER

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Agencies in this issue—

Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Comptroller of the Currency
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Deposit Insurance Corporation
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Wage and Hour Division

Detailed list of Contents appears inside.

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(As of January 1, 1965)

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Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Tobacco, flue-cured; community average yields 6207

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

Notices

Cooperative State Research Service; statement of organization and delegations 6228

ATOMIC ENERGY COMMISSION

Notices

Power Reactor Development Co.; issuance of order extending operating license 6229

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
- International Air Transport Association 6229
- Northeast Airlines, Inc 6230
- United States-Caribbean-South America investigation 6231

CIVIL SERVICE COMMISSION

Rules and Regulations

General Accounting Office; excepted service 6215

COMMERCE DEPARTMENT

See also International Commerce Bureau.

Notices

Hasek, Carl W., Jr.; statement of changes in financial interests 6229

COMPTROLLER OF THE CURRENCY

Notices

Insured banks; joint call for report of condition; cross reference 6227

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Grading and inspection of domestic rabbits, eggs, and poultry; miscellaneous amendments 6207

National School Lunch Program; second apportionment of food assistance funds 6207

FEDERAL AVIATION AGENCY

Rules and Regulations

Control zone; alteration 6215

Proposed Rule Making

Transition area; redesignation 6225

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Table of frequency allocations; standard frequency service 6219

Proposed Rule Making

Fixed service utilizing tropospheric scatter techniques 6226

Notices

Hearings, etc.:
- Associated Television Corp. and Capitol City Television Co 6231
- Hogin, William S 6231
- Naugatuck Valley Service, Inc. (WOWW) 6232
- United Artists Broadcasting, Inc., et al 6232
- WMOZ, Inc 6232

FEDERAL DEPOSIT INSURANCE CORPORATION

Notices

Insured banks; joint call for report of condition 6227

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
- El Paso Natural Gas Co 6233
- Eugene, Oreg 6233
- Northern Virginia Power Co 6233
- Pacific Power & Light Co 6233
- Schlachter, David A. et al 6234

FEDERAL RESERVE SYSTEM

Notices

Insured banks; joint call for report of condition; cross reference 6227

FISH AND WILDLIFE SERVICE

Proposed Rule Making

Lacassine National Wildlife Refuge, Louisiana; deletion from list of wildlife refuges open to hunting of migratory game birds 6224

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Propylene oxide; food additive 6215

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations

Income tax; treatment of redeemable ground rents 6216

Liquors and articles from Puerto Rico and Virgin Islands; miscellaneous amendments 6217

Proposed Rule Making

Income tax; payment of taxes in nonconvertible foreign currency 6222

INTERNATIONAL COMMERCE BUREAU

Notices

Jih Hsin Trading Co. et al.; denying export privileges 6228

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Embargo agents; appointment 6220

Railroad operating regulations for freight car movement 6220

Notices

Fourth section applications for relief 6235

Motor carrier transfer proceedings 6235

LABOR DEPARTMENT

See Wage and Hour Division.

LAND MANAGEMENT BUREAU

Notices

Alaska; proposed amendment of public land order 6227

Wyoming; termination of proposed withdrawal and reservation of lands 6227

TREASURY DEPARTMENT

See Comptroller of the Currency; Internal Revenue Service.

WAGE AND HOUR DIVISION

Rules and Regulations

Certain industries in Puerto Rico; wage rates 6218

Proposed Rule Making

American Samoa; hearing to investigate conditions and recommend minimum wages 6225

Puerto Rico; industry committee for tobacco industry; appointment to investigate conditions and recommend minimum wages; hearing 6224

List of CFR Parts Affected

(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.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

5 CFR

213 6215

7 CFR

54 6207
55 6207
56 6207
70 6207
81 6207
210 6207
724 6207

14 CFR

71 6215
PROPOSED RULES:
71 6225

21 CFR

121 6215

26 CFR

1 6216
250 6217
PROPOSED RULES:
1 6222
31 6222
301 6222

29 CFR

604 6218
606 6218

PROPOSED RULES:
657 6224
697 6225

47 CFR

2 6219
PROPOSED RULES:
2 6226

49 CFR

95 (2 documents) 6220

50 CFR

PROPOSED RULES:
32 6224

Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspection, Marketing Practices), Department of Agriculture

PART 54—GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF; AND U.S. SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

PART 55—GRADING AND INSPECTION OF EGG PRODUCTS

PART 56—GRADING AND INSPECTION OF SHELL EGGS AND U.S. STANDARDS, GRADES AND WEIGHT CLASSES FOR SHELL EGGS

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF; AND U.S. CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Miscellaneous Amendments

Pursuant to the order of the Secretary dated February 8, 1965 (30 F.R. 2160), changing the name of Agricultural Marketing Service to Consumer and Marketing Service, 7 CFR Chapter I, Parts 54, 55, 56, 70, and 81 are hereby amended as follows:

1. Wherever the term "Agricultural Marketing Service" or "AMS" appears, it is hereby changed to read "Consumer and Marketing Service" or "C&MS" respectively, in the following sections:

a. As to Part 54: §§ 54.1, 54.3, 54.20 (c) and (d), 54.100(b), 54.107, and 54.108.

b. As to Part 55: §§ 55.2 (b) and (bb), 55.10(b), 55.11, 55.60(b), 55.68, and 55.126.

c. As to Part 56:

The statement appearing in 28 F.R. 6341 should have read as follows:

Delete § 56.1 (l) and (p). Renumber paragraphs (m) through (aa) of § 56.1 to read (l) through (y) respectively.

Sections 56.1 (b), (m) and (x), 56.10 (b), 56.11, 56.45(b), and 56.52.

d. As to Part 70: §§ 70.1, 70.3, 70.30(c), 70.138, 70.141, 70.251, 70.252, 70.253, 70.254, 70.256, 70.257, and 70.258.

e. As to Part 81: §§ 81.1, 81.161(b), 81.174, 81.203, and 81.303.

2. Wherever the term "Meat Inspection Division, Agricultural Research Service" appears, it is hereby changed to read "Meat Inspection Division, Consumer and Marketing Service" in the following sections:

a. As to Part 54: § 54.107(a)(13).

b. As to Part 70: § 70.141(a)(13).

3. Section 70.130(b) is amended by substituting the term "Consumer and Marketing Service" in place of the term "Treasurer of the United States."

Done at Washington, D.C., this 28th day of April 1965.

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

[F.R. Doc. 65-4635; Filed, May 3, 1965; 8:46 a.m.]

Chapter II—Consumer and Marketing Service (School Lunch Program), Department of Agriculture

PART 210—NATIONAL SCHOOL LUNCH PROGRAM

Appendix—Second Apportionment of Food Assistance Funds Pursuant to National School Lunch Act Fiscal Year 1965

Pursuant to section 4 of the National School Lunch Act, food assistance funds available for the fiscal year ending June 30, 1965, are reapportioned among the States in order to effect a further apportionment of supplemental funds as follows:

State	Total apportionment	State agency	Withheld for private schools
Alabama	$4,070,440	$3,963,219	$107,221
Alaska	122,000	122,000	
Arizona	1,126,886	1,072,381	56,505
Arkansas	2,290,900	2,219,937	70,963
California	6,269,162	6,269,162	
Colorado	1,262,066	1,169,524	92,542
Connecticut	1,134,782	1,134,782	
Delaware	254,505	250,313	4,192
District of Columbia	187,957	187,957	
Florida	4,717,937	4,598,043	119,894
Georgia	5,117,187	5,117,187	
Guam	75,706	50,803	24,903
Hawaii	785,412	734,791	50,621
Idaho	636,295	620,133	16,162
Illinois	4,291,236	4,291,236	
Indiana	2,983,233	2,983,233	
Iowa	2,433,019	2,141,718	291,301
Kansas	1,603,524	1,603,524	
Kentucky	3,615,356	3,615,356	
Louisiana	5,471,625	5,471,625	
Maine	721,601	635,531	86,070
Maryland	1,715,360	1,649,984	65,376
Massachusetts	2,744,551	2,744,551	
Michigan	3,679,058	3,230,007	449,051
Minnesota	2,913,453	2,514,610	398,843
Mississippi	3,600,828	3,600,828	
Missouri	2,945,823	2,945,823	
Montana	450,231	418,957	31,274
Nebraska	955,969	795,290	160,679
Nevada	120,677	119,413	1,264
New Hampshire	368,383	368,383	
New Jersey	2,027,782	1,724,462	303,320
New Mexico	962,397	962,397	
New York	8,115,592	8,115,592	
North Carolina	5,945,544	5,945,544	
North Dakota	646,281	570,054	76,227
Ohio	5,388,179	4,728,156	660,023
Oklahoma	1,923,007	1,923,007	
Oregon	1,199,654	1,199,654	
Pennsylvania	5,719,131	4,934,570	784,561
Puerto Rico	3,676,267	3,676,267	
Rhode Island	311,515	311,515	
South Carolina	3,683,687	3,635,035	48,652
South Dakota	536,725	536,725	
Tennessee	3,881,111	3,803,038	78,073
Texas	6,668,444	6,393,126	275,318
Utah	965,236	960,189	5,047
Vermont	244,832	244,832	
Virginia	3,644,681	3,558,150	86,531
Virgin Islands	80,964	80,964	
Washington	1,763,772	1,705,594	58,178
West Virginia	1,627,645	1,586,941	40,704
Wisconsin	2,507,948	1,967,702	540,246
Wyoming	222,444	222,444	
American Samoa	25,000	25,000	
Total	130,435,000	125,451,259	4,983,741

(Secs. 2-12, 60 Stat. 230-233, as amended, 76 Stat. 944; 42 U.S.C. 1751-1760)

Dated: April 29, 1965.

Roy W. Lennartson,
Associate Administrator.

[F.R. Doc. 65-4661; Filed, May 3, 1965; 8:47 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Subpart—Determination and Announcement of Community Average Yields for Flue-Cured Tobacco Determined Under Section 317 of the Agricultural Adjustment Act of 1938, as Amended

Community Average Yields for Flue-Cured Tobacco

§ 724.34t Basis and purpose.

(a) Section 724.34u is issued pursuant to the Agricultural Adjustment Act of 1938, as amended, particularly by Public Law 89-12 (79 Stat. 66), approved April 16, 1965 (7 U.S.C. 1281 et seq.) to determine and announce community average yields for flue-cured tobacco established under section 317 of such Act.

(b) Notice that the Secretary was preparing to establish such community average yields was filed with the Director, Office of the Federal Register, on April 19, 1965 (30 F.R. 5641). The community average yields contained in § 724.34u were established after due consideration of the data, views, and recommendations received pursuant to such notice.

(c) Public Law 89-12 with respect to flue-cured tobacco provides as follows:

> The community average yield means for flue-cured tobacco the average yield per acre in the community designated by the Secretary as a local administrative area under the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, which is determined by averaging the yields per acre for the 3 highest years of the 5 years 1959 to 1963, inclusive, except that if the yield for any of the 3 highest years is less than 80 per centum of the average for the 3 years then that year or years shall be eliminated and the average of the remaining years shall be the community average yield * * *

The community average yields set forth in § 724.34u have been determined from the latest available statistics of the Federal Government in accordance with the procedure provided for in the provisions

of Public Law 89-12 quoted above. Public Law 89-12 also provides that in counties where less than 500 acres of flue-cured tobacco were allotted for 1964, the county may be considered one community. Where this rule has been applied, only one community for a county is shown in the determination.

(d) The Act requires the holding of a special referendum of flue-cured tobacco farmers within 30 days after the announcement of the national marketing quota on an acreage-poundage basis for the 1965-66 marketing year, the national acreage allotment, and the national average yield goal, to determine whether such producers favor or oppose quotas on an acreage-poundage basis for the 3 marketing years beginning July 1, 1965, July 1, 1966, and July 1, 1967. Since flue-cured tobacco farmers must, under section 317 of the Act, be notified, insofar as practicable, of the marketing quotas for their farms prior to the special referendum and community average yields are required in the determination of farm yields and farm marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the community average yields contained herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

§ 724.34u Community average yields for flue-cured tobacco.

The following table sets forth the community average yields which are hereby determined for flue-cured tobacco. The community average yields are expressed in terms of pounds per acre.

FLUE-CURED TOBACCO COMMUNITY AVERAGE YIELDS COMPUTED UNDER SEC. 317 OF AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

STATE—ALABAMA

Community	Community average yield
COUNTY—BALDWIN	
One community	[2] 0
COUNTY—BUTLER	
One community	1,795
COUNTY—CHEROKEE	
One community	1,116
COUNTY—CONECUH	
One community	1,797
COUNTY—COVINGTON	
One community	1,304
COUNTY—CRENSHAW	
One community	1,794
COUNTY—GENEVA	
One community	1,334
COUNTY—HOUSTON	
One community	[2] 0
COUNTY—ST. CLAIR	
One community	[1] 1,724

[1] Adjusted in accordance with the act.
[2] No flue-cured tobacco produced in period 1959-63.

STATE—FLORIDA

Community	Community average yield
COUNTY—ALACHUA	
A	1,381
B	1,863
C	1,873
COUNTY—BAKER	
One community	1,684
COUNTY—BRADFORD	
One community	1,697
COUNTY—CALHOUN	
One community	[1] 745
COUNTY—COLUMBIA	
I	1,723
II	1,804
III	1,928
COUNTY—DIXIE	
One community	2,019
COUNTY—DUVAL	
One community	1,271
COUNTY—GADSDEN	
One community	1,551
COUNTY—GILCHRIST	
One community	1,533
COUNTY—HAMILTON	
1	2,184
2	2,170
3	2,145
COUNTY—HOLMES	
One community	1,670
COUNTY—JACKSON	
One community	1,411
COUNTY—JEFFERSON	
One community	1,659
COUNTY—LAFAYETTE	
I	2,402
II	2,347
III	2,119
COUNTY—LEON	
One community	1,528
COUNTY—LEVY	
One community	1,354
COUNTY—LIBERTY	
One community	1,282
COUNTY—MADISON	
Greenville	1,779
Lee	1,738
Madison	1,717
Pinetta	1,716
Sirmans	1,590
COUNTY—MARION	
One community	1,415
COUNTY—NASSAU	
One community	1,685
COUNTY—SUMTER	
One community	1,138
COUNTY—SUWANNEE	
1	1,832
2	2,013
3	2,164
COUNTY—TAYLOR	
One community	1,787
COUNTY—UNION	
One community	1,782

STATE—FLORIDA—Continued

Community	Community average yield
COUNTY—VOLUSIA	
One community	[2] 0
COUNTY—WASHINGTON	
One community	[2] 0

STATE—GEORGIA

Community	Community average yield
COUNTY—APPLING	
Baxley-Graham	2,041
Deen-Johnson	2,009
Melton-Wilson	1,971
Surrency-Tillman	1,916
Thornton-Williams	1,984
COUNTY—ATKINSON	
Axson	2,321
Pearson	2,257
Willacoochee	2,315
COUNTY—BACON	
Airport	2,390
Bacon	2,318
Big Creek	2,065
Dixie	2,224
Johnson Lake	2,206
COUNTY—BAKER	
One community	1,837
COUNTY—BEN HILL	
East Ben Hill	1,884
Fitzgerald	1,898
West Ben Hill	1,685
COUNTY—BERRIEN	
Alapaha A	2,403
Alapaha B	2,188
Enigma	2,305
Jordan	2,313
Lois	2,076
Nashville	2,170
New River	2,303
Ray City	1,941
Lower Tenth	2,267
Upper Tenth	2,183
COUNTY—BRANTLEY	
Hickox	2,013
Hoboken	1,990
Nahunta	1,917
COUNTY—BROOKS	
Barney	2,090
Dixie	2,134
Dry Lake	1,777
Empress-Nankin	2,041
Grooverville-Hickory Head	1,871
Morven	1,876
Quitman-Briggs	1,707
Williams-Tallokas	1,845
COUNTY—BRYAN	
One community	1,544
COUNTY—BULLOCH	
Register-Sinkhole	1,810
Bay-Nevils	1,678
Stilson	1,806
Brooklet	1,788
Emit	1,631
Statesboro	1,664
Ogeechee	1,767
Blitch-Lockhart	1,618
Portal	1,625
COUNTY—BURKE	
One community	1,087
COUNTY—CAMDEN	
One community	1,841
COUNTY—CANDLER	
Aline	1,835
Central	2,067
Metter	1,691
Pulaski	1,879
Rosemary	1,834
Union	1,739

STATE—GEORGIA—Continued

Community	Community average yield
COUNTY—CHARLTON	
One community	1,707
COUNTY—CHATHAM	
One community	1,105
COUNTY—CLINCH	
One community	1,913
COUNTY—COFFEE	
Ambrose	2,237
Bridgetown	2,326
Broxton	2,202
Douglas	2,192
Nicholls	2,291
Satilla	2,227
West Green	2,172
COUNTY—COLQUITT	
Autreyville	2,132
Bay Pole	2,056
Berlin	2,155
Culbertson	2,091
Doerun	2,001
Ellenton	2,224
Funston	2,078
Hartsfield	2,390
Moultrie	1,988
Norman Park	2,101
Okapilco	2,103
Reedy Creek	2,173
Rock Hill	1,993
Rose Hill	2,190
Sunset	2,177
Ty Ty	2,331
COUNTY—COOK	
Adel	2,087
Cecil	2,148
Greggs-Riverbend	2,286
Lenox	2,369
Massee	2,044
Sparks	2,224
COUNTY—CRISP	
One community	1,680
COUNTY—DECATUR	
One community	1,606
COUNTY—DODGE	
One community	1,355
COUNTY—DOOLY	
One community	1,300
COUNTY—DOUGHERTY	
One community	1,497
COUNTY—ECHOLS	
One community	1,853
COUNTY—EFFINGHAM	
One community	1,498
COUNTY—EMANUEL	
Adrian	1,487
Blundale	1,644
Canoochee	1,634
Cowford	1,255
Garfield	1,591
Norristown	1,484
Nunez	1,699
Oak Park	1,751
Red Oak	1,424
Stillmore	1,781
Summertown	1,268
Swainsboro	1,550
Twin City	1,646
COUNTY—EVANS	
Bellville-Undine	2,013
Canoochee	1,946
Claxton	1,965
COUNTY—GRADY	
Pawnee-Wayside	1,826
Elpino	1,767

STATE—GEORGIA—Continued

Community	Community average yield
COUNTY—GRADY—continued	
Whigham	1,719
Central	1,733
Reno-Calvary	1,842
Union-Pine Park	1,921
Cairo	1,743
Spence	1,995
COUNTY—IRWIN	
East Irwinville	2,013
Holt-Lax	2,419
Minnie-Oslerfield	2,230
Mystic-Roberts	2,222
North Ocilla	2,272
South Ocilla	2,241
West Irwinville	2,235
COUNTY—JEFF DAVIS	
Altamaha	1,912
Denton	2,184
Excelsior	2,289
Hazlehurst	2,193
Satilla	2,189
COUNTY—JEFFERSON	
One community	[2] 0
COUNTY—JENKINS	
One community	1,518
COUNTY—JOHNSON	
One community	1,242
COUNTY—LANIER	
Empire	2,058
Stockton	1,859
Boyett	2,019
COUNTY—LAURENS	
One community	1,344
COUNTY—LEE	
One community	[2] 0
COUNTY—LIBERTY	
One community	1,575
COUNTY—LONG	
One community	1,765
COUNTY—LOWNDES	
Cat Creek	1,993
Clyattville	1,723
Dasher	1,762
Hahira	2,055
Lake Park	1,863
Naylor	1,859
Ousley	1,811
Valdosta	1,930
COUNTY—MILLER	
One community	1,048
COUNTY—MITCHELL	
Baconton-Lester	1,696
Sale City-Pebble City	1,941
Camilla	1,994
Hopeful-Branchville	1,935
Pelham	1,954
Cotton-Hinsonton	2,053
COUNTY—MONTGOMERY	
Kibbee-Tarrytown	1,578
Mount Vernon-Ailey-Higgston	1,476
Uvalda-Altson	1,569
COUNTY—OGLETHORPE	
One community	[2] 0
COUNTY—PIERCE	
Alabaha	2,277
Blackshear-Hacklebarney	2,381
Mershon	2,223

[2] No flue-cured tobacco production during period 1959–63.

STATE—GEORGIA—Continued

Community	Community average yield
COUNTY—PIERCE—continued	
Mount Olive	2,138
Otter-Creek	2,227
Patterson	2,161
Walkerville	2,276
COUNTY—PULASKI	
One community	1,238
COUNTY—RICHMOND	
One community	[2] 0
COUNTY—SCREVEN	
One community	1,300
COUNTY—STEWART	
One community	1,490
COUNTY—TALIAFERRO	
One community	[2] 0
COUNTY—TATTNALL	
Cobbtown-Yeomans	2,209
Collins	2,040
Glennville	1,993
Hillview-Manassas	2,148
Mendes-Midway	1,996
Reidsville	1,949
Tyson	2,021
COUNTY—TAYLOR	
One community	[2] 0
COUNTY—TELFAIR	
McRae-Scotland-Towns	1,340
Milan-Helena	1,646
Cobbville-Sunshine	1,458
Temperance	1,615
Thomas	1,552
Jacksonville	1,812
Lumber City-Neilly-Mt. Carmel	1,670
COUNTY—TERRELL	
One community	[2] 0
COUNTY—THOMAS	
Thomasville-Metcalfe	1,731
Boston	1,630
Coolidge-Merrillville	2,046
Pavo-Patten-Barwick	1,975
Meigs-Ochlochnee-Ellabelle	1,967
COUNTY—TIFT	
Brighton	1,952
Brookfield	2,228
Chula	2,083
Docia	2,211
Eldorado	2,491
Omega	2,275
Tifton	2,053
Ty Ty	2,061
COUNTY—TOOMBS	
New Branch-Marvin-Yancey-Johnson Corner	1,926
Blue Ridge-Lyons-Ohoopee	1,905
Cedar Crossing	1,682
Vidalia-Normantown-Center	1,541
COUNTY—TREUTLEN	
Soperton	1,345
Blackville-Gillis Spring-Oglethorpe	1,396
Lothair-Orland	1,362
COUNTY—TURNER	
One community	1,726
COUNTY—WARE	
Bickley	2,304
Dixon Union	2,317
Manor	2,270
Millwood	2,208
North Waycross	2,119
South Waycross	2,015
Waresboro	2,278

STATE—GEORGIA—Continued

COUNTY—WASHINGTON

Community	Community average yield
One community	[1]1,213

COUNTY—WAYNE

Community	Community average yield
Jesup	1,904
Odum	1,879
Screven	2,094

COUNTY—WHEELER

Community	Community average yield
Alamo	1,590
Glenwood	1,470
Landsburg	1,553
Shiloh	1,664
Union-Springhill	1,579

COUNTY—WILCOX

Community	Community average yield
One community	1,423

COUNTY—WILKINSON

Community	Community average yield
One community	[1]1,096

COUNTY—WORTH

Community	Community average yield
Bridgeboro	1,941
Doles	1,606
Gordy	1,843
Minton-Tempy	2,082
Pine Hill	1,938
Poulan-Sumner	1,798
Red Rock-Aultman	1,891
Shingler	1,848
Sylvester	1,696
Warrior	2,005
Warwick-Oakfield-Vickers	1,680

STATE—NORTH CAROLINA

COUNTY—ALAMANCE

Community	Community average yield
Albright	1,558
Burlington	1,629
Boone Station	1,711
Coble	1,576
Faucette	1,761
Graham	1,771
Haw River	1,803
Melville	1,471
Morton	1,732
Newlin	1,561
Patterson	1,660
Pleasant Grove	1,800
Thompson	1,436

COUNTY—ALEXANDER

Community	Community average yield
Ellendale (A)	1,423
Gwaltney's 1(B)	1,763
Gwaltney's 2(C)	1,603
Little River (D)	1,460
Miller's (E)	1,565
Sharpe's (F)	1,598
Sugar Loaf (G)	1,689
Taylorsville (H)	1,540
Wittenburg 1(J)	1,667
Wittenburg 2(K)	1,598

COUNTY—ANSON

Community	Community average yield
One community	1,541

COUNTY—BEAUFORT

Community	Community average yield
A	[1]1,961
B	[1]1,913
C	[1]1,848
D	[1]1,817
E	1,928
F	1,695
G	1,814
H	[1]1,898
J	1,832
K	[1]2,130
L	[1]1,979
M	[1]1,962
N	1,887
O	1,384
P	1,625
Q	[1]1,673
R	[1]1,963
S	[1]1,784
T	[1]1,781
U	[1]1,826

[1] Adjusted in accordance with the Act.

