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Title 3—THE PRESIDENT

Executive Order 10839

DESIGNATING CERTAIN OFFICERS TO ACT AS SECRETARY OF STATE

By virtue of authority vested in me by section 179 of the Revised Statutes (5 U.S.C. 6), and as President of the United States, it is ordered as follows:

In case of the death, resignation, absence, or sickness of the Secretary of State and the Under Secretary of State, the following-designated officers of the Department of State shall, in the order of succession indicated, act as Secretary of State until a successor is appointed or until the absence or sickness of the incumbent shall cease:

1. Under Secretary of State for Political Affairs or Under Secretary of State for Economic Affairs, as may be designated by the President pursuant to the act of July 30, 1959, 73 Stat. 266.

2. Deputy Under Secretaries of State, (a) in such order of succession as the Secretary of State (or the Under Secretary of State when acting as Secretary) may by order designate from time to time, or (b) if no such designation order is in effect at the time, in the order of the lengths of service as Deputy Under Secretaries.

3. Assistant Secretaries of State, (a) in such order of succession as the Secretary of State (or the Under Secretary of State when acting as Secretary) may by order designate from time to time, or (b) if no such designation order is in effect at the time, in the order of the lengths of service as Assistant Secretaries.

The President may at any time, in pursuance of law but without regard to the foregoing provisions of this order, direct that an officer specified by the President shall act as Secretary of State.

Executive Order No. 10791 of November 28, 1958, is hereby superseded.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 30, 1959.

[F.R. Doc. 59-8377; Filed, Oct. 1, 1959; 12:30 p.m.]

Executive Order 10840

DESIGNATING THE FEDERAL AVIATION AGENCY AS AN AGENCY TO HAVE CERTAIN CONTRACTUAL AUTHORITY UNDER THE ASSIGNMENT OF CLAIMS ACT OF 1940, AS AMENDED

WHEREAS the Assignment of Claims Act of 1940 (54 Stat. 1029) as amended by the act of May 15, 1951, 65 Stat. 41 (31 U.S.C. 203), contains the following provisions:

Any contract of the Department of Defense, the General Services Administration, the Atomic Energy Commission, or any other department or agency of the United States designated by the President, except any such contract under which full payment has been made, may, in time of war or national emergency proclaimed by the President (including the national emergency proclaimed December 16, 1950) or by Act or joint resolution of the Congress and until such war or national emergency has been terminated in such manner, provide or be amended without consideration to provide that payments to be made to the assignee of any moneys due or to become due under such contract shall not be subject to reduction or set-off, and if such provision or one to the same general effect has been at any time heretofore or is hereafter included or inserted in any such contract, payments to be made thereafter to an assignee of any moneys due or to become due under such contract, whether during or after such war or emergency, shall not be subject to reduction or set-off for any liability of any nature of the assignor to the United States or any department or agency thereof which arises independently of such contract, or hereafter for any liability of the assignor on account of (1) renegotiation under any renegotiation statute or under any statutory renegotiation article in the contract, (2) fines, (3) penalties (which term does not include amounts which may be collected or withheld from the assignor in accordance with or for failure to comply with the terms of the contract), or (4) taxes, social security contributions, or the withholding or nonwithholding of taxes or social security contributions, whether arising from or independently of such contract.

AND WHEREAS it appears that it would be in the public interest to make those provisions applicable to the Federal Aviation Agency:

NOW, THEREFORE, by virtue of the authority vested in me by the above-

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quoted statutory provisions, I hereby designate the Federal Aviation Agency as an agency of the United States to which such statutory provisions shall apply in the same manner and to the same extent that they apply to the Department of Defense, the General Services Administration, and the Atomic Energy Commission.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 30, 1959.

[F.R. Doc. 59–8379; Filed, Oct. 1, 1959; 12:30 p.m.]

Executive Order 10841

PROVIDING FOR THE CARRYING OUT OF CERTAIN PROVISIONS OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, RELATING TO INTERNATIONAL COOPERATION

By virtue of the authority vested in me by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*), hereinafter referred to as the Act, and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. Whenever the President, pursuant to section 123 of the Act, has approved and authorized the execution of a proposed agreement providing for cooperation pursuant to section 91c, 144a, 144b, or 144c of the Act (42 U.S.C. 2121(c), 2164(a), 2164(b), 2164(c)), such approval and authorization by the President shall constitute his authorization to cooperate to the extent provided for in the agreement and in the manner provided for in section 91c, 144a, 144b, or 144c, as pertinent. In respect of sections 91c, 144b, and 144c, authorizations by the President to cooperate shall be subject to the requirements of sections 123d of the Act and shall also be subject to appropriate determinations made pursuant to section 2 of this order.

SEC. 2. (a) The Secretary of Defense and the Atomic Energy Commission are hereby designated and empowered to exercise jointly, after consultation with executive agencies as may be appropriate, the following-described authority without the approval, ratification, or other action of the President:

(1) The authority vested in the President by section 91c of the Act to determine that the proposed cooperation and each proposed transfer arrangement referred to in that section will promote and will not constitute an unreasonable risk to the common defense and security.

(2) The authority vested in the President by section 144b of the Act to determine that the proposed cooperation and the proposed communication of Restricted Data referred to in that section will promote and will not constitute an unreasonable risk to the common defense and security.

(3) The authority vested in the President by section 144c of the Act to determine that the proposed cooperation and the communication of the proposed Restricted Data referred to in that section will promote and will not constitute an unreasonable risk to the common defense and security.

(b) Whenever the Secretary of Defense and the Atomic Energy Commission are unable to agree upon a joint determination under the provisions of subsection (a) of this section, the recommendations of each of them, together with the recommendations of other agencies concerned, shall be referred to the President, and the determination shall be made by the President.

SEC. 3. This order shall not be construed as delegating the function vested in the President by section 91c of the Act of approving programs proposed under that section.

SEC. 4. (a) The functions of negotiating and entering into international agreements under the Act shall be performed by or under the authority of the Secretary of State.

(b) International cooperation under the Act shall be subject to the responsibilities of the Secretary of State with respect to the foreign policy of the United States pertinent thereto.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 30, 1959.

[F.R. Doc. 59–8378; Filed, Oct. 1, 1959; 12:30 p.m.]

RULES AND REGULATIONS

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of the Army

Effective upon publication in the FEDERAL REGISTER, paragraph (a)(9) of § 6.305 is amended as set out below.

§ 6.305 Department of the Army.

(a) *Office of the Secretary.* * * *

(9) Two Special Assistants to the Assistant Secretary of the Army (Logistics), including one for Procurement.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-8293; Filed, Oct. 1, 1959; 8:50 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Commerce

Effective upon publication in the FEDERAL REGISTER, subparagraph (30) is added to § 6.312(a) as set out below.

§ 6.312 Department of Commerce.

(a) *Office of the Secretary.* * * *

(30) One Special Assistant to the Under Secretary for Transportation to be employed on a temporary basis not to exceed June 30, 1960.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION.
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-8294; Filed, Oct. 1, 1959; 8:50 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Health, Education, and Welfare

Effective upon publication in the FEDERAL REGISTER, subparagraph (2) of § 6.114(d) is amended as set out below.

§ 6.114 Department of Health, Education, and Welfare.

* * * * *

(d) *Social Security Administration.* * * *

(2) One position of claims examiner or social insurance representative in a district office of the Bureau of Old-Age and Survivors Insurance in the State of Arizona when filled by the appointment of a person of one-fourth or more Indian blood.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-8306; Filed, Oct. 1, 1959; 8:52 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER B—FARM OWNERSHIP LOANS

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; Louisiana

On September 21, 1959, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average values of efficient family-type farm-management units for the parishes identified below were determined to be as herein set forth. The average values heretofore established for said parishes, which appear in the tabulations of average values under 6 CFR 331.17, are hereby superseded by the average values set forth below for said counties.

LOUISIANA

Parish	Average value
Acadia	$35,000
Allen	35,000
Ascension	35,000
Assumption	35,000
Avoyelles	23,000
Beauregard	21,000
Bienville	21,000
Bossier	23,000
Caddo	35,000
Calcasieu	35,000
Caldwell	23,000
Cameron	35,000
Catahoula	21,000
Claiborne	21,000
Concordia	23,000
De Soto	21,000
East Baton Rouge	21,000
East Carroll	35,000
East Feliciana	23,000
Evangeline	35,000
Franklin	23,000
Grant	23,000
Iberia	35,000
Iberville	35,000
Jackson	18,000
Jefferson	21,000
Jefferson Davis	35,000
Lafayette	35,000
Lafourche	35,000
La Salle	18,000
Lincoln	21,000
Livingston	21,000
Madison	35,000
Morehouse	35,000
Natchitoches	23,000
Orleans	21,000
Ouachita	23,000

LOUISIANA—Continued

Parish	Average value
Plaquemines	$21,000
Pointe Coupee	35,000
Rapides	23,000
Red River	35,000
Richland	23,000
Sabine	18,000
St. Bernard	21,000
St. Charles	35,000
St. Helena	21,000
St. James	35,000
St. John the Baptist	35,000
St. Landry	35,000
St. Martin	35,000
St. Mary	35,000
St. Tammany	21,000
Tangipahoa	21,000
Tensas	35,000
Terrebonne	35,000
Union	23,000
Vermilion	35,000
Vernon	18,000
Washington	21,000
Webster	21,000
West Baton Rouge	35,000
West Carroll	35,000
West Feliciana	23,000
Winn	18,000

(Sec. 41, 50 Stat., as amended; 7 U.S.C. 1015; Order of Acting Sec. of Agri. 19 F.R. 74, 77, 22 F.R. 8188)

Dated: September 25, 1959.

C. WILDER SMITH,
Acting Administrator,
Farmers Home Administration.

[F.R. Doc. 59-8310; Filed, Oct. 1, 1959; 8:52 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[Sugar Determination 847.2, Amdt. 2]

PART 847—PUERTO RICO

1959-60 and Subsequent Crops

Pursuant to section 303 of the Sugar Act of 1948, as amended, § 847.2 (15 F.R. 6490), as amended (20 F.R. 5963), is hereby further amended by changing paragraph (a)(2) to read as follows:

(2) For a farm on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar in less than three crop years of the base period, the normal yield for the 1959-60 or a subsequent crop year shall be that established each crop year by the Director (as designated in paragraph (b) of this section) on the basis of the simple average of the average yields attained during the base period on not less than six nearby farms having similar production potentials.

Statement of bases and considerations. The original determination, as issued September 21, 1950, provided that the normal yield for a farm having a produc-

tion record for less than three crop years in the base period (a short-record farm) would be established at the average of the normal yields for all farms in the same "local producing area". For the next several crop years, a "local producing area" generally comprised all nearby farms or parts of farms which were similar with respect to types of soil or with respect to topography. On August 12, 1955, the determination was amended to provide that a "local producing area" would mean a ward, or two or more adjacent wards, as determined by the Director.

For the last several crop years, the areas of crop deficiencies have been such that most of the local producing areas determined by the Director have comprised more than one ward and many of them have included all the wards of several municipalities. The average of the normal yields of farms within such large areas has not constituted an entirely satisfactory basis for establishing normal yields for short-record farms.

This amendment authorizes the Director to determine normal yields for "short-record" farms on the basis of the average yields attained during the base period on not less than six nearby farms having similar production potentials.

Accordingly, I hereby find and conclude that the aforestated amendment to the determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

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

Issued this 28th day of September, 1959.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F.R. Doc. 59-8277; Filed, Oct. 1, 1959; 8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 3]

PART 121—SMALL BUSINESS SIZE STANDARDS

Miscellaneous Amendments

The Small Business Size Standards Regulation (Revision 1), as amended (24 F.R. 3491, 5628, 7458), is hereby further amended by:

1. Adding the following new subparagraph (6) to paragraph (a) of § 121.3-8:

(6) *Air transportation industry.* Any business concern in the air transportation industry is small if its number of employees does not exceed 1,000 persons.

2. Adding the following specified classes of commodities or products to Schedule B of this Part as follows:

Apparel and related products

2329 Men's and boys' clothing, n.e.c.
Anti-blackout suits, high altitude flying suits, rocket fuel handlers' suits, K2B summer flying suits and anti-exposure suits.

2311 Men's and boys' suits and coats.
Men's uniforms and accessories.

Chemicals and allied products

2829 Organic chemicals, industrial, n.e.c.
Mechanical foam fire extinguisher charges.

Electrical machinery

3613 Measuring instruments, electrical.
Pneumatic test stands.
3614 Motors and generators.
Generators.
3661 Radios and related products.
Radios and radio and television equipment and transformers.
3615 Transformers.
Distribution, specialty and power transformers.
3662 Tubes, electronic.
Germanium diodes and transistors.

Machinery, except electrical

3585 Refrigeration machinery.
Mobile air conditioners.

Paper and allied products

2699 Converted paper products, n.e.c.
Paper napkins, toilet tissue, paper towels, and paper tray covers.

Primary metal industries

3352 Aluminum, rolling and drawing.
Brazing alloys.
3351 Copper, rolling and drawing.
Brazing alloys.
3393 Pipe, welded and heavy-riveted.
Tubular products.
3312 Steel works and rolling mills.
T steel fence posts and small diameter hot-finished pipe.

Textile mill products

2261 Finishing textiles, except wool.
Cotton broad-woven fabrics.

Transportation equipment

3715 Trailers, truck.
Cargo trailers and vans.

(Sec. 5, 72 Stat. 385; 15 U.S.C. 634)

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

Approved: September 25, 1959.

WENDELL B. BARNES,
Administrator.

[F.R. Doc. 59-8273; Filed, Oct. 1, 1959; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

CHAPTER III—FEDERAL AVIATION AGENCY

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Regulatory Docket 139; Amdt. 28]

PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

TSO-C15c, Aircraft Fabric, Grade A

Minimum performance standards for aircraft fabric, grade A, for use as external covering on civil aircraft of the United States, established in § 514.25, are revised to permit exception to the industry standard for elongation limits. This change will make design standards compatible with installation standards which no longer make distinction between warp and fill directions for the application of fabric to aircraft structure.

Since the adoption of this amendment is a relaxation and will impose no burden on the public, notice and public procedure hereon are unnecessary and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 514 of the Regulations of the Administrator (14 CFR Part 514) is hereby amended as follows:

1. Section 514.25 is amended as follows:

§ 514.25 Aircraft fabric, grade A; external covering material—TSO-C15c.

(a) *Applicability*—(1) *Minimum performance standards.* Minimum performance standards are hereby established for aircraft fabric, grade A, for use as an external covering on civil aircraft of the United States. Fabric manufactured on or after September 23, 1959, shall meet the requirements set forth in section 3 of SAE Aeronautical Material Specification 3806A, "Cloth, Airplane, Cotton, Mercerized; 80 lb Breaking Strength," revised June 15, 1952, with the exception listed in subparagraph (2) of this paragraph. Fabric approved prior to September 23, 1959, may continue to be manufactured under the provisions of its original approval.

(2) *Exception.* The elongation limits specified in AMS 3806A 3.2.4. are amended as follows for the purpose of this section.

Nominal width (inches):	*Maximum elongation (percent)*
36	13
42	13
60	14
69	15
90	16

(b) *Marking.* The weight required in § 514.3 need not be included. The TSO number shall be marked continuously along the selvage edge of the fabric.

Effective date. September 23, 1959.

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

Issued in Washington, D.C. an September 25, 1959.

WILLIAM B. DAVIS,
Director, Bureau of Flight Standards.

[F.R. Doc. 59-8252; Filed, Oct. 1, 1959; 8:46 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Reg. Docket No. 137; Amdt. 136]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Pursuant to authority delegated to me by the Administrator (24 F.R. 5662), I find that a situation exists requiring immediate action in the interest of safety, that notice and public procedure hereon are impracticable, and that good cause exists for making this amendment effective on less than thirty days' notice.

Part 609 (14 CFR Part 609) is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	300–1
				C-dn	500–1	500–1	500–1½
				S-dn-10	500–1	500–1	500–1
				A-dn	NA	NA	NA

Procedure turn South side of West crs, 279° Outbnd, 099° Inbnd, 1500′ within 10 mi.
Minimum Altitude over facility on final approach crs, 800′.
Crs and distance, facility to airport, 098°—3.6 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles, make a left climbing turn to 1500′, return to the NKZ LFR, hold on the West crs, one minute, right turns.
NOTES: No weather reporting. No tower communications at airport. Contact Salisbury Radio for ATC clearance. Prior approval required from NASA Chincoteague, Va. for landings at this airport.

City, Chincoteague; State, Va.; Airport Name, NASA Chincoteague; Elev., 38′; Fac. Class, MRLWZ; Ident., CTE; Procedure No. 1, Amdt. 1; Eff. Date, 17 Oct. 59; Sup. Amdt. No. Orig.; Dated, 15 Aug. 59

PROCEDURE CANCELLED, EFFECTIVE 28 SEPTEMBER 1959.
On or about September 28, 1959, ATCS will be relocated to Marquette, Michigan. At such time no voice or weather will be operative.

City, Grand Marais; State, Mich.; Airport Name, Grand Marais; Elev., 838′; Fac. Class, BRL; Ident., GMI; Procedure No. 1, Amdt. 5; Eff. Date, 2 Mar. 57; Sup. Amdt. No. 4; Dated, 15 Dec. 56

GTF VOR	GTF-LFR	048—1.0	5500	T-dn	300–1	300–1	#200–½
Belt FM	GTF-LFR	270—19.0	5500	C-d	500–1	500–1	500–1½
Cascade FM	GTF-LFR (Final)	023—17.0	4300	C-n	500–1½	500–1½	500–1½
				S-d-3	400–1	500–1	500–1½
				S-n-3	400–1	500–1½	500–1½
				A-dn	800–2	800–2	800–2

Procedure turn S side SW crs, 203° Outbnd, 023° Inbnd, 5500′ within 10 mi. NA beyond 10 mi.
Minimum Altitude over facility on final approach crs, 4300′.
Crs and distance, facility to airport, 011—1.1.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.1 mi, climb to 5500′ on NE crs within 20 mi of GTF-LFR.
Alternate missed approach when directed by ATC: Execute climbing left turn, climb to 5500′ on NW crs within 20 mi of GTF-LFR.
#300–1 required on Runways 11–29.

City, Great Falls; State, Mont.; Airport Name, Great Falls; Elev., 3671′; Fac. Class, SBRAZ; Ident., GTF; Procedure No. 1, Amdt. 13; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 12; Dated, 3 Sept. 55

Clayton FM	IND-LFR (Final)	Direct	1500	T-dn	300–1	300–1	200–½
Indianapolis VOR	IND-LFR	Direct	2000	C-dn	400–1	500–1	500–1½
				S-dn-9	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of W crs, 250° Outbnd, 070° Inbnd, 2000′ within 10 mi.
Minimum Altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 072°—2.9.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 mi, climb to 2900′ on E crs IND-LFR and proceed to Greenfield Int, or as directed by ATC as follows: 1. Climb to 2200′ on S crs of IND-LFR within 20 mi. 2. Climb on SW crs ILS to 2000′. Proceed to LOM.

City, Indianapolis; State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, SBRAZ; Ident., IND; Procedure No. 1, Amdt. 9; Eff. Date, 17 Oct. 59; Sup. Amdt No. 8; Dated, 23 June 58

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-d	300–1	300–1	300–1
				T-n	500–1½	500–1½	500–1½
				C-d*	1000–1½	1000–1½	1000–1½
				C-n*	1000–2	1000–2	1000–2
				S-d-5*	900–1½	900–1½	900–1½
				S-n-5*	900–2	900–2	900–2
				A-dn	1000–2	1000–2	1000–2

Procedure turn N side crs, 230° Outbnd, 050° Inbnd, 2500′ within 5 mi. of **Munford Int. (non-Standard due Obstruction).
Minimum altitude over Munford Int. on final approach crs. 2000′.
Crs and distance, Munford Int. to airport, 050°—5.0.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles of Munford Int, or 0.0 after passing ANB-RBn, climb immediately to 4000′ east bnd on R-082 of ANB VOR within 20 miles.
CAUTION: Circling approaches, avoid area N, NW, and SE of airport due high terrain.
*If Munford Int. not received on final, descent below 2000′ MSL not authorized.
**Munford Int. is ANB-VOR R-111 and Track of 050° to ANB RBn.

City, Anniston; State, Ala.; Airport Name, Municipal; Elev., 599′; Fac. Class, BMH; Ident., ANB; Procedure No. 1, Amdt. Orig.; Eff. Date, 17 Oct. 59

IND-VOR	LOM	Direct	2000	T-dn	300–1	300–1	200–½
Clayton FM	LOM	Direct	2000	C-dn	400–1	500–1	500–1½
IND-LFR	LOM	Direct	2000	S-dn-4	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 224° Outbnd, 044° Inbnd, 2000′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 044°—3.9 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles, climb to 2900′ on E crs IND-LFR to Greenfield Int, or as directed by ATC. 1. Climb to 2200′ on S crs IND-LFR within 20 miles. 2. Make left turn, climb to 2000′ and proceed to LOM.

City, Indianapolis; State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, LOM; Ident., IN; Procedure No. 1, Amdt. 2; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 1; Dated, 23 June 58.

Meridian LFR	MDA HW	Direct	2000	T-dn	300–1	300–1	200–½
Meridian VOR	MDA HW	Direct	1600	C-dn	500–1	600–1	600–1½
				S-dn-36	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn E side crs. 184° Outbnd, 004′ Inbnd, 1500′ within 10 mi.
Minimum altitude over MDA HW inbnd on Final 1000′.
Course and distance, facility to airport 004—4.5 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 mi. after passing MDA HW, climb to 1600′ on crs. 004 from MDA HW, within 20 mi., or turn left and return to MDA HW at 1600′.
NOTE: Takeoffs with less than 200–½ NA on runways 4 and 22. No approach lights. Over-run lights and high intensity runway lights only on runway 18-36. Runway 9-27 closed.
CAUTION: Trees 600 MSL 2 mi. E of airport.
MAJOR CHANGES: Revise transition, missed approach, procedure turn alt. LOM changed to HW.