STATE—NORTH CAROLINA—Continued

COUNTY—BEAUFORT—continued

Community	Community average yield
V	1,464
W	1,423
X	1,927
Y	1,977
Z	2,008

COUNTY—BERTIE

Community	Community average yield
Colerain I	2,200
Colerain II	2,068
Colerain III	1,870
Indian Woods	1,737
Merry Hill	1,714
Mitchells	1,894
Roxobel	1,899
Snakebite	1,805
Whites	2,062
Windsor I	2,009
Windsor II	1,697
Windsor III	1,748
Woodville	1,786

COUNTY—BLADEN

Community	Community average yield
A	2,091
B	1,946
C	2,117
D	2,043
E	2,296
F	1,917
G	1,953
H	2,261
J	1,898
K	2,024
L	2,055
M	1,989
N	2,083
O	1,974
P	1,889
Q	1,886
R	1,793
S	1,721
T	1,869
U	1,676
V	1,662
W	1,828
X	1,952

COUNTY—BRUNSWICK

Community	Community average yield
Lockwoods Folly	1,813
Northwest	1,750
Smithville	1,926
Shallotte	2,092
Town Creek	1,860
Waccamaw	2,170

COUNTY—BURKE

Community	Community average yield
One community	1,838

COUNTY—CABARRUS

Community	Community average yield
One community	[2]0

COUNTY—CALDWELL

Community	Community average yield
One community	1,761

COUNTY—CAMDEN

Community	Community average yield
One community	[1]2,378

COUNTY—CARTERET

Community	Community average yield
A	1,889
B	1,965
C	1,757
D	1,710
E	[1]1,733

COUNTY—CASWELL

Community	Community average yield
Pelham (A)	1,776
Dan River (B)	1,637
Milton (C)	1,823
Locust Hill (D)	1,635
Yanceyville (E)	1,662
Leasburg (F)	1,845
Stoney Creek (G)	1,653
Anderson (H)	1,960
Hightower (J)	2,047

[2] No flue-cured tobacco produced in period 1959–63.

STATE—NORTH CAROLINA—Continued

COUNTY—CATAWBA

Community	Community average yield
One community	1,333

COUNTY—CHATHAM

Community	Community average yield
Albright	1,482
Baldwin	1,261
Bear Creek	1,419
Cape Fear	1,628
Center	1,207
Gulf	1,486
Hadley	1,632
Oakland-Haw River	1,487
Matthews	1,347
New Hope	1,606
Williams	1,498
Hickory Mountain	1,462

COUNTY—CHOWAN

Community	Community average yield
A	1,796
B	1,854
C	1,933

COUNTY—CLEVELAND

Community	Community average yield
One community	[2]0

COUNTY—COLUMBUS

Community	Community average yield
South Fair Bluff	2,631
North Fair Bluff	2,370
Cerro Gordo	2,288
Cedar Grove	2,282
Cherry Grove	2,649
South Chadbourn	2,359
North Chadbourn	2,226
South Tatum	2,312
North Tatum	2,185
Western Prong	2,234
North Whiteville	2,235
Whiteville	2,347
South Whiteville	2,349
Mollie	2,341
Beaverdam	2,580
Clarendon	2,423
Tabor City	2,463
Sandy Plains	2,518
Guideway	2,313
Bug Hill	2,350
East Lees	2,188
West Lees	2,461
North Lees	2,423
Welches Creek	2,250
South Bogue	2,110
North Bogue	2,151
Waccamaw	2,062
Bolton	1,913
Freeman	1,991
Delco	1,926

COUNTY—CRAVEN

Community	Community average yield
1–A	[1]2,062
1–B	1,871
1–C	1,827
1–D	1,893
No. 2	1,788
3–A	2,305
3–B	2,053
3–C	1,994
No. 5	1,804
6 & 7	1,748
No. 8	1,772
9–A	[1]2,159
9–B	[1]2,256

COUNTY—CUMBERLAND

Community	Community average yield
Beaver Dam	2,078
Black River	2,154
Carvers Cr. I	2,015
Carvers Cr. II	1,916
Cedar Cr. I	1,858
Cedar Cr. II	2,040
Eastover	2,051
Grays Creek	1,852
Rockfish	1,844
Seventy First	1,967

COUNTY—DAVIDSON

Community	Community average yield
Abbotts Creek	1,675
Arcadia	1,544

STATE—NORTH CAROLINA—Continued

COUNTY—DAVIDSON—continued

Community	Community average yield
Churchland	1,387
Currytown-Reedy Creek	1,540
Fairgrove-Pilot	1,701
Fairview	1,772
Hampton	1,478
Hasty	1,677
Holly Grove-Liberty	1,761
Jackson Hill-Alleghany	[2] 0
Linwood-Cotton Grove	[1] 1,592
Midway-Gum Tree	1,629
Reeds	1,546
Silver Hill	[2] 0
Tyro	1,547
Wallburg	1,744
Welcome-Bethesda	1,621

COUNTY—DAVIE

Community	Community average yield
North Calahaln	1,590
South Calahaln	1,448
Clarksville	1,629
North and South Farmington	1,707
West Farmington	1,389
Fulton	1,349
Jerusalem	1,339
Mocksville	1,416
Shady Grove	1,341

COUNTY—DUPLIN

Community	Community average yield
Albertson	2,088
Cypress Creek	1,788
Faison	2,080
Glisson	2,042
Island Creek	1,871
Kenansville	1,851
Limestone	1,942
Magnolia	1,772
Rockfish	1,934
Rose Hill	1,853
Smith	2,058
Warsaw	2,066
Wolfscrape	2,085

COUNTY—DURHAM

Community	Community average yield
Carr	1,584
Cedar Fork	1,513
Durham	1,552
Lebanon	1,370
Mangum	1,509
Oak Grove	1,603
Patterson	1,419
Rougemont	1,665

COUNTY—EDGECOMBE

Community	Community average yield
1	1,972
2	2,041
3	2,104
4	2,033
5	2,102
6	2,026
7	1,984
8	2,079
9	2,167
10	2,099
11	2,103
12	2,057
13	2,039
14	2,133

COUNTY—FORSYTH

Community	Community average yield
North Abbotts Creek	1,782
South Abbotts Creek	1,754
Belew Creek	1,767
Bethania	1,668
Broadbay	1,629
Clemmons	1,405
East Kernersville	1,718
West Kernersville	1,773
Lewisville	1,482
Middle Fork	1,581
Old Richmond	1,456
Old Town	1,547
Salem Chapel	1,533
South Fork	1,499
Vienna	1,436

[1] Adjusted in accordance with the act.

[2] No flue-cured tobacco produced in period 1959-63.

No. 85——2

STATE—NORTH CAROLINA—Continued

COUNTY—FRANKLIN

Community	Community average yield
Cedar Rock	1,934
Cypress Creek	1,637
Dunn	2,095
Franklinton	1,705
Gold Mine	1,693
Harris	1,930
Hayesville	1,784
Louisburg	1,798
Sandy Creek	1,739
Youngsville	1,834

COUNTY—GASTON

Community	Community average yield
One community	[1] 1,406

COUNTY—GATES

Community	Community average yield
Gatesville	1,754
Hall	1,975
Haslett	1,947
Holly Grove	1,816
Hunters Mill	1,546
Mintonsville	1,601
Reynoldson	1,999

COUNTY—GRANVILLE

Community	Community average yield
Brassfield	1,714
Dutchville	1,801
Fishing Creek	1,709
Oak Hill	1,626
Oxford	1,706
Salem	1,763
Sassafras Fork	1,670
Tally Ho	1,973
Walnut Grove	1,884

COUNTY—GREENE

Community	Community average yield
Bullhead	2,249
Carrs	2,130
Hookerton	2,167
Jason	2,216
Olds	2,158
Ormonds	2,198
Shine	2,317
Snow Hill	2,187
Speights Bridge	2,178

COUNTY—GUILFORD

Community	Community average yield
Bruce	1,585
Center Grove	1,578
Clay	1,763
Deep River	1,669
Fentress	1,687
Friendship	1,534
Greene	1,762
High Point	1,548
Jamestown	1,795
Jefferson	1,820
North Madison	1,986
South Madison	1,688
Monroe	1,681
Morehead-Gilmer	1,738
North Oak Ridge	1,794
South Oak Ridge	1,704
North Rock Creek	1,639
South Rock Creek	1,649
Sumner	1,710
North Washington	1,856
South Washington	1,817

COUNTY—HALIFAX

Community	Community average yield
Brinkleyville	1,824
Butterwood	1,824
Conoconnara	2,017
Enfield	2,043
Faucett	2,051
Halifax	1,899
Littleton	1,663
Palmyra	2,201
Roseneath	2,246
Scotland Neck	2,036
Weldon	1,897
Roanoke Rapids	1,831

COUNTY—HARNETT

Community	Community average yield
Anderson Creek	2,094
Averasboro No. 1	2,214
Averasboro No. 2	1,947
Barbecue	2,086
Black River	2,191

STATE—NORTH CAROLINA—Continued

COUNTY—HARNETT—continued

Community	Community average yield
Buckhorn	2,177
Duke	1,932
Grove No. 1	2,250
Grove No. 2	2,205
Hector's Creek	2,148
Johnsonville	1,777
Lillington	2,022
Neill's Creek	2,109
Stewart's Creek	2,113
Upper Little River No. 1	2,114
Upper Little River No. 2	2,060

COUNTY—HERTFORD

Community	Community average yield
Ahoskie	1,994
Harrellsville	1,991
Maney's Neck	1,590
Murfreesboro	1,823
St. Johns	1,814
Winton	1,840

COUNTY—HOKE

Community	Community average yield
Allendale	1,833
Antioch	1,815
Blue Springs	1,875
McLaughlin	1,858
Quewhiffle	1,942
Raeford	1,998
Stonewall	1,891

COUNTY—IREDELL

Community	Community average yield
Barringer	[2] 0
Bethany	[2] 0
Celeste Henkel	[1] 825
Concord	1,668
Cool Springs	[2] 0
Eagle Mills	1,529
Fallstown	[1] 556
Harmony	1,588
Joyner	1,496
New Hope	1,558
Oakdale	[2] 0
Olin	1,729
Sharpesburg	1,598
Shiloh	[1] 883
Snow Creek	1,480
Statesville	[1] 1,305
Turnersburg	1,465
Union Grove	1,546

COUNTY—JOHNSTON

Community	Community average yield
Banner	2,191
Bentonville	2,164
Beulah	2,060
Boon Hill	2,109
Clayton	2,029
Cleveland	2,124
Elevation	2,157
Ingrams	2,124
Meadow	2,311
Micro	2,019
Oneals	2,054
Pine Level	2,001
Pleasant Grove	2,110
Selma	1,899
Smithfield	2,018
Wilders	2,007
Wilsons Mills	2,145

COUNTY—JONES

Community	Community average yield
Beaver Creek	1,960
Chinquapin	[1] 2,228
Cypress Creek	[1] 2,167
Pollocksville	1,876
Trenton	1,954
Tuckahoe	2,024
White Oak	1,659

COUNTY—LEE

Community	Community average yield
Cape Fear	1,863
Deep River	1,601
West Greenwood	1,987
Jonesboro	1,959
Pocket	1,786
Sanford	1,662
East Greenwood	1,957

STATE—NORTH CAROLINA—Continued

COUNTY—LENOIR

Community	Community average yield
Contentnea	2,145
Falling Creek	2,173
Institute	2,186
Kinston	2,021
Moseley Hall	2,199
Neuse	2,103
Pink Hill	2,194
Sand Hill	2,107
Southwest	2,168
Trent 1	2,214
Trent 2	2,292
Vance	2,173
Woodington	2,177

COUNTY—MARTIN

Community	Community average yield
Bear Grass	2,239
Cross Roads	2,282
Goose Nest I	2,333
Goose Nest II	2,300
Griffins	2,069
Hamilton	2,227
Jamesville I	1,892
Jamesville II	1,784
Poplar Point	2,278
Robersonville I	2,279
Robersonville II	2,321
Williams	1,903
Williamston	2,137

COUNTY—MECKLENBURG

Community	Community average yield
One community	[2] 0

COUNTY—MONTGOMERY

Community	Community average yield
Biscoe	1,605
Candor	1,680
Cheeks Creek	1,731
Eldorado	1,704
Mt. Gilead	1,328
Rocky Springs	1,680
Star	1,327
Troy	1,441
Wadeville	1,728

COUNTY—MOORE

Community	Community average yield
Bensalem	1,617
Carthage	1,836
Deep River	1,541
Greenwood	1,974
Little River	1,973
McNeill	1,950
Mineral Springs	1,712
Ritters	1,467
Sandhill	1,629
Sheffield	1,336

COUNTY—NASH

Community	Community average yield
Bailey	2,123
Castalia	1,765
Coopers 1	2,101
Coopers 2	2,154
Drywells	1,942
Ferrells 1	2,022
Ferrells 2	2,099
Griffins 1	1,900
Griffins 2	1,706
Jacksons 1	2,303
Jacksons 2	2,200
Mannings 1	1,987
Mannings 2	2,090
Nashville 1	2,030
Nashville 2	2,038
North Whit. 1	2,096
North Whit. 2	2,014
Oak Level	2,008
Red Oak	2,210
Rocky Mount	2,220
South Whitakers	2,036
Stoney Creek 1	2,085
Stoney Creek 2	1,943

COUNTY—NEW HANOVER

Community	Community average yield
One community	1,645

[2] No flue-cured tobacco produced in period 1959–63.

STATE—NORTH CAROLINA—Continued

COUNTY—NORTHAMPTON

Community	Community average yield
Conway	[1] 2,278
Creeksville	[2] 0
Galatia and Margarettsville	1,603
Garysburg	1,664
Gaston	2,060
Jackson	1,553
Lasker	1,820
Milwaukee	1,606
Newtown	1,773
Pendleton	1,723
Pleasant Hill	1,858
Potecasi	1,614
Rehoboth	2,005
Rich Square	1,693
Seaboard	1,862
Severn	1,860
Vultare	1,308
Woodland	1,528

COUNTY—ONSLOW

Community	Community average yield
Jacksonville (A)	1,679
Richlands (B)	1,800
Stump Sound (C)	1,674
Swansboro (D)	1,827
White Oak (E)	1,842
Richlands (F)	1,816

COUNTY—ORANGE

Community	Community average yield
Bingham	1,355
Cedar Grove	1,993
Chapel Hill	1,395
Cheeks	1,469
Eno	1,423
Hillsboro	1,484
Little River	1,694
Carr	1,929

COUNTY—PAMLICO

Community	Community average yield
No. 1	1,662
No. 2	[1] 1,540
No. 3	[1] 1,572
No. 4	1,708
No. 5	1,623

COUNTY—PASQUOTANK-DARE

Community	Community average yield
One community	[2] 0

COUNTY—PENDER

Community	Community average yield
Burgaw Up	2,070
Burgaw Low	1,921
Canetuck	1,800
Caswell	1,906
Columbia Up	1,947
Columbia Low	2,023
Grady	1,968
Holly Up	1,583
Holly Low	1,634
Long Creek	1,905
Rocky Point	1,780
Topsail Up	1,515
Topsail Low	1,711
Union Up	1,803
Union Low	1,902

COUNTY—PERSON

Community	Community average yield
Allensville	1,835
Bushy Fork	2,134
Cunningham	1,630
Flat River	1,968
Holloway	1,725
Mount Tirzah	1,849
Olive Hill	1,842
Roxboro	1,833
Woodsdale	1,698

COUNTY—PITT

Community	Community average yield
Ayden A	2,088
Ayden B	1,944
Beaver Dam	2,143
Belvoir	2,045
Bethel	2,197
Carolina	2,076
Chicod G	2,021
Chicod H	1,944

[1] Adjusted in accordance with the act.

STATE—NORTH CAROLINA—Continued

COUNTY—PITT—continued

Community	Community average yield
Chicod J	2,146
Chicod K	1,926
Falkland	1,993
Farmville	2,116
Fountain	2,056
Greenville O	2,010
Greenville P	1,989
Greenville Q	2,135
Greenville R	2,077
Pactolus	1,974
Swift Creek T	1,848
Swift Creek U	1,983
Winterville V	2,174
Winterville W	2,165

COUNTY—RANDOLPH

Community	Community average yield
Asheboro	1,626
Back Creek	1,520
Brower	1,408
Cedar Grove	1,382
Coleridge	1,495
Columbia	1,686
Concord	1,438
Franklinville	1,507
Grant	1,536
Level Cross	1,524
Liberty	1,742
New Hope	1,353
New Market	1,744
Pleasant Grove	1,407
Providence	1,674
Richland	1,493
Tabernacle	1,402
Trinity	1,608
Union	1,560

COUNTY—RICHMOND

Community	Community average yield
Crosland	1,387
Ellerbe No. 1	1,642
Ellerbe No. 2	1,730
Hamlet No. 1	1,293
Hamlet No. 2	1,381
Hoffman	1,519
Jones Spring	1,737
Ledbetter	1,478
Rockingham No. 1	1,413
Rockingham No. 2	1,396
Steeles	1,442

COUNTY—ROBESON

Community	Community average yield
Alfordsville	2,011
Back Swamp	2,083
Britts	2,424
Burnt Swamp	1,979
East Howellsville	2,280
Fairmont	2,366
Gaddy	2,263
Lumber Bridge	1,862
Lumberton	2,023
Marietta	2,234
Maxton	1,855
North Pembroke	1,979
Orrum	2,397
Parkton	1,939
Philadelphus	1,862
Raft Swamp	1,975
Red Springs	1,850
Rennert	1,956
Rowland	2,209
Saddletree	2,158
Shannon	1,874
Smiths	1,903
North St. Pauls	2,015
Sterling	2,424
Thompson	2,319
Union	2,098
Wishart	2,264
Smyrna	2,325
Prospect	2,001
West Howellsville	2,207
South Pembroke	1,958
South St. Pauls	2,075

STATE—NORTH CAROLINA—Continued

COUNTY—ROCKINGHAM

Community	Community average yield
Huntsville	1,827
Leaksville	1,516
Madison	1,696
Mayo	1,684
New Bethel	1,878
Price	1,670
Reidsville	1,693
Ruffin	1,848
Simpsonville	1,877
Wentworth	1,683
Williamsburg	1,858

COUNTY—ROWAN

Community	Community average yield
One community	1,376

COUNTY—SAMPSON

Community	Community average yield
Belvoir	2,185
Dismal	2,071
Franklin	1,974
Halls	2,118
Herring	2,225
Honeycutts	2,137
Lisbon	2,029
Little Coharie	1,986
Mingo	2,068
McDaniels	1,936
Newton Grove	2,275
North Clinton	2,161
Piney Grove	2,138
Plainview	2,155
South Clinton	2,052
South River	1,703
Taylors Bridge	1,978
Turkey	2,066
Westbrook	2,244

COUNTY—SCOTLAND

Community	Community average yield
Laurel Hill	1,856
Spring Hill	1,642
Stewartsville	1,953
Williamson	1,732

COUNTY—STOKES

Community	Community average yield
Big Creek	1,822
Beaver Island	1,677
Danbury	1,669
Meadows	1,596
Peters Creek	1,670
Quaker Gap	1,696
Sauratown	1,580
Snow Creek	1,671
Pinnacle-Yadkin	1,590
King-Yadkin	1,638

COUNTY—SURRY

Community	Community average yield
Bryan	1,891
Dobson	2,019
Eldora	2,049
Elkin	1,744
Franklin	1,828
Longhill	1,829
Marsh	1,776
Mount Airy	1,843
Pilot	1,700
Rockford	1,889
Shoals	1,726
Siloam	1,970
St. Creek	1,914
Westfield	1,880
South Westfield	1,823

COUNTY—TYRRELL

Community	Community average yield
One community	[2] 0

COUNTY—VANCE

Community	Community average yield
Dabney	1,718
Henderson	1,722
Kettrell	1,721
Middleburg	1,809
Sandy Creek	1,907
Townsville	1,696
Watkins	1,874
Williamsboro	1,583

[2] No flue-cured tobacco produced in period 1959-63.

STATE—NORTH CAROLINA—Continued

COUNTY—WAKE

Community	Community average yield
Bartons Creek	1,417
Buckhorn	1,686
Cary	1,546
Cedar Fork	1,629
Holly Springs	1,988
House Creek	1,527
Leesville	1,368
Little River (A)	1,884
Marks Creek	1,933
Middle Creek	2,116
Neuse River	1,463
New Light	1,760
Panther Branch	2,100
St. Marys	1,786
St. Matthews	1,711
Swift Creek	1,868
Wake Forest	1,800
White Oak	1,741
Little River (B)	1,894

COUNTY—WARREN

Community	Community average yield
Fishing Creek	1,586
Fork	1,497
Hawtree	1,835
Judkins	1,439
Nutbush	1,601
River	1,483
Sandy Creek	1,619
Sixpound	1,695
Smith Creek	1,777
Warrenton	1,656
Shocco	1,520

COUNTY—WASHINGTON

Community	Community average yield
Roper	1,738
Plymouth	1,670
Creswell	1,418

COUNTY—WAYNE

Community	Community average yield
Brogden (A)	2,064
Buck Swamp (B)	2,144
Fork (C)	2,227
Grantham (E)	2,303
Great Swamp (F)	2,227
Indian Springs (G)	2,194
Nahunta (H)	2,215
New Hope (J)	2,227
Pikeville (K)	2,206
Saulston (L)	2,292
Stoney Creek (M)	2,118
Brogden (N)	2,172
Grantham (O)	2,307

COUNTY—WILKES

Community	Community average yield
Antioch	1,451
Boomer	1,296
Brushy Mountain	1,434
Edwards	1,704
Lovelace	1,509
Moravian Falls	1,799
New Castle	1,550
Rock Creek	1,572
Somers	1,559
Traphill	1,696
Walnut Grove	1,488
Wilkesboro	1,688

COUNTY—WILSON

Community	Community average yield
Black Creek	2,147
Crossroads	2,168
Gardners	2,137
Oldfields	2,237
Saratoga	2,123
Stantonsburg	2,096
Springhill	2,148
Taylors	2,161
Toisnot	2,107
Wilson	2,104

COUNTY—YADKIN

Community	Community average yield
Buck Shoals No. 1	1,666
Buck Shoals No. 2	1,784
Buck Shoals No. 3	1,852
Deep Creek No. 1	1,625
Deep Creek No. 2	1,786
Deep Creek No. 3	1,809

STATE—NORTH CAROLINA—Continued

COUNTY—YADKIN—continued

Community	Community average yield
Liberty No. 1	1,732
Liberty No. 2	1,682
Liberty No. 3	1,660
Forbush	1,652
East Bend No. 1	1,620
East Bend No. 2	1,598
Fall Creek No. 1	1,769
Fall Creek No. 2	1,902
Fall Creek No. 3	1,846
Fall Creek No. 4	1,777
Boonville No. 1	1,889
Boonville No. 2	1,738
Boonville No. 3	2,067
Knobs No. 1	1,746
Knobs No. 2	1,725
Knobs No. 3	1,809

STATE—SOUTH CAROLINA

COUNTY—ABBEVILLE

Community	Community average yield
One community	[1] 1,200

COUNTY—AIKEN

Community	Community average yield
One community	[1] 700

COUNTY—ALLENDALE

Community	Community average yield
One community	1,677

COUNTY—ANDERSON

Community	Community average yield
One community	[1] 1,200

COUNTY—BAMBERG

Community	Community average yield
One community	1,267

COUNTY—BARNWELL

Community	Community average yield
One community	[1] 1,854

COUNTY—BERKELEY

Community	Community average yield
A	1,432
B	1,576
C	1,315
D	1,512
E	1,417

COUNTY—CALHOUN

Community	Community average yield
One community	1,395

COUNTY—CHARLESTON

Community	Community average yield
One community	[1] 1,000

COUNTY—CHESTERFIELD

Community	Community average yield
A	1,608
B	1,565
C	1,552
D	1,582
E	1,492
F	1,282
G	1,393
H	1,654
I	1,757

COUNTY—CLARENDON

Community	Community average yield
A	1,781
B	2,015
C	1,629
D	1,836
E	2,008
F	1,618
G	1,604
H	1,558
I	2,122

COUNTY—COLLETON

Community	Community average yield
A	1,752
B	1,816
C	1,616
D	1,507
E	1,678
F	1,676
G	1,528
H	1,588
I	[1] 1,192

COUNTY—DARLINGTON

Community	Community average yield
A	2,093
B	1,977

[1] Adjusted in accordance with the act.

STATE—SOUTH CAROLINA—Continued

COUNTY—DARLINGTON—continued

Community	Community average yield
C	1,973
D	1,826
E	1,836
F	1,857
G	1,821
H	1,778
I	1,556

COUNTY—DILLON

Community	Community average yield
A	2,196
B	1,944
C	2,034
D	1,984
E	2,240
F	1,969
G	2,043

COUNTY—DORCHESTER

Community	Community average yield
A	1,597
B	1,634
C	1,747
D	1,805
E	1,526
F	1,515

COUNTY—FLORENCE

Community	Community average yield
A	1,870
B	2,106
C	1,821
D	1,797
E	2,061
F	1,894
G	2,227
H	2,185
I	2,069
J	2,122
K	2,055
L	2,145
M	2,081
N	2,220
O	2,052
P	2,184
Q	2,007

COUNTY—GEORGETOWN

Community	Community average yield
A	1,755
B	1,897
C	1,681
D	2,052
E	2,016

COUNTY—GREENWOOD

Community	Community average yield
One community	[1] 1,038

COUNTY—HAMPTON

Community	Community average yield
One community	1,440

COUNTY—HORRY

Community	Community average yield
A	2,488
B	2,245
C	2,244
D	2,446
E	2,155
F	2,491
G	2,343
H	2,491
I	1,978
J	2,417
K	2,040

COUNTY—JASPER

Community	Community average yield
One community	1,362

COUNTY—KERSHAW

Community	Community average yield
One community	1,383

COUNTY—LANCASTER

Community	Community average yield
One community	[1] 1,400

COUNTY—LEE

Community	Community average yield
A	1,870
B	1,761
C	1,580
D	1,878
E	1,632
F	1,913
G	1,831

[1] Adjusted in accordance with the act.

STATE—SOUTH CAROLINA—Continued

COUNTY—LEXINGTON

Community	Community average yield
One community	[1] 950

COUNTY—MARION

Community	Community average yield
A	1,944
B	1,975
C	2,014
D	2,240
E	2,195
F	2,169
G	2,206
H	2,042
I	2,040

COUNTY—MARLBORO

Community	Community average yield
A	1,483
B	1,672
C	1,659
D	1,783
E	1,799
F	1,604
G	1,721

COUNTY—ORANGEBURG

Community	Community average yield
One community	1,519

COUNTY—RICHLAND

Community	Community average yield
One community	[1] 1,500

COUNTY—SALUDA

Community	Community average yield
One community	[1] 1,000

COUNTY—SUMTER

Community	Community average yield
A	1,867
B	1,921
C	1,408
D	1,858
E	1,750
F	1,744
G	1,702
H	2,086
I	[1] 1,700
J	1,878
K	1,840

COUNTY—WILLIAMSBURG

Community	Community average yield
A	1,855
B	2,200
C	2,202
D	1,930
E	1,866
F	1,765
G	1,862
H	2,051
I	1,819
J	2,020
K	2,250
L	2,054
M	1,899

COUNTY—YORK

Community	Community average yield
One community	923

STATE—VIRGINIA

COUNTY—AMELIA

Community	Community average yield
Giles	1,534
Leigh	1,520
Jackson	1,636

COUNTY—APPOMATTOX

Community	Community average yield
One community	1,727

COUNTY—BEDFORD

Community	Community average yield
One community	1,653

COUNTY—BRUNSWICK

Community	Community average yield
Meherrin	1,481
Powellton	1,732
Red Oak	1,716
Sturgeon	1,833
Totaro	1,771

COUNTY—BUCKINGHAM

Community	Community average yield
One community	1,128

COUNTY—CAMPBELL

Community	Community average yield
Falling River	1,882
Otter River	1,545

STATE—VIRGINIA—Continued

COUNTY—CAMPBELL—continued

Community	Community average yield
Rustburg	1,590
Seneca	1,803

COUNTY—CARROLL

Community	Community average yield
One community	1,619

COUNTY—CHARLOTTE

Community	Community average yield
West Madison	1,933
East Madison	1,493
Midway	1,852
West Roanoke	1,612
East Roanoke	1,598
Walton	1,638
Central	1,431
North Bacon	1,711
South Bacon	1,548

COUNTY—CHESAPEAKE

Community	Community average yield
One community	1,676

COUNTY—CHESTERFIELD

Community	Community average yield
One community	1,849

COUNTY—CUMBERLAND

Community	Community average yield
One community	1,424

COUNTY—DINWIDDIE

Community	Community average yield
Sapony	1,810
Rowanty	1,769
Darvills	1,817
Namozine	1,729

COUNTY—ESSEX

Community	Community average yield
One community	1,309

COUNTY—FRANKLIN

Community	Community average yield
Blackwater	1,885
Boone	2,739
Blue Ridge	1,652
Gills Creek	1,748
Rocky Mount	1,729
Snow Creek	1,829
Union Hall	1,858

COUNTY—GOOCHLAND

Community	Community average yield
One community	1,440

COUNTY—GREENSVILLE

Community	Community average yield
Belfield	1,759
Hicksford	1,749
Zion	1,741

COUNTY—HALIFAX

Community	Community average yield
West Staunton	1,824
East Staunton	1,674
North Roanoke	1,672
South Roanoke	1,577
Banister	1,594
Meadville	1,727
Birch Creek	1,719
Mount Carmel	1,612
Black Walnut	1,705
Red Bank	1,774

COUNTY—HANOVER

Community	Community average yield
One community	1,279

COUNTY—HENRY

Community	Community average yield
Irisburg	1,404
Leatherwood	1,667
Reed Creek	1,519
Horsepasture	1,601
Ridgeway	1,460

COUNTY—ISLE OF WIGHT

Community	Community average yield
One community	1,398

COUNTY—LUNENBURG

Community	Community average yield
Brown Store	1,739
Columbian Grove	1,643
Lewiston	1,447
Lochleven	1,798
Pleasant Grove	1,608
Plymouth	1,631
Rehoboth	1,672

STATE—VIRGINIA—Continued

COUNTY—MECKLENBURG

Community	Community average yield
Bluestone	1,647
Boydton	1,460
Buckhorn	1,687
Chase City	1,579
Clarksville	1,646
La Crosse	1,525
Palmer Springs	1,630
South Hill	1,602
COUNTY—NANSEMOND	
One community	1,828
COUNTY—NOTTOWAY	
Haytokah-Winningham	1,672
Bleudon	1,610
Bellefonte	1,649
COUNTY—PATRICK	
Dan River	1,814
Mayo River	1,585
Peters Creek	1,597
COUNTY—PITTSYLVANIA	
Staunton River	1,788
Banister River	1,782
Pigg River	1,735
Callands	1,821
Chatham	1,922
Dan River	1,780
East Tunstall	1,765
West Tunstall	1,631
COUNTY—POWHATAN	
One community	1,482
COUNTY—PRINCE EDWARD	
Farmville	1,631
Hampden	1,628
Prospect	1,523
Buffalo	1,662
Leigh	1,476
Lockett	1,535
COUNTY—PRINCE GEORGE	
One community	1,631
COUNTY—SOUTHAMPTON	
One community	1,417
COUNTY—SUSSEX	
One community	1,860

(Secs. 317, 375, 79 Stat. 66, 52 Stat. 66, as amended; 7 U.S.C. 1317, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on April 28, 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-4595; Filed, Apr. 28, 1965; 1:40 p.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 D—Food Additives Permitted in Food for Human Consumption

PROPYLENE OXIDE

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1107) filed by the Griffith Laboratories, Inc., 855 Rahway Avenue, Union, N.J., and other relevant material, has concluded that the food additive regulations should be amended to prescribe the safe use of propylene oxide as a fumigant in or on certain dry foods. 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 (21 CFR 2.90), § 121.1076 is amended to read as follows:

§ 121.1076 Propylene oxide.

The food additive propylene oxide may be safely used in or on foods in accordance with the following prescribed conditions:

(a) It is intended as a package fumigant in or on dried prunes and glace fruit. It is also intended as a fumigant in or on bulk quantities of cocoa, gums, processed spices, starch, and processed nutmeats (except peanuts) when such bulk foods are to be further processed into a final food form.

(b) Except in the fumigation of packaged dried prunes and glace fruit, it is applied in retorts not more than one time and not in excess of 4 hours' duration at a temperature not in excess of 125° F.

(c) When used as described in paragraphs (a) and (b) of this section, residues shall not exceed the following limitations:

Food	Limitations
	(Expressed as parts per million of propylene oxide except where noted)
Cocoa	300.
Glace fruit	700 (as propylene glycol).
Gums	300.
Processed nutmeats (except peanuts).	300.
Prunes, dried	700 (as propylene glycol).
Spices, processed	300.
Starch	300.

(d) Propylene oxide for use as prescribed in this section will bear labeling meeting the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act.

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, D.C., 20201, written objections thereto, preferably in quintuplicate. 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.

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: April 26, 1965.

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

[F.R. Doc. 65-4643; Filed, May 3, 1965; 8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

General Accounting Office

Section 213.3323 is amended to show that an additional position of Private Secretary to the Comptroller General is excepted under Schedule C. Effective upon publication in the FEDERAL REGISTER, paragraph (b) of § 213.3323 is amended as set out below.

§ 213.3323 General Accounting Office.

* * * * *

(b) Two Private Secretaries to the Comptroller General.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

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

[F.R. Doc. 65-4644; Filed, May 3, 1965; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-WE-45]

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

Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation Regulations is to alter the time of designation of the Lake Tahoe, Calif., control zone.

The Lake Tahoe control zone is presently designated from 0700 to 2300 hours, local time daily. Due to changes in aircraft activity, the Lake Tahoe tower hours of operation have been changed to 0600 to 2200 hours, local time daily. Therefore, action is taken herein to redesignate the Lake Tahoe control zone with effective hours coincident with those of the control tower.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (30 F.R. 17610), the Lake Tahoe, Calif., control zone is amended as follows:

"0700 to 2300 hours, local time, daily" is deleted and "0600 to 2200 hours, local time, daily" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 23, 1965.

WM. SLADE HARDEE,
Acting Director, Western Region.

[F.R. Doc. 65-4622; Filed, May 3, 1965; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6821]

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

Treatment of Redeemable Ground Rents

On November 3, 1964, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under sections 163, 1055, and 1056 of the Internal Revenue Code of 1954 to conform the regulations to changes made by the Act of April 10, 1963 (Public Law 88-9, 77 Stat. 6), was published in the FEDERAL REGISTER (29 F.R. 14887). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments of the regulations as proposed are hereby adopted.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: April 28, 1965.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 163, 1055, and 1056 of the Internal Revenue Code of 1954 to the Act of April 10, 1963 (Public Law 88-9, 77 Stat. 6), such regulations are amended as follows:

PARAGRAPH 1. Section 1.163 is amended by redesignating section 163(c) as section 163(d), by inserting after section 163(b) a new section 163(c), by adding a paragraph (5) to section 163(d) (as redesignated), and by adding a historical note. These amended and added provisions read as follows:

§ 1.163 Statutory provisions; interest.

SEC. 163. *Interest.* * * *

(c) *Redeemable ground rents.*—For purposes of this subtitle, any annual or periodic rental under a redeemable ground rent (excluding amounts in redemption thereof) shall be treated as interest on an indebtedness secured by a mortgage.

(d) *Cross references.* * * *

(5) For treatment of redeemable ground rents and real property held subject to liabilities under redeemable ground rents, see section 1055.

[Sec. 163 as amended by sec. 1 (a) and (c), Act of Apr. 10, 1963 (Pub. Law 88-9, 77 Stat. 6)]

PAR. 2. Paragraph (b) of § 1.163-1 is amended to read as follows:

§ 1.163-1 Interest deduction in general.

* * * * *

(b) Interest paid by the taxpayer on a mortgage upon real estate of which he is the legal or equitable owner, even though the taxpayer is not directly liable upon the bond or note secured by such mortgage, may be deducted as interest on his indebtedness. Pursuant to the provisions of section 163(c), any annual or periodic rental payment made by a taxpayer on or after January 1, 1962, under a redeemable ground rent, as defined in section 1055(c) and paragraph (b) of § 1.1055-1, is required to be treated as interest on an indebtedness secured by a mortgage and, accordingly, may be deducted by the taxpayer as interest on his indebtedness. Section 163(c) has no application in respect of any annual or periodic rental payment made prior to January 1, 1962, or pursuant to an arrangement which does not constitute a "redeemable ground rent" as defined in section 1055 (c) and paragraph (b) of § 1.1055-1. Accordingly, annual or periodic payments of Pennsylvania ground rents made before, on, or after January 1, 1962, are deductible as interest if the ground rent is redeemable. An annual or periodic rental payment under a Maryland redeemable ground rent made prior to January 1, 1962, is deductible in accordance with the rules and regulations applicable at the time such payment was made. Any annual or periodic rental payment under a Maryland redeemable ground rent made by the taxpayer on or after January 1, 1962, is, pursuant to the provisions of section 163(c), treated as interest on an indebtedness secured by a mortgage and, accordingly, is deductible by the taxpayer as interest on his indebtedness. In any case where the ground rent is irredeemable, any annual or periodic ground rent payment shall be treated as rent and shall be deductible only to the extent that the payment constitutes a proper business expense. Amounts paid in redemption of a ground rent shall not be treated as interest. For treatment of redeemable ground rents and real property held subject to liabilities under redeemable ground rents, see section 1055 and the regulations thereunder.

* * * * *

PAR. 3. Section 1.1055 is redesignated § 1.1056, and as so redesignated is amended by redesignating section 1055 as section 1056, and by revising the historical note. These amended provisions read as follows:

§ 1.1056 Statutory provisions; cross references.

SEC. 1056. *Cross references.* * * *

[Sec. 1056 as renumbered by sec. 8(b), Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1003); sec. 1(b), Act of Apr. 10, 1963 (Pub. Law 88-9, 77 Stat. 6)]

PAR. 4. There are inserted immediately after § 1.1054-1 the following new sections:

§ 1.1055 Statutory provisions; redeemable ground rents.

SEC. 1055. *Redeemable ground rents*—(a) *Character.* For purposes of this subtitle—

(1) A redeemable ground rent shall be treated as being in the nature of a mortgage, and

(2) Real property held subject to liabilities under a redeemable ground rent shall be treated as held subject to liabilities under a mortgage.

(b) *Application of subsection (a)*—(1) *In general.* Subsection (a) shall take effect on the day after the date of the enactment of this section and shall apply with respect to taxable years ending after such date of enactment.

(2) *Basis of holder.* In determining the basis of real property held subject to liabilities under a redeemable ground rent, subsection (a) shall apply whether such real property was acquired before or after the enactment of this section.

(3) *Basis of reserved redeemable ground rent.* In the case of a redeemable ground rent reserved or created on or before the date of the enactment of this section in connection with a transfer of the right to hold real property subject to liabilities under such ground rent, the basis of such ground rent after such date in the hands of the person who reserved or created the ground rent shall be the amount taken into account in respect of such ground rent for Federal income tax purposes as consideration for the disposition of such real property. If no such amount was taken into account, such basis shall be determined as if this section had not been enacted.

(c) *Redeemable ground rent defined.* For purposes of this subtitle, the term "redeemable ground rent" means only a ground rent with respect to which—

(1) There is a lease of land which is assignable by the lessee without the consent of the lessor and which (together with periods for which the lease may be renewed at the option of the lessee) is for a term in excess of 15 years,

(2) The leaseholder has a present or future right to terminate, and to acquire the entire interest of the lessor in the land, by payment of a determined or determinable amount, which right exists by virtue of State or local law and not because of any private agreement or privately created condition, and

(3) The lessor's interest in the land is primarily a security interest to protect the rental payments to which the lessor is entitled under the lease.

(d) *Cross reference.* For treatment of rentals under redeemable ground rents as interest, see section 163(c).

[Sec. 1055 as added by sec. 1(b), Act of Apr. 10, 1963 (Pub. Law 88-9, 77 Stat. 6)]

§ 1.1055-1 General rule with respect to redeemable ground rents.

(a) *Character of a redeemable ground rent.* For purposes of subtitle A of the Code (1) a redeemable ground rent (as defined in section 1055(c) and paragraph (b) of this section) shall be treated as being in the nature of a mortgage, and (2) real property held subject to liabilities under such a redeemable ground rent shall be treated as held subject to liabilities under a mortgage. Thus, under section 1055(a) and this subparagraph, the transfer of property subject to a redeemable ground rent has the same effect as the transfer of property subject to a mortgage, the acquisition of property subject to a redeemable ground rent is to be treated the same as the acquisition of property subject to a mortgage, and the holding of property

subject to a redeemable ground rent is to be treated in the same manner as the holding of property subject to a mortgage. See section 163(c) for the treatment of any annual or periodic rental payment under a redeemable ground rent as interest.

(b) *Definition of redeemable ground rent.* For purposes of subtitle A of the Code, the term "redeemable ground rent" means only a ground rent with respect to which all the following conditions are met:

(1) There is a lease of land which is assignable by the lessee without the consent of the lessor.

(2) The term of the lease is for a period in excess of 15 years, taking into account all periods for which the lease may be renewed at the option of the lessee.

(3) The lessee has a present or future right to terminate the lease and to acquire the lessor's interest in the land (i.e., to redeem the ground rent) by the payment of a determined or determinable amount, which amount is referred to in §§ 1.1055-2, 1.1055-3, and 1.1055-4 as a "redemption price". Such right must exist by virtue of State or local law. If the lessee's right to terminate the lease and to acquire the lessor's interest is not granted by State or local law but exists solely by virtue of a private agreement or privately created condition, the ground rent is not a "redeemable ground rent".

(4) The lessor's interest in the land subject to the lease is primarily a security interest to protect the payment to him of the annual or periodic rental payments due under the lease.

(c) *Effective date.* In general, the provisions of section 1055 and paragraph (a) of this section take effect on April 11, 1963, and apply with respect to taxable years ending on or after such date. See § 1.1055-3 for rules for determining the basis of real property acquired subject to liabilities under a redeemable ground rent regardless of when such property was acquired. See also § 1.1055-4 for rules for determining the basis of a redeemable ground rent in the hands of a holder who reserved or created such ground rent in connection with a transfer, occurring before April 11, 1963, of the right to hold real property subject to liabilities under such ground rent.

§ 1.1055-2 Determination of amount realized on the transfer of the right to hold real property subject to liabilities under a redeemable ground rent.

In determining the amount realized from a transfer, occurring on or after April 11, 1963, of the right to hold real property subject to liabilities under a redeemable ground rent, such ground rent shall be accounted for in the same manner as a mortgage for an amount of money equal to the redemption price of the ground rent. The provisions of this section apply in respect of any such transfer even though such ground rent was created prior to April 11, 1963. For provisions relating to the determination of the amount of and recognition of gain or loss from the sale or other disposition of property, see section 1001 and the regulations thereunder.

§ 1.1055-3 Basis of real property held subject to liabilities under a redeemable ground rent.

(a) *In general.* The provisions of section 1055(a) and paragraph (a) of § 1.1055-1 are applicable in determining the basis of real property held on or after April 11, 1963, in any case where the property at the time of acquisition was subject to liabilities under a redeemable ground rent. (See section 1055(b)(2).) Thus, if on or after April 11, 1963, a taxpayer holds real property which was subject to liabilities under a redeemable ground rent at the time he acquired it, the basis of such property in the hands of such taxpayer, regardless of when the property was acquired, will include the redeemable ground rent in the same manner as if it were a mortgage in an amount equal to the redemption price of such ground rent. Likewise, if on or after April 11, 1963, a taxpayer holds real property which was subject to liabilities under a redeemable ground rent at the time he acquired it and which has a substituted basis in his hands, the basis of the property in the hands of the taxpayer's predecessor in interest is to be determined by treating the redeemable ground rent in the same manner as a mortgage in an amount equal to the redemption price of such ground rent.

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

Example (1). On April 11, 1963, taxpayer A held residential property which he acquired on January 15, 1963, for a purchase price of $10,000 and which, at the time he acquired it, was subject to a ground rent redeemable for a redemption price of $1,600. A's basis for the property includes the purchase price ($10,000) plus the redeemable ground rent in the same manner as if it were a mortgage for $1,600.

Example (2). In 1962, taxpayer X, a corporation, acquired real property subject to a redeemable ground rent in a transfer to which section 351 (relating to transfer of property to corporation controlled by transferor) applied and in which the basis of the property to X was the transferor's basis. X still held the property on April 11, 1963. The transferor's basis in the property is to be determined by treating the redeemable ground rent to which it was subject in the transferor's hands as if it were a mortgage.

§ 1.1055-4 Basis of redeemable ground rent reserved or created in connection with transfers of real property before April 11, 1963.

(a) *In general.* In the case of a redeemable ground rent created or reserved in connection with a transfer, occurring before April 11, 1963, of the right to hold real property subject to liabilities under such ground rent, the basis of such ground rent on or after April 11, 1963, in the hands of the person who reserved or created the ground rent is the amount which was taken into account in respect of such ground rent in computing the amount realized from the transfer of such real property. Thus, if no such amount was taken into account, such basis shall be determined without regard to section 1055. (See section 1055(b)(3).)