City, Meridian; State, Miss.; Airport Name, Key Field; Elev., 297′; Fac. Class, HW; Ident., MDA; Procedure No. 1, Amdt. 3; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 2 (ADF Portion of Comb. ILS/ADF); Dated, 13 Dec. 56

Newberg VOR	LOM	Direct	4000	T-dn	300–1	300–1	200–½
Int R-183 UBG VOR brng 092 to Salem LOM.	LOM	Direct	3000	C-dn	800–1	800–1	800–1½
				A-dn*	800–2	800–2	800–2

Procedure turn S side of SE crs, 129° Outbnd, 309° Inbnd, 2500′ within 10 mi. NA beyond 10 mi. (procedure turn to be made of S side of crs; high terrain to east).
Minimum altitude over facility on final approach crs, 1700′.
Course and distance, facility to airport, 309—4 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi. after passing LOM, make climbing right turn, climb to 2500′ on outbnd crs of 129° from LOM within 10 mi. All turns on south side.
CAUTION: 688′ MSL terrain located 3½ mi. S of airport.
*AIR CARRIER NOTE: Paragraph 23(a)(3) of Operations Specifications not applicable.

City, Salem; State, Oreg.; Airport Name, McNary Field; Elev., 207′; Fac. Class, LOM; Ident., SL; Procedure No. 1, Amdt. 3; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 2 (ADF Portion of Comb. ILS-ADF); Dated, 5 Feb. 55

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
GTF-LFR	GTF-VOR	Direct	5500	T-dn	300-1	300-1	*200-½
Belt FM	GTF-VOR	Direct	5500	C-d	500-1	500-1	500-1½
GTF-LOM	GTF-VOR	Direct	5500	C-n	500-1½	500-1½	500-1½
Cascade FM	GTF-VOR (Final)	Direct	4300	S-dn-3	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 203° Outbnd, 023° Inbnd, 5500′ within 10 mi. NA beyond 10 mi.
Minimum altitude over facility on final approach crs, 4300′.
Crs and distance, facility to airport, 024—2.0.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.0 mi, climb to 5500′ on R-018 within 20 mi. Alternate missed approach when directed by ATC: Execute climbing left turn, climb to 5500′ on R-312 within 20 mi.
CAUTION: 3840′ MSL LFR towers located 1.5 mi, SW of airport.
*300-1 required on Runways 11-29.

City, Great Falls; State, Mont.; Airport Name, Great Falls; Elev., 3671′; Fac. Class, BVOR; Ident., GTF; Procedure No. 1, Amdt. 3; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 2; Dated, 3 Sept. 55

Indianapolis LFR	IND-VOR	Direct	2000	T-dn	300-1	300-1	200-½
Int NW crs Ind-LFR and Ind R-321 VOR	IND-VOR (Final)	Direct	2000	C-dn	400-1	500-1	500-1½
				S-dn-13	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 321° Outbnd, 141° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 141—6.0.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles, climb to 2100′ on R-136 within 10 miles or as directed by ATC as follows: 1. Climb to 2900′ on E crs IND-LFR and proceed to Greenfield Int. 2. Climb to 2200′ on S crs of IND-LFR within 20 miles. 3. Proceed on SW crs ILS at 2000′ to LOM.

City, Indianapolis, State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, BVOR; Ident., IND; Procedure No. 1, Amdt. 7; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 6; Dated, 13 Dec. 58

LAF-VOR	EPT-VOR	Direct	2000	T-dn	300-1	300-1
				C-d#	700-1	700-1
				C-n#	700-1½	700-1½
				S-d#-5	700-1	700-1
				S-n#-5	700-1½	700-1½
				A-dn	800-2	800-2
				#Following minimums apply after passing R-162 LAF-VOR:		
				C-d	600-1	600-1
				C-n	600-1½	600-1½
				S-d-5	500-1	500-1
				S-n-5	500-1	500-1½
				A-dn	800-2	800-2

Procedure turn South side of crs, 216° Outbnd, 036° Inbnd, 1800′ within 10 mi.
Minimum altitude over facility on final approach crs, 1300′.
Crs and distance, facility to airport, 036°—9.6 mi.
Minimum altitude after passing LAF-VOR R-162 on final approach crs, 1200′.
Crs and distance after passing LAF-VOR R-162 to airport, 036°—4.4 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.6 miles of EPT-VOR or 4.4 miles of LAF R-162, climb to 2300′ on R-036 within 20 mi.
AIR CARRIER NOTE: Use of sliding scale reduction in landing visibility, or reduction in takeoff minimums not authorized for night operations, or for day operations when visibility below ¾ mile.
#Dual omni receivers required for lower minimums.

City, Lafayette; State, Ind.; Airport Name, Purdue University; Elev., 607′; Fac. Class, VOR; Ident., EPT; Procedure No. 2, Amdt. 2; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 1; Dated, 7 Feb. 59

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BTL-LFR	BTL-VOR	Direct	2200	T-dn	300-1	300-1	200-½
AZO-VOR	BTL-VOR	Direct	2200	C-dn	600-1	600-1	600-1½
LeRoy Int	BTL-VOR	Direct	2200	S-dn-31	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn North side of crs, 118° Outbnd, 298° Inbnd, 2200′ within 10 miles.
Minimum altitude over South Side Int* on final approach crs, 1600′.
Crs and distance, South Side Int* to airport, 298°—3.5 mi.
Crs and distance, breakoff point to airport, 307°—0.42 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over BTL VOR, turn right, climb on R-360 to 2200′, then reverse course, proceed to BTL VOR.
CAUTION: 1954′ tower 294°—13 miles.
NOTE: 700′ ceiling apply if aircraft not dual omni equipped.
**South Side Int:* Int R-079 AZO-VOR and R-118 BTL-VOR.

City, Battle Creek; State, Mich.; Airport Name, Kellogg Field; Elev., 941′; Fac. Class, BVOR; Ident., BTL; Procedure No. TerVOR-31, Amdt. 1; Eff. Date, 17 Oct. 59; Sup. Amdt. No. Orig.; Dated, 3 July 58

5. The instrument landing system procedures prescribed i n § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Int ILS loc and E crs IND LFR	River Int*	Direct	2800	T-dn	300-1	300-1	200-½
Fairgrounds Int	River Int (Final)*	Direct	1800	C-dn	400-1	500-1	500-1½
Castleton Int	Fairgrounds Int	Direct	2300	S-dn-22	400-1	400-1	400-1
Indianapolis LFR via crs 075	ILS localizer	Direct	2300	A-dn	800-2	800-2	800-2
8.6 mi Radar Fix on Final	4.3 mi Radar Fix	Direct	1800				
4.3 mi Radar Fix	App end rny 22 (Final)	Direct	1200				
Radar terminal area transition altitudes-distances are from Radar site and azimuths progress clockwise.**							
120	260	20 mi	2000				
260	120	20 mi	#2300				

Procedure turn N side NE crs ILS, 044° Outbnd, 224° Inbnd, 2800′ within 10 mi of River Int.
No Glide Slope, minimum altitude over River Int or Radar Fix inbnd on final 1800′.
No Outer Marker, brng and distance River Int or Radar Fix to Rny 22R, 224—4.3; No Middle Marker.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing River Int or Radar Fix, make right turn climb to 2000′ on W crs IND-LFR within 15 miles or, when directed by ARTC, as follows: 1. Climb to 2100′ on NW crs IND-LFR within 20 mi. 2. climb on SW crs, ILS to 2000′ and proceed to LOM.
NOTE: This ILS procedure not authorized when radar is inoperative unless aircraft is equipped to receive VOR and ILS simultaneously.
Except 2800′ within 3 mi of 1849′ tower, 2800′ within 3 mi of 1815′ tower, and 2900′ within 3 mi of 1852′ tower E and NE of airport.
*Holding not authorized below 2800.
**Radar Transitions must intercept NE crs ILS at least 3 mi NE of River Int.

City, Indianapolis; State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, ILS; Ident, VOR and Radar; Procedure No. ILS-22, Amdt. 2; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 1; Dated, 23 June 58

IND VOR	LOM	Direct	2000	T-dn	300-1	300-1	200-½
Clayton FM via crs 105-ILS	SW crs ILS (Final)	Direct	2000	C-dn	400-1	500-1	500-1½
IND-LFR via crs 194 ILS	SW crs ILS	Direct	2000	S-dn-4*	200-½	200-½	200-½
Int E crs IND-LFR and NE crs ILS	LOM	Direct	2000	A-dn	600-2	600-2	600-2
Int S crs IND-LFR and SW crs ILS	LOM	Direct	2000				
Int IND R-205 and SW crs ILS	LOM (Final)	Direct	2000				
Radar terminal area transition altitudes-distances are from radar site and azimuths progress clockwise.							
120	260	20 mi	2000				
260	120	20 mi	#2300				

Procedure turn S side SW crs, 224° Outbnd, 044° Inbnd, 2000′ within 10 mi of LOM.
Minimum altitude at G.S. int inbnd, 1900′.
Altitude of G.S. and distance to appr end of rny at OM 1900—3.9, at MM 980—0.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing LOM, climb to 2900′ on E crs of IND-LFR to Greenfield Int or as directed by ATC: 1. Climb to 2200′ on S crs of IND-LFR within 20 mi. 2. Make left turn, climb to 2000′ and proceed to LOM.
*300-¾ required when approach lights inoperative.
Except 2800′ within 3 mi of 1849′ tower, 2800′ within 3 mi of 1815′ tower, and 2900′ within 3 mi of 1852′ TV tower NE and E of airport.

City, Indianapolis; State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, ILS-IND; Ident., LOM-IN; Procedure No. ILS-4, Amdt. 2; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 1; Dated, 23 June 58

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Meridian LFR	MDA HW	Direct	2000	T-dn	300-1	300-1	200-½
Meridian VOR	MDA HW	Direct	1600	C-dn	500-1	600-1	600-1½
				S-dn-36#	300-¾	300-¾	300-¾
				A-dn	600-2	600-2	600-2

Procedure turn E side S crs, 184° Outbnd, 004° Inbnd, 1700′ within 10 mi.
Minimum altitude at glide slope interception inbnd 1700′.
Altidude of G.S. and distance to appr end of rny at OM 1700—4.5, at MM 506—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1600′ on North crs of ILS within 20 miles, or turn left and return to MDA HW at 1700′.
NOTE: Take-offs with less than 200-½ N.A. on runways 4 and 22.
No approach lights. Over-run lights and high intensity runway lights only on runway 18-36. Runway 9-27 closed.
CAUTION: Trees 600 MSL 2 mi. East of airport.
#500-1 required when glide slope not used.
Major Changes: Revise Transitions and missed approach, LOM Changes to HW. Revise Note.

City, Meridian; State, Miss.; Airport Name, Key Field; Elev., 297′; Fac. Class, ILS-IMEI; Ident., HW-MDA; Procedure No. ILS-36, Amdt. 3; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 2 (ILS portion of comb. ILS and ADF); Dated, 13 Dec. 56

Newberg VOR	LOM	Direct	4000	T-dn	300-1	300-1	200-½
Int R-183 UBG VOR brng 092 to Salem LOM.	LOM	Direct	3000	C-dn	800-1	800-1	800-1½
				S-dn# 31	300-¾	300-¾	300-¾
				A-dn*	800-2	800-2	800-2

Procedure turn S side of SE crs, 129° Outbnd, 309° Inbnd, 2500′ within 10 mi. NA beyond 10 mi (procedure turn to be made on S side of crs; high terrain to east).
Minimum altitude at glide slope int inbnd, 2200′.
Altitude of glide slope and distance to approach end of runway at OM—1520—4.0; at MM—470—0.7.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make climbing right turn, climb to 2500′ on SE crs of ILS within 10 mi of LOM. All turns on S side.
CAUTION: 688′ MSL terrain located 3½ mi S of airport.
*Air Carrier Note: Paragraph 23(a)(3) of Operations Specifications not applicable.
#500-1 required with any component of the ILS inoperative.

City, Salem; State, Oreg.; Airport Name, McNary Field; Elev., 207′; Fac. Class, ILS; Ident., ISLE; Procedure No. ILS-31, Amdt. 3; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 2 (ILS portion of comb. ILS-ADF); Dated, 5 Feb. 55

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
260	120	Within 20 mi	*2300	Surveillance approach			
120	260	Within 20 mi	2000	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished:
Runways 4, 9, 13, 18: Climb to 2900′ on E crs IND-LFR and proceed to Greenfield Int, or as directed by ATC, as follows: 1. Climb to 2200′ on S crs of IND-LFR within 25 mi. 2. Climb on SW crs ILS to 2000′; proceed to LOM.
Runways 22, 27, 31, 36: Climb to 2000′ on W crs of IND-LFR within 15 mi. of Station or, as directed by ATC as follows: 1. Climb on SW crs ILS to 2000′, proceed to LOM. 2. Climb to 2100′ on NW crs of IND-LFR within 25 miles.
*2800′ within 3 miles of 1849′ tower; 2800′ within 3 miles of 1815′ tower; and 2900′ within 3 miles of 1855′ tower, E and NE of airport.

City, Indianapolis; State, Ind.; Airport Name, Weir Cook Municipal; Elev., 796′; Fac. Class, Weir Cook; Ident., Radar; Procedure No. 1, Amdt. 7; Eff. Date, 17 Oct. 59; Sup. Amdt. No. 6; Dated, 23 June 58

These procedures shall become effective on the dates indicated on the procedures.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on September 25, 1959.

WILLIAM B. DAVIS,
Director, Bureau of Flight Standards.

[F.R. Doc. 59-8259; Filed, Oct. 1, 1959; 8:47 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 54950]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

Appraisement of Seized Merchandise

The authority of collectors of customs to determine the domestic value of seized merchandise which was limited to seizures valued at not over $250 has been extended to cover seizures valued at not more than $500. To reflect this change, the second paragraph of footnote 23, appended to § 23.12(a), Customs Regulations, is amended to read:

The function of determining the domestic value of seized property under section 606, Tariff Act of 1930 (19 U.S.C. 1606), in any case where the aggregate value of the seizure is not more than $500 has been transferred from the appraiser to the collector. (T.D. 54949)

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

[SEAL] LAWTON M. KING,
Acting Commissioner of Customs.

Approved: September 24, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-8280; Filed, Oct. 1, 1959; 8:49 a.m.]

Title 25—INDIANS

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

SUBCHAPTER P—MINING

SUBCHAPTER Q—OIL AND GAS

PART 171—LEASING OF TRIBAL LANDS FOR MINING

PART 172—LEASING OF ALLOTTED LANDS FOR MINING

PART 173—LEASING OF LANDS IN CROW INDIAN RESERVATION, MONTANA, FOR MINING

PART 174—LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

PART 184—LEASING OF CERTAIN LANDS IN WIND RIVER INDIAN RESERVATION, WYOMING, FOR OIL AND GAS MINING

Filing Fees for Mineral Leases on Indian Lands

On page 8732 of the FEDERAL REGISTER of November 8, 1958, a notice to amend §§ 171.25, 171.30, 172.31, 172.32, 173.28, 173.29, 174.7, 174.47, 184.29, and 184.30 of 25 CFR was published. The purpose of these amendments is to increase the filing fee to cover the cost of processing a lease, including the cost of printing the prescribed forms, and to eliminate the separate charge for the forms.

Interested persons were given thirty days from the date of publication of the notice in the FEDERAL REGISTER as an opportunity to submit their views, data, and arguments concerning the proposed amendments to the Commissioner of Indian Affairs. Two communications having the same objection were received within the specified period. The objection was given careful consideration, but was not accepted because the purpose of the amendment would be defeated thereby.

The proposed amendments to the sections of 25 CFR listed above are adopted, without change, except that reference is made to the chapter instead of the subchapter, and are set forth below.

These amendments are effective upon publication in the FEDERAL REGISTER.

ELMER F. BENNETT,
Acting Secretary of the Interior.

SEPTEMBER 25, 1959.

1. Section 171.25 is amended to provide for an increase in the filing fee from $5 to $10 and to read as follows:

§ 171.25 Fees.

Unless otherwise authorized by the Secretary of the Interior or his authorized representative, each lease, mining permit, sublease, or assignment shall be accompanied at the time of filing by a fee of $10. Such fee will not be required on sand and gravel permits issued to States, counties, or other municipal bodies. (25 U.S.C. 413)

2. Section 171.30 is amended to provide for the elimination of the charge for prescribed forms and to read as follows:

§ 171.30 Forms.

Leases, assignments, and other instruments shall be on forms prescribed by the Secretary of the Interior or his authorized representative and may be obtained from the superintendent or other officer having jurisdiction over the lands.

(Secs. 16, 17, 48 Stat. 987, 988, sec. 9, 49 Stat. 1968, Sec. 4, 52 Stat. 348; 25 U.S.C. 396d, 476, 477, 509)

3. Section 172.31 is amended to provide for an increase in the filing fee from $5 to $10 and to read as follows:

§ 172.31 Fees.

The provisions of § 171.25 of this chapter, or as hereafter amended, are applicable to this part.

4. Section 172.32 is amended to provide for the elimination of the charge for prescribed forms and to read as follows:

§ 172.32 Forms.

The provisions of § 171.30 of this chapter, or as hereafter amended, are applicable to this part.

(35 Stat. 783, as amended; 25 U.S.C. 396)

5. Section 173.28 is amended to provide for an increase in the filing fee from $5 to $10 and to read as follows:

§ 173.28 Fees.

The provisions of § 171.25 of this chapter, or as hereafter amended, are applicable to this part.

6. Section 173.29 is amended to provide for the elimination of the charge for prescribed forms and to read as follows:

§ 173.29 Forms.

The provisions of § 171.30 of this chapter, or as hereafter amended, are applicable to this part.

(Sec. 6, 41 Stat. 753, sec. 6, 44 Stat. 659)

7. Section 174.7 is amended to change the caption, to provide for an increase in the filing fee from $5 to $10 and to read as follows:

§ 174.7 Fees.

The provisions of § 171.25 of this chapter, or as hereafter amended, are applicable to this part.

8. Section 174.47 is amended to provide for the elimination of the charge for prescribed forms and to read as follows:

§ 174.47 Forms.

The provisions of § 171.30 of this chapter, or as hereafter amended, are applicable to this part.

(Sec. 2, 35 Stat. 312, sec. 18, 41 Stat. 426, sec. 1, 45 Stat. 495, sec. 1, 47 Stat. 777; 25 U.S.C. 356)

9. Section 184.29 is amended to provide for an increase in the filing fee from $5 to $10 and to read as follows:

§ 184.29 Fees.

Unless otherwise authorized by the Secretary of the Interior or his authorized representative, each lease, sublease, or assignment shall be accompanied at the time of filing by a fee of $10. (25 U.S.C. 413)

10. Section 184.30 is amended to provide for the elimination of the charge for prescribed forms and to read as follows:

§ 184.30 Forms.

The provisions of § 171.30 of this chapter, or as hereafter amended, are applicable to this part.

(Sec. 1, 39 Stat. 519)

[F.R. Doc. 59-8265; Filed, Oct. 1, 1959; 8:48 a.m.]

Title 29—LABOR

Chapter IV—Bureau of Labor-Management Reports, Department of Labor

PART 406—LABOR RELATIONS CONSULTANT REPORT

Section 203(b) of the Labor-Management Reporting and Disclosure Act (Pub. Law 86-257; 73 Stat. 519), requires every person who, pursuant to agreement or arrangement with an employer, undertakes certain described labor relations services, to file a report with the Secretary of Labor within 30 days after

entering into such agreement or arrangement, disclosing specific information relating to such services.

Therefore, in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), and under authority of sections 203(b) and 208 of the Labor-Management Reporting and Disclosure Act of 1959 (Pub. Law 86-257; 73 Stat. 519), and R.S. 161 (5 U.S.C. 22), C. IV, 29 Code of Federal Regulations, is hereby amended by adding thereto Part 406 to read as follows:

Sec.
406.1 Definitions.
406.2 Initial report.
406.3 Annual reports.
406.4 Persons excepted from filing reports.
406.5 Retention of records.
406.6 Personal responsibility of signatories of reports.
406.7 Dissemination and verification of reports.
406.8 Publication of reports required by this part.

AUTHORITY: §§ 406.1 to 406.8 issued under R.S. 161 5 U.S.C. 22; secs. 203(b), 208 Pub. Law, 86-257. Apply secs. 203(b), (d), (e), 204, 206, 207(b), Pub. Law 86-257.

§ 406.1 Definitions.

As used in this part the terms:

(a) "Corresponding principal officers" shall include any person or persons authorized to perform, or otherwise performing, principal executive functions of any entity engaged in whole or in part in the performance of the activities described in section 203(b) of the Act.

(b) "Fiscal year" means a period of 12 consecutive calendar months, including a calendar year. Where a person designates a new fiscal year period prior to the expiration of a previously established fiscal year period, the resultant period of less than 12 consecutive calendar months, and thereafter the newly established fiscal year, shall in that order constitute the fiscal year for purposes of the reports required to be filed by section 203(b) of the Act and of the regulations in this part.

§ 406.2 Initial report.

Every person who pursuant to any agreement or arrangement with an employer undertakes activities where an object thereof is, directly or indirectly—

To pursuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing; or,

To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in connection with an administrative or arbitral proceeding or a criminal or civil judicial proceeding;

shall file within 30 days after entering into such agreement or arrangement a report with the Bureau of Labor-Management Reports, signed by its president and treasurer or corresponding principal officers, containing the following information:

(a) The name under which such person is engaged in doing business;

(b) The address of its principal office;

(c) A detailed statement of the date, place, terms and conditions of such agreement or arrangement;

(d) Where any such agreement or arrangement is, in whole or in part, contained in any written contract, memorandum, letter, or other written instrument, or has been otherwise wholly or partially reduced to writing, a copy of any such contract, memorandum or other writing shall be filed with this report;

(e) The name and address or names and addresses of the employers with whom such agreement or arrangement was made;

(f) The nature of the activities undertaken pursuant to such agreement or arrangement;

(g) The extent to which such activities have been carried out at the time the report is filed;

(h) The period over which such activities are to be carried out pursuant to the agreement or arrangement;

(i) The object or objects of such activities;

(j) Identification of the employees or groups of employees who are to be persuaded pursuant to the agreement or arrangement;

(k) Identification of the employees, groups of employees or labor organizations, or both, involved in a labor dispute, concerning whose activities information is to be supplied the employer of such employees, pursuant to the agreement or arrangement.