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

Example (1). The taxpayer, who was in the business of building houses, purchased an undeveloped lot of land for $500 and built a house thereon at a cost of $10,000. Subsequently, he transferred the right to hold the lot improved by the house for a consideration of $12,000, and an annual ground rent for such property of $120 which was redeemable for a redemption price of $2,000. The taxpayer reported a $2,000 gain on the transfer, treating the amount realized as $12,000 and his cost allocable to the interest transferred as $10,000. Since the builder did not take the redeemable ground rent into account in computing gain on the transfer, his basis for such ground rent is $500 (the cost of the land not offset against the consideration received for the transfer). Thus, if he subsequently sells the redeemable ground rent (or if it is redeemed from him) for $2,000, he has a gain of $1,500 in the year of sale (or redemption).

Example (2). Assume the same facts as in Example (1) except that the builder reported a gain of $3,500 on the transfer, treating the amount realized as $14,000 ($12,000 cash plus $2,000 for the redeemable ground rent) and his costs as $10,500 ($10,000 for the house and $500 for the lot). Since the taxpayer took the entire amount of the redeemable ground rent into account in computing his gain, his basis for such ground rent is $2,000. Thus, if he subsequently sells the redeemable ground rent (or if it is redeemed from him) for $2,000, he has no gain or loss on the transaction.

Example (3). Assume the same facts as in Example (1) except that the builder reported a gain of $3,000 on the transfer. He computed this gain by treating the amount realized as $12,000 but treating his cost allocable to the interest transferred as $12,000/$14,000ths of his total $10,500 cost, or $9,000. Since the builder still has remaining $1,500 of unallocated cost, his basis for the redeemable ground rent is $1,500. Thus, if he subsequently sells the redeemable ground rent (or if it is redeemed from him) for $2,000, he has a gain of $500 in the year of sale (or redemption).

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

[F.R. Doc. 65-4636; Filed, May 3, 1965; 8:46 a.m.]

SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 6822]

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Miscellaneous Amendments

In order to: (1) Clarify the procedures for the collection of internal revenue taxes on Puerto Rican products brought into the United States by tourists; and (2) make certain technical and editorial changes, the regulations in 26 CFR Part 250 are amended as follows:

PARAGRAPH 1. Paragraphs (a), (b), and (c) of § 250.112 and paragraphs (c), (d), and (e) of § 250.113 are amended to change certain section references therein. As amended, paragraphs (a), (b), and (c) of § 250.112 and paragraphs (c), (d), and (e) of § 250.113 read as follows:

§ 250.112 Taxes to be collected by returns for semimonthly periods.

(a) *Distilled spirits.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by sections 5001(a)(1), 5021, and 5022,

I.R.C.), the payment of which has been deferred under the provisions of §§ 250.80 and 250.85(b), shall be paid pursuant to a return on Form 2901 prepared in quadruplicate. The proprietor shall list on his return the serial numbers of all Forms 2899 and 2926 covered by the return.

(b) *Wine.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by section 5041, I.R.C.), the payment of which has been deferred under the provisions of § 250.95, shall be paid pursuant to a return on Form 2927 prepared in quadruplicate. The proprietor shall list on his return the serial numbers of all Forms 2900 covered by the return.

(c) *Beer.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by section 5051, I.R.C.), the payment of which has been deferred under the provisions of § 250.104, shall be paid pursuant to a return on Form 2929 prepared in quadruplicate. The brewer shall list on his return the serial numbers of all Forms 2900 covered by the return.

* * * * *

§ 250.113 Returns for prepayment of taxes.

* * * * *

(c) *Distilled spirits.* In all cases where taxes equal to the taxes imposed in the United States by sections 5001(a) (1), 5021, and 5022, I.R.C., are to be paid before distilled spirits may be withdrawn from bonded storage, the proprietor shall pay such taxes pursuant to a return on Form 2925, and as prescribed in § 250.81 and/or § 250.85(c).

(d) *Wine.* In all cases where taxes equal to the taxes imposed in the United States by section 5041, I.R.C., are to be paid before wine may be withdrawn from bonded storage, the proprietor shall pay such taxes pursuant to a return on Form 2928, and as prescribed in § 250.96.

(e) *Beer.* In all cases where taxes equal to the taxes imposed in the United States by section 5051, I.R.C., are to be paid before beer may be withdrawn from bonded storage, the brewer shall pay such taxes pursuant to a return on Form 2930, and as prescribed in § 250.105.

* * * * *

PAR. 2. Section 250.126 is amended to specify that the receipt issued by the U.S. Customs authorities shall be a customs receipt and to delete the form number of the internal revenue receipt. As amended, § 250.126 reads as follows:

§ 250.126 Taxpayment in Puerto Rico.

Liquors upon which all Federal internal revenue taxes have been paid in Puerto Rico may be brought into the United States for personal consumption without payment of additional taxes thereon. Containers of spirits taxpaid and bottled for sale to tourists shall have red strip stamps affixed by the distiller, bottler, or rectifier who paid the tax, and such stamps on bottles in possession of tourists shall be evidence to customs authorities at the port of departure and at the port of arrival that the tax on the spirits has been paid. When distilled spirits not bearing such stamps, or when wines, or beer, are purchased by a tourist for consumption in the United States, the internal revenue tax due thereon may be paid to the United States Internal Revenue Service office, and an internal revenue receipt obtained, or the tax may be paid to the U.S. Customs authorities, who will issue a customs receipt. The tax on articles purchased by tourists may be paid in the same manner. The receipt received from the United States Internal Revenue Service office or from the customs officer shall be presented, as required, as evidence that the tax has been paid.

(72 Stat. 1335, 1358; 26 U.S.C. 5061, 5205)

PAR. 3. Section 250.128 is amended to make it clear that when internal revenue taxes on Puerto Rican products are paid to a collector of customs, a customs receipt will be issued to the taxpayer. As amended, § 250.128 reads as follows:

§ 250.128 Taxpayment at port of arrival.

If the internal revenue tax on liquors and articles is not paid in Puerto Rico, it shall be paid by the tourist at the port of arrival prior to release of the liquors or articles from customs custody. The tax may be paid to the district director of internal revenue, and an internal revenue receipt obtained, or the tax may be paid to the collector of customs, who will issue a customs receipt. If payment is to be made to the district director, the collector of customs will notify the district director of the amount of tax due. On payment of the tax to the collector of customs, or on submission to him of the internal revenue receipt for the tax, the collector of customs will release the liquors or articles. Liquors brought into the United States by tourists for personal consumption are not required to be strip stamped when taxpaid by the tourist, whether at the port of departure in Puerto Rico or on arrival in the United States.

(72 Stat. 1335, 1358; 26 U.S.C. 5061, 5205)

Because this Treasury decision merely clarifies the regulations and makes certain technical and editorial changes therein, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946. This Treasury decision shall become effective on the first day of the first month which begins not less than 30 days following the date of publication in the FEDERAL REGISTER.

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

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

LESTER D. JOHNSON,
Acting Commissioner of Customs.

Approved: April 28, 1965.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 65-4637; Filed, May 3, 1965; 8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 604—METAL, MACHINERY, TRANSPORTATION EQUIPMENT, AND ALLIED PRODUCTS INDUSTRY IN PUERTO RICO

PART 606—ELECTRICAL, INSTRUMENT, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Wage Rates

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), and by means of Administrative Order No. 589 (30 F.R. 586), the Secretary of Labor appointed and convened Industry Committee No. 72-B. Administrative Order No. 589 referred to Industry Committee No. 72-B the question of the minimum wage rate or rates to be paid under section 6(c) of the act to employees in the electrical, instrument, and related products industry, and the metal, machinery, transportation equipment, and allied products industry in Puerto Rico and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

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

Accordingly, as authorized and required by 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 Industry Committee No. 72-B are hereinafter published in this revision of 29 CFR 604.2 and 606.2.

1. Effective May 20, 1965, 29 CFR 604.2 is amended to read as follows:

§ 604.2 Wage rates.

The metal, machinery, transportation equipment, and allied products industry in Puerto Rico is divided into six classifications. Wages at rates not less than those prescribed in this section shall be paid under section 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 industry 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) *Previously covered classifications.* The classifications in this paragraph (a) apply to all activities in the industry to which section 6 of the act applies without reference to the Fair Labor Standards Amendments of 1961.

(1) *Fabricated wire products classification.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the fabrication of wire products, includ-

ing, but without limitation, staples, gratings, garment hangers, curtain hooks, wire cloth and woven wire products, wire spring seat cushions, wire plaster reinforcing material and wire bobbypins.

(2) *General classification.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the manufacture of all products and the performance of all activities included in the metal, machinery, transportation equipment, and allied products industry except the products and activities included in the other classifications of this industry.

(3) *Wire drawing classification.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the drawing or redrawing of wire from rod and wire and the further fabrication of such wire products as nails, spikes, chain, and fencing.

(4) *Metal spring classification.* (i) The minimum wage for this classification is $1.22 an hour.

(ii) This classification is defined as the manufacture of metal springs, including leaf springs, coil springs, and wire springs.

(5) *Slide fastener classification.* (i) The minimum wage for this classification is $1.22 an hour.

(ii) This classification is defined as the manufacture of slide fasteners.

(b) (1) *New coverage classification.* (i) The minimum wage for this classification is $1.15 an hour.

(ii) This classification is defined as all activities of employees covered by section 6 of the act, only by reason of the Fair Labor Standards Amendments of 1961 in the industry in Puerto Rico.

2. Effective May 20, 1965, 29 CFR 606.2 is amended to read as follows:

§ 606.2 **Wage rates.**

The electrical, instrument, and related products industry in Puerto Rico is divided into seven classifications. Wages at rates not less than those prescribed in this section shall be paid under section 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 industry 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) *Previously covered classifications.* The classifications in this paragraph (a) apply to all activities in the industry to which section 6 of the act applies without reference to the Fair Labor Standards Amendments of 1961.

(1) *Classification A.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the manufacture of electric shavers and parts and hair dryers; storage batteries and parts, except carbon-type dry cell batteries; mechanical drafting machines; solderless electric terminals and connectors; television antenna and lead-in cables; and small portable electric hand tools designed for use by home craftsmen, including sanders, handsaws, and similar small electric tools.

(2) *Classification B.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the manufacture of electric irons, toaster elements, and hot water heaters; exposure meters, ammeters, voltmeters, accelerometers, and panel instruments; circuit breakers and service entrance equipment, armatures and field coils; switches and fluorescent starters; coils, including magneto coils and breakers; solenoids; relays, including telephone-type relays, power-type relays and magnetic relay elements; electric wave filters; gyroscopes and related equipment; lighting fixtures and fluorescent lighting lamps (except light bulbs and tubes and Christmas lighting sets); floor polishers; soldering guns; electronic heating devices; electronic controls for auto headlight dimmers; electronic data processing machines and systems; soil moisture testing equipment; aircraft test instruments; strain gauge transducers; photoelectric cells; tape recorder heads and erase head assemblies; electronic guns for television picture tubes; and the repair and rewinding of electric motors and other electrical equipment.

(3) *Classification C.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the manufacture of capacitors, transistors, coils and coil forms, hermetic seals, crystal units, rectifiers, electronic tubes, television picture tubes, television sets, refrigerators, phonograph pickup cartridges, electric baseboard heating units, heating pads and massage pads, Christmas lighting sets, thermometers, drafting instruments, surgical administration sets, and watches.

(4) *Classification D.* (i) The minimum wage for this classification is $1.15 an hour.

(ii) This classification is defined as the grinding and manufacture of optical and ophthalmic lenses and prisms.

(5) *Classification E.* (i) The minimum wage for this classification is $1.25 an hour.

(ii) This classification is defined as the manufacture of transformers, wire-wound resistors, magnetic recording tape, television chassis subassemblies, fractional horsepower motors, telephone hand sets, test equipment and switchboards, microphones, glass sealed reed switches, electronic controls for light dimmers, repair assembly and remodeling of telephone and telephone equipment, disposable surgical blades and combination sets, and rods for automobile antennas.

(6) *Classification F.* (i) The minimum wage for this classification is $1.18½ an hour.

(ii) This classification is defined as the manufacture of all products and activities not specifically included in any other classification of the industry.

(b) *New coverage classification.* (1) The minimum wage for this classification is $1.15 an hour.

(2) This classification is defined as all activities of employees covered by section 6 of the Act, only by reason of the Fair Labor Standards Amendments of 1961 in the industry in Puerto Rico.

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

Signed at Washington, D.C., this 29th day of April, 1965.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 65-4654; Filed, May 3, 1965; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 65-338]

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

Table of Frequency Allocations

Order. In the matter of amendment of Part 2 of the Commission's rules and regulations to allocate the band 59-61 kc/s exclusively to the standard frequency service.

At a session of the Federal Communications Commission held at its Offices in Washington, D.C., on the 28th day of April 1965;

The Commission, having under consideration the desirability of making certain changes in Part 2 of its rules and regulations; and

It appearing that the international Radio Regulations (Geneva, 1959), which the United States has ratified, make provision, by footnote 159, for the transmission of standard frequency and time signals in the band 14-70 kc/s; and

It further appearing that the National Bureau of Standards has been authorized to provide a standard frequency service on 60 kc/s on a temporary basis since January 12, 1956, a sufficient period over which to determine a requirement for the service by both Government and non-Government users; and

It further appearing that the National Table of Frequency Allocations should be amended to provide allocation status and appropriate guard bands for a standard frequency service on 60 kc/s; and

It further appearing that the Office of Director, Telecommunications Management has concurred in the desirability of such an allocation; and

It further appearing that the amendment is interpretative; that no non-Government stations would be affected; and therefore that, notice and public procedure under section 4 of the Administrative Procedures Act are unnecessary; and

It further appearing that the amendment adopted herein is issued pursuant to authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

It is ordered, That effective June 7, 1965, Part 2 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: April 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

Section 2.106 *Table of frequency allocations* of the Commission's rules and regulations, is amended to read, in part, as follows:

Federal Communications Commission

Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature of SERVICES of stations
7	8	9	10	11
* * *	* * *	* * *	* * *	* * *
20.05-59	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.
59-61	STANDARD FREQUENCY.	Standard frequency.	60	Standard frequency.
61-70	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.

* * * * * * *

[F.R. Doc. 65-4646; Filed, May 3, 1965; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. 935]

PART 95—CAR SERVICE

Appointment of Embargo Agents

At a session of the Interstate Commerce Commission, Division 3, held at its Office in Washington, D.C., on the 23d day of April A.D. 1965.

It appearing, that the matter of car service (section 1, paragraphs 10-17 inclusive) of the Interstate Commerce Act being under consideration by Division 3 that whenever any carrier by railroad subject to Part I of the Interstate Commerce Act, is for any reason, unable to control freight traffic movement when car accumulations, threatened congestions, or other interference with operations, of a temporary nature compel restrictions against such movement so as to properly serve the public, that car service will be promoted in the interest of the public and the commerce of the people by the appointment of agents with authority to direct the placement of embargoes, and that notice and public procedure are impracticable and contrary to the public interest and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 95.935 Appointment of Embargo Agents.

(a) C. W. Taylor, Director and R. D. Pfahler, Assistant Director, Bureau of Safety and Service, Interstate Commerce Commission, Washington, D.C., and each of them, are hereby appointed agents of the Interstate Commerce Commission and vested with authority to direct the placement of embargoes by railroads at such points where freight cars are being unduly delayed due to accumulations, congestions or emergency situations.

(b) Embargoes placed under this section shall be at the direction of the agents of the Commission and shall be published through the Association of American Railroads, Car Service Division, and in conformity with the Association of American Railroad's "Instructions to Govern the Placing and Handling of Embargoes" and the "Code of Car Service and Per Diem Rules—Freight".

(c) Application: The provisions of this section shall apply to cars moving in intrastate and foreign commerce as well as interstate commerce.

(d) Rules, regulations and practices suspended: The operation of all rules, regulations, and practices insofar as they conflict with the provisions of this section, is hereby suspended.

(e) Effective date: This section shall become effective at 12:01 a.m., May 1, 1965.

(f) Expiration date: The provisions of this section shall expire at 11:59 p.m., December 31, 1965, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

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

It is further ordered, That a copy of this order and direction shall be served upon each State railroad regulatory body, the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-4638; Filed, May 3, 1965; 8:46 a.m.]

[1] Commissioners Lee and Loevinger absent.

[Rev. S.O. 947]

PART 95—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Division 3, held at its Office in Washington, D.C., on the 23d day of April A.D. 1965.

It appearing, that an acute shortage of freight cars exists in all sections of the country; that cars loaded and empty are unduly delayed in terminals and in placement at, or removal from industries; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars are insufficient to promote the most efficient utilization of cars; it is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 95.947 Railroad operating regulations for freight car movement.

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

(1) *Placing of cars.* (i) Loaded cars, which after placement will be governed by demurrage rules applicable to detention of cars awaiting unloading, shall be actually or constructively placed within 24 hours after the first 7 a.m., exclusive of Saturdays, Sundays, and holidays, following arrival at destination.

(ii) Actual placement means placing of car on consignee's tracks, or when for public delivery, placement on carrier's tracks accompanied by proper notice.

(iii) When delivery of a car, either empty or loaded consigned or ordered to an industrial interchange track or to other-than-a-public-delivery track cannot be made on account of any condition attributable to the consignee, such car will be held at destination or, if it cannot reasonably be accommodated there, at an available hold point and constructive placement notice shall be sent or given the consignee in writing within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at hold point.

(iv) Loaded cars held at billed destination for accessorial terminal services de-

scribed in the applicable tariffs, such as holding for orders or inspection, shall be placed on carrier's or consignee's unloading or inspection tracks, within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival at billed destination. On cars set off and held short of billed destination, a written notice shall be sent or given to consignee within 24 hours following the first 7 a.m. after arrival at hold point.

(2) *Removal of cars.* (i) Empty cars must be removed from point of unloading or interchange tracks of industrial plants within 24 hours after the first 7 a.m., exclusive of Saturdays, Sundays, and holidays, following unloading or release by consignee or shipper, unless such cars unloaded are ordered or appropriated by the shipper for reloading within such a 24-hour period. Empty cars not required for loading at point where made empty must be forwarded in line-haul service within 24 hours after the first 7 a.m., exclusive of Saturdays, Sundays, and holidays, following removal of empty cars.

(ii) Outbound loaded freight cars must be removed from point of loading or interchange tracks of industrial plants within 24 hours after the first 7 a.m., exclusive of Saturdays, Sundays, and holidays, following tender and acceptance by carrier of the bill of lading covering the cars. Such cars must be forwarded in line-haul service within 24 hours after the first 7 a.m. following their receipt in outbound makeup or classification yards.

(3) *Holding cars for prospective loading.* (i) Cars shall not be held for prospective loading at any time, for any industry, or consignor, other than those needed to protect current outbound loading.

(4) *Repair tracks.* (i) Any cars taken out of service for repairs, or carded for repairs, shall be repaired at the earliest time consistent with efficient railroad operating practices.

(5) *Car distribution orders.* (i) Observe, obey and comply with special car orders and freight car distribution orders now outstanding, or hereafter issued by the Car Service Division, Association of American Railroads, not inconsistent with any order of the Commission. E. Paul Miller, Chairman of the Car Service Division, is directed to inform the Director or the Assistant Director of the Bureau of Safety and Service of such outstanding orders or similar orders which may be subsequently issued and, to advise the Director or the Assistant Director of the Bureau of Safety and Service of railroad performance and compliance with such orders.

(ii) C. W. Taylor, Director, and R. D. Pfahler, Assistant Director, Bureau of Safety and Service, Interstate Commerce Commission, and each of them, are hereby appointed agents of the Commission with authority to issue such orders or directions as either may find necessary with respect to the location, relocation, and distribution of freight cars as between sections of the country, or carriers by railroads or on such carriers, throughout the United States.

(6) *Yard checks, supervision and records.* (i) The necessary yard and track checks shall be made and sufficient supervision and records shall be maintained to enable carriers to comply with the provisions of this section.

(7) *Railroad operating regulations for the movement of loaded freight cars.* (i) No common carrier by railroad subject to the Interstate Commerce Act shall willfully delay the movement of loaded freight cars by holding such cars in yards, terminals, or sidings for the purpose of increasing the time in transit of such loaded cars.

(ii) Loaded cars shall not be set out between terminals except in cases of emergencies or sound operating requirements.

(iii) Backhauling loaded cars for the purpose of increasing the time in transit shall constitute willful delay and is prohibited.

(iv) Through loaded cars shall not be handled on local or way freight trains for the purpose of increasing the time in transit of such loaded cars.

(v) The use by any common carrier by railroad, for the movement of loaded freight cars over its line, of any route other than its usual and customary fast freight route from point of receipt of the car from consignor or connecting line, except in emergencies, or for the purpose of according a lawfully established transit privilege (not including a diversion or reconsignment privilege) is hereby prohibited.

(8) *Carrier officials' responsibility.* (i) The division superintendent in charge of each terminal under his jurisdiction or supervision, or if no division superintendent is in charge the general manager of each railroad will be held responsible for car service at each terminal and for the proper observance of the rules prescribed by this section.

(b) Application:

(1) The provisions of this section shall apply to intrastate and interstate commerce.

(2) When computing the periods of time provided in this section, exclude Saturdays, Sundays, and such holidays as are listed in Item No. 25, agent H. R. Hinsch's Demurrage Tariff I.C.C. H-11, or reissues thereof, only when they occur within the said periods of time, but not after.

(c) Regulations suspended—announcement required: The operation of all rules and regulations, insofar as they conflict with the provisions of this section, is hereby suspended and each railroad subject to this section, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9(k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(d) Effective date: This section shall become effective at 12:01 a.m., May 1, 1965.

(e) Expiration date: This section shall expire at 11:59 p.m., December 31, 1965, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

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

By the Commission, Division 3.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-4639; Filed, May 3, 1965; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 31, 301]

PAYMENT OF TAXES IN NONCONVERTIBLE FOREIGN CURRENCY

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C., 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to provide rules for the payment of Federal Insurance Contributions Act taxes in foreign currency, and to amend the rules for payment of income tax in foreign currency by extending their applicability to certain recipients of grants or compensation under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451), and section 104 (h), (j), (k), (o), or (p) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704 (h), (j), (k), (o), (p)), and by making certain other changes, the Income Tax Regulations (26 CFR Part 1) under section 6091, the Employment Tax Regulations (26 CFR Part 31) under sections 6011, 6151 and 6302 and the Regulations on Procedure and Administration (26 CFR Part 301) under sections 6311 and 6316 of the Internal Revenue Code of 1954 are amended, effective with respect to the taxable periods specified, as follows:

PARAGRAPH 1. Paragraph (a) of § 1.6091-3 is amended to read as follows:

§ 1.6091-3 Income tax returns required to be filed with Director of International Operations.

* * * * *

(a) Income tax returns on which all, or a portion, of the tax is to be paid in foreign currency. See §§ 301.6316-1 to 301.6316-6, inclusive, and §§ 301.6316-8 and 301.6316-9 of this chapter (Regulations on Procedure and Administration).

* * * * *

PAR. 2. Section 31.6011(a)-1 is amended by adding a new paragraph (e) thereto. This amended provision reads as follows:

§ 31.6011(a)-1 Returns under Federal Insurance Contributions Act.