§ 406.3 Annual reports.

Every person required to make a report under § 406.2 shall file annually thereafter, with respect to each fiscal year during which payments were made as a result of such an agreement or arrangement, a report with the Bureau, signed by its president and treasurer or corresponding principal officers, containing a statement of all:

(a) Receipts of any kind received directly or indirectly from employers on account of labor relations advice or services, designating the sources thereof; and

(b) Disbursements of any kind made directly or indirectly in connection with such services and the purposes thereof. Such report shall be filed within ninety days after the end of such person's fiscal year during which payments were made as a result of such an agreement or arrangement; except that where such person is subject to this section for only a portion of such a fiscal year (because the date of enactment of the Act (September 14, 1959) occurred during such person's fiscal year or such person becomes subject to the Act during his fiscal year), such person may consider that portion as the entire fiscal year in making the report herein required.

§ 406.4 Persons excepted from filing reports.

Nothing contained in this part shall be construed to require:

(a) Any person to file a report under this Part unless he was a party to an agreement or arrangement of the kind described in § 406.2;

(b) Any person to file a report covering the services of such person by reason of his giving or agreeing to give advice to an employer or representing or agreeing to represent an employer before any court, administrative agency, or tribunal of arbitration or engaging or agreeing to engage in collective bargaining on behalf of an employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder;

(c) Any regular officer, supervisor, or employee of an employer to file a report in connection with services rendered to such employer;

(d) An attorney who is a member in good standing of the bar of any State, to include in any report required to be filed pursuant to the provisions of this part any information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

§ 406.5 Retention of records.

Every person required to file any report under section 203(b) of the Act and under this part shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

§ 406.6 Personal responsibility of signatories of reports.

Each individual required to file a report under section 203(b) of the Act and under this part shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

§ 406.7 Dissemination and verification of reports.

Every labor organization required to submit reports under section 203(b) of the Act and under this part shall make available the information required to be contained in such reports to all of its members, and every such labor organization and its officers shall be under a duty to permit such member for just cause to examine any books, records, and accounts necessary to verify such reports.

§ 406.8 Publication of reports required by this part.

Inspection and examination of any report or other document filed is required by section 203(b) of the Act and under this part, and the furnishing by the Bureau of copies thereof to any person requesting them shall be governed by the provisions of Part 407 of this chapter.

Since the form and publication of the reports prescribed in this part, except for the report provided by § 406.2 thereof, follow the form and publication requirements of section 203(b) of the Act, the

remaining regulations only declaring provisions of the Act, either applicable to or constituting exceptions from the reporting requirements of its section 203 (b), and, it appearing that initial reports of an indeterminate number of persons coming within the provisions of such section and of this part are required to be filed not later than October 14, 1959, I find that notice, public procedure thereon and delayed effective date, otherwise provided by section 4 of the Administrative Procedure Act (5 U.S.C. 1003), are unnecessary and impractical, and good cause therefor existing, regulations in this part, as authorized by the Administrative Procedure Act, are made effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 29th day of September 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-8330; Filed, Sept. 30, 1959; 2:02 p.m.]

PART 407—PUBLICATION OF LABOR AND MANAGEMENT REPORTS

Section 205 of the Labor-Management Reporting and Disclosure Act of 1959 (Pub. Law 86-257; 73 Stat. 519), provides that reports and documents filed with the Secretary of Labor pursuant to sections 201, 202, and 203 shall be public information and that inspection and examination and the furnishing of copies thereof be provided for by appropriate regulations. Section 301(b) of the said Act applies the provisions of section 205 thereof to the reports required to be filed with the Secretary by section 301(a).

Therefore, pursuant to section 3 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002), and under the authority of the Labor-Management Reporting and Disclosure Act of 1959 (Public Law 86-257; 73 Stat. 519), R.S. 161 (5 U.S.C. 22), Chap. IV, 29 Code of Federal Regulations is hereby amended by adding thereto Part 407, to read as follows:

Sec.
407.1 Public information.
407.2 Inspection and examination.
407.3 Copies generally.
407.4 Copies for States.

AUTHORITY: §§ 407.1 to 407.4 issued under sec. 205(b), (c) Labor-Management Reporting and Disclosure Act of 1959, Pub. Law 86-257, 73 Stat. 519, and R.S. 161, 5 U.S.C. 22. Apply or interpret sec. 205, 301(b), Pub. Law 86-257, 73 Stat. 519.

§ 407.1 Public information.

The contents of the reports and documents filed with the Bureau of Labor-Management Reports pursuant to sections 201, 202, 203, and 301 of the Act, and Parts 403 to 406 and 408 of this chapter, are public information.

§ 407.2 Inspection and examination.

The data and information contained in any such report or other document filed with the Bureau, constituting public information under § 407.1 of this part, on the request of any person, may be inspected and examined at the national office of the Bureau in the United States Department of Labor Building, 14th Street and Constitution Avenue NW., Washington 25, D.C., between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday of each week, other than on official Federal holidays.

§ 407.3 Copies generally.

(a) Section 2.9 of this title, governing withdrawal of originals and copies of Departmental records, shall not apply to the inspection and examination on the Bureau's promises of reports and documents as provided by § 407.2, nor to the furnishing of copies of reports or information and data therefrom by the Bureau, as hereinafter provided.

(b) Upon request of any person to the Bureau at the address specified in § 407.2, accompanied by payment of a charge, based upon photocopy cost of the service, of 26 cents per 9" x 12" page, plus such fees in excess of domestic first class postal rates as may be necessary for any special postal service requested, such person shall be furnished with a copy or copies of any such reports or documents requested.

§ 407.4 Copies for States.

Upon request of the Governor of a State for copies of any reports or documents available under § 407.3(b), or for information and data contained therein, which have been filed by any person whose principal place of business or headquarters is in such State, the Bureau shall:

(a) Make available without payment of a charge to the State agency designated by law or by such Governor, such requested copies or information and data, or;

(b) Require the person who filed such reports or documents, to furnish such copies or information and data directly to the State agency thus designated.

As the regulations provided in this part are not substantive, but relate to agency managment, and state rules of agency procedure and practice for which no notice or hearing is required by statute, notice, public procedure thereon, and delayed effective date are not required for their issuance by the Administrative Procedure Act. Accordingly, this part is hereby made effective upon its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., September 29, 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-8331; Filed, Sept. 30, 1959; 2:02 p.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 12—AMATEUR RADIO SERVICE

Amateur Radio Operator Examination Points

The Commission having under consideration a modification of its amateur radio operator license examination points; and

It appearing that heretofore the Alaska Communication System at Fairbanks, Alaska has by agreement with the Commission conducted amateur examinations on a regular basis; and

It further appearing that in the future the Alaska Communication System will be unable to conduct radio operator examinations; and

It further appearing that the amendment herein ordered is procedural in nature and not substantive and therefore compliance with public rulemaking procedures required by sections 4 (a) and (b) of the Administrative Procedure Act is not required.

It is ordered, This 25th day of September 1959, pursuant to authority of § 0.341 of the Commission's Statement of Delegations of Authority, and to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and pursuant to section 3(a) of the Administrative Procedure Act, that Appendix 1 of Part 12 of the Commission's rules be amended as set forth below, effective November 1, 1959.

(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: September 29, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Appendix 1, Part 12 is amended by adding Fairbanks, Alaska in alphabetical sequence to the "annual" listing within this Appendix.

[F.R. Doc. 59-8303; Filed, Oct. 1, 1959; 8:51 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 1 (AGE-1, Amdt. 3)]

AGE-1—GENERAL AGENTS, AGENTS, AND BERTH AGENTS

[NSA Order 47 (AGE-4, Amdt. 10)]

AGE-4—COMPENSATION PAYABLE TO AGENTS, GENERAL AGENTS AND BERTH AGENTS

Section 1(e) of AGE-1 and section 5(h) of AGE-4 are hereby amended by deleting the existing text and substituting therefor the following:

Continental United States. The "continental United States" as used in this order and other NSA orders shall be deemed to include the forty-eight States which were States of the United States of America on or before January 2, 1959, and the District of Columbia,

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

Approved: September 18, 1959.

WALTER C. FORD,
Deputy Maritime Administrator.

[F.R. Doc. 59-8247; Filed, Oct. 1, 1959; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 210—PROCUREMENT ACTIVITIES OF THE CORPS OF ENGINEERS

Revision of Rules of Board of Contract Appeals

Section 210.4 is revised to read as follows:

§ 210.4 Rules of the Corps of Engineers Board of Contract Appeals, Office of the Chief of Engineers.

The following rules are promulgated by the Corps of Engineers Board of Contract Appeals, Office of the Chief of Engineers, for the guidance of Contractors having contracts with the Corps of Engineers, and others concerned:

(a) *Rule 1, appeals; how taken.* A notice of appeal by the contractor from a decision of a Contracting Officer must be made in accordance with the requirements of the Disputes article contained in the particular contract. The Contractor shall address the appeal to the Chairman of the Board through the Contracting Officer, and shall mail or otherwise deliver the notice of appeal to the Contracting Officer.

(b) *Rule 2, duties of Contracting Officer.* When a notice of appeal in any form has been received by the Contracting Officer he shall endorse thereon the date of mailing or the date of receipt, if otherwise filed. The Contracting Officer shall promptly thereafter compile and transmit to the Board through prescribed administrative channels, copies of all documents pertinent to the appeal, including the following:

(1) The notice of appeal, the findings of fact, the decision from which the appeal is taken, and the letter or letters or other documents of claim in response to which the decision was issued;

(2) The contract and pertinent plans, specifications, amendments, and change orders;

(3) Correspondence between the parties and other data pertinent to the appeal;

(4) Transcripts of any testimony taken during the course of proceedings on the matter in dispute prior to the filing of the notice of appeal with this Board;

(5) Such additional information as the Contracting Officer may consider material.

(c) *Rule 3, receipt of appeal assembly.* When the Board receives the appeal assembly, the Recorder will enter the appeal on the docket and will promptly advise the Contractor and the Contracting Officer thereof. At that time the Recorder will forward to the Contractor a copy of the rules in this section, and will offer the Contractor a choice of procedure as described in paragraphs (d) and (e) of this section (Rule 4 and Rule 5).

(d) *Rule 4, hearings and alternate procedures.* (1) The contractor, or the Government, upon request, will be accorded a full and complete hearing, at which may be offered the testimony of witnesses, which witnesses shall be subject to cross-examination by the opposing party. Hearings will be as informal as may be reasonably allowable and appropriate under all the circumstances. The Contractor and Government counsel may offer at a hearing on the merits such relevant and material evidence as they deem appropriate and as would be admissible under the generally accepted rules of evidence; subject, however, to the exercise of reasonable discretion by the presiding member, supervising the extent, nature, and manner of presentation of such evidence. Letters or copies thereof, affidavits, or other evidence, not ordinarily admissible under the generally accepted rules of evidence, may be received in evidence in the discretion of the presiding member. The weight to be attached to evidence presented in any particular form will be determined by the Board in the exercise of reasonable discretion under all the circumstances of the particular case. The parties may, by stipulation in writing filed with the Board, agree upon the facts or any portion thereof involved in the appeal, and the stipulation may be regarded and used in evidence at the hearing; the parties may also stipulate the testimony that would be given by a witness if the witness were present. The Board may, however, in such cases, require additional evidence.

(2) Also, in the discretion of the Board, if neither side desires a hearing, the Contractor at his request will be accorded a conference with one or more members of the Board. This type procedure is not for the purpose of introducing new matter but is for the purpose of explaining or arguing matters of record. If any new matter is introduced at such a conference, consideration of the appeal will be deferred until the Contracting Officer has been apprised thereof and has had an opportunity to reply. The Contracting Officer or his representative will be afforded the right to be present at such conference.

(3) At the option of both parties the case may be submitted to and decided by the Board on the basis of the record supplemented as desired by either party by briefs or memoranda.

(4) If the appeal involves an amount less than $5,000 the contractor with the approval of the Government, may elect to have an individual member of the Board, designated for that purpose by the Chairman of the Board consider the appeal on the basis of the record before the Board and issue the decision of the Board based on such record. Such individual member will have all the authority of the Board to consider, determine and reconsider the appeal on the basis of the record before such member, and the decision of the individual member shall be for the purpose hereof the decision of the Board. In the event that the Contractor chooses to have the appeal considered on such basis, the Board shall undertake to issue a decision on such an appeal within 30 days after the receipt by the Board of the Contractor's election and the Government's consent thereto. If the parties desire to submit briefs or supplemental memorandum, such submission must be made at the time of election or consent thereto.

(e) *Rule 5, election of procedure.* Within 20 days after receiving the notice of the docketing of the appeal and the choice of procedure, the Contractor is required to advise the Board of its election thereof. Failure to so advise the Board within the time prescribed will permit the Board to proceed with the appeal as if it has been submitted on the record, as set out in paragraph (d)(3) of this section (Rule 4(3)).

(f) *Rule 6, complaint.* In the event the Contractor elects either a conference hearing under paragraph (d)(2) of this section (Rule 4(2)), or a submission of the appeal on the record, as permitted by paragraph (d) (3) and (4) of this section (Rule 4 (3) and (4)), and the Government acceded to such election, the appeal file will be considered complete and no complaint need be filed. If, however, the Contractor elects a full hearing under paragraph (d)(1) of this section (Rule 4(1)), the Contractor within the 20 days' time prescribed by paragraph (e) of this section (Rule 5), and with the notice of such election, or within such longer period of time as may be allowed by the Board, Contractor will file with the Board, if not previously filed with the Notice of Appeal, a complaint setting forth simple, concise and direct statements of each of his claims showing that he is entitled to relief, and identifying the contract provision or provisions under which relief is claimed. The complaint shall be limited to those requests for relief which have been presented to and denied by the Contracting Officer. No technical form is required, but each claim should be separately identified. Documentary evidence in support of claims may be filed as exhibits to the complaint. All documents filed as such exhibits shall be plainly listed and identified in the complaint. An original and three copies of the complaint shall be filed. Upon receipt thereof the Recorder of the Board shall furnish a copy of the complaint, together with any exhibits thereto, to counsel for the Government. In the event the complaint is not filed within the time stated above, the appeal may be dismissed by the Board for lack of prosecution.

(g) *Rule 7, answer.* Within 20 days after service of the complaint, or within such longer period of time as may be allowed by the Board, counsel for the Government shall prepare and file with the Board an answer thereto. The answer shall set forth simple, concise and direct statements of the Government's defenses to each claim asserted by the Contractor.

Each defense shall be stated with as much particularity as is practical. Defenses which go to the jurisdiction of the Board may be included in the answer, or may be raised by motion pursuant to the provisions of paragraph (j) of this section (Rule 10). Additional documentary evidence in support of the Government's defenses may be filed as exhibits to the answer. All documents filed as exhibits to the answer shall be plainly listed and identified in the answer. An original and three copies of the answer shall be filed with the Board. Upon receipt thereof the Recorder shall serve a copy of the answer on the Contractor or his attorney.

(h) *Rule 8, appeal file; inspection of file.* The notice of appeal, the complaint and exhibits attached thereto, the answer and exhibits attached thereto and the documents required to be filed therewith pursuant to paragraphs (b) and (d) of this section (Rules 2 and 4), all papers filed by the parties with the Board pursuant to the rules of this section and all correspondence exchanged between the Board and the parties or their attorneys shall constitute the appeal file, which shall be available for inspection at the offices of the Board or if a copy thereof is available, at the office of the Contracting Officer, where such copy may be examined at that location. Prior arrangements for inspection of the file should be made with the Recorder of the Board or the Contracting Officer.

(i) *Rule 9, amendment of pleadings.* At any time before oral hearing or before submission of a case by the parties without an oral hearing, the Board in its discretion may permit a party, within the proper scope of the appeal, to amend its complaint or answer, upon conditions just to both parties. The Board upon its own initiative or upon application by a party may in its discretion order a party to make a more definite statement of its complaint or answer, or to reply to an answer. When issues within the proper scope of the appeal but not raised by the complaint and answer are determined by express or implied consent of the parties, they shall be treated in all respects as if they had been raised therein. Such amendment of the complaint and answer as may be necessary to cause them to conform to the evidence may be made upon motion at any time, but failure so to amend does not affect the result of the hearing of these issues. If evidence is objected to at the hearing on the ground that it is not within the issues made by the complaint and answer, the hearing member or examiner may allow the pleadings to be amended within the proper scope of the appeal and shall do so freely when the presentation of the merits of the action will be served thereby and the objecting party fails to satisfy the hearing member or examiner that the admission of such evidence would prejudice him in maintaining his case or defense upon the merits. The hearing member or examiner may, however, grant a continuance to enable the obecting party to meet such evidence.

(j) *Rule 10, motions to dismiss.* Defenses which go to the jurisdiction of the Board may be raised by motion. Filing of motions to dismiss for lack of jurisdiction shall not be unreasonably delayed. The Board, however, may at any time decline to proceed with a case in which it lacks authority to decide the issues. Motions to dismiss for lack of jurisdiction shall, on application of either party, be heard and determined before oral hearings on the merits unless the Board orders that determination of the motion be deferred pending oral hearing on both the merits and the motion.

(k) *Rule 11, failure to state a case.* If, after completion of the pleadings, the Board finds that the contractor has failed to state a case on which any relief could be granted by the Board, the Board may give notice to the contractor to show cause why the appeal should not be dismissed on the ground that no useful purpose would be served by setting the case for oral hearing on the merits. The contractor, in such event, will be afforded an opportunity to be heard orally for the purpose of showing cause why the appeal should not be dismissed on that ground, and, if the contractor so desires, to move to amend the complaint within the proper scope of the appeal. If the Board thereafter finds the contractor has failed to show cause, and finds that the complaint, with such amendments as may be offered by the contractor, fails to state a case on which the Board could grant relief, the appeal shall be dismissed.

(l) *Rule 12, depositions, procedure for taking*—(1) *Reason for taking.* A deposition may be taken and read, whenever in the discretion of the presiding member it appears that a necessary witness cannot be reasonably expected to be present for oral examination.

(2) *Form and return of deposition to Board.* Each deposition should show the docket number and the caption of the proceedings, the place and date of taking, the name of the witness and the party by whom called. The person recording the deposition shall certify thereon that it is a true record of the testimony given by the witness and shall inclose the original deposition and exhibits, in a sealed packet, with postage or other transportation prepaid and forward the same to the Corps of Engineers Board of Contract Appeals.

(3) *Notice to take.* When either party desires to take a deposition, unless the parties shall stipulate as to the time when and place where the deposition is to be taken and the name and address of the witness, such party should give to the opposite party at least 15 days' notice of the time when and the place where such deposition will be taken as well as the name of the witness. Depositions may be taken upon oral or written interrogatories. Copies of the written interrogatories should accompany the notice to take depositions. If the opposite party desires to submit cross-interrogatories, the cross-interrogatories should be served upon the party giving the notice within 10 days from the receipt of the notice to take the deposition.

(m) *Rule 13, prehearing conferences.* In any case the Board in its discretion, upon its own initiative or upon the application of one of the parties, may call upon the parties or their attorney or representatives to appear before a member or examiner of the Board for a conference to consider:

(1) The simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings;

(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(4) The limitation of the number of expert witnesses;

(5) Such other matters as may aid in the disposition of the appeal.

The presiding member or examiner, at the conclusion of such a conference shall make such order as in his discretion is found to be appropriate with reference to action taken at the conference, amendments allowed or to be made to the pleadings, agreements made by the parties as to any of the matters considered, and limitation of issues for trial.

(n) *Rule 14, examination of witnesses.* Witnesses before the Board or a designated member thereof, will be examined orally, unless the facts are stipulated or the Board or designated member thereof shall otherwise order. The testimony of a witness is subject to the provisions of law imposing penalties for knowingly making false representations in connection with claims against the United States or in any matter within the jurisdiction of any department or agency thereof.

(o) *Rule 15, hearings, where held.* Hearings will be held at the office of the Board unless it is otherwise ordered by the Board. The Board will consider a request for a hearing at another location if compelling reasons are timely presented.

(p) *Rule 16, notice of hearing.* The Contractor and the Government counsel will be given at least 15 days' notice of the time and place of hearing. Continuances will not be granted except upon written request and for good cause.

(q) *Rule 17, absence of parties or counsel.* The unexcused absence of a party or his authorized representative at the time and place set for the hearing will not be the occasion for delay. In such event the hearing will proceed and the case will be regarded as submitted by the absent party.

(r) *Rule 18, briefs.* Briefs, if required, shall be filed simultaneously within 20 days after receipt of transcript, or within such other period of time as may be allowed by the Board.

(s) *Rule 19, copies of papers.* When books, records, papers, or documents have been received in evidence, a copy thereof or of such part thereof as may be material or relevant may be substituted therefor.

(t) *Rule 20, withdrawal of exhibits.* After a decision has become final the Board may, upon request and after notice to the other party, in its discretion permit the withdrawal of original exhibits, or any part thereof, by the party entitled thereto. The substitution of true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawals.

(u) *Rule 21, transcript of proceedings.* Testimony and argument at hearings shall be reported verbatim, unless the Board otherwise orders. Transcripts of the proceedings shall be supplied to the parties at such rates as may be fixed by contract between the Board and the Reporter. If the proceedings are reported by an employee of the Government, the Contractor may receive transcripts upon payment to the Government at the same rates as those set by the independent Reporter under contract to the Board.