* * * * *

(e) *Wages paid in nonconvertible foreign currency.* For provisions relating to returns filed by certain employers who pay wages in nonconvertible foreign currency, see § 301.6316-7 of this chapter (Regulations on Procedure and Administration).

PAR. 3. Paragraph (b) of § 31.6151-1 is amended to read as follows:

§ 31.6151-1 Time for paying tax.

* * * * *

(b) *Cross references.* For provisions relating to the use of Federal Reserve banks and authorized commercial banks in depositing the taxes, see §§ 31.6302 (c)-1 and 31.6302(c)-2. For rules relating to the payment of taxes in nonconvertible foreign currency, see § 301.6316-7 of this chapter (Regulations on Procedure and Administration).

PAR. 4. Paragraph (b) of § 31.6302 (c)-1 is amended to read as follows:

§ 31.6302(c)-1 Use of Government depositaries in connection with taxes under Federal Insurance Contributions Act and income tax withheld.

* * * * *

(b) *Exceptions*—(1) *Monthly returns.* The provisions of this section are not applicable with respect to taxes for the month in which the employer receives notice from the district director that returns are required under § 31.6011(a)-5, or for any subsequent month for which such a return is required.

(2) *Wages paid in nonconvertible foreign currency.* The provisions of this section are not applicable with respect to taxes paid in nonconvertible foreign currency pursuant to § 301.6316-7 of this chapter (Regulations on Procedure and Administration).

PAR. 5. Section 301.6311-1 is amended by adding a new paragraph (c) thereto. This added paragraph reads as follows:

§ 301.6311-1 Payment by check or money order.

* * * * *

(c) *Payment in nonconvertible foreign currency.* For rules relating to payment of income taxes and taxes under the Federal Insurance Contributions Act in nonconvertible foreign currency, see section 6316 and the regulations thereunder.

PAR. 6. Section 301.6316-1 is amended to read as follows:

§ 301.6316-1 Payment of income tax in foreign currency.

Subject to the provisions of §§ 301.6316-3 to 301.6316-5, inclusive, that portion of the income tax which is attributable to amounts received by a citizen of the United States in nonconvertible foreign currency may be paid in such currency—

(a) For any taxable year beginning on or after January 1, 1955, and before January 1, 1964, if such amounts—

(1) Are disbursed from funds made available to a foundation or commission established in a foreign country pursuant to an agreement made under the authority of section 32(b) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1641(b)(2)), or re-established under the authority of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451);

(2) Constitute either a grant made for authorized purposes of the agreement or compensation for personal services performed in the employ of the foundation or commission;

(3) Are at least 75 percent of the entire amount of the grant or compensation received in the taxable year; and

(4) Are treated as income from sources without the United States under the provisions of sections 861 to 864, inclusive, and §§ 1.861-1 to 1.864, inclusive, of this chapter (Income Tax Regulations); and

(b) For any taxable year beginning on or after January 1, 1964, if such amounts—

(1) Are disbursed from funds made available either to a foundation or commission, established pursuant to an agreement made under the authority of section 32(b) of the Surplus Property Act of 1944, as amended, or to a foundation or commission established or continued pursuant to an agreement made under the authority of the Mutual Educational and Cultural Exchange Act of 1961, as amended; or are paid from grants made to such citizen, or to a foundation or an educational or other institution, under the authority of the Mutual Educational and Cultural Exchange Act of 1961, as amended, or section 104 (h), (j), (k), (o), or (p) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704 (h), (j), (k), (o), (p));

(2) Constitute either a grant made for a purpose authorized under any such agreement or law, or compensation for personal services performed in the employ of any organization engaged in administering any program or activity pursuant to any such agreement or law;

(3) Are at least 70 percent of the entire amount of the grant or compensation received in the taxable year; and

(4) Are treated as income from sources without the United States under

the provisions of sections 861 to 864, inclusive, and §§ 1.861–1 to 1.864, inclusive, of this chapter (Income Tax Regulations).

PAR. 7. Paragraph (a) of § 301.6316–2 is amended to read as follows:

§ 301.6316–2 Definitions.

For purposes of §§ 301.6316–1 to 301.6316–9, inclusive:

(a) The term "tax", as used in §§ 301.6316–1, 301.6316–3, 301.6316–4, 301.6316–5, and 301.6316–6 means the income tax imposed for the taxable year by chapter 1 of the Internal Revenue Code of 1954, and as used in § 301.6316–7 means the Federal Insurance Contributions Act taxes imposed by chapter 21 of the Code (or by the corresponding provisions of the Internal Revenue Code of 1939). The term "tax", as used in §§ 301.6316–8 and 301.6316–9 shall relate to either of such taxes, whichever is appropriate.

* * * * *

PAR. 8. Paragraphs (a) and (b)(1) of § 301.6316–4 are amended to read as follows:

§ 301.6316–4 Return requirements.

(a) *Place for filing.* A return of income which includes amounts received in foreign currency on which the tax is paid in accordance with § 301.6316–1 shall be filed with the Director of International Operations, Internal Revenue Service, Washington, D.C., 20225. For the time for filing income tax returns, see sections 6072 and 6081 and §§ 1.6072–1, 1.6081–1, and 1.6081–2 of this chapter (Income Tax Regulations).

(b) *Statements required.* (1) A statement, prepared by the taxpayer, and certified by the foundation, commission, or other person having control of the payments made to the taxpayer in nonconvertible foreign currency, shall be attached to the return showing that for the taxable year involved the taxpayer is entitle to pay tax in foreign currency in accordance with section 6316 and the regulations thereunder. This statement shall disclose the total amount of grants or compensation received by the taxpayer during the taxable year under the authority of section 32(b) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1641(b)(2)), or of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451), or section 104 (h), (j), (k), (o), or (p) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704 (h), (j), (k), (o), (p)), and the amount thereof paid in nonconvertible foreign currency. It shall also state that with respect to the grant or compensation the applicable percentage requirement of § 301.6316–1 is satisfied.

* * * * *

PAR. 9. Paragraphs (a) and (d)(1) of § 301.6316–5 are amended to read as follows:

§ 301.6316–5 Manner of paying tax by foreign currency.

(a) *Time and place to pay.* The unpaid tax required to be shown on a return filed in accordance with § 301.6316–4, whether payable in whole or in part in foreign currency, is due and payable to the Director of International Operations, Internal Revenue Service, Washington, D.C., 20225, at the time the return is filed. However, see paragraph (d) of this section with respect to the depositing of the foreign currency with the disbursing officer of the Department of State.

* * * * *

(d) *Deposit of foreign currency with disbursing officer.* (1) After the portion of the tax which is attributable to amounts received in nonconvertible foreign currency is determined in United States dollars, the amount so determined shall be deposited in the same nonconvertible foreign currency with the disbursing officer of the Department of State for the foreign country where the fund is located from which the payments in nonconvertible foreign currency are made to the taxpayer. The amount of foreign currency to be deposited shall be that amount which, when converted at the rate of exchange used on the date of deposit by that disbursing officer for the acquisition of such currency for his official disbursements, equals the portion of the tax so determined in United States dollars.

* * * * *

PAR. 10. Paragraphs (a) and (c)(2) of § 301.6316–6 are amended to read as follows:

§ 301.6316–6 Declarations of estimated tax.

(a) *Filing of declaration.* A declaration of estimated tax in respect of amounts on which the tax is to be paid in foreign currency under the provisions of § 301.6316–1 shall be filed with the Director of International Operations, Internal Revenue Service, Washington, D.C., 20225, and shall have attached thereto the statements required by paragraph (b)(1) and (2)(i) of § 301.6316–4 in respect of the tax return except that the statement certified by the foundation, commission, or other person having control of the payments to the taxpayer in nonconvertible foreign currency may be based upon amounts expected to be received by the taxpayer during the taxable year if they are not in fact known at the time of certification. A copy of this certified statement shall be retained by the taxpayer for the purpose of exhibiting it to the disbursing officer when making installment deposits of foreign currency under the provisions of paragraph (c) of this section. For the time for filing declarations of estimated tax, see sections 6073 and 6081 and §§ 1.6073–1 to 1.6073–4, inclusive, and §§ 1.6081–1 and 1.6081–2 of this chapter (Income Tax Regulations).

* * * * *

(c) *Payment of estimated tax.* * * *

(2) Every taxpayer making a deposit of foreign currency in accordance with this paragraph shall tender to the Director of International Operations, Internal Revenue Service, Washington, D.C., 20225, the original of the receipt from the disbursing officer as payment, to the extent of the amount represented thereby in United States dollars, of the estimated tax. For the dates prescribed for the payment of estimated tax, see sections 6153 and 6161 and §§ 1.6153–1 to 1.6153–4, inclusive, and § 1.6161–1 of this chapter (Income Tax Regulations). A taxpayer should make the deposit required by this paragraph in ample time to permit him to tender such receipt by the date prescribed for payment of the estimated tax.

* * * * *

PAR. 11. Sections 301.6316–7 and 301.6316–8 are deleted. There are added immediately after § 301.6316–6 the following new sections:

§ 301.6316–7 Payment of Federal Insurance Contributions Act taxes in foreign currency.

(a) *In general.* The taxes imposed on employees and employers by sections 3101 and 3111, respectively, of chapter 21 of the Code (Federal Insurance Contributions Act) or the corresponding sections of the Internal Revenue Code of 1939 may, with respect to wages (as defined in section 3121(a) of chapter 21 of the Code or the corresponding section of the Internal Revenue Code of 1939) paid in nonconvertible foreign currency (as defined in paragraph (b) of § 301.6316–2) for services performed on or after January 1, 1951, be paid in that currency if all such wages—

(1) Are paid from funds made available to a United States foundation or commission established in a foreign country pursuant to an agreement made under the authority of section 32(b) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1641(b)(2)), or established or continued pursuant to an agreement made under authority of the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451); and

(2) Are paid to a United States citizen for services performed in the employ of such foundation or commission.

(b) *Return requirements*—(1) *Statements required.* (i) A return on which payment of Federal Insurance Contributions Act taxes is made in accordance with this section shall have attached thereto a statement, certified by the foundation or commission filing the return, stating that the foundation or commission is an organization established pursuant to an agreement made under authority of section 32(b) of the Surplus Property Act of 1944, as amended, or established or continued pursuant to an agreement made under authority of the Mutual Educational and Cultural Exchange Act of 1961, as amended.

(ii) The taxpayer shall also attach to the return a statement showing the rates of exchange used in determining in United States dollars the wages reported on the return and the taxes due with respect thereto. See paragraph (c)(1) of this section.

(2) *Cross references.* For the place for filing returns of the Federal Insurance Contributions Act taxes, see § 31.6091–1(c) of this chapter (Employment Tax Regulations). For the time for filing returns of the Federal Insurance Contributions Act taxes, see

§ 31.6071(a)-1 of this chapter (Employment Tax Regulations).

(c) *Payment of tax*—(1) *Determination of the tax.* In determining in United States dollars the wages required to be reported on the return and the taxes due with respect thereto, the taxpayer shall use the rate of exchange which most clearly reflects the correct equivalent in dollars, whether it be the official rate, the open market rate, or any other appropriate rate.

(2) *Deposit of foreign currency with disbursing officer.* (i) After determination is made in United States dollars of the Federal Insurance Contributions Act taxes with respect to wages paid in nonconvertible foreign currency, the amount so determined shall be deposited in the same nonconvertible foreign currency with the disbursing officer of the Department of State for the foreign country where the fund is located from which such wages were paid. The amount of the foreign currency to be deposited shall be that amount which, when converted at the rate of exchange used on the date of deposit by the disbursing officer for the acquisition of such currency for his official disbursements, equals the taxes determined in United States dollars.

(ii) The disbursing officer may rely upon the taxpayer for the determination of the amount of tax payable in foreign currency but may not accept any such currency for deposit until the taxpayer has presented for inspection the certified statement referred to in paragraph (b)(1) of this section. Upon acceptance of foreign currency for deposit the disbursing officer shall give the taxpayer a receipt in duplicate showing the name and address of the depositor, the date of the deposit, the amount of foreign currency deposited and its equivalent in United States dollars on the date of deposit, and the kind of tax for which the deposit is made.

(iii) Every taxpayer making a deposit of foreign currency in accordance with this paragraph shall attach to the return required to be filed in accordance with paragraph (b) of this section the original of the receipt given by the disbursing officer. Tender of such receipt to the Director of International Operations shall be considered as payment of tax in an amount equal to the United States dollars represented by the receipt.

(iv) A taxpayer shall make the deposit required by this paragraph in ample time to permit it to attach the receipt to its return for filing within the time prescribed by § 31.6071(a)-1 of this chapter (Employment Tax Regulations).

§ 301.6316-8 Refunds and credits in foreign currency.

(a) *Refunds.* The refund of any overpayment of tax which has been paid under section 6316 in foreign currency may, in the discretion of the Commissioner, be made in the same foreign currency by which the tax was paid. The amount of any such refund made in foreign currency shall be the amount of the overpayment in United States dollars converted, on the date of the refund check, at the rate of exchange then used for his official disbursements by the disbursing officer of the Department of State in the country where the foreign currency was originally deposited.

(b) *Credits.* Unless otherwise in the best interest of the Internal Revenue Service, no credit of any overpayment of tax which has been paid under section 6316 in foreign currency shall be allowed against any outstanding liability of the person making the overpayment except in respect of that portion of the liability which, in accordance with § 301.6316-1 or § 301.6316-7, would otherwise be permitted to be paid in the same foreign currency.

§ 301.6316-9 Interest, additions to tax, etc.

Any reference in §§ 301.6316-1 to 301.6316-8, inclusive, to "tax" shall be deemed also to refer to the interest, additions to the tax, additional amounts, and penalties attributable to the tax.

[F.R. Doc. 65-4607; Filed, May 3, 1965; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

LACASSINE NATIONAL WILDLIFE REFUGE, LOUISIANA

Proposed Deletion From Open Areas for Hunting Migratory Birds

Pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715) and the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), it is proposed to amend 50 CFR 32.11 as set forth below. The purpose of this amendment is to delete the Lacassine National Wildlife Refuge, La., from the list of wildlife refuges open to the hunting of migratory game birds.

It has been determined that regulated hunting of migratory game birds cannot be permitted on this refuge without excessive interference with a program to build up the refuge Canada goose population.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 32.11 is amended by the deletion of the Lacassine National Wildlife Refuge, La.

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

APRIL 28, 1965.

[F.R. Doc. 65-4631; Filed, May 3, 1965; 8:45 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 657]

[Administrative Order 591]

INDUSTRY COMMITTEE FOR TOBACCO INDUSTRY IN PUERTO RICO

Appointment To Investigate Conditions and Recommend Minimum Wages; Notice of Hearing

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby appoint Industry Committee No. 74 for the tobacco industry in Puerto Rico (as defined in 29 CFR 657.1).

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 29 CFR Part 511, I hereby:

(a) Convene the above-appointed industry committee;

(b) Refer to it the following:

(1) The question of the minimum rate or rates of wages to be fixed for the industry for employees who are engaged in commerce or in the production of goods for commerce, and (2) the question of the minimum rate or rates of wages to be fixed for any employees covered by the act by reason of the Fair Labor Standards Amendments of 1961;

(c) Give notice of the hearing to be held at the time and place indicated below. The committee shall investigate conditions in the industry, and it, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned act.

Industry Committee No. 74 shall meet in executive session to commence its investigation at 10 a.m. on June 14, 1965, in the office of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico, and shall commence its hearing at 1 p.m. on the same date at the same place.

The industry committee shall recommend to the Administrator of the Wage and Hour and Public Contracts Divisions of this Department the highest minimum wage rates (in the case of question (1) referred to the committee, not exceeding the minimum wage rate of $1.25 per hour, and in the case of question (2) referred to the committee, not exceeding the minimum wage rate of $1.15 per hour for immediate effect and $1.25 per hour for effect on and after September 3, 1965, and in no case less than the currently effective rate) which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto

Rico, the Virgin Islands and American Samoa.

Whenever the industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in the industry than may be determined for other employees in it, the committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within the industry, in making such classifications, and in determining the minimum wage rates for such classifications, the industry committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report for the industry committee containing such data as he is able to assemble pertinent to the matters referred to it. Copies of such report may be obtained at the Washington, D.C., and Puerto Rican offices of the Wage and Hour and Public Contracts Divisions as soon as they are completed and prior to the hearing. The industry committee shall take official notice of the facts stated in the economic report to the extent that they are not refuted at the hearing.

The procedure of the industry committee is governed by 29 CFR Part 511. As a prerequisite to participation in the hearing, interested persons shall file prehearing statements containing the data specified in 29 CFR 511.8 not later than June 4, 1965.

Signed at Washington, D.C., this 28th day of April 1965.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 65-4655; Filed, May 3, 1965; 8:47 a.m.]

[29 CFR Part 697]

[Administrative Order 592]

AMERICAN SAMOA

Hearing To Investigate Conditions and Recommend Minimum Wages

Pursuant to authority in section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) and Reorganization Plan No. 6 of 1950 (3 CFR, 1949-53 Comp., p. 1004), I hereby appoint, convene, and give notice of the hearing of Special Industry Committee No. 6 for American Samoa.

I hereby refer to this industry committee the question of the minimum wage rate or rates to be paid under section 6(a)(3) of the act in industries or enterprises in American Samoa engaged in commerce or in the production of goods for commerce. The industry committee shall investigate conditions in the industries and enterprises in American Samoa and the committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the act.

The committee will meet in executive session to make appropriate decisions concerning the proceedings at 9 a.m. on July 12, 1965, and commence its public hearing at 1 p.m. on the same day in the Legislative Hall, Pago Pago, American Samoa.

In order to reach as rapidly as is economically feasible the objective of the minimum wages prescribed in paragraph (1) of section 6(a) and section 6(b) of the act, the committee will recommend to the Administrator the highest minimum rate or rates of wages which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in any industry or enterprise in American Samoa and will not give any industry or enterprise in American Samoa a competitive advantage over any industry or enterprise in the United States outside of Puerto Rico, the Virgin Islands and American Samoa. Where the committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry or enterprise than may be determined for other employees in that industry or enterprise, the committee shall recommend such reasonable classifications within that industry or enterprise as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it, under the principles set forth herein, which will not substantially curtail employment in such classification and will not give a competitive advantage to any group in the industry or enterprise. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry or enterprise, in making such classifications, and in determining the minimum wage rates for such classifications, the committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry or enterprise.

The Administrator shall prepare an economic report containing the information he has assembled pertinent to the matters referred to the committee. Copies of this report may be obtained at the Office of the Governor, Pago Pago, American Samoa, and the National Office of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, Washington, D.C., 20210. The committee will take official notice of the facts stated in this report to the extent they are not refuted by evidence received at the hearing.

The procedure of this industry committee will be governed by the provisions of Title 29, Code of Federal Regulations, Part 511. Copies of this part of the regulations will be available at the Office of the Governor in Pago Pago, American Samoa. The proceedings will be conducted in English but in the event a witness should testify in Samoan, an interpreter will be provided. As a prerequisite to participation as a party, interested persons shall file nine copies of a prehearing statement at the aforementioned Office of the Governor of American Samoa and one copy at the National Office of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, Washington, D.C., 20210. Each prehearing statement shall contain the data specified in section 511.8 of the regulations and shall be filed not later than June 23, 1965. If such statements are sent by airmail between American Samoa and the mainland, such filing shall be deemed timely if postmarked within the time provided.

Signed at Washington, D.C., this 28th day of April 1965.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 65-4656; Filed, May 3, 1965; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-53]

TRANSITION AREA

Proposed Redesignation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Muskegon, Michigan, terminal area.

The following controlled airspace is presently designated in the Muskegon, Michigan, terminal area:

The Muskegon, Michigan, transition area is designated as that airspace extending upward from 700 feet above the surface within 8 miles northeast and 6 miles southwest of the Muskegon County Airport ILS localizer southeast course, extending from 3 miles northwest of the OM southeast to the arc of an 18-mile radius circle centered on the Muskegon County Airport (latitude 43°10'16" N., longitude 86°14'09" W.), and within a 4-mile radius of Grand Haven Memorial Airpark, Grand Haven, Mich., (latitude 43°02'00" N., longitude 86°11'50" W.); and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of Muskegon County Airport, including the airspace southwest of Muskegon bounded by a line beginning at latitude 42°54'35" N., longitude 86°13'00" W., extending southwest to latitude 42°45'25" N., longitude 86°23'40" W., thence northwest to latitude 42°58'50" N., longitude 86°32'30" W., thence east along the south boundary of V-216 to the 18-mile radius area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Muskegon, Mich., terminal area, proposes the following airspace action:

Redesignate the Muskegon, Mich., transition area as that airspace extending upward from 700 feet above the surface within 8 miles northeast and 6 miles southwest of the Muskegon County Airport ILS localizer southeast course, extending from 3 miles northwest of the OM southeast to the arc of an 18-mile radius circle centered on the Muskegon County Airport (latitude 43°10'16" N., longitude 86°14'09" W.), and within a 4-mile radius of Grand Haven Memorial Airpark, Grand Haven, Mich. (latitude 43°02'00" N., longitude 86°11'50" W.); and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of the Muskegon County Airport (latitude 43°10'16" N., longitude 86°14'09" W.) including the airspace southwest of Muskegon bounded on the northeast by the 18-mile radius area; on the southeast by the Grand Rapids, Mich., transition area, on the southwest by V-30 and on the northwest by V-216.

The present Muskegon, Mich., transition area provides controlled airspace for the protection of aircraft executing prescribed arrival, departure and holding procedures. The additional controlled airspace proposed herein will permit the Chicago, Ill., Air Route Traffic Control Center to provide radar vectoring services to aircraft operating to and from Muskegon, Mich., and Milwaukee, Wis.

The additional proposed airspace will not have any effect on instrument approach procedure altitudes or minimums.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

Specific details of the changes to procedures that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, ATTN: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 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. 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 public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued at Kansas City, Mo., on April 21, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-4623; Filed, May 3, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 11709; FCC 65-339]

FIXED SERVICE UTILIZING TROPOSPHERIC SCATTER TECHNIQUES

Notice of Proposed Rule Making

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 28th day of April 1965;

The Commission, having before it for consideration the notice of proposed rule making in the above-entitled matter which was adopted on May 9, 1956 and published in the FEDERAL REGISTER on May 16, 1956 (21 F.R. 3231); and the report and order in Docket No. 11866, adopted July 29, 1959, and published in the FEDERAL REGISTER on August 11, 1959 (24 F.R. 6442); and

It appearing that all matters of substance which were contained in the notice of proposed rule making were also considered as result of the information obtained from the hearings and the testimony and comments filed during the proceedings in Docket No. 11866; and

It further appearing, that, as a result of the proceedings in Docket No. 11866, the Commission determined that both scatter systems and conventional line-of-sight microwave systems should not share the same bands and that, as a general principle, scatter systems would not be authorized for operation between points within the conterminous United States; and

It further appearing that such a determination renders moot the further consideration of Docket No. 11709; accordingly,

It is ordered, That, pursuant to authority contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, proceedings in Docket No. 11709 are hereby terminated.

Released: April 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4647; Filed, May 3, 1965; 8:47 a.m.]

[1] Commissioners Lee and Loevinger absent.

Notices

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

INSURED BANKS

Joint Call for Report of Condition

Cross Reference: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 65-4633, Federal Deposit Insurance Corporation, *infra*.