(v) *Rule 22, representation*—(1) *The Contractor.* An individual Contractor may appear before the Board in person; a corporation will be represented by an officer thereof; a partnership or joint venture will be represented by a member thereof. Any Contractor may be represented by an attorney at law duly licensed in any State, Commonwealth, Territory, or in the District of Columbia. The Board may authorize a Contractor to appear by a duly authorized representative other than those mentioned in a special case, but for the purposes of that case only. Any representative of the Contractor who is an officer or employee (civilian or military) of the United States Government, or a former officer or employee (civilian or military) of the Government whose active service or employment terminated within the past two years or a retired officer of the Regular component of the Armed Forces shall file a Notice of Appearance on DA Form 1627 with the Contracting Officer or the Recorder of the Board. A copy of the form of Notice of Appearance may be obtained from either the Contracting Officer or the Recorder of the Board. The representative of the Contractor must conform in all respects with the requirements of Army Regulations 632–35 (32 CFR 583.1).

(2) *Status of Government counsel.* Government counsel shall file Notice of Appearance with the Board and notice thereof will be given the Contractor or to his attorney.

(w) *Rule 23, continuances pending reconsideration by the parties.* Whenever at any time it appears that the Contractor and the Contracting Officer or their counsel are in agreement as to the disposition of the controversy either in whole or in part, the Board may suspend further processing of the appeal in order to permit reconsideration by the parties: *Provided, however,* That if the Board is advised thereafter by either party that the controversy has not been disposed of by agreement the case shall be restored to the Board's calendar for hearing without loss of position.

(x) *Rule 24, findings and decisions of the Board.* Findings and decisions of the Board will be made in writing and authenticated copies thereof will be forwarded simultaneously to both parties. The rules of the Board and all final opinions and orders except those required for good cause to be held confidential shall be available to public inspection at the offices of the Board in Washington, D.C.

(y) *Rule 25, motions for reconsideration.* Motions for reconsideration or rehearing, if filed by either party, shall set forth specifically the grounds relied upon to sustain the motion and shall be filed within 30 days from the date of the receipt of the copy of a decision of the Board by the party filing the motion. Ordinarily, such motions will not be allowed except upon a showing that (1) new and material evidence has been discovered and was not previously presented and considered by the Board, or (2) that the decision rendered is not supported by the weight of the evidence. In either case, it shall be incumbent upon the petitioner for reconsideration to specifically state in his motion the detailed evidence upon which he relies in support of his motion.

(z) *Rule 26, appeals pending litigation.* The Board will not proceed with its consideration of an appeal if at any stage during the appellate process the same cause of action between the same parties which is the subject of the appeal is pending in litigation before any court; unless (1) the contractor within a reasonable time obtains and files with the Board a copy of an order of such court certified by the clerk thereof staying or suspending further proceedings in such court pending completion of administrative action by the Board, or upon remand, by the Contracting Officer involved; and (2) the Board in its discretion undertakes to and does obtain clearance from the Department of Justice for further administrative consideration and final disposition of the appeal.

(aa) *Rule 27, effective date of rules.* These rules shall be effective on all appeals made on or after October 1, 1959.

[Regs., September 18, 1959, ENGAC] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-8251; Filed, Oct. 1, 1959; 8:46 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Miscellaneous Amendments

The following amendments are made to take effect November 2, 1959. Notice and public procedure are deemed unnecessary as the changes relate to procedure and minor fee items.

1. In § 1.21 *Patent and miscellaneous fees and charges,* paragraph (r) is amended; and new paragraph (t) is added to read as follows:

(r) Local delivery box rental, annual	$12.00
* * * * *	
(t) For expediting service on orders for patent copies, in addition to the charge for the patent copy, for each patent number ordered	.25

2. In § 1.53 *Application accepted and filed for examination only when complete,* paragraph (b) is amended by cancelling "be stored as an abandoned incomplete application and eventually destroyed" and substituting "thereafter be returned", and by cancelling "submitted" and substituting ", if submitted," so that the paragraph will read:

(b) If the papers and parts are incomplete, or so defective that they cannot be accepted as a complete application for examination, the applicant will be notified; the papers will be held six months for completion and, if not by then completed, will thereafter be returned or otherwise disposed of; the fee, if submitted, will be refunded.

3. In § 1.111 *Reply by applicant,* paragraph (b) of § 1.111 is amended by canceling the last sentence and substituting in lieu thereof the following sentence: "A general allegation that the claims define invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section."

4. Section 1.119 *Amendment of claims* is amended by canceling the last sentence and substituting in lieu thereof the following sentence: "The requirements of § 1.111 must be complied with by pointing out the specific distinctions believed to render the claims patentable over the references in presenting arguments in support of new claims and amendments."

5. Section 1.192 *Appellant's brief* is amended by inserting after "invention" in the first sentence, the following, "which should refer to the drawing by reference characters," so that the first sentence will read: "The appellant shall, within sixty days from the date of the appeal, or within the time allowed for response to the action appealed from if such time is later, file a brief of the authorities and arguments on which he will rely to maintain his appeal, including a concise explanation of the invention which should refer to the drawing by reference characters, and a copy of the claims involved, at the same time indicating if he desires an oral hearing."

6. Section 1.244 *Motions; miscellaneous provisions* is amended by adding before the period in paragraph (c) "and any reply thereto must be filed within ten days from the filing of the petition" so that this paragraph will read:

(c) Petitions for reconsideration or modification of the decision must be filed within twenty days after the date of the decision and any reply thereto must be filed within ten days from the filing of the petition.

and by adding the following sentence at the end of paragraph (d): "Any reply thereto must be filed within ten days from the filing of the petition."

7. Section 1.256 *Final hearing* is amended by adding the following sentence at the end of paragraph (b): "Any reply thereto must be filed within fifteen days from the filing of the petition."

(Sec. 1, 66 Stat. 793; 35 U.S.C. 6; interprets or applies 35 U.S.C. 41, 111, 132, 134, 135)

[SEAL] ROBERT C. WATSON,
Commissioner of Patents.

Approved:

FREDERICK H. MUELLER,
Secretary of Commerce.

[F.R. Doc. 59-8295; Filed, Oct. 1, 1959; 8:50 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER Z—WITHDRAWALS, RESTORATIONS, AND CLASSIFICATIONS

[Circular No. 2026]

PART 295—WITHDRAWALS AND RESERVATIONS OF FEDERAL LANDS

Miscellaneous Amendments

On pages 9093 and 9094 of the FEDERAL REGISTER of November 22, 1958, there was published a notice of proposed rule making to issue amendments to the regulations governing applications for withdrawal or reservation of Federal lands. Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed regulations.

No objections have been received, but comments submitted indicate that, to provide for maps to facilitate review of applications for withdrawal of more than 5,000 acres, to incorporate in the regulations a provision of Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), to identify better the type of report referred to in § 295.16, and to allow the Department of Defense sufficient time in which to make any necessary determinations after failure of a legislative proposal to be enacted, the proposed regulations should be revised as follows:

1. A new paragraph (c) is added to § 295.10.

2. Paragraph (b) of § 295.13 is revised.

3. The words "bill introduced to effect the" are added between "the" and "proposed" in paragraph (a) of § 295.16.

4. Paragraph (c) of § 295.16 is revised.

5. The proposed regulations are hereby adopted with the revisions mentioned above and are set forth below. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

(R.S. 2478; 43 U.S.C. 1201)

ELMER F. BENNETT,
Acting Secretary of the Interior.

SEPTEMBER 24, 1959.

1. Section 295.9 is revised to read as follows:

§ 295.9 Scope of regulations; who may apply; definitions.

(a) The regulations in §§ 295.9 to 295.16 apply to all proposals for withdrawal, reservation or restriction, under the authority of Executive Order 10355, May 26, 1952 (17 F.R. 4831), or under the statutory authority of the Secretary of the Interior, or under the Act of February 28, 1958 (72 Stat. 27), of lands or water areas owned or controlled by the United States. However, only the following apply to proposals by the Department of Defense which are governed by the provisions of sections 1, 2, and 3 of the Act of 1958, supra: Paragraphs (b) and (c) of this section, §§ 295.10 and 295.11, paragraphs (a) and (c) of § 295.12, and § 295.16.

(b) The heads of Federal agencies and instrumentalities or any subordinate officer designated by them may apply for the withdrawal, reservation or restriction of lands or water areas owned or controlled by the United States for the use or benefit of the agency or instrumentality they represent or where such agency has a direct interest in a State, Territorial, or local program, for the use or benefit of a State or Territory, or political subdivision thereof in connection with such program.

(c) As used in §§ 295.10 to 295.16, the term "withdrawal or reservation" means "withdrawal, reservation, or restriction" and "land" includes both land and water areas.

2. Section 295.10 is revised to read as follows:

§ 295.10 Filing of applications.

(a) Except where the application is classified by the applicant for national security reasons, all applications for withdrawal or reservation must be filed in duplicate in the proper Land Office for the area where the lands are located, or for lands in areas in which there are no Land Offices, with the Bureau of Land Management, Washington 25, D.C., except that applications for lands in North or South Dakota must be filed in the Land Office at Billings, Montana, for lands in Kansas or Nebraska in the Land Office at Cheyenne, Wyoming, and for lands in Oklahoma in the Land Office at Santa Fe, New Mexico. Where the application is classified by the applicant agency for national security reasons, it must be submitted to the Office of the Secretary, Department of the Interior, Washington 25, D.C.

(b) No specific form of application is prescribed but it must contain the following information:

(1) The name and address of the applicant agency and intended using agency;

(2) Legal description of the lands desired, in terms of the public land surveys, where applicable;

(3) When sections 1, 2, and 3 of the Act of February 28, 1958 (72 Stat. 27), are applicable, location of the area involved, to include a detailed description of the exterior boundaries of the lands to be included within, and those to be excepted from, the proposed withdrawal or reservation.

(4) Gross acreage within the exterior boundaries of the requested withdrawal or reservation, and net public land, water, or public land and water acreage covered by the application;

(5) The purpose or purposes for which the area is proposed to be withdrawn, reserved, or restricted, or if the purpose or purposes are classified for national security reasons, a statement to that effect;

(6) Whether the proposed use will result in contamination of any or all of the requested withdrawal or reservation area, and if so, whether such contamination will be permanent or temporary;

(7) The estimated period during which the proposed withdrawal or reservation will continue in effect;

(8) Whether, and if so to what extent, the proposed use will affect continuing full operation of the public land laws and Federal regulations relating to conservation, utilization, and development of mineral resources, timber and other material resources, grazing resources, fish and wildlife resources, water resources, and scenic, wilderness, and recreation and other values;

(9) If effecting the purpose for which the area is proposed to be withdrawn, reserved, or restricted, will involve the use of water in any State, whether, subject to existing rights under law, the intended using agency has acquired, or proposes to acquire, rights to the use thereof in conformity with State laws and procedures relating to the control, appropriation, use, and distribution of water.

(10) A justification for the proposed withdrawal or reservation, including statements showing the need for all the area requested and for the limitation, if any, of concurrent uses;

(11) Citation of the statutory or other authority for the type of withdrawal or reservation requested.

(c) If the application is for the withdrawal of more than 5,000 acres for any one project or facility, the application must be accompanied by a map or maps, in duplicate, of adequate scale, showing clearly the location of the land by legal subdivisions; the proposed utilization of the property, including the location of the major improvements to be erected or installed; areas to be inundated, if any; and any cultural or other features of the lands requested and of the surrounding area deemed by the applicant to be significant and to illustrate the need for and effect of the proposed withdrawal. Standard base maps, where suitable, may be used for the purposes of this paragraph.

3. Paragraph (b) of § 295.11 is amended to read as follows:

§ 295.11 Segregative effect of applications. * * *

(b) An application may be amended at any time by the applicant agency so as to eliminate therefrom lands no longer desired for withdrawal or reservation. The authorized officer of the Bureau of Land Management will have a notice published in the FEDERAL REGISTER specifying the date and hour that the lands so eliminated will be relieved of the segregative effect of the agency's application and any suspended applications from other persons for the eliminated lands may be processed without regard to the agency's application.

4. Section 295.13 is revised to read as follows:

§ 295.13 Findings, reviews; publication.

(a) The authorized officer of the Bureau of Land Management will report to the applicant agency his findings of fact, and where he has authority to effect the withdrawal or reservation, his conclusions in respect to the application. If the applicant agency does not concur with such findings or conclusions, it may request the Director, Bureau of Land Management, to review the case, and if it feels aggrieved by the findings or conclusions of the Director, may request the Secretary for further review. When the proposed withdrawal or reservation involves authority delegated to the Secretary by Executive Order 10355, May 26, 1952 (17 F. R. 4831) and if the applicant is a Federal agency or instrumentality outside of the Department of the Interior and it does not concur in the findings of the Secretary, the applicant may request the Secretary to refer the case to the Bureau of the Budget.

(b) The Secretary of the Interior, or his authorized agent, will approve or deny the application in whole or in part, provided that no withdrawal or reservation affecting land under the administrative jurisdiction of an Executive department or agency of the Government other than the Department of the Interior will be effected without the prior approval or concurrence of the head of the department or agency concerned, or his delegate.

(c) When an application is finally denied in whole or in part by the authorized officer, he will have published in the FEDERAL REGISTER a Notice of Determination on Form 4–1194, which will specify the date and hour that the affected lands will be relieved of the segregative effect of the agency's application.

(d) When an application is finally approved in whole or in part by the authorized officer, he will have published in the FEDERAL REGISTER an appropriate order of withdrawal or reservation.

5. Section 295.16 is added to read as follows:

§ 205.16 Withdrawals or reservations for the Department of Defense under the Act of 1958.

(a) When sections 1, 2, and 3 of the Act of February 28, 1958 (72 Stat. 27), govern, the Secretary will submit to the Congress a report on the bill introduced to effect the proposed withdrawal or reservation with such recommendations as he may determine necessary or desirable on the basis of such information as may be available to him.

(b) When an act of Congress effecting a withdrawal or reservation is approved, the authorized officer of the Bureau of Land Management will have a notice published in the FEDERAL REGISTER specifying the date and hour the lands to the extent not withdrawn, reserved, or restricted by the act shall be relieved of the segregative effect of the application by the Department of Defense.

(c) Should the proposed legislation to effect the withdrawal or reservation fail to be passed by Congress or approved by the President, the authorized officer of the Bureau of Land Management will have a notice published in the FEDERAL REGISTER, after this fact is known or after the close of the final session of the Congress in which the bill referred to in paragraph (a) of this section was introduced, whichever comes first, specifying the date and hour that the lands will be relieved of the segregative effect of the application by the Department of Defense. In the case of notices to be published on bills referred to in paragraph (a) of this section where no action has been taken by the Congress, no publication will be made until 90 days after the date of closure of the aforementioned final session of Congress.

[F.R. Doc. 59–8271; Filed, Oct. 1, 1959; 8:48 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1943]

OREGON AND COLORADO

Withdrawing Lands in National Forests for Use of Forest Service as Recreation Areas

Correction

In F.R. Doc. 59–6862, appearing at page 6714 in the issue of Wednesday, August 19, 1959, the first line of land description under *Cold Springs Campground* (Extension) of Arapaho National Forest should read as follows: "T. 2 S., R. 72, W.,".

[Public Land Order 1995]

[433039]

CALIFORNIA

Partially Revoking the Departmental Order of July 10, 1914 (List No. 5–2236)

By virtue of the authority vested in the Secretary of the Interior by the Act of June 11, 1906 (34 Stat. 233; 16 U.S.C. 506-509) as amended, and upon recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights, the Departmental order of July 10, 1914 (List No. 5-2236), which opened lands in the Lassen National Forest, California, to settlement and entry in accordance with the Act of June 11, 1906, supra, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 34 N., R. 4 E.
Sec. 12, W½SW¼NE¼, N½N½NW¼, and E½NE¼SW¼.

The areas described aggregate 80 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1959.

[F.R. Doc. 59–8266; Filed, Oct. 1, 1959; 8:48 a.m.]

[Public Land Order 1996]

[Fairbanks 013539]

ALASKA

Partially Revoking Public Land Order No. 1588 of February 12, 1958

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 1588 of February 12, 1958, which withdrew lands in Alaska for use of the Department of the Air Force for military purposes is hereby revoked so far as it affects the following-described lands:

FAIRBANKS MERIDIAN

Two tracts of land situated approximately one-half mile east of the townsite of Fort Yukon described as follows:

Tract No. 1

Beginning at a point from which U.S.C. and G.S. station "Fort Yukon," W.B.Az.Mk. bears S. 77° 00'' E., 2100 feet, thence
West, 500 feet
North, 250 feet approximately to a point on the south right-of-way line on the access road;
S. 73°04' E. 522.66 feet along said right-of-way line;
South, 110.00 feet to the point of beginning.

The tract described contains 2.97 acres.

Tract No. 2

Beginning at a point from which U.S.C. and G.S. station "Fort Yukon," W.B.Az.Mk. bears South 172.72 feet and S. 77°00' E., 2100 feet, thence
N. 73°04' W. 522.66 feet along the north right-of-way line of the access road;
North, 192.00 feet;
East, 500.00 feet;
South, 327.00 feet to point of beginning.

The tract described contains 2.06 acres.

The area described aggregate 5.03 acres.

2. Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for use of the Department of the Air Force for military purposes:

FAIRBANKS MERIDIAN

FORT YUKON AIR FORCE STATION

Tract C

Beginning at a point from which U.S.C. and G.S. Station "Fort Yukon," W.B.Az.Mk. bears S. 80°36'56'' E., 1819.21 feet, thence
West, 500 feet;
North, 500 feet;
East, 500 feet;
South, 500 feet, to the point of beginning.

The tract described contains 5.74 acres.

3. So much of the lands described in paragraph 1 of this order as are not rewithdrawn by paragraph 2, hereof, are hereby opened to settlement and to filing of such applications, selections, and locations as are allowable on unsurveyed lands, subject to valid existing rights, the requirements of applicable laws, the 91-day preference right filing period granted to the State of Alaska by section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the act of

July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and the 91-day preference right filing period granted to veterans of World War II, the Korean Conflict, and to others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279–284), as amended.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1959.

[F.R. Doc. 59-8267; Filed, Oct. 1, 1959; 8:48 a.m.]

[Public Land Order 1997]

[Sacramento 057629]

CALIFORNIA

Partially Revoking Stock Driveway Withdrawal No. 235, California No. 17, of January 21, 1933

By virtue of the authority vested in the Secretary of the Interior by section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The Departmental order of January 21, 1933, which withdrew lands in California as Stock Driveway Withdrawal No. 235, California No. 17, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 27 S., R. 32 E.,
Sec. 13, W½SW¼;
Sec. 23, SE¼NE¼ and SE¼;
Sec. 24, W½NW¼ and NW¼SW¼.

The areas described aggregate 400 acres, of which the W½SE¼, section 23, is withdrawn for power purposes in Power Site Reserve No. 656.

2. The State of California has waived the preference right of application granted to certain States by subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

3. The lands are near Bodfish, California, in the vicinity of the Isabella Reservoir along the east flank of the Green Horn Mountains. The topography is steep. Vegetation consists of brush and open woodland of digger pine, sage brush, ceanothus, and live oak with an understory of annual grasses and herbs. Soil is brown loamy sand.

4. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

5. Subject to any valid existing rights and the requirements of applicable law, the unreserved public lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279–284 as amended) presented prior to 10:00 a.m. on October 31, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m. on January 30, 1960, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a.m. on January 30, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to location under the United States mining laws, and to applications and offers under the mineral-leasing laws.

6. Persons claiming preferential considerations must submit evidence of their entitlement.

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

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1959.

[F.R. Doc. 59-8268; Filed, Oct. 1, 1959; 8:48 a.m.]

[Public Land Order 1998]

[661403]

COLORADO

Partly Revoking Certain Stock Driveway Withdrawals

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300) as amended, it is ordered as follows:

The departmental orders of July 23, 1917, October 9, 1917, November 17, 1917, January 29, 1918, September 13, 1918, February 12, 1926, May 12, 1927, January 19, 1929, May 29, 1931, September 1, 1939, December 28, 1940, December 5, 1941, and April 8, 1943, reserving lands for use by the general public as stock driveways, are hereby revoked so far as they affect the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 5 N., R. 90 W.,
Sec. 20, lot 1;
Sec. 21, lot 1;
Sec. 22, lot 4.
T. 9 N., R. 90 W.,
Sec. 25, lots 1, 2, 3, 4, 7, 12, 13, and 14;
Sec. 36, lots 2, 3, 6, and 7.
T. 6 N., R. 93 W.,
Sec. 21, NE¼NE¼, S½NE¼, W½SE¼;
Sec. 33, W½NE¼, NW¼SE¼, SE¼SE¼.
T. 8 N., R. 94 W.,
Sec. 19, lot 1, N½NE¼, NE¼NW¼.
T. 8 N., R. 95 W.,
Sec. 24, N½NE¼, NE¼NW¼.
T. 9 N., R. 103 W.,
Sec. 5, lots 7, 8, SW¼NW¼, W½SW¼;
Sec. 6, SE¼NE¼, E½SE¼;
Sec. 7, NE¼, and W½SE¼;
Sec. 18, lots 5, 6, W½NE¼, and SE¼NW¼.
T. 10 N., R. 103 W.,
Sec. 16, SW¼NW¼, W½SW¼;
Sec. 17, lot 12, SE¼NE¼, SW¼, N½SE¼, and SE¼SE¼;
Sec. 18, lots 5, 6, 7, 8, E½SW¼, and S½SE¼;
Sec. 20, E½NE¼;
Sec. 21, SW¼NE¼, NW¼NW¼, S½NW¼, N½SW¼, SE¼SW¼, and W½SE¼;
Sec. 28, NW¼NE¼, NE¼NW¼, S½NW¼, N½SW¼, SW¼SW¼;
Sec. 29, SE¼SE¼;
Sec. 32, NE¼, NE¼SW¼, S½SW¼, and SW¼SE¼.
T. 9 N., R. 104 W.,
Sec. 13, NE¼, S½NW¼, and N½SW¼.
T. 10 N., R. 104 W.,
Sec. 13, lots 5, 20, and NE¼SE¼.
T. 25 S., R. 70 W.,
Sec. 15, E½E½;
Sec. 22, SE¼SE¼;
Sec. 27, E½E½;
Sec. 34, E½NE¼, and NE¼SE¼.
T. 25 S., R. 71 W.,
Sec. 1, SW¼SW¼;
Sec. 2, S½S½;
Sec. 3, S½S½.
T. 8 S., R. 76 W.,
Sec. 34, E½SW¼, and SW¼SE¼.
T. 9 S., R. 75 W.,
Sec. 3, lots 1, and 2;
Sec. 5, N½SW¼, NW¼SE¼;
Sec. 6, lot 5, NE¼SW¼, and N½SE¼;
Sec. 11, SW¼NW¼, NW¼SW¼, and S½SW¼;
Sec. 14, N½NW¼.
T. 12 S., R. 77 W.,
Sec. 23, N½S½.
T. 11 S., R. 78 W.,
Sec. 2, lots 2, 3, 4, S½NE¼, E½SE¼;
Sec. 11, E½NE¼;
Sec. 12, S½NW¼, and NE¼SW¼;
Sec. 13, S½S½;
Sec. 14, SE¼SW¼ and S½SE¼.
*T. 15 S., R. 84 W.,
Sec. 23, W½.
T. 9 S., R. 85 W.,
Sec. 4, lot 16.
*T. 15 S., R. 85 W.,
Sec. 8, SE¼SE¼;
Sec. 9, W½W½;
Sec. 17, E½E½;
Sec. 19, lot 2, S½NE¼, SE¼NW¼;
Sec. 20, NE¼NE¼, S½N½;
Sec. 21, N½NW¼, N½SW¼, SE¼SW¼, SW¼SE¼;
Sec. 23, W½NE¼, N½SE¼;
Sec. 30, lot 4;
Sec. 31, lot 1, SW¼NE¼, E½NW¼, W½SE¼.

*T. 15 S., R. 86 W.,
Sec. 10, W½NW¼, N½SW¼, W½SE¼, SE¼SE¼;
Sec. 11, S½SW¼, SW¼SE¼;
Sec. 13, W½W½;
Sec. 14, NW¼NE¼, E½E½;
Sec. 24, S½NE¼, SE¼NW¼, SE¼SW¼, W½W½;
Sec. 25, SW¼NE¼, E½NW¼, N½SE½, SE¼SE¼.
T. 6 S., R. 88 W.,
Sec. 19, lots 5, 6, and 7.
T. 4 S., R. 93 W.,
Sec. 1, lots 1, 2, 3, 4, S½N½, S½.
T. 7 S., R. 93 W.,
Sec. 24, NE¼NW¼, *SE¼NW¼, NE¼SW¼,* and S½SW¼;
Sec. 25, W½NW¼, *W¼SW¼;*
Sec. 26, S½SW¼, SW¼SE¼, *SE¼SE¼;*
Sec. 35, lot 1, NW¼NW¼.
T. 7 S., R. 94 W.,
Sec. 15, SE¼SE¼.
T. 9 S., R. 94 W.,
Sec. 2, NW¼SW¼.
T. 7 S., R. 95 W.,
Sec. 19, E½SE¼;
Sec. 27, NE¼SW¼, W½SW¼;
Sec. 28, NE¼SW¼, S½SW¼, N½SE¼;
Sec. 29, S½S½;
Sec. 30, lot 3, SE¼NE¼, E½SE¼;
Sec. 34, E½W½, SW¼SE¼.
T. 8 S., R. 95 W.,
Sec. 18, lots 8, 11, SE¼NE¼.
T. 9 S., R. 95 W.,
Sec. 15, W½NW¼, W½E½SW¼, E½W½SW¼;
Sec. 22, lot 4, W½E½NW¼, E½W½NW¼.
T. 9 S., R. 97 W.,
Sec. 11, N½NE¼;
Sec. 12, N½W½.
T. 12 S., R. 97 W.,
Sec. 7, lot 6, SE¼NW¼, S½NE¼;
Sec. 30, lots 5, *6,* 7, 10, 11, N½NE¼.
T. 13 S., R. 97 W.,
Sec. 28, N½N½, SW¼NW¼;
Sec. 29, S½NE¼, NE¼SW¼, S½SW¼, NW¼SE¼;
Sec. 30, SE¼SE¼;
Sec. 31, lots 3, 4, N½NE¼, SW¼NE¼, NE¼SW¼, NW¼SE¼.
T. 12 S., R. 98 W.,
Sec. 12, lots 6, 7, 8, 11.
T. 13 S., R. 98 W.,
Sec. 36, SE¼SE¼.
T. 14 S., R. 100 W.,
Sec. 1, *lots 1,* 2, S½NE¼, SE¼;
Sec. 11, lot 12;
Sec. 12, N½NE¼SW¼NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 14, N½NE¼, SW¼NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 15, SE¼SE¼;
Sec. 21, SE¼SE¼;
Sec. 22, NE¼NE¼, W½NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 28, NE¼NE¼, W½NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 29, SE¼SE¼;
Sec. 31, S½SE¼;
Sec. 32, NE¼NE¼, W½NE¼, SE¼NW¼, N½SW¼, SW¼SW¼.
T. 6 S., R. 103 W.,
Sec. 6, lots 6, 7, SW¼NE¼, SW¼SW¼.
T. 9 S., R. 103 W.,
Sec. 29, S½SW¼;
Sec. 30, S½;
Sec. 31, lots 3, 4, E½SW¼, SE¼;
Sec. 32, W½NE¼NE¼, SE¼NE¼NE¼, NW¼NE¼, S½NE¼, W½.
T. 10 S., R. 103 W.,
Sec. 6, lots 3, 4, S½NW¼.
T. 4 S., R. 104 W.,
Sec. 2, lot 4;
Sec. 3, lot 1;
Sec. 10, lots 1, 2, 3, 4;
Sec. 11, W½W½;
Sec. 14, W½W½;
Sec. 15, lots 1, 2, 3, 4;
Sec. 22, lots 1, 2, 3, 4;
Sec. 23, W½W½;
Sec. 26, W½W½;
Sec. 27, lots 1, 2, 3, 4;
Sec. 34, lots 1, 2, 3, 4;
Sec. 35, W½W½.
T. 6 S., R. 104 W.,
Sec. 1, lots 1, 2, 3, 4, S½N½, SE¼.
T. 10 S., R. 104 W.,
Sec. 1, lots 5, 6, 7, 8, S½N½;
Sec. 2, lots 5, 6, S½NE¼, S½;
Sec. 9, S½;
Sec. 10, NE¼, S½;
Sec. 11, NW¼;
Sec. 15, W½NW¼;
Sec. 16, NE¼, W½;
Sec. 17, NE¼SE¼, S½SE¼.
Sec. 20, *E½E½,* W½E½, SW¼;
Sec. 29, W½;
Sec. 30, lots 7, 8, E½, E½SW¼;
Sec. 31, lots 5, 6, 7, 8, E½NW¼;
Sec. 32, lots 1, 2, 3, 4, 5, 6, 7, NW¼.

NEW MEXICO PRINCIPAL MERIDIAN

*T. 51 N., R. 1 E.,
Sec. 8, lot 1, SE¼SE¼;
Sec. 17, E½E½;
Sec. 20, E½E½;
Sec. 28, SW¼SW¼;
Sec. 29, E½E½;
Sec. 33, W½NW¼, NW¼SW¼.
*T. 50 N., R. 2 E.,
Sec. 4, lots 5, 6, 7, 8, 9, 10, 11, 12;
Sec. 8, E½SE¼;
Sec. 9, lots 1, 2, 3, 6, 7, 8, 9, SE¼NW¼;
Sec. 10, NW¼SW¼, S½SW¼;
Sec. 13, lots 1, 2, 3, NW¼NW¼;
Sec. 14, N½N½;
Sec. 15, N½N½;
Sec. 17, NE¼NE¼.
*T. 51 N., R. 2 E.,
Sec. 9, lots 5, 6, 9, 10, N½SE¼;
Sec. 21, lots 1, 2, 3, 5, SE¼SW¼, E½;
Sec. 28, lots 1, 2, 5, E½NW¼;
Sec. 33, lots 1, 2, 3, 4, 5, 6, 7, 9, 10, SE¼NW¼ E½SW¼.
*T. 49 N., R. 3 E.,
Sec. 1, SE¼SE¼;
Sec. 11, N½S½, SW¼SW¼;
Sec. 12, E½NE¼, N½S½.
*T. 50 N., R. 3 E.,
Sec. 6, lot 8, SE¼NE¼, E½SE¼;
Sec. 7, lot 8, E½E½, SE¼SW¼, SW¼SE¼;
Sec. 18, lot 6.
T. 44 N., R. 4 E.,
Sec. 12, lots 3, 4, 7, 8, W½W½.
T. 49 N., R. 4 E.,
*Sec. 8, W½E½;
*Sec. 17, W½NE¼;
Sec. 24, E½SW¼;
*Sec. 25, lots 1, 2, 3, 4, 7, SW¼SW¼;
*Sec. 26, lots 2, 4;
*Sec. 35, lots 1, 2, S½NE¼, SE¼.
T. 51 N., R. 8 E.,
Sec. 7, lots 1, 2, 3, 4;
Sec. 8, lot 4.
*T. 51 N., R. 1 W.,
Sec. 12, lot 4, SW¼SW¼;
Sec. 13, W½W½;
Sec. 24, W½W½;
Sec. 25, W½W½.
T. 49 N., R. 3 W.,
Sec. 6, lots 1, 2, S½NE¼, SE¼;
Sec. 7, N½NE¼, *S½NE¼, SE¼;*
Sec. 18, E½;
Sec. 19, E½.
T. 44 N., R. 9 W.,
Sec. 4, lot 1, SE¼NE¼, SW¼SE¼, E½SE¼;
Sec. 9, NE¼NE¼, W½E½.

The areas described contain 15,957.62 acres of public lands, 8,535.15 acres of national forest lands designated by an asterisk, and 2,482.88 acres of patented lands designated by italics.

2. Subject to any valid existing rights and the requirements of applicable law, the public lands are hereby opened to filing of applications, selections and locations in accordance with the following, the national forest lands being opened to such forms of appropriation as may by law be made of national forest lands:

a. Until 10:00 a.m. on March 24, 1960, the State of Colorado shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

b. Applications under the homestead, desert land and small tract laws by veterans of World War II and the Korean Conflict, and by others claiming preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279–284) as amended, filed at or before 10:00 a.m. on October 31, 1959, shall be considered as simultaneously filed at that time. Rights under such preference right applications after that hour and before 10:00 a.m. on December 26, 1959, will be governed by the time of filing.

c. All valid applications under the nonmineral public land laws other than those coming under subparagraphs a and b above, presented prior to 10:00 a.m. on December 26, 1959, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

3. All applications under paragraph 2 above, shall be subject to those from persons having prior existing valid settlement rights, preference rights conferred by existing law and equitable claims subject to allowance and confirmation.

4. Persons claiming preferential consideration must submit evidence of their entitlement.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws pursuant to the regulations in 43 CFR 185.35.

Inquiries should be addressed to the Manager of the Land Office, Bureau of Land Management, Denver, Colo.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1959.

[F.R. Doc. 59–8269; Filed, Oct. 1, 1959; 8:48 a.m.]

[Public Land Order 1999]

[Oregon 05332]

OREGON

Order Opening Public Lands Formerly in Power Site Reserve No. 644

By virtue of the authority vested in the Secretary of the Interior by section 441 of the Revised Statutes (5 U.S.C. 485) as amended, it is ordered as follows:

1. The following-described public lands included in the partial revocation of Power Site Reserve No. 644 of August 23, 1917, made by paragraph 2 of Public Land Order No. 1927 of July 23, 1959, are hereby opened to filing of applications, selections, and locations, subject to any valid existing rights and the requirements of applicable law:

WILLAMETTE MERIDIAN

T. 23 S., R. 9 W.,
Sec. 18, lot 2.

Containing 40.29 acres.

2. Until 10:00 a.m. on October 23, 1959, the State of Oregon shall have a preferred right to apply for the reservation to it or to any of its political subdivisions, under any law or regulation applicable thereto, of any of the lands required for rights-of-way for public highways, or for materials sites for the construction and maintenance of such highways in accordance with the provisions of Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818) as amended. The State has waived the preference rights of selection afforded it by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851–2).

3. Applications under the homestead, desert land and small tract laws by veterans of World War II and the Korean Conflict, and by others claiming preference under the Act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279–284) as amended, filed at or before 10:00 a.m. on October 31, 1959, shall be considered as simultaneously filed at that time. Rights under such preference right applications after that hour and before 10:00 a.m. on January 30, 1960, will be governed by the time of filing.

4. All valid applications under the nonmineral public land laws other than those coming under paragraphs (2) and (3) above, presented prior to 10:00 a.m. January 30, 1960, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

5. All applications under paragraphs 2, 3 and 4 above shall be subject to those from persons having prior existing valid settlement rights, preference rights conferred by existing law, and equitable claims subject to allowance and confirmation.

6. Persons claiming preferential consideration must submit evidence of their entitlement.

7. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws pursuant to the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1959.

[F.R. Doc. 59–8270; Filed, Oct. 1, 1959; 8:48 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 6—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession

Basis and purpose. By notice of proposed rule making published on April 29, 1959 (24 F.R. 3326), the public was invited to submit views, data, or arguments in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., on or before June 1, 1959, and thus participate in the preparation of amendments to Part 6, Title 50, Code of Federal Regulations, to be proposed for the purpose of specifying open seasons, means of hunting, shooting hours, and bag limits for migratory game birds.

Subsequently, after consideration of all data obtained through investigations conducted by representatives of the various State game departments and by personnel of the Bureau of Sport Fisheries and Wildlife, the several State game departments were informed concerning the season lengths and daily bag and possession limits proposed to be prescribed for migratory waterfowl, coots, and Wilson's snipe for the 1959–60 season, and invited to submit recommendations for seasons and limits in their respective States.

In conformity with the proposed framework each State game department furnished a selection of season dates and applicable limits for migratory waterfowl, coots, and Wilson's snipe which were incorporated into an amendment to the Migratory Bird Treaty Act Regulations published September 1, 1959 (24 F.R. 7079–7081). However, in so doing, the approved separate daily bag and possession limits for mergansers in the Central Flyway were inadvertently omitted. Accordingly that portion of the Migratory Bird Treaty Act Regulations is amended as indicated below:

1. Footnote 2 of paragraph (e), §6.51, is amended by adding the following wording:

§ 6.51 Seasons and limits on waterfowl, coots and Wilson's snipe.

* * * * *

(e) Central Flyway States. * * *

** * * In addition to the limits on other ducks, the daily bag limit on American and red-breasted mergansers is 5, possession limit 10, singly or in the aggregate of both kinds.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 704. Interpret or apply E.O. 10250, 16 F.R. 5385, 3 CFR, 1951 Supp.)

Certain prescribed seasons in the area affected begin as early as October 7, 1959, making impractical the 30 day advance publication usually afforded in conformity with section 4(c) of the Administrative Procedure Act of June 11, 1946, 60 Stat. 238, 5 U.S.C., 1003(c). Since this amendment also constitutes a relaxation of existing rules, the exceptions provided for in section 4(c) of that Act are invoked and this amendment shall become effective on publication in the FEDERAL REGISTER.

ELMER F. BENNETT,
Acting Secretary of the Interior.

SEPTEMBER 30, 1959.

[F.R. Doc. 59–8357; Filed, Oct. 1, 1959; 9:14 a.m.]

PART 34—SOUTHEASTERN REGION

Subpart—White River National Wildlife Refuge, Arkansas

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the hunting of upland game on the White River National Wildlife Refuge, Arkansas, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of September 2, 1959 (24 F.R. 7106), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the hunting of upland game on the White River National Wildlife Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 34 are amended by amending § 34.271 and revoking §§ 34.272, 34.273, 34.274, and 34.275 of Subpart—White River National Wildlife Refuge, Arkansas, as follows:

§ 34.271 Hunting of upland game permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, the hunting of deer, squirrels, rabbits, and bobcats is permitted on the White River National Wildlife Refuge, Arkansas, subject to the following conditions, restrictions, and regulations:

(a) *Hunting area.* The entire refuge is open to hunting with the exception of clearly posted closed areas, including the refuge headquarters, refuge subheadquarters, Big Island Shoot Farm Area, and the recreational area and boat landing at Jack's Bay. Hunters shall follow such routes of travel as may be designated by the officer in charge.

(b) *State laws.* Strict compliance with all pertinent State laws and regulations is required.

(c) *Hunting licenses and permits.* Any persons who hunt within the refuge must be in possession of a valid State permit or hunting license if such is required. In addition, each person shall

possess a Federal permit to hunt. Hunters must comply with the restrictions imposed by this permit for the regulation of the hunt.

(d) *Dogs.* No dogs will be allowed in connection with either the gun or archery hunts.

(e) *Hunting methods and seasons.* The hunting of squirrels, rabbits, and bobcats with legal firearms is permitted October 1–7, 1959, inclusive. The hunting of deer of either sex and small game, including rabbits, squirrels, and bobcats with legal bows and arrows, is permitted October 16–31, 1959, inclusive.

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the squirrel, rabbit, bobcat, and deer hunting season in the State of Arkansas makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Issued at Washington, D.C., and dated October 2, 1959.

D. H. JANZEN,
Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8264; Filed, Oct. 1, 1959; 8:47 a.m.]

PART 35—NORTHEASTERN REGION

Subpart—Bombay Hook National Wildlife Refuge, Delaware

HUNTING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner's Order No. 4 (22 F.R. 8126), I have determined that the annual hunting of deer on the Bombay Hook National Wildlife Refuge, Delaware, would be consistent with the management of the refuge.

By Notice of Proposed Rule Making published in the FEDERAL REGISTER of August 29, 1959 (24 F.R. 7041), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit the annual hunting of deer on the Bombay Hook National Wildlife Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, the regulations constituting Part 35 are amended by adding § 35.6 to Subpart—Bombay Hook National Wildlife Refuge, Delaware, as follows:

§ 35.6 Deer hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, deer hunting is permitted on the hereinafter described lands of the Bombay Hook National Wildlife Refuge, Delaware, subject to the following conditions, restrictions, and requirements:

(a) *State laws.* Strict compliance with all applicable State laws and regulations is required.

(b) *Entry.* A special permit may be required for entry on the refuge for the purpose of hunting. If such permit is required by the State or by the officer in charge, possession of such permit is a requisite for lawful hunting on the refuge. Travel shall be only along such routes as designated by the Refuge Manager.

(c) *Checking stations.* Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting and reporting the daily kill.

(d) *Hunting area.* Only that portion of the Bombay Hook National Wildlife Refuge contained within the following prescribed boundary shall be open to deer hunting:

Bounded on the west by the McClements-Refuge boundary and its straight extensions to Finis Pool and the Refuge north boundary; on the north by the Refuge boundary easterly to the Bear Swamp dike; on the east by the Bear Swamp dike and Bear Swamp canal to Shearness dike; on the south by the northerly boundary of Shearness Pool and Finis Pool to the McClements property corner at point of beginning.

(e) *Season and method of taking.* Deer may be taken only by bow and arrow during that part of the State season for deer hunting as may be prescribed by the Regional Director, Bureau of Sport Fisheries and Wildlife, Region 5 (Northeast), providing that no deer may be taken by hunting during the open season for waterfowl.

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) be observed voluntarily, the imminence of the deer hunting season in the State of Delaware makes more than the publication of the advance notice impracticable. In order to meet this emergency, this regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Issued at Washington, D.C., and dated September 29, 1959.

D. H. JANZEN,
Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 59-8263; Filed, Oct. 1, 1959; 8:47 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 59-41]

SUBCHAPTER P—MANNING OF VESSELS

PART 157—MANNING REQUIREMENTS

Subpart 157.20—Computations

LOOKOUTS ON SHIPS

The provisions regarding proper lookouts on ships are in the various "Rules of the Road," i.e., Rule 29 of the "International Rules" (33 U.S.C. 147a), Article 29 of the "Inland Rules" (33 U.S.C. 221), Rule 28 of the "Great Lakes Rules" (33 U.S.C. 293) and Rule Numbered 26 of the "Western Rivers Rules" (33 U.S.C. 351). The amendment to 46 CFR 157.20–45 brings up-to-date references to requirements for lookouts.

It is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is deemed to be unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F.R. 6521), Treasury Department Order 167-14, dated November 26, 1954 (19 F.R. 8026), and Treasury Department Order CGFR 56-28, dated July 24, 1956 (21 F.R. 5659) to promulgate regulations in accordance with the statutes cited with the regulations below, § 157.20–45 is amended to read as follows, and shall become effective on the date of publication of this document in the FEDERAL REGISTER:

§ 157.20–45 Lookouts.

(a) The requirements for proper lookouts are in the various "Rules of the Road," i.e., Rule 29 of the "International Rules" (33 U.S.C. 147a), Article 29 of the "Inland Rules" (33 U.S.C. 221), Rule 28 of the "Great Lakes Rules" (33 U.S.C. 293) and Rule Numbered 26 of the "Western Rivers Rules" (33 U.S.C. 351).

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

Dated: September 25, 1959.

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

[F.R. Doc. 59-8301; Filed, Oct. 1, 1959; 8:51 a.m.]

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 59-40]

PART 172—NUMBERING REQUIREMENTS UNDER ACT OF JUNE 7, 1918

Subpart 172.25—Termination Requirements

WEST VIRGINIA SYSTEM OF NUMBERING APPROVED

Acting under the authority delegated by Treasury Department Order 167-32, dated September 23, 1958 (23 F.R. 7605), the Commandant, United States Coast Guard, on August 31, 1959, approved the West Virginia system for the numbering of motorboats, which was established pursuant to the Federal Boating Act of 1958.