FEDERAL DEPOSIT INSURANCE CORPORATION

INSURED BANKS

Joint Call for Report of Condition

Pursuant to the provisions of section 7(a)(3) of the Federal Deposit Insurance Act each insured bank is required to make a Report of Condition as of the close of business April 26, 1965, to the appropriate agency designated herein, within 10 days after notice that such report shall be made: *Provided*, That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original Report of Condition on Office of the Comptroller Form, Call No. 453,[1] and shall send the same to the Comptroller of the Currency, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of Columbia, shall make its original Report of Condition on Federal Reserve Form 105—Call 175,[1] and shall send the same to the Federal Reserve Bank of the District wherein the bank is located, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original Report of Condition on FDIC Form 64—Call No. 71,[1] and shall send the same to the Federal Deposit Insurance Corporation.

The original Report of Condition required to be furnished hereunder to the Comptroller of the Currency and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for preparation of Reports of Condition by National Banking Associations," dated January, 1961, and any amendments thereto.[1] The original Report of Condition required to be furnished hereunder to the Federal Reserve Bank of the District wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of Reports of Condition by State Member Banks of the Federal Reserve System," dated February, 1961.[1] The original Report of Condition required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of Report of Condition on Form 64, by insured State banks not members of the Federal Reserve System," dated January, 1961.[1]

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original Report of Condition on FDIC Form 64 (Savings),[1] prepared in accordance with "Instructions for the preparation of Report of Condition on Form 64 (Savings) and Report of Income and Dividends on Form 73 (Savings) by Mutual Savings Banks," dated December, 1962,[1] and shall send the same to the Federal Deposit Insurance Corporation.

Dated: April 15, 1965.

Federal Deposit Insurance Corporation,
Joseph W. Barr,
Chairman.

William B. Camp,
Acting Comptroller of the Currency.

Board of Governors of the Federal Reserve System,
William McC. Martin, Jr.,
Chairman.

[F.R. Doc. 65-4633; Filed, May 3, 1965; 8:46 a.m.]

[1] Filed as part of original document.

FEDERAL RESERVE SYSTEM

INSURED BANKS

Joint Call for Report of Condition

Cross Reference: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 65-4633, Federal Deposit Insurance Corporation, *supra*.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Proposed Amendment of Public Land Order 1600

April 27, 1965.

The U.S. Weather Bureau, Department of Commerce has filed a request for amendment of Public Land Order 1600 dated March 13, 1958 (Fairbanks 013163), which withdrew the lands described below for use as a weather station. The proposed amendment would conform the original metes and bounds description to the survey.

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, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the withdrawal will be amended as requested by the Bureau of Indian Affairs.

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:

Barrow, Alaska

U.S. Survey 4615, Alaska,
Block 32 (all);
Block 33, lots 1 through 7
(including area shown on plat of survey as reserved for Okpik Street and lying between Blocks 32 and 33).

The area described aggregates approximately 276,806 square feet.

Ross A. Youngblood,
Manager, Fairbanks District and Land Office.

[F.R. Doc. 65-4645; Filed, May 3, 1965; 8:47 a.m.]

[Wyoming 029381]

WYOMING

Notice of Termination of Proposed Withdrawal and Reservation of Lands

April 27, 1965.

Notice of an application, serial number Wyoming 029381, for withdrawal and reservation of lands was published as Federal Register Document No. 56-6869 on page 6420 of the issue for August 24, 1956. The applicant Agency has canceled its application in its entirety. Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands will be, at 10 a.m. on June 3, 1965, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

Sixth Principal Meridian, Wyo.

T. 47 N., R. 93 W.,
Secs. 2, 3, 10, 11, 14, and 15;
Sec. 22, lots 1, 2, 3, and 4, N½, and NE¼SE¼;
Sec. 23.

T. 48 N., R. 93 W.,
Sec. 34, S½;
Sec. 35, S½.

The area described aggregate 5,552.49 acres.

ED PIERSON,
State Director.

[F.R. Doc. 65-4630; Filed, May 3, 1965; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

COOPERATIVE STATE RESEARCH SERVICE

Statement of Organization and Delegations

The functions and authorities delegated to the Cooperative State Research Service in 29 F.R. 16210 are hereby amended to add a paragraph "f" to section 130 to read as follows:

f. The administration of applied and developmental research, through contracts under the Agricultural Marketing Act, on problems of agricultural income and efficiency in Appalachia, and on necessary physical and social adjustments to improve the economic level of agricultural and rural residents of that region, in conjunction with the program established under PL 89-4.

Signed at Washington, D.C., this 28th day of April 1965.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 65-4634; Filed, May 3, 1965; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 342]

JIH HSIN TRADING CO. ET AL.

Order Denying Export Privileges

In the matter of Jih Hsin Trading Co., 901 Liu Chong Hing Bank Building, Hong Kong, respondent; Li Siu Chow, 469 King's Road, 3d Floor, Hong Kong, and Chiu Ming Ching, 504 Bank of East Asia Building, 10 Des Voeux Road, Central, Hong Kong, partners in Jih Hsin Trading Co.; N. G. Wu, also known as N. G. Ng, 901 Liu Chong Hing Bank Building, employee of Jih Hsin Trading Co.; Case No. 342.

By charging letter dated January 19, 1965, the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, charged the above-named respondent with violations of the Export Control Act of 1949, as amended, and regulations thereunder. The respondent was served with the charging letter and has not responded or filed an answer and, in accordance with § 382.4 of the regulations, is held in default.

In accordance with the usual practice, the case was referred to the Compliance Commissioner. He held an informal hearing on March 30, 1965, at which time counsel for the Investigations Division presented evidence in support of the charges.

It was charged that during February 1964, the respondent exported or caused to be exported from Hong Kong to the Communist-controlled area of Vietnam 15 air conditioners valued at approximately $15,000, each of which contained a U.S.-manufactured compressor, and that the respondent knew or had reason to know that the air conditioners contained U.S. components and that U.S. law prohibited the exportation without prior authorization from the United States Government.

The Compliance Commissioner has reported the findings of fact and findings that violations have occurred and has recommended that sanctions as hereinafter set forth be imposed.

After considering the entire record and the report and recommendation of the Compliance Commissioner, I hereby make the following findings of fact:

(1) The respondent Jih Hsin Trading Co. is a partnership with a place of business in Hong Kong and is engaged in the import-export business. The partners are Li Siu Chow and Chiu Ming Ching, both of Hong Kong. Both of said individuals actively participate in the conduct and operations of the business. N. G. Wu, also known as N. G. Ng, of Hong Kong is the export manager of the firm and was the individual responsible for carrying out the transaction in question on behalf of the partnership.

(2) During February 1964, the respondent Jih Hsin Trading Co. exported from Hong Kong to the Communist-controlled area of Vietnam 15 air conditioners valued at approximately $15,000. Each of said air conditioners contained a compressor which had been manufactured in the United States and which had been exported to Hong Kong under a validated export license.

(3) At the time the air conditioners were exported from Hong Kong to the Communist-controlled area of Vietnam, the respondent know or had reason to know that they contained U.S.-manufactured parts and that U.S. law prohibited their exportation from Hong Kong to the destination to which they were sent. The respondent did not apply for or obtain authorization from the Office of Export Control to make the exportation in question.

Based on the foregoing I have concluded that the respondent in violation of § 381.6 of the U.S. Export Regulations, without specific authorization from the U.S. Department of Commerce, Office of Export Control, knowingly reexported and diverted U.S.-origin commodities from Hong Kong to Vietnam, contrary to the provisions of said regulations.

When N. G. Wu, the export manager of the respondent firm, was interviewed by officials of the U.S. Consulate General, Hong Kong, concerning the transaction, he contended that the reexportation was not subject to U.S. export controls inasmuch as the air conditioners were secondhand units. We reject this contention. It has consistently been our position, which is reflected in the Export Regulations, that U.S. export controls, as they relate to reexportations, are applicable to any and all commodities which were exported from the United States. It is immaterial whether the commodities which are intended to be reexported are new or used. It is also immaterial whether or not the reexporter was the original importer from the United States.

I have considered the record in the case and the recommendation of the Compliance Commissioner as to the sanction that should be imposed and have concluded that the said recommendation is fair and just and necessary to achieve effective enforcement of the law.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in paragraph IV hereof, the respondent for a period of 5 years from the effective date of this order is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the export regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to its successors, representatives, agents, partners, and employees, and also to any person, firm, corporation, or other business organization with which it or its partners now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. Two years after the effective date hereof the respondent may apply to have the effective denial of its export privileges held in abeyance while it remains on probation. Such application shall be supported by evidence showing respondent's compliance with the terms of this order and such disclosure of details of its activities relating to import and export transactions during said 2 years as may be necessary to determine its compliance with this order. The application will be considered on its merits and in the light of conditions and policies existing at that time. The respondent's privileges may be restored under such terms and conditions as appear to be appropriate.

V. During the time when the respondent or any other person within the scope of this order is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondent or other person denied export privileges within the scope of this order, or whereby the respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. Included within the purview of Part III of this order are Li Siu Chow and Chiu Ming Ching, partners in the respondent firm, and also N. G. Wu, also known as N. G. Ng, an employee of the respondent. All of the prohibitions and restrictions of this order shall apply to said individuals as though they were named as respondents herein.

This order shall become effective on May 4, 1965.

Dated: April 27, 1965.

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 65-4642; Filed, May 3, 1965; 8:46 a.m.]

Office of the Secretary

CARL W. HASEK, JR.

Statement of Changes in Financial Interests

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

A. Deletions—No change.
B. Additions—No change.

This statement is made as of April 9, 1965.

APRIL 9, 1965.

CARL W. HASEK, Jr.

[F.R. Doc. 65-4653; Filed, May 3, 1965; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-16]

POWER REACTOR DEVELOPMENT CO.

Notice of Issuance of Order Extending Expiration Date of Provisional Operating License

Please take notice that the Atomic Energy Commission has issued an order extending to November 10, 1965, the expiration date specified in Provisional Operating License No. DPR-9 issued to Power Reactor Development Co. authorizing operation of the Enrico Fermi Atomic Power Plant located in Monroe County, Mich., at thermal power levels not in excess of one megawatt.

Copies of the Commission's order and the application dated April 7, 1965, filed by Power Reactor Development Co., are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C.

Dated at Bethesda, Md., this 27th day of April 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-4620; Filed, May 3, 1965; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-22105]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1965.

Agreements adopted by the Traffic Conferences of the International Air Transport Association (IATA) relating to fares; Docket 15353, Agreement C.A.B. 18268,[1] Agreement C.A.B. 18269.[2]

There have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act and Part 261 of the Board's Economic Regulations, agreements between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted by mail vote and have been assigned the above-designated C.A.B. agreement numbers.

The resolutions incorporated in the agreements which are of primary interest to the Board include those relating to passenger fares to apply via the Atlantic and South Pacific routes and via the Polar route. The resolutions are intended for effectiveness for the period April 27, 1965, through March 31, 1967, except those applicable to travel via the North Atlantic and via the Atlantic to points in the Far East which carry an expiry date of March 31, 1966.

[1] R-1, R-2, R-3, R-5 through R-8, R-10 through R-28.

[2] R-1, R-2, R-3, R-6 through R-11, R-14 through R-45.

With respect to South Pacific fares, the agreement provides for a reduction of normal one-way fares in amounts which, when coupled with a 5 percent round-trip discount, result in the maintenance of existing round-trip fares. Affinity type group fares are readopted, and an additional special fare resolution provides for 23-day economy-class excursion fares between Bora Bora Papeete and Honolulu and Bora Bora Papeete and West Coast points. The excursion fares are set at the same level as was heretofore applicable to non-affinity group travel between these points and provide a reduction of about 25 percent from normal round-trip economy class fares.

With limited exceptions, the agreements provide for the readoption of existing transatlantic and polar route fares. The implementation of the North Atlantic agreement as binding upon the carriers is contingent upon approval of a worldwide proscription of in-flight visual entertainment which is being dealt with as a matter separate and apart from the fare resolutions here before the Board.[3]

Under the circumstances and in the interest of stability, we will approve the proposed continuation of existing North Atlantic fares. In doing so, we take particular note of the fact that the agreement is limited to a 1-year period. Notwithstanding the fact that we believe approval is warranted, we continue to believe that the adjustments previously urged by the Board, which would have had the effect of increasing the availability of the 14-21-day excursion fares and reducing the period during which peak economy fares apply, are still justified. We again urge the carriers to consider such adjustments in their negotiation of a subsequent fare agreement. Moreover, there appears to be a real need for appropriately priced excursion fares for travel from Europe to the United States to effect a better balance of traffic in these important markets. The carriers are urged to explore such matters promptly.

With particular reference to affinity group fares applicable via the Atlantic and in other areas, we note that an amendment would appear to subject military forces of a department of a national government to a 20,000 numerical limitation on the size of the department from which such groups could be drawn. The numerical standard is not new, but the military forces were heretofore exempted from the requirement by the terms of the resolutions. No data have been submitted by the carriers indicating a need to narrow the availability of the fares so as to subject the military to the 20,000 numerical limitation. Moreover, we would call the carriers' attention to the fact that the Board's outstanding approval of group fare resolutions is so conditioned as to render inapplicable in air transportation, as defined by the act,

[3] Order E-22049, Apr. 16, 1965.

various restrictive provisions, including the numerical limitations on affinity groups from which passengers may be drawn. These outstanding conditions are carried forward under the approval herein granted and preclude the numerical limitation proposed with respect to the military as well as other organizations.

We note that resolutions pertaining to polar route normal fares (058 and 068) as well as those establishing normal fares between points in the United States and points in the Far East via the Atlantic and thence via polar route services (057a and 067a) prohibit passengers travelling at the fares specified to stop over at a point in North America via the polar route: *Provided*, That stopovers may be permitted at Anchorage, Alaska, only, subject to certain conditions, including the following:

(1) This proviso shall apply only in the case of passengers travelling at normal fares;

(2) Passengers shall not be permitted to stop over at Anchorage for more than 3 days;

(3) No reference shall be made to this stopover facility in any advertising, publicity or announcement other than a simple statement to the effect that stopover at Anchorage only is permitted.

The Board considers these restrictions to be unduly restrictive. Approval of the resolutions is conditioned accordingly. In Order E-21869, the Board withdrew its outstanding approval of polar fare resolutions to the extent that they precluded stopovers in Alaska at the through fares. In doing so, the Board noted that the restrictive provisions were inconsistent with the Board's more recent action and intent in amending foreign carrier permits to authorize passenger stopover privileges in Alaska. At the same time, the Board alerted the carriers of its expectations that any subsequent limitations that might be agreed upon would be reasonable and not unduly restrictive. A stopover limited to 3 days in Alaska, as now proposed, with a restriction against advertising, would also be inconsistent with and serve to defeat the Board's intent in amending the foreign carrier permits. The general limitation of the stopover facility to normal fares as well as the specific restriction against stopovers in Alaska proposed under Resolution 084t (Special Fares for Inclusive Tour Groups—JT23) are also objectionable. The carriers have submitted no justification in support of the above-noted restrictions. Under these circumstances, we have no alternative but to find the provision to be unreasonable and unduly restrictive. Our approval herein specifies that these provisions shall not obtain with respect to stopovers in Alaska.[4] It is the Board's opinion that imposition of a stopover limitation on passengers travelling at normal fares goes beyond the appropriate purview of IATA. We have, in the past, permitted reasonable limitations on trip or stopover duration where travel is at reduced special fares, so as to maintain a sound economic operation and avoid undue diversion. In this context, however, we would view a 3-day limitation as unrealistic in relation to the long-haul nature of the travel involved. In any event, where free stopover privileges are an integral part of the basic fare structure, as has long been the case internationally, we believe their duration should be at the option of the passenger rather than the carrier.

[4] Since the transportation under Resolution 084t is between points in Europe and points in the Far East with our interest limited to the stopover in Alaska, our action should not be considered as general acceptance of the tour basing concept.

1. The Board finds, on the basis of all facts presently known, that those resolutions set forth in Appendix A[5] and contained in Agreement C.A.B. 18269 do not affect air transportation within the meaning of the Act.

2. The Board does not find those resolutions set forth in Appendix B[5] and contained in Agreements C.A.B. 18268 and C.A.B. 18269 to be adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions specified with respect to each.

3. The Board does not find those resolutions set forth in Appendix C[5] and contained in Agreements C.A.B. 18268 and C.A.B. 18269 to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered:

1. That jurisdiction is disclaimed with respect to that portion of Agreement C.A.B. 18269 set forth in finding paragraph 1.

2. That portion of Agreements C.A.B. 18268 and C.A.B. 18269 set forth in finding paragraph 2 is approved subject to the conditions stated therein.

3. That portion of Agreements C.A.B. 18268 and C.A.B. 18269 set forth in finding paragraph 3 is approved.

Any air carrier party to the agreements, or any interested person, may within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statement should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary*.

[F.R. Doc. 65-4657; Filed, May 3, 1965; 8:47 a.m.]

[5] Filed as part of the original document.

[Docket No. 16112; Order E-22106]

NORTHEAST AIRLINES, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1965.

Extension of family fares to all days of the week between Fort Lauderdale/Miami and all points served proposed by Northeast Airlines, Inc.; Docket 16112.

By tariff revisions[1] marked to become effective May 17, 1965, Northeast Airlines, Inc. (Northeast), proposes to extend the applicability of family fares to all days of the week at all times between Ft. Lauderdale or Miami, on the one hand, and all points served by Northeast, on the other hand. At the present time, family fares apply on Northeast's system on flights scheduled to depart not earlier than 6 a.m. Monday, and not later than 6 a.m. Friday. The proposal is marked to expire November 28, 1965. Similar tariff revisions have been filed defensively by Eastern Air Lines, Inc. (Eastern), and National Airlines, Inc. (National).

Complaints requesting investigation and suspension of Northeast's proposal have been filed by American Airlines, Inc. (American), Eastern, and National. The complaints allege that Northeast has presented no economic or statistical data in justification of its proposal; that the present form of family fares has achieved its main purpose, i.e., a more even distribution of traffic throughout the days of the week; that extension of the applicability of family fares would completely eliminate the traffic leveling effect of the plan and result in severe peaking problems, particularly in coach service; that Northeast itself has recognized the need for reducing daily traffic variations by recently reducing group fares in its East Coast-Florida markets on weekdays only; and that approval of Northeast's proposal will precipitate a chain of competitive filings throughout the trunkline industry, undermining the economic basis for the present family plan and resulting in large losses to the industry. Finally, the complaints maintain that the family fare level of stability now achieved in the industry should not be disrupted without a responsible, well-justified proposal. The complaints allege that Northeast's proposal does not meet these requirements, and therefore the Board should suspend and investigate the Northeast proposal.

Northeast's entire justification accompanying its proposal is as follows:

> NE is extending the applicability of its family plan fares to Florida for a limited period of time in order that NE's summer fares will offer maximum sales appeal to family groups.

Northeast has not submitted any factual data showing that its proposal is justified economically. The lack of adequate explanation and data supporting a tariff change is in violation of the Board's regulations.[2] The Board has previously voiced its concern with the serious questions of unjust discrimination as they may pertain to family fare discounts.[3]

[1] Revisions to Airline Tariff Publishers, Inc., agent (formerly Agent C. C. Squire) Tariff No. 43, bearing a posting date of Apr. 2, 1965.

[2] Section 221.165 of the Board's Economic Regulations.

[3] Order E-20099, Oct. 16, 1963, wherein the Board instituted an overall investigation of the family plan tariff provisions (Docket 14813, the Family Fare Case).

The broadening of the scope of the family plan as proposed by Northeast to every day of the week reduces the justification for the inherent discrimination, namely, the traffic leveling effect. Moreover, we are concerned that the proposed family fare discount for weekend travel will dilute carrier revenues and precipitate additional uneconomic filings.

Upon consideration of the tariff proposal, the allegations in the complaints, and other matters noticed herein, the Board finds that the proposals to extend the applicability of family fares in the East Coast-Florida markets to every day of the week may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential or prejudicial, and that the proposed tariff revisions should be investigated. Since we believe there is a substantial question that the proposed fares may be unjustly discriminatory as well as unreasonable, we have further concluded to suspend the effectiveness of the tariff revisions pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 102, 204(a), 403, 404, and 1002: *It is ordered*, That:

1. An investigation is instituted to determine whether the provisions of Exception 1 to Rule 44(A) applicable via NE on 70th Revised Page 30-A; and the provisions of Exception 1 to Rule 44(A) applicable via NA and NE, and the provisions applicable via EA between Ft. Lauderdale or Miami and Boston, Hartford, Montreal, New York, Newark, and Philadelphia on 71st Revised Page 30-A; of Airline Tariff Publishers, Inc., agent, C.A.B. No. 43 and rules, regulations, or practices affecting such provisions are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and if found to be unlawful to determine and prescribe the lawful provisions and rules, regulations, and practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions described in Ordering paragraph 1, are suspended (so far as applicable to interstate air transportation) to and including August 14, 1965, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated;

4. The complaints of American Airlines, Inc., in Docket 16053, Eastern Air Lines, Inc., in Docket 16058, and National Airlines, Inc., in Docket 16050, to the extent granted, are consolidated in this Docket; and

5. A copy of this order be filed with the aforesaid tariff and be served upon American Airlines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., and Northeast Airlines, Inc., which are made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary*.

[F.R. Doc. 65-4658; Filed, May 3, 1965; 8:47 a.m.]

[Docket No. 12895 etc.]

UNITED STATES-CARIBBEAN-SOUTH AMERICA INVESTIGATION

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on May 25, 1965, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner William F. Cusick.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Whether the public convenience and necessity require the Board to take specific action with respect to the issues raised by the Board's investigation in Docket 12895, as outlined in the several orders relating to the investigation, particularly Order Nos. E-17289, E-17932, E-18007, E-18729, E-19792, E-20403, E-20777, and E-21063.

2. Whether the public interest requires, as contemplated in section 401(g) of the act, the alteration, amendment, modification or suspension, in whole or in part, of any existing certificate of public convenience and necessity issued pursuant to section 401 of the act, authorizing air transportation between points in the United States, the Caribbean area and South America.

3. Whether the public convenience and necessity require the new or additional air transportation service, in whole or in part, as proposed in the applications consolidated for disposition herein.

For further details of this proceeding and the issues involved, interested persons are referred to the first Prehearing Conference Report, served on June 12, 1962; the Second Prehearing Conference Report, served on June 11, 1964; the Supplement to Second Prehearing Conference Report, served on July 20, 1964; the applications consolidated herein; all Board orders issued in connection with the proceeding and all other documents related thereto on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person not a party of record and who desires to be heard in support of, or in opposition to, the issues involved herein, must file with the Board on or before May 24, 1965, a statement setting forth the matters of fact or law which he desires to advance. Any person filing such a statement may appear and participate in the proceeding in accordance with the provisions of Rule 14(b) of the Board's Rules of Practice in Economic Proceedings.

Dated at Washington, D.C., April 28, 1965.

[SEAL] WILLIAM F. CUSICK, *Hearing Examiner*.

[F.R. Doc. 65-4660; Filed, May 3, 1965; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15932, 15933; FCC 65M-534]

ASSOCIATED TELEVISION CORP. AND CAPITOL CITY TELEVISION CO.