As provided in this approval, the West Virginia system shall be operative on and after Thursday, October 1, 1959. On that date the authority to number motorboats principally used in the State of West Virginia will pass to that State and simultaneously the Coast Guard will discontinue numbering such motorboats. Those motorboats presently numbered should continue to display the Coast Guard number until renumbered by West Virginia. On and after October 1, 1959, all reports of "boating accidents" which involve motorboats numbered in West Virginia will be required to be reported to the Motorboat Safety Section, Conservation Commission of West Virginia, Charleston, West Virginia, pursuant to the West Virginia boating law (Chapter 20, Article 13, Code of West Virginia).

Because § 172.25-15(a)(7), as set forth in this document, is an informative rule about official actions performed by the Commandant, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-17, dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rule below, the following § 172.25-15(a)(7) is prescribed and shall be in effect on and after the date set forth therein:

§ 172.25-15 Effective dates for approved State systems of numbering.

(a) * * *

(7) West Virginia—October 1, 1959.

(Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: September 25, 1959.

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

[F.R. Doc. 59-8300; Filed, Oct. 1, 1959; 8:51 a.m.]

[CGFR 59-42]

PART 172—NUMBERING REQUIREMENTS UNDER ACT OF JUNE 7, 1918

Subpart 172.25—Termination Requirements

TEXAS SYSTEM OF NUMBERING APPROVED

Acting under the authority delegated by Treasury Department Order 167-32, dated September 23, 1958 (23 F.R. 7605), the Commandant, United States Coast Guard, on September 11, 1959, approved the Texas system for the numbering of motorboats, which was established pursuant to the Federal Boating Act of 1958.

As provided in this approval, the Texas system shall be operative on and after Friday, April 1, 1960. On that date the authority to number motorboats principally used in the State of Texas will pass to that State and simultaneously the Coast Guard will discontinue numbering such motorboats. Those motorboats presently numbered should continue to display the Coast Guard number until renumbered by Texas. On and after April 1, 1960, all reports of "boating accidents" which involve motorboats numbered in Texas will be required to be reported to the Motor Vehicle Division, Texas Highway Department, Austin 14, Texas, pursuant to the requirements of the Texas Water Safety Act (House Bill No. 11, 56th Legislature, regular session, 1959 as amended by House Bill No. 79, Second Called Session, 56th Legislature, 1959).

Because § 172.25-15(a)(8), as set forth in this document, is an informative rule about official actions performed by the Commandant, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-17, dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rule below, the following § 172.25-15(a)(8) is prescribed and shall be in effect on and after the date set forth therein:

§ 172.25-15 Effective dates for approved State systems of numbering.

(a) * * *

(8) Texas—April 1, 1960.

(Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: September 25, 1959.

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

[F.R. Doc. 59-8302; Filed, Oct. 1, 1959; 8:51 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Parts 1, 13]

GLACIER NATIONAL PARK

Commercial Automobiles and Busses

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by Section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), it is proposed to amend 36 CFR Parts 1 and 13 as set forth below. The purpose of amending Part 1 is to open that part of the road between the Sherburne Entrance and the Many Glacier area in Glacier National Park, Montana, to commercial passenger-carrying vehicles, which will void the requirement that visitors arriving at the Sherburne Entrance via commercial passenger-carrying vehicles transfer to busses operated in the Park under Government franchise by the concessioner. The purpose of amending Part 13 is to establish fees for commercial passenger-carrying vehicles using that part of the road between the Sherburne Entrance and the Many Glacier area in Glacier National Park, Montana.

These proposed amendments relate to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit, in triplicate, written comments, suggestions or objections with respect to the proposed amendment to the National Park Service, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Secretary of the Interior.

SEPTEMBER 28, 1959.

§ 1.36 [Amendment]

1. Paragraph (a) of § 1.36 is amended to read as follows:

(a) In Yellowstone, Yosemite, Sequoia-Kings Canyon, Mount Rainier, Crater Lake, Mesa Verde, Glacier (except that portion of road between the Sherburne Entrance and the Many Glacier Area), Rocky Mountain, Grand Canyon (except the service road branch of the south entrance road serving Park headquarters and Grand Canyon Village, including the portion of the south en-

trance road which lies between the Park boundary and said service road), Zion, Lassen Volcanic (except those portions of Highway No. 89 and Highway No. 44 crossing the northwest corner of the Park outside the Manzanita Lake checking station), Hawaii (except the Mamalahoa Highway for purposes of through traffic), Bryce Canyon National Parks, Cedar Breaks National Monument, the commercial use of the Government roads by all operators of public transportation facilities, except by those holding a contract from the Secretary for a particular park or monument, is prohibited: *Provided*, that motor vehicles operated under the following conditions are not deemed "commercial" within the meaning of this section, and may be admitted to the foregoing parks and monuments upon a satisfactory showing to the superintendent or his representative that the conditions of operation are within the following exceptions, and upon the following conditions:

(1) Motor vehicles carrying only members of educational, welfare, and scientific organizations such as boy scouts, accredited schools and universities, or bona fide mountaineering organizations, when the trip to a park or parks is initiated, organized and directed by such organization. Motor vehicles on such trips will be admitted to the parks without charge other than the usual automobile permit fee charged at the particular park only when credentials from the head of such institution or organization are shown to the effect that the visit is initiated, organized and directed by the particular institution or organization. Motor vehicles on trips for which passengers are solicited for the profit of the organization or the transportation operator will not be admitted under this classification.

(2) Pleasure cars rented by the week, month, etc., for general transportation purposes in and outside the park to be visited, and not rented expressly for a single trip through the park unless in connection with a tour on which the trip to the park is merely incidental. Admission will be accorded such cars upon satisfactory showing at entrance of above status upon payment of the usual automobile permit fee for the particular park.

(3) Motor vehicles rented or chartered by an organization or group of individuals associating themselves for a general tour on which the visit to a park or parks is an incident to such tour, provided that the tour is not organized, advertised, or sold to passengers by an organization or an individual for personal profit. Admission to each park will be accorded for such tours upon payment of a special tour permit fee of $10.00 per car per trip in addition to the usual automobile permit fee charged at the parks visited. The special permit fee of $10.00 is for one entrance to a park only.

2. A new section is added to Part 13, to read as follows:

§ 13.22 Commercial passenger-carrying vehicles, Glacier National Park.

(a) Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on that portion of the road between the Sharburne Entrance and the Many Glacier area in Glacier National Park. The fees for such permits shall be as follows:

(1) Vehicles having more than 8 passenger seats, $10.00 per round trip.

(2) Vehicles having 8 passenger seats or less, $5.00 per round trip.

[F.R. Doc. 59-8272; Filed, Oct. 1, 1959; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 957]

IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Notice of Proposed Rule Making

Notice is hereby given that the Secretary of Agriculture is considering the proposed revision of the rules and regulations (Subpart—Rules and Regulations, 7 CFR 957.100–957.133) issued pursuant to Marketing Agreement No. 98, as amended, and Order No. 57, as amended, regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon. The said marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The purpose of the revision is to conform the rules and regulations to the provisions of the order, as amended July 25, 1958, and made effective September 1, 1958 (23 F.R. 5709), by defining the term "Fiscal period"; deleting 7 CFR §§ 957.120–957.123, inclusive, pertaining to "Exemptions", which are no longer applicable; and to conform the provisions pertaining to "Certificates of Privilege" (currently 7 CFR §§ 957.130–957.133) to the amended provisions of the order relating thereto.

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposed revision follows:

§ 957.100 Communications.

Unless otherwise provided by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order, both as amended, shall be addressed to the committee at its principal office.

DEFINITIONS

§ 957.110 Order.

"Order" means Order No. 57, as amended, effective September 1, 1958 (7 CFR §§ 957.1–957.91) regulating the handling of Irish potatoes grown in Malheur County, Oregon, and the counties of Adams, Valley, Lemhi, Clark, and Fremont in the State of Idaho, and all of the counties in Idaho lying south thereof.

§ 957.111 Fiscal period.

"Fiscal period" means the period beginning June 1 of each year and ending May 31 of each succeeding year, both dates inclusive.

§ 957.112 Terms.

Terms used in this subpart shall have the same meaning as when used in the marketing agreement and order, both as amended.

CERTIFICATES OF PRIVILEGE

§ 957.120 General.

Whenever shipments of potatoes for special purposes pursuant to § 957.53 are relieved in whole or in part from grade and size regulations issued under § 957.52 the committee shall require information and evidence as to the manner, methods, and timing of such shipments as safeguards against the entry of any such potatoes into trade channels other than those for which intended. Such information and evidence shall include the requirements set forth below with respect to Certificates of Privilege.

§ 957.121 Qualification.

Before handling potatoes for special purposes which do not meet regulations issued pursuant to § 957.52 a handler must qualify with the committee to handle shipments for special purposes. To qualify he must (a) apply for and receive a Certificate of Privilege indicating his intent to so handle potatoes; (b) agree to comply with reporting and other requirements set forth in §§ 957.121 to 957.125, inclusive, with respect to such shipments; and (c) receive approval of the committee, or its duly authorized agents, to so handle potatoes. Such approval will be based upon evidence furnished in his application for a Certificate of Privilege, and other information available to the committee.

§ 957.122 Application.

(a) Application for a Certificate of Privilege shall be made on forms furnished by the committee. Each application may contain, but need not be limited to, the name and address of the handler; the quantity by grade, size, quality and variety of the potatoes to be shipped; the mode of transportation; the consignee; the destination; the purpose for which the potatoes are to be used; a certification to the United States Department of Agriculture and to the committee as to the truthfulness of the information shown thereon; and any other appropriate information or documents deemed necessary by the committee or its duly authorized agents for the purpose stated in § 957.120.

(b) The committee may require each handler making shipments of potatoes for export to include with his application a copy of the Department of Commerce Shipper's Export Declaration Form No. 7525–V applicable to such shipment.

§ 957.123 Approval.

The committee or its duly authorized agents shall give prompt consideration

to each application for a Certificate of Privilege. Approval of an application, based upon a determination as to whether the information contained therein and other information available to the committee supports approval, shall be evidenced by the issuance of a Certificate of Privilege to the applicant. Each certificate shall cover a specified period, and specified qualities and quantities of potatoes to be sold or transported to the designated consignee for the purposes declared.

§ 957.124 Reports.

Each handler of potatoes shipping under Certificates of Privilege shall supply the committee with reports as requested by the committee or its duly authorized agents showing the name and address of the shipper; the car or truck identification; the loading point; destination; consignee; the inspection certificate number when inspection is required; and any other information deemed necessary by the committee.

§ 957.125 Disqualification.

The committee from time to time may conduct surveys of handling of potatoes for special purposes requiring Certificates of Privilege to determine whether handlers are complying with the requirements and regulations applicable to such certificates. Whenever the committee finds that a handler or consignee is failing to comply with requirements and regulations applicable to handling of potatoes in special outlets, and requiring such certificates, a Certificate or Certificates of Privilege issued such handler may be rescinded and further certificates denied. Such disqualification shall apply to, and not exceed, a reasonable period of time as determined by the committee but in no event shall it extend beyond the end of the succeeding fiscal period. Any handler who has a certificate rescinded or denied may appeal to the committee in writing for reconsideration of his disqualification.

Dated: September 28, 1959.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-8276; Filed, Oct. 1, 1959; 8:49 a.m.]

[7 CFR Part 1005]

[Docket No. AO-272-A1]

MILK IN NORTH CENTRAL IOWA MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions to Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement, and order regulating the handling of milk in the North Central Iowa marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 10th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Waterloo, Iowa, on April 9, 1959, pursuant to notice thereof which was issued March 10, 1959 (24 F.R. 1841).

The material issues on the record of the hearing relate to:

1. Expansion of the marketing area.
2. Designating a cooperative association as a handler with respect to milk received from producers in bulk tank trucks operated under the control of such association.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof.

1. The marketing area should include all of the territory within the city of Osage and the counties of Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Fayette, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Humboldt, Marshall, Tama, Webster, and Wright, all in the State of Iowa. The marketing area is now limited to Black Hawk County and 13 specified cities, all of which are contained within the enlarged area herein recommended. The population of the present marketing area, according to the 1950 census, was approximately 225,000. For the city of Osage and the 18 counties herein recommended as the marketing area, the 1950 population was approximately 494,000.

The expanded marketing area will conform more closely with the sales territory of regulated handlers and will bring under regulation unregulated distributors who now enjoy a competitive advantage over regulated handlers. The principal unregulated handlers who would be affected by the change are the Britt Creamery, Britt, Iowa; Garner Cooperative Creamery, Garner, Iowa; Perfection Dairy and Evergreen Dairy, Iowa Falls, Iowa; Humphrey Dairy, West Union, Iowa; Independence Dairy and Wapsie Valley Creamery, Independence, Iowa. Milk from these plants is distributed in the proposed enlarged marketing area in competition with milk from regulated plants.

Handlers who are now unregulated and who distribute in the proposed marketing area have not been required to pay the minimum class prices under the North Central Iowa order to which their principal competitors are subject. These unregulated handlers pay from $3.35 to $3.80 for milk purchased from dairy farmers for fluid use. During 1958 the North Central Iowa order Class I price ranged from $3.57 to $4.05 and averaged $3.87. The price advantage enjoyed by unregulated handlers has tended to bring about instability in the marketing of milk in the proposed enlarged area and has impaired the effectiveness of the North Central Iowa order.

Waterloo, Marshalltown, Mason City, Charles City and Fort Dodge are the principal points at which milk from producers is received and packaged for distribution throughout the marketing area. A substantial proportion of the distribution from these cities is in the smaller cities and rural areas of the various counties recommended for inclusion in the marketing area. Because of this, the best interest of the market would be served by defining the marketing area on the basis of county rather than city boundaries.

Milk products sold for fluid consumption by all handlers who would be regulated by the proposed amended order are distributed under a Grade A label and must be approved by local and state health authorities who are governed by health ordinances, practices and procedures patterned after the United States Public Health Ordinance and Code. Movements of Grade A milk, both in bulk and packaged form, between various localities in the marketing area take place through reciprocal approval of the responsible health authorities.

It was proposed by producers that the counties of Benton, Kossuth, Winnebago and Worth be included in the marketing area. Sales in these counties by handlers regulated by the North Central Iowa order are relatively small. Extension of regulation to the counties of Kossuth, Winnebago and Worth would bring under regulation handlers who distribute a major portion of their Grade A milk receipts in counties outside of the proposed marketing area and whose principal competitors would not be regulated by any order. A large percentage of the Grade A milk sold in Benton County is supplied by handlers who are regulated by the Cedar Rapids-Iowa City order. Although North Central Iowa handlers distribute some milk in Benton County their only competition is with handlers regulated by the Cedar Rapids-Iowa City order. Accordingly, these counties should not be included in the expanding marketing area.

It is neither administratively feasible nor necessary to include in the marketing area all territory in which handlers to be regulated distribute milk. Furthermore, it would not be possible to designate a marketing area of reasonable size which would include all sales outlets of each and every handler that would be subject to regulation. As additional territory would be added, the problems associated with the extension of regulation to distributors that make a substantial portion of their fluid milk sales outside the market would be increased many fold. By providing for a marketing area as proposed herein, regulation would be at a minimum for

milk distributors with a large proportion of their sales outside the marketing area and their operations would not be unduly disturbed with respect to the major portion of their sales in communities wherein they compete with other distributors who would not be regulated at all by the proposed order.

2. Under certain conditions a cooperative association should be designated a handler with respect to milk it receives from producers in tank trucks.

All but a small proportion of the milk from farms of producers under the North Central Iowa order is transported in tank trucks. The Cedar Valley Cooperative Milk Marketing Association, the Des Moines Cooperative Dairy and the North Iowa Cooperative Milk Marketing Association (which cooperatives represent about 90 percent of the producers on the market) are the principal operators of such tank trucks in which milk is moved from producers' farms to the plants of the various handlers under the order. The weight and butterfat content of each such producer's delivery are ascertained at the farm by a representative of his cooperative. Plant operators receiving such milk have no such information except as it is made available to them by the cooperative.

Under the above mentioned conditions it would be administratively feasible for such plant operators to pay the cooperative association for such milk at not less than the applicable class prices for producer milk at the location of the pool plant to which it is delivered by the tank truck. This would be accomplished most effectively by designating a cooperative association as a handler with respect to milk received from producers in tank trucks operated under the control of such cooperative when such milk is moved directly to pool plants.

The change herein recommended will not change the responsibility of the operators of pool plants with respect to payment for milk moved directly to such plants from producers' farms in tank trucks operated under the control of a cooperative association. For the purpose of computing the obligation of the pool plant operators such milk would be considered as producer milk. However, the cooperative association would be responsible in accounting for the weights and tests of the milk from each producer's farm contained in any farm pick-up tank truck operated under its control, irrespective of whether deliveries from a farm tank pick-up truck are made to a single plant or to a number of plants.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the North Central Iowa marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Amend § 1005.6 to read as follows:

§ 1005.6 North Central Iowa marketing area.

"North Central Iowa marketing area" (hereinafter called the "marketing area") means all the territory within the boundaries of the city of Osage and the counties of Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Fayette, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Humboldt, Marshall, Tama, Webster, and Wright, all in the State of Iowa, including territory within such boundaries which is occupied by government (Municipal, State, or Federal) reservations, installations, institutions or other establishments.

2. Amend § 1005.12 to read as follows:

§ 1005.12 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of one or more distributing or supply plants.

(b) A cooperative association with respect to Grade A milk received from dairy farmers in a tank truck, the operation of which is under the control of such cooperative association, and delivered in such tank truck to a pool plant: *Provided*, That such milk shall be deemed to have been received directly from producers at the location of the pool plant by the operator of the pool plant to which it is delivered by the tank truck.

Issued at Washington, D.C., this 29th day of September 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-8307; Filed, Oct. 1, 1959; 8:52 a.m.]

[7 CFR Part 1027]

[Docket No. AO-312]

HANDLING MILK IN UPPER CHESAPEAKE BAY, MARYLAND, MARKETING AREA

Notice of Extension of Time for Filing Exceptions to the Recommended Decision With Respect to the Proposed Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed marketing agreement and order regulating the handling of milk in the Upper Chesapeake Bay, Maryland, marketing area, which was issued September 15, 1959 (24 F.R. 7530), is hereby extended to October 13, 1959.

Dated: September 29, 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-8308; Filed, Oct. 1, 1959; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 18]

MILK AND CREAM; DEFINITIONS AND STANDARDS OF IDENTITY

Aerated Cream Products (Whipped Cream and Whipped Table Cream); Notice of Proposals To Adopt Definitions and Standards of Identity

Notice is given that a petition has been filed by Reddi-Wip, Inc., 8025 Melrose Drive, Los Angeles 46, California, and others, manufacturers of aerated dairy products, proposing that definitions and standards of identity be established for aerated cream products under the names

"whipped cream" and "whipped table cream."

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (22 F.R. 1045, 23 F.R. 9500), all interested persons are invited to present their views in writing regarding the proposals published below. Such views and comments should be submitted in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington 25, D.C., prior to the thirtieth day following the date of publication of this notice in the FEDERAL REGISTER.

It is proposed that the following new sections be added to Part 18:

§ 18.— Whipped cream; identity; label statement of optional ingredients.

(a) Whipped cream is aerated, pasteurized whipping cream. Aeration of the whipping cream may be effected by incorporating air by mechanical means or a gas specified in paragraph (b) of this section. Such whipping cream may be adjusted with milk solids, sweetened with a nutritive sweetening ingredient, and flavored, and may contain one or more of the optional ingredients specified in paragraph (c) of this section: *Provided, however,* That any such mixture contains not less than 30 percent milk fat as determined by the method described in § 18.500. For aerating by gas, such mixture is packed in a hermetically sealed container under sufficient pressure of the gas used to aerate the mixture when released from the container.

(b) The gas specified in paragraph (a) of this section is nitrous oxide or a mixture of nitrous oxide and carbon dioxide in which the nitrous oxide is not less than 85 percent of the total gas mixture by weight.

(c) The optional ingredients referred to in paragraph (a) of this section are extract of Irish moss, locust bean gum, karaya gum, algin (sodium alginate), gelatin, monoglycerides or diglycerides (or both) of fat-forming fatty acids, except lauric acid. The total weight of the solids of any such ingredient used singly or of any combination of two or more of such ingredients used is not more than 0.5 percent of the weight of the total can content.

(d) When the whipped cream is flavored, the label shall bear the statement "flavored," or "_____ flavor," or "flavored with _____," or, in case the flavoring is an artificial flavor, "artificially flavored," or "_____, an artificial flavor," or "artificially flavored with _____," as the case may be, the blank being filled in with the common or usual name of the flavoring or artificial flavoring ingredient used. When the whipped cream is sweetened, the label shall bear the statement "sweetened."

(e) Wherever the name of the food appears on the container so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified showing that the product is sweetened or flavored shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 18.— Whipped table cream; identity; label statement of optional ingredients.

(a) Whipped table cream is aerated, pasteurized table cream. Aeration of the table cream may be effected by incorporating air by mechanical means or a gas specified in paragraph (b) of this section. Such table cream may be adjusted with milk solids, sweetened with a nutritive sweetening ingredient, and flavored, and may contain one or more of the optional ingredients specified in paragraph (c) of this section: *Provided, however,* That any such mixture contains not less than 18 percent milk fat as determined by the method described in § 18.500. For aerating by gas, such mixture is packed in a hermetically sealed container under sufficient pressure of the gas used to aerate the mixture when released from the container.

(b) The gas specified in paragraph (a) of this section is nitrous oxide or a mixture of nitrous oxide and carbon dioxide in which the nitrous oxide is not less than 85 percent of the total gas mixture by weight.

(c) The optional ingredients referred to in paragraph (a) of this section are extract of Irish moss, locust bean gum, karaya gum, algin (sodium alginate), gelatin, monoglycerides or diglycerides (or both) of fat-forming fatty acids, except lauric acid. The total weight of the solids of any such ingredient used singly or of any combination of two or more of such ingredients used is not more than 0.6 percent of the weight of the total can content.

(d) When the whipped table cream is flavored, the label shall bear the statement "flavored," or "_____ flavor," or "flavored with _____," or, in case the flavoring is an artificial flavor, "artificially flavored," or "_____, an artificial flavor," or "artificially flavored with _____," as the case may be, the blank being filled in with the common or usual name of the flavoring or artificial flavoring ingredient used. When the whipped table cream is sweetened, the label shall bear the statement "sweetened."

(e) Wherever the name of the food appears on the container so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing that the product is sweetened or flavored, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter.

Dated: September 24, 1959.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 59-8262; Filed, Oct. 1, 1959; 8:47 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition for Issuance of Regulations Establishing Tolerance for Oxystearin in Salad Oils

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), the following notice is issued:

A petition has been filed by The Procter and Gamble Company, P.O. Box 201, Cincinnati, Ohio, proposing the issuance of a regulation to establish a tolerance of 1250.0 parts per million (0.125 percent) of oxystearin (a mixture of the glycerides of partially oxidized stearic acid obtained by heating tristearin with air under controlled conditions) when used to inhibit crystallization in salad oils.

Dated: September 28, 1959.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 59-8289; Filed, Oct. 1, 1959; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 514]

[Reg. Docket No. 136]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS PARTS, PROCESSES, AND APPLIANCES

Life Preservers

Pursuant to the authority delegated to me by the Administrator (§ 405.27, 24 F.R. 2196) notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 514 of the regulations of the Administrator as hereinafter set forth.

This proposal is for amendment of the Technical Standard Order which establishes minimum performance standards for life preservers used on civil aircraft of the United States.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed time for return of comments has expired.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

In consideration of the foregoing it is proposed to amend Part 514 by amending § 514.23 as follows:

§ 514.23 Life preserves—TSO–C13b.

(a) *Applicability*—(1) *Minimum performance standards.* Minimum performance standards are hereby established for life preservers which specifically are required to be approved for use on civil aircraft of the United States. New models of life preservers manufactured on or after the effective date of this section shall meet the standards set forth in ATA Specification No. 801, "Airline Life Jackets," dated July 1, 1958.[1] Life preservers approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

(b) *Marking.* Each life preserver shall be marked in accordance with § 514.3 except that in lieu of the weight specified in paragraph (c) of § 514.3, the following shall be shown:

(1) Date of manufacture of fabric (month and year);

(2) Adult or child.

(c) *Data requirements.* One copy each of the manufacturer's operation and inflation instructions shall be furnished the Chief, Engineering and Manufacturing Division, Federal Aviation Agency, Washington 25, D.C., with the statement of conformance.

Issued in Washington, D.C., on September 25, 1959.

WILLIAM B. DAVIS,
Director,
Bureau of Flight Standards.

[F.R. Doc. 59–8253; Filed, Oct. 1, 1959; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–KC–35]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601, of the regulations of the Administrator as hereinafter set forth.

Red Federal airway No. 81 presently extends from Lansing, Mich., to Detroit, Mich. An IFR Peak-Day Airway Traffic Survey for the period from July 1, 1958, through June 30, 1959, shows no aircraft movements on this airway. On the basis of the survey, it appears that the retention of this airway and its assoicated control area is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest. If such action is taken, § 601.4281 relating to designated reporting points will also be revoked.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend Parts 600 and 601 (14 CFR, 1958 Supp., Parts 600, 601) as follows:

1. Section 600.281 *Red Federal airway No. 81 (Lansing, Mich., to Detroit, Mich.)* is revoked.

2. Section 601.281 *Red Federal airway No. 81 control areas (Lansing, Mich., to Detroit, Mich.)* is revoked.

3. Section 601.4281 *Red Federal airway No. 81 (Lansing, Mich., to Detroit, Mich.)* is revoked.

Issued in Washington, D.C. on September 25, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59–8255; Filed, Oct. 1, 1959; 8:46 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59–KC–42]

FEDERAL AIRWAYS AND CONTROL AREAS

Extension of Airway and Areas

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6120 and 601.6120 of the regulations of the Administrator, as hereinafter set forth.

VOR Federal airway No. 120 presently extends from Mullan Pass, Mont., to Miles City, Mont. The Federal Aviation Agency has under consideration the extension of Victor 120 from Miles City to Mason City, Iowa. This airway is presently a segment of the principal route for traffic between Seattle, Wash., and Chicago, Ill. Eastward from Miles City, traffic must presently be routed northeastward via Bismark, N. Dak., and Fargo, N. Dak., thereby adding considerable mileage to the route between Seattle and Chicago. To provide a more direct route, it is proposed to extend Victor 120 and its associated control areas, from the Miles City VOR to the Mason City VOR via the Dupree, S. Dak., VOR, the Pierre, S. Dak., VOR and the Sioux Falls, S. Dak., VOR.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend §§ 600.6120 and 601.6120 (14 CFR, 1958 supp., 600.6120, 601.6120) to read as follows:

§ 600.6120 VOR Federal airway No. 120 (Mullan Pass, Mont., to Mason City, Iowa).

From the Mullan Pass, Mont., VOR via the Great Falls, Mont., VOR; Lewiston, Mont., VOR; Miles City, Mont., VOR; Dupree, S. Dak., VOR; Pierre, S. Dak., VOR; Sioux Falls, S. Dak., VOR; to the Mason City, Iowa, VOR.

§ 601.6120 VOR Federal airway No. 120 control areas (Mullan Pass, Mont., to Mason City, Iowa).

All of VOR Federal airway No. 120.

Issued in Washington, D.C., on September 25, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59–8256; Filed, Oct. 1, 1959; 8:46 a.m.]

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[1] Copies may be obtained from the Air Transport Association, 1000 Connecticut Avenue NW., Washington 6, D.C.

[14 CFR Part 601]

[Airspace Docket No. 59-KC-11a]

CONTROL AREAS

Revocation of Control Area Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, as hereinafter set forth.

The Lone Rock, Wis., control area extension is presently designated to include that airspace within a fifteen mile radius of the Lone Rock, VOR including the airspace within five miles either side of the 024° True radial of the VOR extending from the VOR to a point twenty-five miles northeast. IFR air traffic operations records of the Chicago, Ill. Air Route Traffic Control Center disclose that only one instrument approach was conducted to the Lone Rock Airport during the calendar year 1958. In addition, the control areas associated with the Federal Airways designated in the vicinity of Lone Rock are sufficient for the protection of IFR aircraft operations in this area. Therefore, it appears that the retention of this control area is unjustified as an assignment of airspace, and that the revocation thereof would be in the public interest.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to revoke the Lone Rock, Wis., control area extension by amending Part 601 (14 CFR, 1958 Supp., Part 601) as follows:

Section 601.1100 *Control area extension (Lone Rock, Wis.)* is revoked.

Issued in Washington, D.C., on September 25, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-8254; Filed, Oct. 1, 1959; 8:41 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 59-WA-177]

CODED JET ROUTES

Modification of Route

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.501 of the regulations of the Administrator, as hereinafter set forth.

VOR/VORTAC jet route No. 1 presently extends from San Diego, Calif. to Seattle, Wash. Scheduled aircarrier jet aircraft operations between San Francisco, Calif. and Seattle, Wash. with an intermediate stop at Portland, Oreg., is proposed in the near future. The Federal Aviation Agency has under consideration the realignment of the segment of Jet Route 1-V which extends direct between Portland and Seattle to coincide with VOR Federal airway No. 23. This will provide for the transition between the jet route and airway for aircraft operating into either Portland or Seattle.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 602.501 (14 CFR, 1958 Supp., 602.501) as follows:

In the text of § 602.501 *VOR/VORTAC jet route No. 1 (San Diego, Calif., to Seattle, Wash.)*, delete "Portland, Oreg., VOR to the Seattle, Wash., VOR." and substitute therefor "Portland, Oreg., VOR; INT of Portland 353° and Seattle 197° radials, to the Seattle, Wash., VOR".

Issued in Washington, D.C., on September 25, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-8257; Filed, Oct. 1, 1959; 8:46 a.m.]

[14 CFR Part 608]

[Airspace Docket No. 59-WA-210]

RESTRICTED AREAS

Modification of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.30 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration the modification of the upper limits of Restricted Area/Military Climb Corridor (R-562) associated with Kinross Air Force Base, Sault Ste. Marie, Mich. The present climb corridor extends from a point 5 miles from the air base on the 149° radial of the TVOR to a point 32 miles southeast. The lower altitude limits extend in graduated steps from 2,800 feet MSL to 19,800 feet MSL. The upper altitude limits extend from 10,800 feet MSL to 27,000 feet MSL.

The upper altitude limits of the present Kinross AFB Restricted Area/Military Climb Corridor will not contain later models of the century series aircraft due to the ability of the aircraft to reach high speeds and high rate of climb in a short time after takeoff. Accordingly, to provide protection for the Air Defense aircraft and other aircraft operating in the vicinity of the airbase, it is proposed to designate higher upper altitude limits of the Restricted Area/Military Climb Corridor. If such action is taken, the upper altitude limits of the Kinross AFB Climb Corridor will extend from 15,000 feet MSL to 27,000 feet MSL.

Concurrently with the modification of the upper altitude limits of this Restricted Area/Military Climb Corridor, it is proposed to amend the written text of the geoprahical description to correspond with the written standardized description of other published climb corridors.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but

arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in acocrdance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by intersted persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue, NW., Washington 25, D.C. In informal Docket will also be available for examination by interested persons at gional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend Sault Ste. Marie (Kinross AFB), Mich., Restricted Area/Military Climb Corridor (R-562) (Chart RF-31W), in § 608.30 *Michigan*, (24 F.R. 3230), to read as follows:

Description. The airspace centered on the 149° radial of the Kinross TVOR extending from a point five miles southeast of the air base to a point 32 miles southeast of the air base having a width of two miles at a point five miles from the air base and expanding to a width of 4.6 miles at a point 32 miles from the air base.

Designated altitudes.

2,800' to 15,800' MSL from a point 5 miles southeast of the air base to a point 6 miles southeast of the air base.

2,800' to 24,000' MSL from a point 6 miles to a point 7 miles from the air base.

2,800' to 27,000' MSL from a point 7 miles to a point 10 miles from the air base.

6,800' to 27,000' MSL from a point 10 miles to a point 15 miles from the air base.

10,800' to 27,000' MSL from a point 15 miles to a point 20 miles from the air base.

15,800' to 27,000' MSL from a point 20 miles to a point 25 miles from the air base.

19,800' to 27,000' MSL from a point 25 miles to a point 32 miles from the air base.

Time of designation. Continuous.

Controlling agency. USAF Air Traffic Control Tower, Kinross AFB.

Issued in Washington, D.C., on September 25, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-8258; Filed, Oct. 1, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 54949; Customs Delegation Order 15]

COLLECTORS OF CUSTOMS

Delegation of Authority

SEPTEMBER 24, 1959.

By virtue of the authority vested in me by Treasury Department Order No. 165 (T.D. 53160, 17 F.R. 11705), I hereby transfer from the appraisers of merchandise to the collectors of customs the function under section 606 of the Tariff Act of 1930 (19 U.S.C. 1606) of determining the domestic value, at the time and place of appraisement, of any vessel, vehicle, merchandise, or baggage seized under the customs laws, in any case where the aggregate value of the seizure does not exceed $500.

This order supersedes Customs Delegation Order No. 4, dated August 19, 1953 (T.D. 53322, 18 F.R. 5071) [191.1].

[SEAL] LAWTON W. KING,
Acting Commissioner of Customs.

[F.R. Doc. 59-8279; Filed, Oct. 1, 1959; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 869]

PACIFIC COAST-HAWAII AND ATLANTIC/GULF-HAWAII GENERAL INCREASES IN RATES

Notice of First Supplemental Order

On September 17, 1959, the Federal Maritime Board entered the following order supplementing its previous order in this proceeding, dated September 10, 1959, published in the FEDERAL REGISTER of September 23, 1959 (24 F.R. 7656):

It appearing, that, by the Original Order in Docket No. 869 served September 11, 1959, the Board instituted an investigation into and concerning the reasonableness and lawfulness of the rates, charges, regulations, and practices stated in certain schedules effective September 14, 1959, including the following:

Supplement No. 22 to Matson Navigation Company Freight Tariff No. 1-N, F.M.B. F-No. 87;

Supplement No. 6 to Matson Navigation Company Freight Tariff No. 8-D, F.M.B. F-No. 91;

Supplement No. 3 to Matson Navigation Company Freight Tariff No. 9-B, F.M.B. F-No. 95;

Supplement No. 2 to Matson Navigation Company Freight Tariff No. 11, F.M.B. F-No. 97;

It further appearing, that said Original Order provided in part that no change should be made in the rates, charges, regulations and practices stated in said schedules until the investigation instituted thereby had been terminated by final order of the Board, unless otherwise authorized by special permission of the Board; and

It further appearing that on September 15, 1959, by Special Permission Application No. NSL-43, as amended, filed in behalf of the carriers participating in the aforesaid schedules request was made for special permission to file the following changes in said schedules, said changes to be effective on less than 30 days' notice:

1. Present Item 135 of F.M.B. F-No. 87, applicable on automobiles, trailers and other commodities named therein between West Coast ports and Hawaii. Cancel and publish new item eliminating applicability of Rule 30 of Supplement No. 22 thereto.

2. Present Item 10 of F.M.B. F-No. 95, naming proportional rates applicable on automobiles, etc., between West Coast ports and Hawaii. Cancel and publish new item eliminating applicability of Rule 10 of Supplement No. 3 thereto.

3. Present Item 635-A of F.M.B. F-No. 87, as amended, applicable on canned pineapple and related articles from Hawaiian ports to Pacific Coast ports. Cancel and publish new item eliminating applicability of Rule 30 of Supplement No. 22 thereto.

4. Present Item 645-A of F.M.B. F-No. 87, as amended, applicable on pineapple juice from Hawaiian ports to Pacific Coast ports. Cancel and publish new item eliminating applicability of Rule 30 of Supplement No. 22 thereto.

5. Present Item 5-E of F.M.B. F-No. 91, as amended, applicable on canned or preserved foodstuffs from Hawaiian ports to Pacific Coast ports. Cancel and publish new item eliminating applicability of Rule 9 of Supplement No. 6 thereto.

6. Present Item 15 of F.M.B. F-No. 91, applicable on foodstuffs or preparations from Hawaiian ports to Pacific Coast ports. Cancel and publish new item eliminating applicability of Rule 9 of Supplement No. 6 thereto.

7. Present Items 335, 340, 345 and 350 of F.M.B. F-No. 97 applicable on canned pineapple from Honolulu port area to Los Angeles and San Francisco port areas. Cancel and publish new items eliminating applicability of Special Supplement No. 2 to F.M.B. F-No. 97.

8. Present Item 516 of F.M.B. F-No. 87, applicable on household goods and personal effects, between Pacific Coast ports and Hawaiian ports. Cancel and publish new item eliminating applicability of Rule 30 of Supplement No. 22 thereto; and

It further appearing that the effect of such changes is to reinstate as to the commodities covered thereby the rates in effect immediately prior to September 14, 1959; and

It further appearing that the Board having found good cause therefor has on September 17, 1959, granted special permission to publish such changes on not less than one day's notice under Special Permission No. 3785;

It is ordered, That the Original Order herein is modified to the extent necessary to permit the publication and filing of the changes covered by such Special Permission No. 3785; and

It is further ordered, That the special permission granted hereby shall be without prejudice to the Board's determination as to the lawfulness of the rates established pursuant hereto; and

It is further ordered, That copies of this Order shall be filed with said tariff schedules in the office of the Federal Maritime Board; and

It is further ordered, That a copy of this Order shall be forthwith served upon

Matson Navigation Company; American President Lines, Ltd., Isthmian Lines, Inc.; The Oceanic Steamship Company and United States Lines Company and upon all protestants herein.

Dated: September 29, 1959.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-8245; Filed, Oct. 1, 1959; 8:45 a.m.]

MEMBER LINES OF TRANS-PACIFIC CONFERENCE OF JAPAN

Notice of Agreement Filed With the Board for Approval

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

Agreement No. 150-16, between the member lines of the Trans-Pacific Conference of Japan, modifies the basic agreement of that conference, which covers the trade from Japan, Korea and Okinawa to Pacific Coast ports of the United States and Canada. The purpose of the modification is to provide that decisions with respect to rate matters shall be decided by a two-thirds majority of those members who have voting rights on such matters instead of by simple majority as presently provided in the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 29, 1959.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-8246; Filed, Oct. 1, 1959; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 311]

MARKET AGENCIES AT KANSAS CITY STOCK YARDS, RESPONDENTS

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on August 24, 1959, authorizing the respondents, Market Agencies at Kansas City Stock Yards, Kansas City, Missouri, to assess the current schedule of rates and charges to and including November 30, 1959, unless modified or extended by further order before the latter date.

By a petition filed on September 10, 1959, the respondents requested authority to modify the current schedule of rates and charges as indicated below:

SECTION B—SELLING AND RESELLING CHARGES
(Irrespective of the manner of arrival)

	Rate per head	
	Present	Proposed
Cattle		
Consignment of 1 head and 1 head only	$1.60	$1.75
First 5 head in each consignment	1.35	1.40
Next 10 head in each consignment	1.25	1.30
Each head over 15 in each consignment	1.15	1.20
TB or bangs reactors, cripples, or post mortem	1.70	2.00
Bulls		
700 pounds or over	1.85	2.00
Calves		
Consignment of 1 head and 1 head only	.85	.85
First 5 head in each consignment	.70	.70
Next 10 head in each consignment	.60	.60
Each head over 15 in each consignment	.50	.50
TB or bangs reactors, cripples, or post mortem	.85	.95
Hogs		
Consignment of 1 head and 1 head only	.65	.70
First 10 head in each consignment	.45	.48
Next 15 head in each consignment	.40	.43
Each head over 25 in each consignment	.35	.38
Cripples and post mortems	.75	.85
Boars and stags over 180 pounds (The exception relating to the maximum charge of $27.50 for a single deck car and $37.50 for a double deck car is to be deleted.).		1.00
Sheep		
Consignment of 1 head and 1 head only	.60	.60
First 10 head in 225 in each consignment	.40	.43
Next 20 head in each 225 in each consignment	.35	.38
Next 30 head in each 225 in each consignment	.30	.32
Next 40 head in each 225 in each consignment	.20	.22
Next 125 in each 225 in each consignment	.10	.12
Cripples and post mortems (The exception relating to the maximum charge of $25 for a single deck car and $35 for a double deck car is to be deleted.)	.65	.65

SECTION C—BUYING CHARGES APPLICATION OF BUYING CHARGES

6. On hogs trucked or shipped for immediate slaughter the charges shall be $10 for the first 25 head and 35 cents for each additional head thereafter.

The modifications, if authorized, will produce additional revenue for the respondents and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 28th day of September 1959.

JOHN C. PIERCE,
Acting Director, Livestock Division, Agricultural Marketing Service.

[F.R. Doc. 59-8309; Filed, Oct. 1, 1959; 8:52 a.m.]

Commodity Stabilization Service

SUGAR IN CONTINENTAL UNITED STATES

Importation for Refining and Storage

Pursuant to the provisions of paragraph (d) of § 817.8 (23 F.R. 671) and on the basis of information before me, I do hereby determine and give public notice that during October, November and December 1959 raw sugar may be brought or imported into the continental United States without effect on a quota at the time of importation for the sole purpose of refining and storage without interfering with the effective administration of the Sugar Act of 1948, as amended (60 Stat. 922, as amended).

Accordingly, notice is hereby given that during the period October 1, 1959, through the close of business December 31, 1959, raw sugar may be authorized for release for importation by or delivery to a refiner for the sole purpose of refining and storage without effect on a quota at the time of importation. Authorizations for release of sugar pursuant to this notice may be issued only to cover raw sugar to be imported by or delivered to a refiner who is the principal on a bond accepted pursuant to § 817.9 of this Part 817 under which the principal is obligated to hold at the refinery at which such sugar is received the raw value equivalent of the sugar authorized to be imported until release of such sugar within the applicable quota is authorized by the Secretary.

Issued at Washington, D.C., this 28th day of September 1959.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-8281; Filed, Oct. 1, 1959; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-108]

ALLIS-CHALMERS MANUFACTURING CO.

Notice of Proposed Issuance of Facility License

Please take notice that the Atomic Energy Commission proposes to issue to Allis-Chalmers Manufacturing Company, Milwaukee, Wisconsin, a facility license, substantially as set forth below authorizing the possession and operation of a critical experiments facility designed for operation at power levels up to 100 watts (thermal) unless within fifteen (15) days after the filing of this notice with the Office of the Federal

Register a request for a formal hearing is filed with the Commission as provided by the Commission's rules of practice (10 CFR Part 2). For further details see (1) the application submitted by the Allis-Chalmers Manufacturing Company, and (2) a hazards analysis prepared by the Hazards Evaluation Branch, Division of Licensing and Regulation, which summarizes the principal factors considered in reviewing the application for license, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 25th day of September 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

PROPOSED LICENSE

License No. CX-

1. Allis-Chalmers Manufacturing Company, Milwaukee, Wisconsin, (hereinafter referred to as "Allis-Chalmers") filed an application dated June 13, 1958, and amendments thereto dated August 6, 1958, September 4, 1958, September 16, 1958, October 3, 1958, November 4, 1958, May 25, 1959, June 29, 1959, July 8, 1959, and July 9, 1959, (hereinafter collectively referred to as "the application") for license to possess and operate its critical experiments facility (hereinafter referred to as "the facility") which is located in Greendale, Milwaukee County, Wisconsin.

2. The Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The facility has been constructed and will operate in conformity with the application and in conformity with the Atomic Energy Act of 1954, as amended, (hereinafter referred to as "the Act") and the rules and regulations of the Commission.

B. There is reasonable assurance that the facility can be operated at the designated location without endangering the health and safety of the public.

C. Allis-Chalmers is technically and financially qualified to operate the facility.

D. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public.

E. Allis-Chalmers has filed with the Commission proof of financial protection which satisfies the requirements of Commission regulations which are currently in effect.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Allis-Chalmers:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate the facility at the designated location in Greendale, Milwaukee County, Wisconsin, in accordance with the procedures described in the application.