Order Continuing Hearing

In re applications of Associated Television Corp., St. Paul, Minn., Docket No. 15932, File No. BPCT-3318; Deil O. Gustafson, trading as Capitol City Television Co., St. Paul, Minn., Docket No. 15933, File No. BPCT-3428; for construction permit for new television broadcast station (Channel 23).

The Examiner having under consideration the prehearing conference held herein on April 28, 1965, and the agreements and stipulations therein achieved;

It is ordered, This 28th day of April 1965, that the agreements and stipulations contained in the transcript of hearing conference shall govern the conduct of this proceeding and are herein incorporated as though set forth at length; and

It is further ordered, Without limitation as to the matters agreed to in the transcript, that the following timetable shall apply herein:

All exhibits with respect to direct case shall be exchanged on or before June 15, 1965.

Notification as to the identity of witnesses desired at the hearing for cross-examination shall be exchanged on or before June 28, 1965.

The hearing herein shall commence on July 12, 1965, in lieu of June 30, 1965, at the time and place specified in the original hearing order.

Released: April 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary*.

[F.R. Doc. 65-4648; Filed, May 3, 1965; 8:47 a.m.]

[Docket No. 15962; FCC 65-308]

WILLIAM S. HOGIN

Order Designating Application for Hearing on Stated Issues

In re application of William S. Hogin, Phoenix, Ariz., Docket No. 15962; for renewal of General Class amateur operator and station license, call sign K7DHF.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 21st day of April 1965;

The Commisison having under consideration the application of William S. Hogin, 3043 North 56th Street, Phoenix,

Ariz., for renewal of his General Class amateur operator and station license, K7DHF, filed on July 9, 1964, pursuant to § 97.47 of the Commission's rules; and

It appearing that William S. Hogin formerly held a General Class amateur operator and station license, K7DHF, which expired on May 18, 1964; and

It further appearing, that on January 17, 1964, William S. Hogin, in attempting to obtain a second General Class amateur operator and station license violated § 97.129 of the Commission's rules, and Title 18, Section 1001 of the U.S. Code; in that he used the alias of Bill X. Hogin and gave a false birth date without disclosing that he already held a valid General Class amateur operator and station license, K7DHF; and

It further appearing, that, except for the facts set forth above, the applicant is legally and technically qualified to hold the license for which the captioned application has been made; and

It further appearing, that in view of the foregoing, the Commission is unable to find that the public interest, convenience and necessity would be served by the grant of the captioned application;

It is ordered, Pursuant to sections 309(e) and 303(1) of the Communications Act of 1934, as amended, that the captioned application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the facts and circumstances concerning the filing of an application for a General Class amateur radio operator and station license in the name of Bill X. Hogin on January 17, 1964, particularly with regard to the answers to the following items on the application form: name of applicant, date of birth, and current call sign, if presently licensed.

2. To determine whether the answers to the items on the application as set forth in the first issue were falsely stated by the applicant William S. Hogin.

3. To determine whether the applicant possesses the requisite qualifications to be, and may be relied upon to carry out his responsibilities as, a General Class amateur radio operator and station licensee.

4. To determine whether, in the light of the evidence adduced under the foregoing issues, the public interest, convenience and necessity would be served by the grant of the captioned application.

It is further ordered, That, the burden of proceeding with the introduction of evidence and the burden of proof on all issues shall be on the applicant; and

It is further ordered, That to avail himself of the opportunity to be heard, the applicant, in person or by his attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating that he will appear on the date fixed for hearing and present evidence on the issues specified in this order.

Released: April 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4649; Filed, May 3, 1965; 8:47 a.m.]

[Docket No. 15658; FCC 65M-532]

NAUGATUCK VALLEY SERVICE, INC. (WOWW)

Order Continuing Hearing

In re application of Naugatuck Valley Service, Inc. (WOWW), Naugatuck, Conn., Docket No. 15658, File No. BP-14829; for construction permit.

Under consideration is a motion to postpone hearing filed by Naugatuck Valley Service, Inc. (WOWW), on April 27, 1965; and

It appearing that cause for the motion is bottomed on need for additional time by Naugatuck's engineering consultant to effect satisfactory design for a directional array; and

It further appearing that all parties to the proceeding have consented to immediate consideration and grant of the motion;

It is ordered, This 28th day of April 1965, that the subject motion is granted and that hearing herein, presently scheduled for April 29, 1965, is continued to 10 a.m., May 27, 1965.

Released: April 28, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4650; Filed, May 3, 1965; 8:47 a.m.]

[Docket No. 15213, etc.; FCC 65M-535]

UNITED ARTISTS BROADCASTING, INC., ET AL.

Memorandum Opinion and Order Continuing Hearing

In re application of United Artists Broadcasting, Inc., Houston, Tex., Docket No. 15213, File No. BPCT-3166; for construction permit for new television broadcast station.

In re applications of Integrated Communication Systems, Inc. of Massachusetts, Boston, Mass., Docket No. 15323, File No. BPCT-3167; United Artists Broadcasting, Inc., Boston, Mass., Docket No. 15324, File No. BPCT-3169; for construction permits for new television broadcast stations.

In re applications of United Artists Broadcasting, Inc., Lorain, Ohio, Docket No. 15248, File No. BPCT-3168; Ohio Radio, Inc., Lorain, Ohio, Docket No. 15626, File No. BPCT-3348; for construction permits for new television broadcast stations.

1. Motion was filed April 21, 1965, on behalf of United Artists Broadcasting, Inc., briefly to defer the existing May 3 date for further hearing on certain issues going to the qualifications of United Artists and common to all of these proceedings. Demand for more evidence on these issues having been made by the Commission's Broadcast Bureau, United Artists is in the process of preparing additional material, hopefully to narrow the areas of difference.

2. The likelihood of saving substantial hearing time for granting a brief postponement of the hearing schedule is enough to carry the motion. The circumstance that unresolved pleadings are now otherwise pending to eliminate competition for the channels in the proceedings here in Lorain and Boston is at this point in the history of these cases of no weight in measuring the wisdom of rescheduling hearing dates on the special issues relating to United Artists.

Accordingly, it is ordered, This 28th day of April 1965, that the motion on behalf of United Artists Broadcasting, Inc., is granted and that the following new schedule will govern the further conduct of these proceedings:

May 24, 1965—This is the new date, and at 10 a.m. in Washington, D.C., in place of May 3 for further hearing in these proceedings. On May 24 it is expected that consideration will be given at the outset to the admissibility of such written material as will be relied upon by United Artists Broadcasting in support of its burden, this phase of the proceeding to be followed immediately by the examination of any witnesses to be offered or required to be produced.

May 14, 1965—On or before this date, United Artists Broadcasting will deliver to all other parties in these proceedings such additional material as it expects to rely upon in proving its qualifications under the specified issues.

May 20, 1965—All prior requests by any party for United Artists Broadcasting to produce witnesses for examination are cancelled. Any party hereafter desiring the production of witnesses for cross-examination on the direct case on the specified issues against United Artists Broadcasting must so notify that applicant on or before this new date of May 20, 1965.

Released: April 29, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4651; Filed, May 3, 1965; 8:47 a.m.]

[Docket Nos. 14208, 14228; FCC 65M-529]

WMOZ, INC., AND EDWIN H. ESTES

Statement and Order After Further Prehearing Conference

In re application of WMOZ, Inc., Mobile, Ala., Docket No. 15208, File No. BR-2797; for renewal of license of Station WMOZ, Mobile, Ala.; revocation of license of Edwin H. Estes for Standard Broadcast Station WPFA, Pensacola, Fla., Docket No. 14228.

At today's conference, the Hearing Examiner, over objection by counsel for applicant-respondent, directed that: The hearing previously scheduled for June 15 be advanced to June 1, 1965.

A further prehearing conference will be held, as already scheduled, on May 14, 1965, at 9 a.m.

So ordered, This 27th day of April 1965.

Released: April 28, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4652; Filed, May 3, 1965; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2496]

EUGENE, OREGON

Notice of Application for License for Constructed Project

APRIL 27, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by City of Eugene, acting by and through its Eugene Water & Electric Board (correspondence to: Byron Price, Superintendent, Eugene Water & Electric Board, Post Office Box 1112, Eugene, Oreg.), for a license for constructed Project No. 2496, known as the Leaburg Project, located on the McKenzie River, a major tributary of the Willamette River, in Lane County, Oreg.

The constructed project consists of: (1) A reinforced concrete and steel dam, approximately 450 feet long and 20 feet high, equipped with three 100 x 9 foot roller gates with sluiceway and intake gates partially diverting the McKenzie River into; (2) Leaburg canal which extends 5 miles to; (3) a small forebay; (4) two penstocks of reinforced concrete pipe 8 feet in diameter and 250 feet long leading to; (5) Leaburg reinforced concrete powerhouse containing two generating units of 7,500 kva and 9,375 kva capacity, respectively; (6) Leaburg substation (six 2,500 kva transformers, 12/69 kv); (7) Leaburg 15.5-mile transmission line to the Currin substation; and (8) recreational facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is June 10, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4624; Filed, May 3, 1965; 8:45 a.m.]

[Docket No. CP64-211 etc.]

EL PASO NATURAL GAS CO. ET AL.

Notice of Applications, Amendments to Applications, Consolidating Proceedings and Postponing Date of Hearing

APRIL 27, 1965.

El Paso Natural Gas Co., Docket No. CP64-211; Socony Mobil Oil Co., Docket No. CI62-825; Phillips Petroleum Co., Docket No. CI64-719; The Pure Oil Co., Docket No. CI64-1085; The Atlantic Refining Co., Docket No. CI64-1130; Gulf Oil Corp., Docket No. CI64-1153; Skelly Oil Co., Docket No. CI64-1225; Midwest Oil Corp., Docket No. CI64-1429; Dalco Oil Co., Docket No. CI64-1442; W. Watson LaForce, Docket No. CI65-61; George T. Abell, Docket No. CI65-878; M. B. Rudman, et al., Docket No. CI65-930.

Take notice that on March 8, 1965, George T. Abell and on March 22, 1965, M. B. Rudman, et al. filed applications in Docket Nos. CI65-878 and CI65-930 pursuant to section 7 of the Natural Gas Act for authorization to sell to El Paso Natural Gas Co. (El Paso) for resale in interstate commerce natural gas produced in Texas Railroad District No. 8, Delaware Basin Area, Gomez Unit, Pecos County, Tex. at an initial rate of 16.70925 cents Mcf of natural gas at 14.65 p.s.i.a., inclusive of tax reimbursement, all as is more fully set forth in the respective applications which are on file with the Commission and open to public inspection. Correspondingly, applications in each of the above-listed dockets, with the exception of the applications in Docket Nos. CI65-878 and CI65-930 were most recently noticed and consolidated for a May 11, 1965, formal hearing by notice of March 2, 1965 in El Paso Natural Gas Co., et al., Docket No. CP64-211, et al., 30 F.R. 3276 (1965) (published March 10, 1965) and concern similar sales of natural gas to El Paso together with an application by El Paso so to construct and operate facilities to purchase and transport this natural gas. The related applications therefore of George T. Abell in Docket No. CI65-878 and M. G. Rudman, et al., in Docket No. CI65-930 should be heard on a consolidated record and are hereby and herein consolidated for hearing.

Take further notice that each of the following-listed producer applicants in the indicated dockets, whose applications were previously noticed and consolidated in these proceedings, by the aforementioned notice of March 2, 1965, at initial rates of 15.70925 cents per Mcf of natural gas inclusive of tax reimbursement, have subsequently filed amendments to their applications to propose an initial rate of 16.72275 cents per Mcf of natural gas inclusive of tax reimbursement at 14.65 p.s.i.a.:

Applicant	Docket No.	Date of amendment
Phillips Petroleum Co.	CI64-719	Mar. 15, 1965
The Pure Oil Co.	CI64-1085	Mar. 11, 1965
Gulf Oil Corp.	CI64-1153	Mar. 17, 1965
Skelly Oil Co.	CI64-1225	Do.
Dalco Oil Co.	CI64-1442	Apr. 5, 1965
W. Watson LaForce	CI65-61	Apr. 15, 1965

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 25, 1965. Those persons who have on file in these proceedings notices of or petitions to intervene in these previously consolidated proceedings not yet acted upon by the Commission will be considered as having filed petitions to or notices of intervention in all the matters in these presently consolidated proceedings. Those persons therefore, need not refile for intervention in the additional and individual dockets consolidated by this notice unless they desire to do so.

On March 30, 1965, Gulf Pacific Pipeline Co. filed a motion, subsequently served on all parties on April 9, 1965, in El Paso Natural Gas Co.'s application in Docket No. CP64-211 in these proceedings to rescind temporary certificate and to dismiss application. El Paso on April 9, 1965, Phillips Petroleum Co. on April 13, 1965, Gulf Oil Corp. on April 16, 1965, Dalco Oil Co. on April 19, 1965, the Pure Oil Co. on April 20, 1965, and Skelly Oil Co. on April 23, 1965, filed answers in opposition thereto.

In view of this notice of the aforementioned material amendments to the applications previously consolidated in these proceedings and the additional applications hereby noticed and consolidated and in order to afford the Commission sufficient opportunity to consider the aforementioned motion and answers, notice is hereby given that the hearing presently scheduled for May 11, 1965, is postponed until further notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4626; Filed, May 3, 1965; 8:45 a.m.]

[Project No. 2509]

NORTHERN VIRGINIA POWER CO.

Notice of Application for License for Constructed Project

APRIL 27, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Northern Virginia Power Co. (correspondence to: Carroll E. Summers, Secretary, Northern Virginia Power Co., 200 East Patrick Street, Frederick, Md.) for a license for constructed Project No. 2509, known as the Shenandoah Hydro Station, located on the South Fork of the Shenandoah River, in Page County, Va.

The existing project consists of: A reinforced concrete gravity type dam about 495 feet long and 15 feet high which develops a 12-foot head; a reinforced concrete and brick powerhouse containing three 250 kw vertically-driven generators direct-connected to three 434 hp turbines and one 112 kw vertically-driven generator direct-connected to one 193 hp turbine; and all appurtenant electrical and mechanical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is June 10, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4627; Filed, May 3, 1965; 8:45 a.m.]

[Project No. 2082]

PACIFIC POWER & LIGHT CO.

Notice of Application for Amendment of License

APRIL 27, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Pacific Power & Light Co. (correspondence to: E. Robert deLuccia, Vice President and Chief Engineer, Pacific Power & Light Co., Public Service Building,

Portland 4, Oreg.), for amendment of its license for Project No. 2082, situated on the Klamath and Link Rivers, in Siskiyou County, Calif., and Klamath County, Oreg.

The application seeks authorization to construct the Keno Development, located entirely in Oregon, as part of Project No. 2082. The existing Keno Dam which is part of Project No. 2082 would be replaced by the proposed dam without changing the operating levels of the pool. The Keno Development is proposed to be constructed in two stages, and authorization for both stages is requested in the application for amendment. The first stage consisting of the dam and channel improvements is planned for construction in 1965. The second stage consisting of the powerplant and appurtenant facilities is proposed for construction commencing in July of 1971. The detailed construction plans of the second stage have not been completed.

The first stage of construction of the Keno Development would consist of: (1) A low gated concrete diversion dam on the Klamath River at about mile 235 with top pool elevation of 4,084.7 feet m.s.l.; (2) channel improvement in Klamath River from about mile 235 to mile 236, and removal of the existing dam; (3) channel improvement in Klamath River from about mile 236 to mile 251; and (4) channel improvement in Link River. The work described in items (1), (2), and (4) would commence in July 1965 and item (3) would commence in April 1966. The second stage of construction of the Keno development would consist of an intake structure, power conduit about 22,500 feet in length with capacity for 5,000 cfs, penstock, and outdoor powerhouse located at about mile 229 with 2 generating units rated at 50,000 kw each (75,000 horsepower turbines) discharging into the pool of the John C. Boyle Development of the project.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is June 14, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4628; Filed, May 3, 1965; 8:45 a.m.]

[Docket No. G-16982 etc.]

DAVID A. SCHLACHTER ET AL.

Findings and Order After Statutory Hearing Permitting and Approving Abandonment of Service, Terminating Certificate, Accepting Supplement to FPC Gas Rate Schedule for Filing, Accepting Offer of Settlement, Severing Proceeding, and Terminating Proceeding

APRIL 27, 1965.

David A. Schlachter, et al., Docket No. G-16982; David A. Schlachter, et al., Docket No. G-17366; David A. Schlachter, et al., Docket No. CI62-914; Area Rate Proceeding (Texas Gulf Coast Area), Docket No. AR64-2, et al.

On February 8, 1962, David A. Schlachter, et al. (Applicant) filed in Docket No. CI62-914 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon due to depletion the sale of natural gas to Tennessee Gas Transmission Co. (TGT) from the Watson Lease, Morales Field, Jackson County, Tex., heretofore authorized in Docket No. G-16982 and made pursuant to Applicant's FPC Gas Rate Schedule No. 1, all as more fully set forth in the application.

Concurrently with the subject application Applicant filed a notice of cancellation of his related rate schedule.

On December 24, 1964, Applicant filed in Docket No. G-17366[1] an Offer of Settlement pursuant to § 1.18(e) of the Commission's rules of practice and procedure. The proceeding in Docket No. G-17366 relates to the subject sale of natural gas under Applicant's FPC Gas Rate Schedule No. 1 to TGT. Applicant had filed a proposed rate increase for such sale from 10.80891 cents to 15.11402 cents per Mcf at 14.65 p.s.i.a. which was suspended by order of the Commission and made effective by Applicant, subject to refund, on June 1, 1959.

In his offer, Applicant proposes a settlement rate of 14.0 cents per Mcf, with refunds of 25 percent of the amounts charged and collected subject to refund above the proposed settlement rate during the years 1959 and 1960, and 70 percent of the amount collected subject to refund above the settlement rate during the year 1961 until such time as deliveries to TGT ceased because of depletion. The estimated total dollars to be refunded approximates $1,754, exclusive of the applicable interest. Under the terms of a Commission order approving a TGT rate settlement agreement, TGT is required to flow through the jurisdictional portion of the proposed refund to its jurisdictional customers. No protests or objections have been filed to Applicant's offer.

The proposed settlement is consistent with our action in approving settlement offers in Jack W. Grigsby (Operator), et al., Docket Nos. RI61-96 and RI62-536 (order issued August 6, 1964) and K-B Compression Co., Inc. (Operator), Docket No. RI60-247 (order issued September 4, 1964), and with the provisions of the Commission's Statement of General Policy No. 61-1, issued September 28, 1960 (24 FPC 818), as amended. Therefore, its acceptance would serve the public interest.

After due notice no petition to intervene, notice of intervention, or protest to the granting of the application has been received.

At a hearing held on April 15, 1965, the Commission on its own motion received and made part of the record in this proceeding all evidence, including the application, submitted in support of the authorization sought herein, and upon consideration of the record,

The Commission finds:

(1) Applicant, David A. Schlachter, et al., is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The abandonment of the sale of natural gas by Applicant, as hereinbefore described and as more fully described in the application in this proceeding, is subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(3) The abandonment proposed by Applicant is permitted by the public convenience and necessity, and an order approving same should be issued as hereinafter ordered.

(4) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate of public convenience and necessity heretofore issued in Docket No. G-16982 should be terminated.

(5) The proposed settlement of the proceeding in Docket No. G-17366, on the basis described herein, as set forth in the offer of settlement filed with the Commission by Applicant on December 24, 1964, is in the public interest and appropriate to carry out the provisions of the Natural Gas Act and should be approved and made effective as hereinafter ordered.

The Commission orders:

(A) Permission for and approval of the abandonment by Applicant, as hereinbefore described and as more fully described in the application in this proceeding, be and the same are hereby granted.

(B) The certificate of public convenience and necessity heretofore issued in Docket No. G-16982 be and the same is hereby terminated.

(C) The Notice of Cancellation dated January 15, 1962, be and the same is hereby accepted for filing effective the date of this order and is designated as Supplement No. 7 to David A. Schlachter, et al., FPC Gas Rate Schedule No. 1.

(D) The offer of settlement filed with the Commission by Applicant on December 24, 1964, is hereby approved in accordance with the provisions of this order.

(E) Applicant shall compute the difference between the rate collected subject to refund and the settlement rate from June 1, 1959, to the date of cessation of deliveries to TGT, with applicable interest computed to December 31, 1964, in accordance with the percentages set forth in Applicant's offer of settlement, and shall refund such amount to TGT. Applicant shall report to the Commission in writing, within 30 days from the date of issuance of this order, the amount of such refund, showing separately the amount of principal and interest, and the basis for determination thereof, together with a copy of a release from TGT with respect to such refunds.

(F) Upon compliance by Applicant with all the terms and provisions of this order, Docket No. G-17366 shall be deemed severed from the consolidated area rate proceeding in Docket No. AR 64-2, and the proceeding in Docket No.

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[1] Consolidated with Docket No. AR64-2, et al.

G-17366 shall be terminated, all without further order of this Commission.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4639; Filed, May 3, 1965; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

APRIL 29, 1965.

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. 39738—*Glycols from and to Longview, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8720), for interested rail carriers. Rates on ethylene glycol and diethylene glycol, also ethylene glycol, used or recovered suitable only for refinings, in tank carloads, from Longview, Tex., to Kingsport, Tenn., and from Kingsport, Tenn., to Longview, Tex.

Grounds for relief—Market competition.

Tariff—Supplement 331 to Southwestern Freight Bureau, agent, tariff I.C.C. 4064.

By the Commission.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-4640; Filed, May 3, 1965; 8:46 a.m.]

[Notice 1165]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 29, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67650. By order of April 28, 1965, the Transfer Board approved the transfer to Container Transit, Inc., Milwaukee, Wis., of Certificates Nos. MC-118989 (Sub-No. 1) and MC-118989 (Sub-No. 2), issued May 13, 1960, and June 2, 1964, respectively, in the name of Nashban Barrel & Container Co., Inc., Milwaukee, Wis., authorizing the transportation of used and reconditioned steel drums, between Milwaukee, Wis., and Chicago, Ill., and empty new steel drums, between Milwaukee, Wis., and Chicago, Ill. Richard A. Heilprin, Post Office Box 941, 222 South Hamilton Street, Madison, Wis., 53701, attorney for applicants.

No. MC-FC-67661. By order of April 26, 1965, the Transfer Board approved the transfer to Orme Transfer, Inc., Juneau, Alaska, of Certificate in No. MC-123313, issued December 24, 1963, to Jessie Orme, doing business as Orme Transfer Co., Juneau, Alaska, authorizing the transportation of: General commodities, excluding commodities in bulk and other specified commodities, between points within 25 miles of Juneau, Alaska, including Juneau. N. C. Banfield, P. O. Box 1121, Juneau, Alaska, attorney for transferor. James Bradley, Post Office Box 1211, Juneau, Alaska, attorney for transferee.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-4641; Filed, May 3, 1965; 8:46 a.m.]

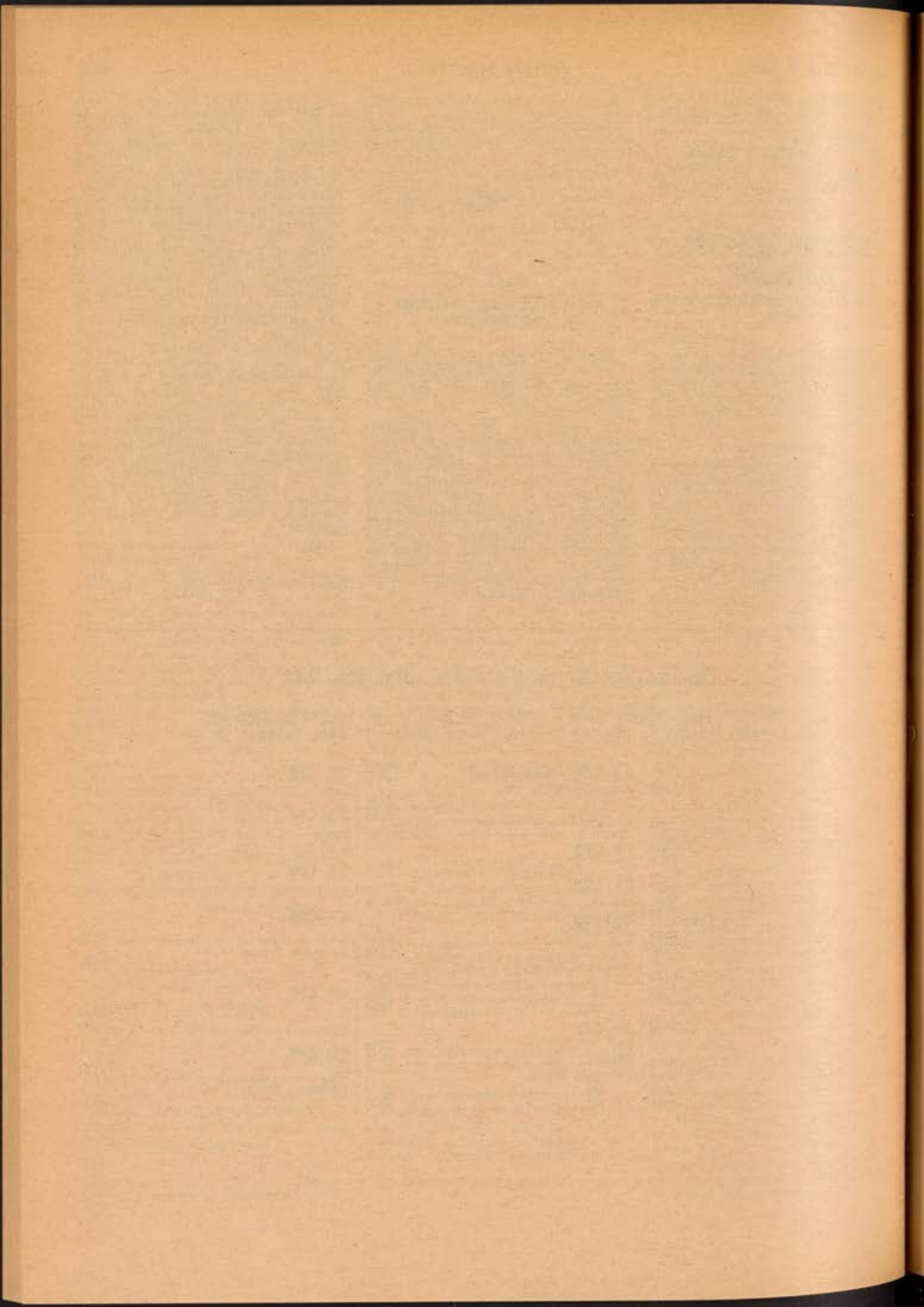
CUMULATIVE LIST OF CFR PARTS AFFECTED—MAY

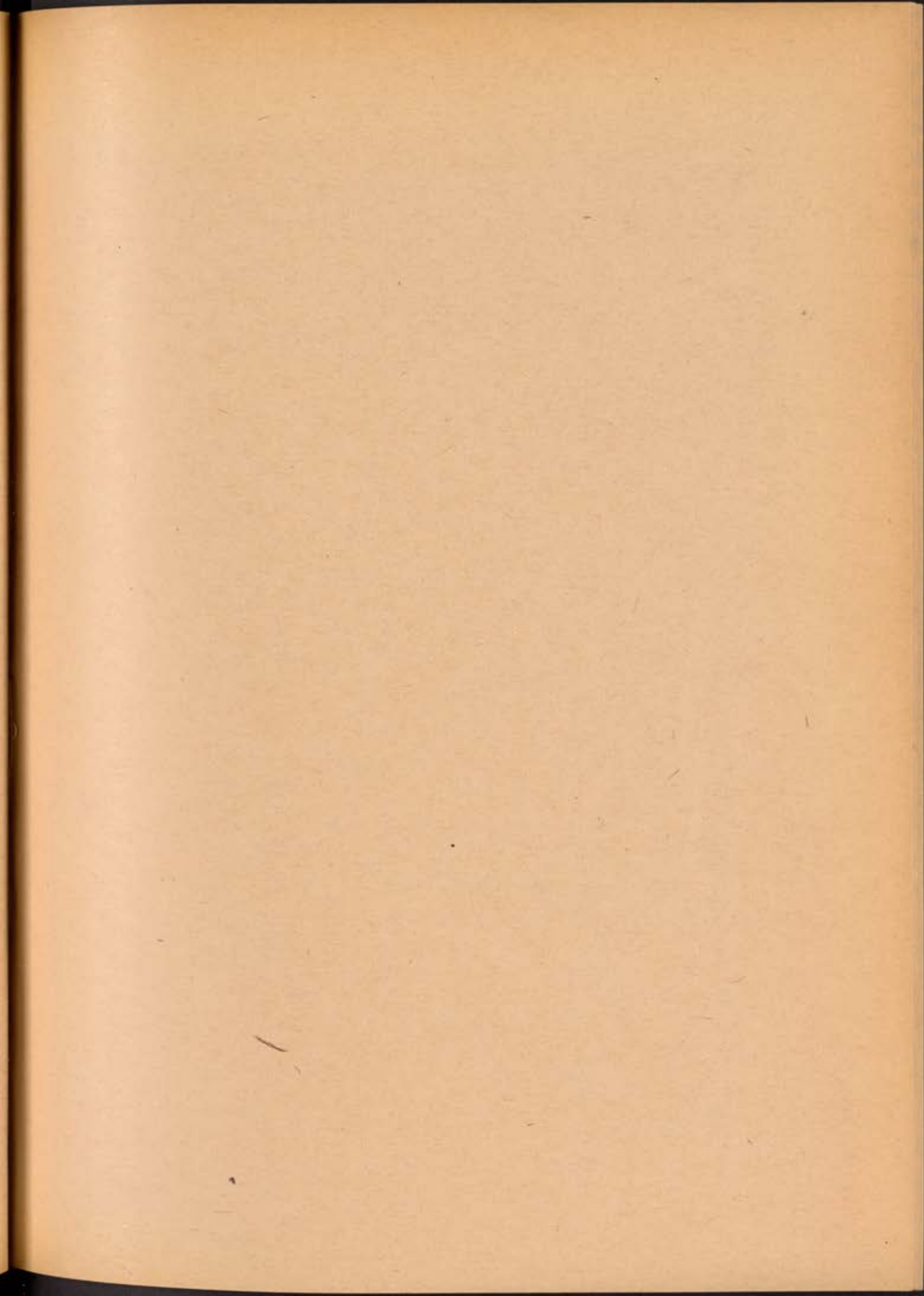
The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

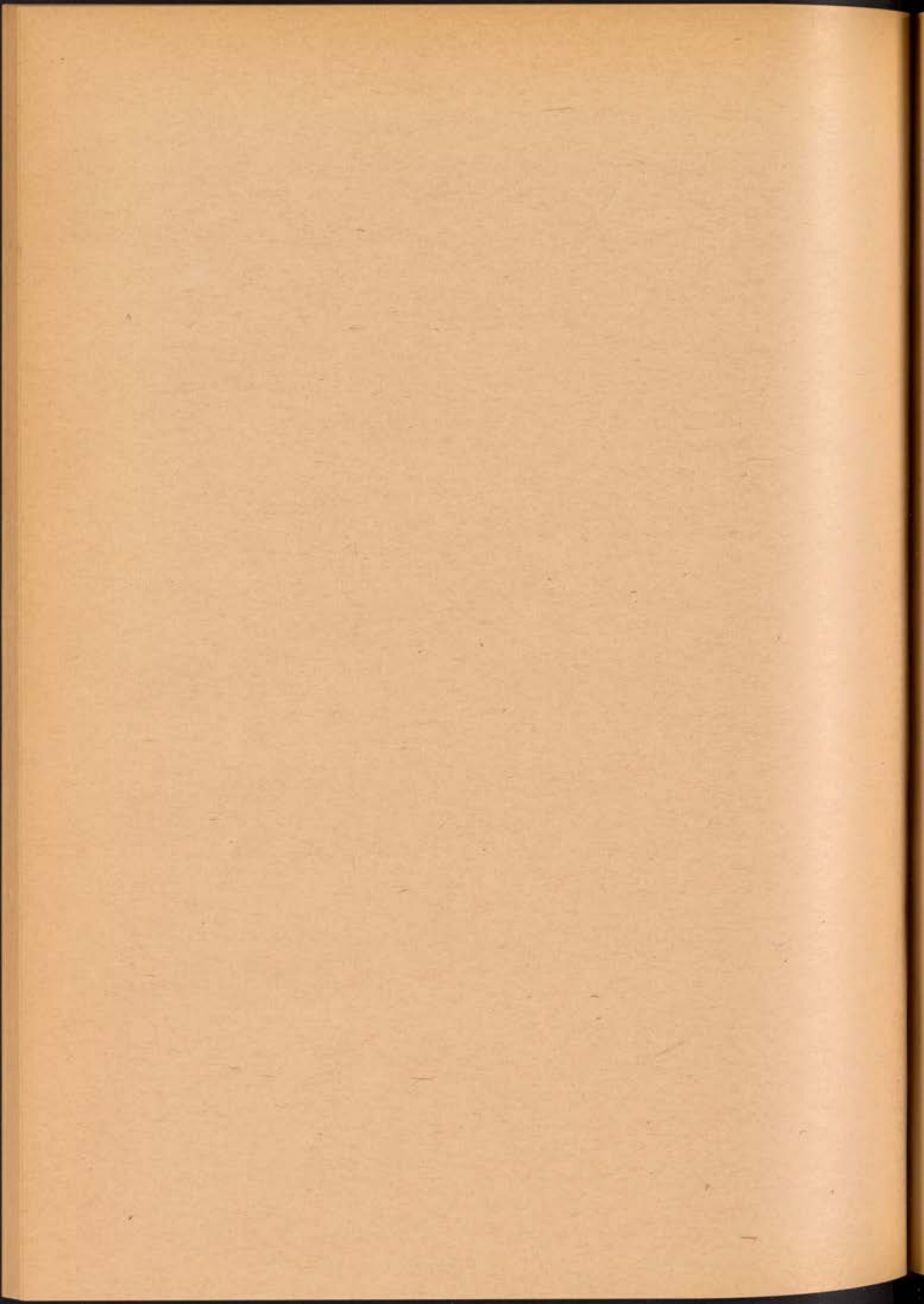
5 CFR	Page
213	6215
7 CFR	
54	6207
55	6141, 6207
56	6207
70	6207
81	6207
210	6207
717	6144
724	6144, 6146, 6207
908	6148
910	6148
PROPOSED RULES:	
1040	6163
1042	6163
12 CFR	
12	6160
14 CFR	
39	6150
71	6150, 6215
75	6150
97	6151

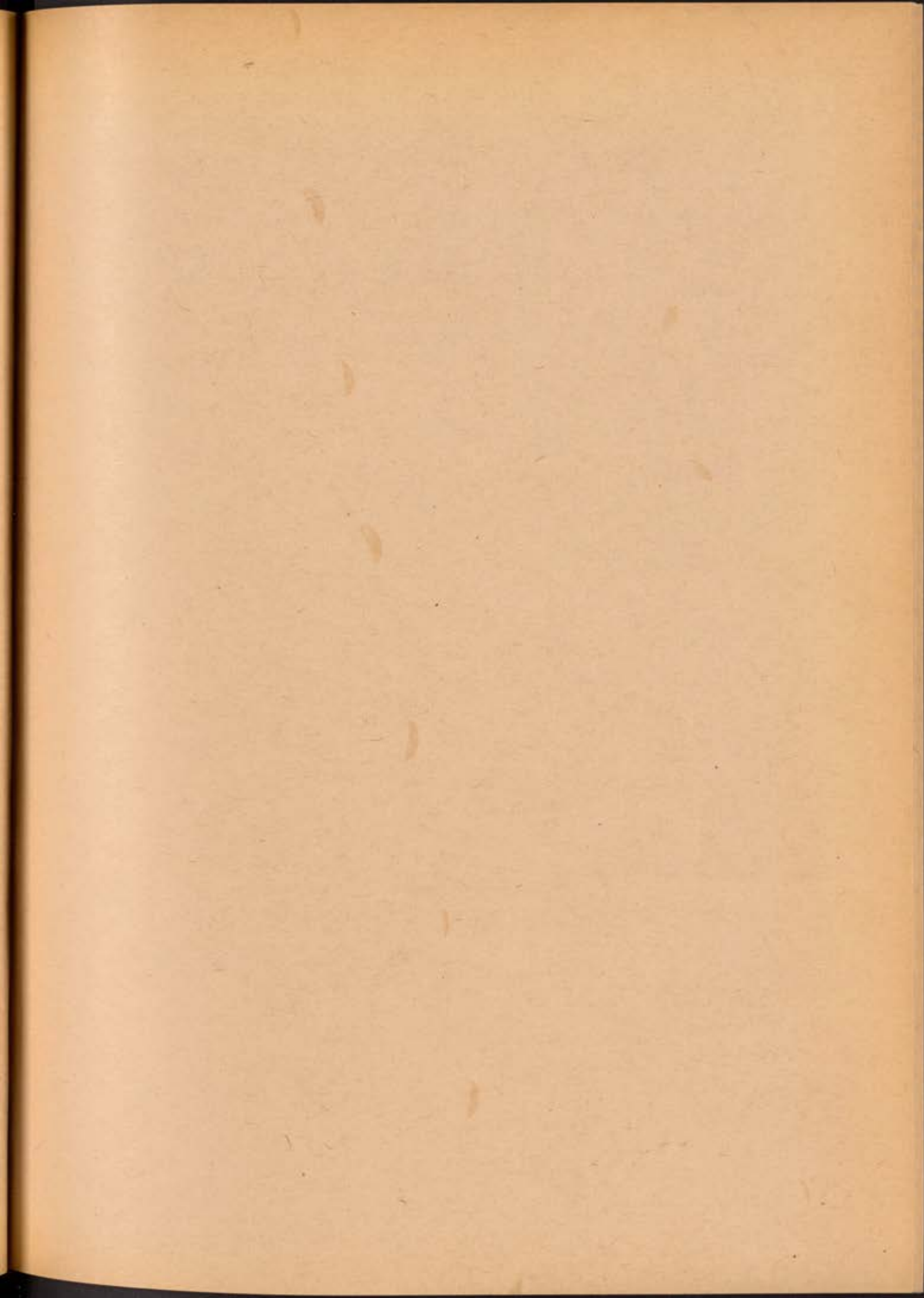
14 CFR—Continued	Page
PROPOSED RULES:	
39	6188
67	6188
71	6189, 6225
19 CFR	
10	6149
21 CFR	
121	6215
26 CFR	
1	6216
250	6217
PROPOSED RULES:	
1	6222
31	6222
301	6222
29 CFR	
604	6218
606	6218
PROPOSED RULES:	
657	6224
697	6225

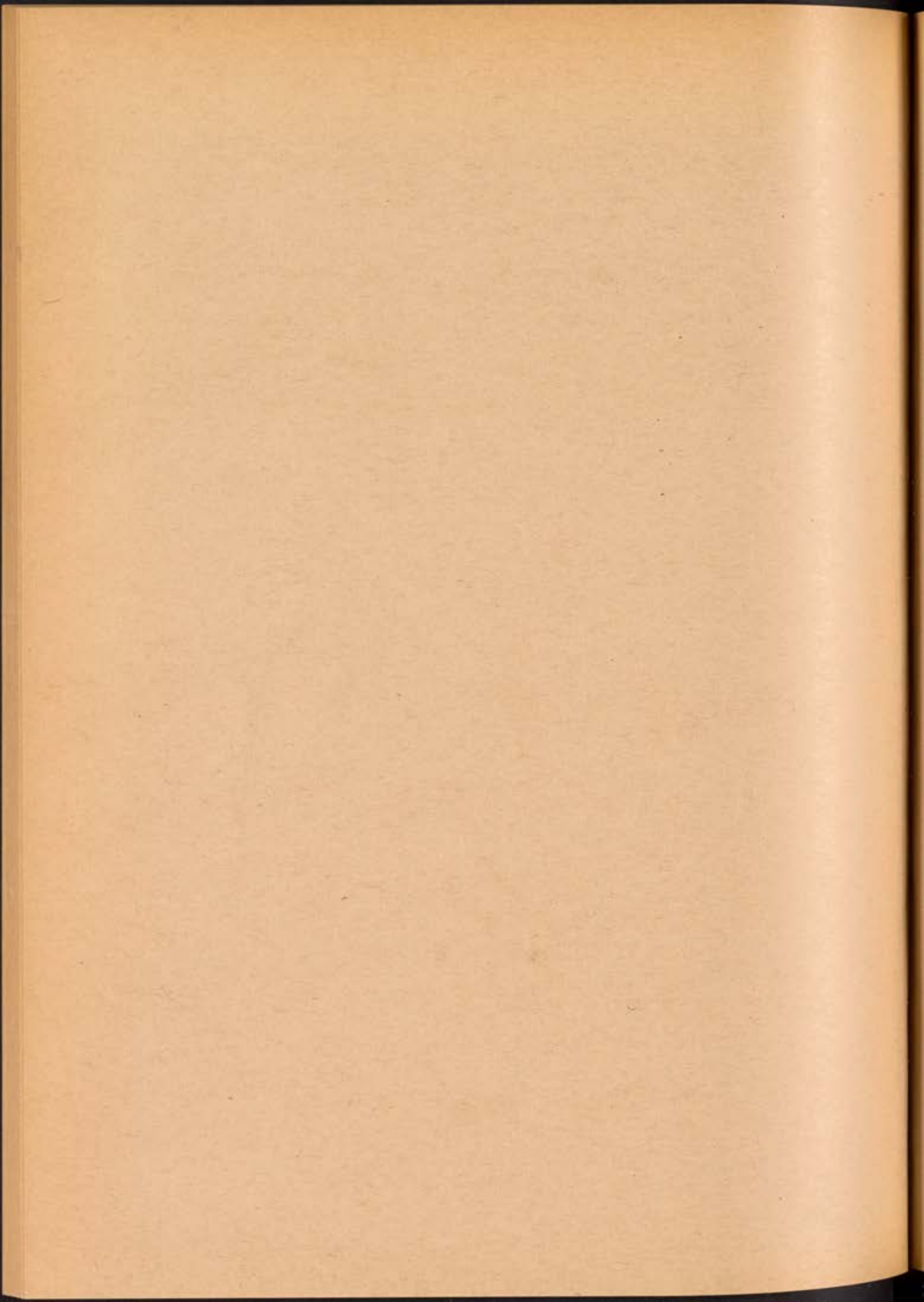
32 CFR	Page
163	6161
33 CFR	
203	6161
207	6161
36 CFR	
311	6161
47 CFR	
2	6219
PROPOSED RULES:	
2	6226
49 CFR	
95	6220
141	6162
50 CFR	
60	6149
PROPOSED RULES:	
32	6224

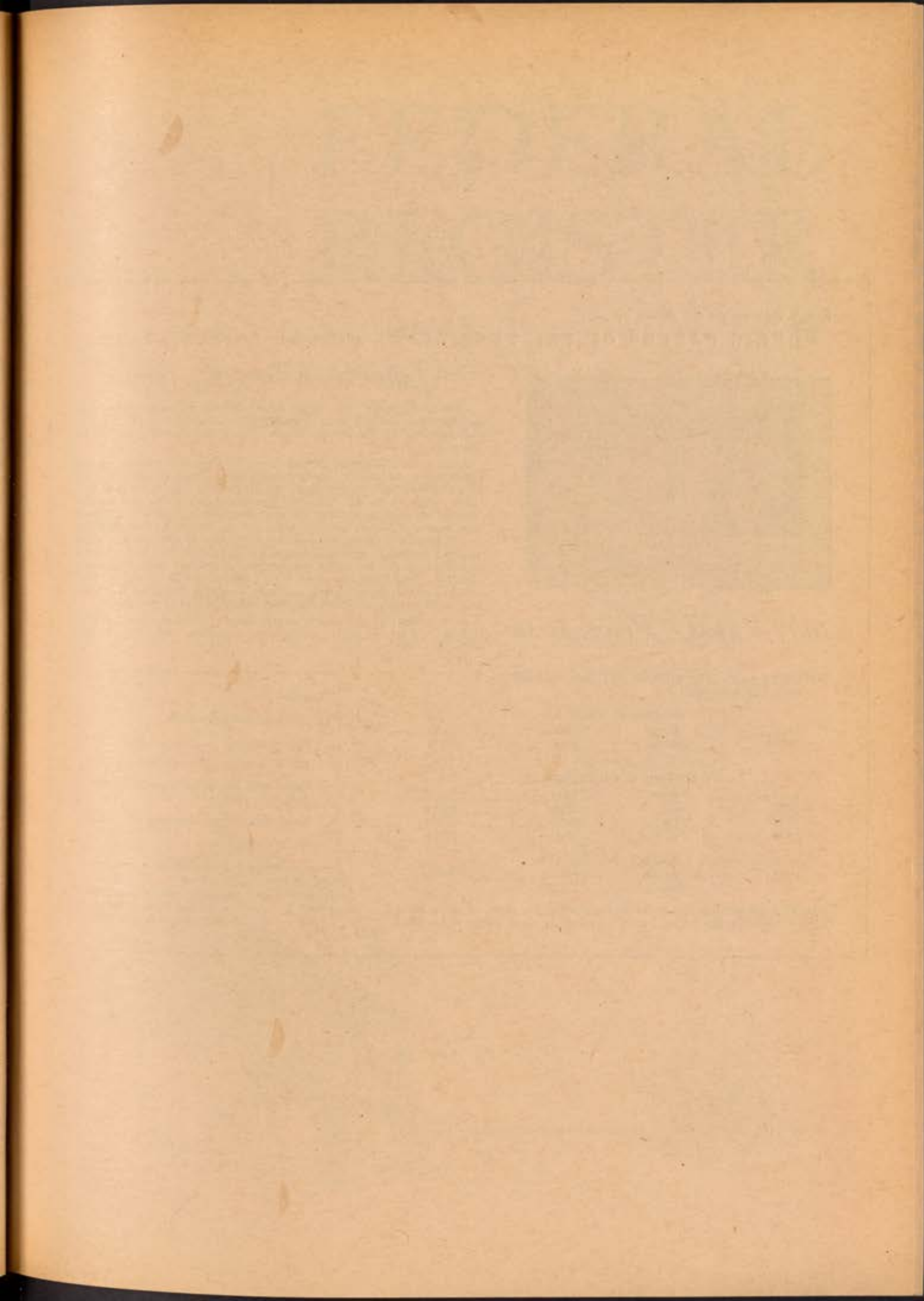












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