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material", to receive, possess and use 270.1 kilograms of contained uranium-235 as fuel for operation of the facility.

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to possess, but not to separate, such byproduct material as may be produced by operation of the facility.

4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50 and to be subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect and to the additional conditions specified below:

A. 1. Allis-Chalmers shall not operate the facility at a power level in excess of one hundred watts (thermal).

2. Allis-Chalmers shall not perform a critical experiment, other than the experiments described in the application, in the facility until a description of the experiment and a hazards summary report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

B. In addition to those otherwise required under this license and applicable regulations, Allis-Chalmers shall keep the following records:

1. Facility operating records, including power levels.

2. Records of in-pile irradiations.

3. Records showing radioactivity released or discharged into the air or water beyond the effective control of Allis-Chalmers as measured at the point of such release or discharge.

4. Records of emergency scrams, including reasons for emergency shutdowns.

C. Allis-Chalmers shall immediately report to the Commission, in writing, any indication or occurrence of a possible unsafe condition relating to the operation of the facility.

5. This license is effective as of the date of issuance and shall expire at midnight November 13, 1963.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 59-8248; Filed, Oct. 1, 1959; 8:45 a.m.]

[Docket No. 50-149]

LUIGI SERRA, INC.

Notice of Filing of Application for Utilization Facility Export License

Please take notice that Luigi Serra, Incorporated, 7 Water Street, New York 4, New York, has submitted an application dated August 27, 1959 for a license authorizing export of a 5000 kilowatt open pool-type nuclear reactor to Centro Autonomo Militare Energia Nucleare (C.A.M.E.N.), Accademia Navale, Livorno, Italy.

Pursuant to section 104 of the Atomic Energy Act of 1954, and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities" and upon finding that (a) the reactor proposed to be exported is a utilization facility as defined in said Act and regulations, and (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an Agreement for Cooperation with the Government of the Italian Republic, the Commission may issue a facility export license authorizing the export of the reactor to Italy.

In its review of applications solely to authorize the export of production or utilization facilities the Commission does not evaluate the health and safety characteristics of the subject reactor.

In accordance with the procedures set forth in the Commission's rules of practice (10 CFR Part 2) a petition for leave to intervene in these proceedings must be served upon the parties and filed with the Atomic Energy Commission within 30 days after the filing of this notice with the Office of the Federal Register.

A copy of the application is on file in the AEC Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 25th day of September 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[F.R. Doc. 59-8249; Filed, Oct. 1, 1959; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 10607]

LAS VEGAS HACIENDA, INC. AND HENRY F. PRICE ENFORCEMENT PROCEEDING

Notice of Hearing

In the matter of Las Vegas Hacienda, Inc. and Henry F. Price Enforcement Proceeding.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that hearing in the above-entitled proceeding is assigned to be held on October 27, 1959, at 10:00 a.m. (local time), in Room 925, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh. Upon conclusion of the Washington session the hearing will reconvene on November 3, 1959, at 10:00 a.m. (local time), in Room 229, U.S. Post Office and Court House, 312 North Spring Street, Los Angeles, California.

Dated at Washington, D.C., September 29, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-8287; Filed, Oct. 1, 1959; 8:49 a.m.]

[Docket No. 8404]

RATE OF RETURN LOCAL SERVICE CARRIERS

Notice of Postponement of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-entitled proceeding now assigned to be held on October 7, 1959 is indefinitely postponed.

Dated at Washington, D.C., September 28, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-8288; Filed, Oct. 1, 1959; 8:50 a.m.]

[Docket No. 9812]

TRANS-CARIBBEAN AIRWAYS, INC.

Notice of Postponement of Prehearing Conference

In the matter of the application of Trans-Caribbean Airways, Inc. to carry mail on a non-subsidy basis between Puerto Rico and New York.

Notice is hereby given that the prehearing conference in the above-entitled matter now assigned for October 2 has been postponed to October 6, 1959, 10:00 a.m., e.d.s.t., Rm. 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Barron Fredricks.

Dated at Washington, D.C., September 29, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-8305; Filed, Oct. 1, 1959; 8:52 a.m.]

COMMITTEE FOR RECIPROCITY INFORMATION

RENEGOTIATION BY CANADA WITH UNITED STATES OF CERTAIN TEXTILE TARIFF CONCESSIONS INCLUDED IN CANADA'S SCHEDULE TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Submission of Information

Views receive maximum consideration if submitted at least 15 days before beginning of Renegotiations.

Renegotiation begins on or about November 16, 1959.

Notice is hereby given that the Committee for Reciprocity Information invites written views from interested parties with respect to the possible effect on United States trade of the renegotiation by Canada of the concessions on certain textile and related products in Schedule V (Canada) to the General Agreement on Tariffs and Trade, as well as views regarding concessions which the United States might seek, or accept, from Canada as compensation for the modification or withdrawal of existing Canadian concessions.

The renegotiations by Canada will be conducted pursuant to Article XXVIII of the General Agreement, the Contracting Parties to that Agreement having found the special circumstances required by paragraph 4 of that article. Under the provisions of Article XXVIII of the General Agreement, a contracting party proposing to renegotiate a concession by modifying or withdrawing it is required to negotiate regarding compensatory adjustment with the country with which the concession was originally negotiated and with any other contracting party having a principal supplying interest in the concession. It is also required to consult with contracting parties having a substantial trade interest therein. In such negotiations, the country proposing the modification or withdrawal usually offers new concessions by way of compensation, and views are now requested on the assumption that agreement will be reached on the basis of compensatory concessions by Canada.

The renegotiation by Canada results from a proposed revision of the textile schedule of the Canadian customs tariff, which will be based on recommendations by the Tariff Board. The Board has already reported its recommendations on woolen and worsted fabrics, cotton and cotton products, silk and man-made fibers and products, and textile wastes. It is expected to report on knitted goods soon and to report on the remaining products (coated fabrics, braids, tapes, elastics, etc.) early in 1960. Not all of the textile changes recommended by the Tariff Board are increases in duty. Some represent decreases in existing duties and some merely changes in language incidental to the establishment of broader specifications. Accordingly, it is urged that interested parties refer to these Tariff Board Reports to familiarize themselves with the nature of the proposed revision and the changes which may result from the Board's recommendations. The Tariff Board Reports which have so far been published are available for purchase from the Queen's Printer, Ottawa, Canada. Reference copies are on deposit at the Department of Commerce Field Offices in New York, Boston, Greensboro (N.C.), and Atlanta, and at the British Commonwealth Division, Bureau of Foreign Commerce, Department of Commerce, Washington, D.C. Other reports will be made available at these locations as they become available.

All communications submitted to the Committee, except information and business data proffered in confidence, shall be open to inspection by interested persons. Information and business data proffered in confidence shall be submitted on separate pages clearly marked "For Official Use Only of the Committee for Reciprocity Information."

No closing date for the submission of written views is established. However, negotiations respecting the products dealt with by the Canadian Tariff Board Reports now available are expected to begin on or about November 16, 1959, and views respecting these products should be received by the Committee at least 15 days prior to that date in order to receive maximum consideration. Views on products dealt with by Canadian Tariff Board Reports published subsequent to this announcement should be received by the Committee no later than 30 days after the date of their publication in order to receive maximum consideration.

Annexed to this notice is a list of commodity classifications relating to tariff concessions in Schedule V (Canada) to the General Agreement on Tariffs and Trade in the renegotiation of which the United States intends to participate.

By direction of the Committee for Reciprocity Information this 30th day of September 1959.

EDWARD YARDLEY,
Secretary,
Comitteee for
Reciprocity Information.

Commodity Classifications relating to Tariff Concessions in Schedule V (Canada) to the General Agreement on Tariffs and Trade in the renegotiation of which the United States intends to participate.

Cotton products

Batts, batting, and wadding.
Yarn, thread and cordage.
Piece goods.
Lace and embroidery.
Wearing apparel.
Other manufactures.

Synthetic textile fibre products

Yarns, threads, cords, etc.
Piece goods.
Wearing apparel.
Other manufactures.

Silk products

Yarns and thread.
Piece goods.
Wearing apparel.
Other manufactures.

Wool and products

Raw and unmanufactured wool and slivers.
Yarns, batts and batting.
Piece goods.
Wearing apparel.
Other manufactures.

Flax, hemp and jute products

Batts, batting and wadding.
Yarn, thread and twine.
Piece goods.
Other manufactures.

Textile products of miscellaneous and mixed composition

Hats, hoods and shapes.
Braid, fringe, etc.
Rags and waste.
Surgical dressings.
Cloth, coated or impregnated.
Bags, including used.

Other products

Surgical trusses, suspensory bandages and abdominal supports.
Boot, shoe, shirt and stay laces.
Asbestos fabric for the manufacture of clutch facing and brake lining.
Hair and manufactures.
Electric blankets.
Belting, including rubber and webbing.
Blankets, blanketing and lapping for use by textile manufacturers and wallpaper printers.
Pantograph rolls and engraving mills for printing textiles and wallpaper.
Tire cord and fabric.

[F.R. Doc. 59-8356; Filed, Oct. 1, 1959; 9:27 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

STATEMENT OF ORGANIZATION, DELEGATIONS OF AUTHORITY AND OTHER INFORMATION

Commercial and Amateur Radio Operator Examination Points

The Commission having under consideration a modification of its amateur and commercial radio operator license examination points; and

It appearing that heretofore the Alaska Communication System at Fairbanks, Alaska has by agreement with the Commission conducted commercial and ama-

teur examinations on a regular basis; and

It further appearing that in the future the Alaska Communication System will be unable to conduct radio operator examinations; and

It further appearing that the amendment herein ordered is procedural in nature and not substantive and therefore compliance with the public rulemaking procedures required by sections 4 (a) and (b) of the Administrative Procedure Act is not required.

It is ordered, This 25th day of September 1959, pursuant to authority of section 0.341 of the Commission's Statement of Delegations of Authority, and to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and pursuant to section 3(a) of the Administrative Procedure Act, that section 0.413(c)(1) of Statement of Organization, Delegations of Authority, and Other Information, be amended as set forth below, effective November 1, 1959.

Released: September 29, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Section 0.413(c)(1) is amended by adding Fairbanks, Alaska in alphabetical sequence to the "annual" listing within this section.

[F.R. Doc. 59-8304; Filed, Oct. 1, 1959; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-18975]

EQUITABLE GAS CO.

Notice of Application and Date of Hearing

SEPTEMBER 28, 1959.

Take notice that on July 15, 1959, Equitable Gas Company (Applicant) filed in Docket No. G-18975 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Hope Natural Gas Company (Hope) from Stinespring Well No. 4541, South West Field, Doddridge County, West Virginia, covered by a gas sales contract between Applicant and Hope dated September 30, 1953,[1] all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Authorization to render the subject service to Hope was granted to Applicant on October 17, 1955, in Docket No. G-7260 (In the Matters of W. E. Elliot, et al., Docket Nos. G-7233, et al.).

Applicant states that the small amount of production from the subject well makes it no longer economically feasible for Hope to purchase gas under the subject agreement.

Notice of cancellation of the subject service agreement dated February 2, 1954, between Applicant and Hope, was filed concurrently with the present application to be effective on the date of approval of the proposed abandonment.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 29, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C. concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 19, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-8296; Filed, Oct. 1, 1959; 8:50 a.m.]

[1] The gas sale contract dated September 30, 1953, was superseded by a service agreement between Applicant and Hope dated February 2, 1954.

[Docket No. G-18974]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application and Date of Hearing

SEPTEMBER 28, 1959.

Take notice that on July 16, 1959, Panhandle Eastern Pipe Line Company (Applicant) filed in Docket No. G-18974 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers in the general area of Applicant's existing transmission system from time to time during the 12-month period ending August 1, 1960, at a total cost of not to exceed $2,000,000, with no single project to exceed a cost of $250,000, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of gas in various producing areas generally coextensive with its system.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 29, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 19, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-8297; Filed, Oct. 1, 1959; 8:50 a.m.]

[Docket No. G-19479]

TRUNKLINE GAS CO.

Order Providing for Hearing and Suspending Proposed Revised Tariff Sheets

SEPTEMBER 28, 1959.

On August 31, 1959, Trunkline Gas Company (Trunkline) tendered for filing Third Revised Sheets Nos. 5 and 9, Second Revised Sheets Nos. 4, 7 and 8, and First Revised Sheets Nos. 6-A, 6-B, 6-C and 6-D to its FPC Gas Tariff, Original Volume No. 1. In the above-designated tender, Trunkline proposes an annual increase in jurisdictional revenue in its Zone 1[1] rates of $9,580,000 or 25½ percent over the rates in effect.[2]

The proposed increase is based primarily on (a) a claimed 6¾ percent rate of return with associated income taxes, (b) increase in plant investment and (c) higher prices for new gas supply.

[1] Sales at and south of Tuscola, Illinois, the terminus of its system prior to the expansion and extension authorized by Opinion No. 321 in Docket No. G-15394. Zone 2 comprises the new extension north of Tuscola.

[2] Effective subject to refund in Docket No. G-12884.

The changes in rates and charges proposed by Trunkline in its FPC Gas Tariff, Original Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a public hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Trunkline's FPC Gas Tariff, Original Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 5 and 9, Second Revised Sheets Nos. 4, 7 and 8, and First Revised Sheets Nos. 6-A, 6-B, 6-C and 6-D, and that said proposed revised tariff sheets and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held on a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications and services contained in Trunkline's FPC Gas Tariff, Original Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 5 and 9, Second Revised Sheets Nos. 4, 7, and 8, and First Revised Sheets Nos. 6-A, 6-B, 6-C, and 6-D.

(B) Pending such hearing and decision thereon Third Revised Sheets Nos. 5 and 9, Second Revised Sheets Nos. 4, 7, and 8, and First Revised Sheets Nos. 6-A, 6-B, 6-C, and 6-D to Trunkline's FPC Gas Tariff, Original Volume No. 1 are suspended and the use thereof deferred until March 1, 1960, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by sections 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-8298; Filed, Oct. 1, 1959; 8:51 a.m.]

[Docket No. G-18983]

UNITED GAS PIPE LINE CO.

Notice of Application and Date of Hearing

SEPTEMBER 28, 1959.

Take notice that on July 16, 1959, United Gas Pipe Line Company (Applicant) filed in Docket No. G-18983 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of field facilities to enable Applicant to take into its certificated main pipeline system natural gas which it will purchase from producers in the general area of its existing transmission system from time to time during the calendar year 1960, at a total cost not in excess of $3,000,000, with the total cost of any single project not to exceed $400,000, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of gas in producing areas generally coextensive with its system.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 29, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 19, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-8299; Filed, Oct. 1, 1959; 8:51 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

TRANSISTORS AND RELATED PRODUCTS

Investigation of Imports

Notice is hereby given, in accordance with the provisions of section 8 of the Trade Agreements Extension Act of 1958 and OCDM Regulation No. 4, as amended, that the Electronic Industries Association, the national trade association representing manufacturers of electronic equipment and components, has requested an investigation to be undertaken to determine whether or not transistors, diodes, and rectifiers, as separate units as well as those contained in end products, are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Dated: September 28, 1959.

LEO A. HOEGH,
Director, Office of Civil and Defense Mobilization.

[F.R. Doc. 59-8250; Filed, Oct. 1, 1959; 8:45 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), Administrative Order No. 485 (23 F.R. 200) and Administrative Order No. 507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Alabama Textile Products Corp., Crestview, Fla.; effective 9-14-59 to 9-13-60; workers engaged in the production of men's pajamas.

Adams H. Bartel Co., Richmond, Ind.; effective 10-1-59 to 9-30-60 (men's denim overalls and dungarees).

Bee and Gee Pants Co., 418 Main Street, Dickson City, Pa.; effective 9-14-59 to 9-13-60 (men's and boys' trousers).

Blue Gem Manufacturing Co., 604 Hoover Street, Asheboro, N.C.; effective 10-1-59 to 9-30-60 (men's and boys' dungarees).

Blue Gem Manufacturing Co., 1301 Carolina Street, Greensboro, N.C.; effective 10-1-59 to 9-30-60; workers engagd in the production of work clothing, overalls, dungarees and coats.

Blue Gem Manufacturing Co., 1301 Carolina Street, Greensboro, N.C.; effective 10-1-59 to 9-30-60; workers engaged in the production of misses' and girls' jeans and shorts, and juvenile play clothing.

Bruce Co., Inc., 120 East 15th Street, Ottawa, Kans.; effective 9-28-59 to 9-27-60 (men's work clothing).

The Butler Shirt Co., 165 Brugh Avenue, Butler, Pa.; effective 9-22-59 to 9-21-60 (men's and boys' sport shirts).

Champ Trouser Co., Inc., Winfield, Ala.; effective 10-1-59 to 9-30-60 (men's dress slacks).

D & D Shirt Co., 1801 Newport Avenue, Northhampton, Pa.; effective 9-10-59 to 9-9-60 (ladies' shirt waist blouses; men's dress and Army shirts for PX's).

Dunhill Shirt Co., El Dorado Springs, Mo.; effective 10-1-59 to 9-30-60 (men's shirts).

M. Fine & Sons Manufacturing Co., Inc., 15th and Main Streets, New Albany, Ind.; effective 9-10-59 to 9-9-60 (cotton—wool work shirts).

Form-O-Uth Brassiere Co., McLean, Tex. effective 9-30-59 to 9-29-60 (women's brassieres).

Greensboro Manufacturing Corp., 1900 East Bessemer Avenue, Greensboro, N.C.; effective 9-25-59 to 9-24-60 (women's and children's flannelette and cotton nightwear).

Hagale Garment Manufacturing Co., Ozark, Mo.; effective 9-28-59 to 9-27-60 (work pants).

Hagale Garment Co., Reeds Spring, Mo.; effective 9-28-59 to 9-27-60 (men's and boys' work pants).

Hallmark Manufacturing Co., Clinton, S.C.; effective 10-1-59 to 9-30-60 (ladies' blouses, men's dress and sport shirts).

Horse Cave Manufacturing Co., Horse Cave, Ky.; effective 9-18-59 to 9-17-60 (men's and children's sportswear; U.S. Navy jackets).

International Latex Corp., Lafayette, Ala.; effective 9-22-59 to 9-21-60 (brassieres).

Kayler Manufacturing Inc., 822 Anderson Street, New Kensington, Pa.; effective 9-16-59 to 9-15-60 (women's and misses' blouses).

Lebro Shirt Manufacturing Co., Lykens, Pa.; effective 10-1-59 to 9-30-60 (men's shirts).

Logan Manufacturing Co., Russellville, Ky.; effective 9-17-59 to 9-16-60 (men's cotton work pants).

Phillips-Van Heusen Corp., Geneva, Ala.; effective 10-1-59 to 9-30-60 (men's dress and sport shirts).

Phillips-Van Heusen Corp., Hartford, Ala.; effective 10-1-59 to 9-30-60 (men's dress shirts).

Phillips-Van Heusen Corp., Ozark, Ala.; effective 10-1-59 to 9-30-60 (Pajamas).

The Pyke Manufacturing Co., 1025 South Sixth West, Salt Lake City, Utah; effective 9-11-59 to 9-10-60; workers engaged in the production of work pants, overalls, coveralls and jeans.

The Pyke Manufacturing Co., 1025 South Sixth West, Salt Lake City, Utah; effective 9-11-59 to 9-10-60; workers engaged in the production of ladies' and girls' pedal pushers and shorts.

Quaker Manufacturing Co., Inc., 19-21 St. Louis Street, Lewisburg, Pa.; effective 9-10-59 to 9-9-60 (women's nightwear).

The Rauh Co., Ninth and Sycamore Street, Cincinnati, Ohio; effective 10-1-59 to 9-30-60 (men's and boys' sport shirts).

Red Hill Apparel Co., Main Street, Red Hill Pa.; effective 10-6-59 to 10-5-60 (children's dresses).

Henry I. Siegel Co., Inc., Fulton, Ky.; effective 9-14-59 to 9-13-60 (men's and boys' pants).

Southland Manufacturing Co., Inc., 1510 South Third Street, Wilmington, N.C.; effective 9-27-59 to 9-26-60 (men's and boys' dress and sport shirts).

Springfield Garment Manufacturing Co., 627-35 North Campbell Avenue, Springfield, Mo.; effective 9-15-59 to 9-14-60 (semi-dress and dress trousers).

Superior Garment Contractors, Inc., Middlesex, N.C.; effective 9-19-59 to 9-18-60; learners may not be employed at special minimum wage rates in the production of separate shirts (ladies' and children's pedal pushers, shorts, etc.).

Troytown Shirt Corp., Harmony Mill No. 3, North Mohawk Street, Cohoes, N.Y.; effective 10-1-59 to 9-30-60 (men's sport shirts).

Weiss Shirt Co., Inc., 520 Lehman Street, Lebanon, Pa.; effective 9-15-59 to 9-14-60 (ladies' cotton shirts).

Wilcox Garment Co., Inc., Rochell, Ga.; effective 9-11-59 to 9-10-60 (men's semi-dress and dress shirts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Ann Lee Frocks, Inc., Lyndwood Branch, 631 Fellows Avenue, Wilkes-Barre, Pa.; effective 9-15-59 to 9-14-60; 10 learners (women's dresses).

Baldwin Garment Mfg. Co., Inc., 02-06 Stonepile Street, Baldwin, Ga.; effective 9-14-59 to 9-13-60; 10 learners (ladies' blouses).

Blue Bell, Inc., Ada, Okla.; effective 9-17-59 to 9-16-60; 10 learners (men's and boys' dungarees).

Campy's Frocks, 227 Kelly Street, Luzerne, Pa.; effective 9-21-59 to 9-20-60; five learners (dresses).

Carolina Lingerie Co., Inc., Yadkinville Highway, Mocksville, N.C.; effective 9-30-59 to 9-29-60; 10 learners (ladies' pajamas).

Carolina Maid Products, Inc., Granite Quarry, N.C.; effective 9-21-59 to 9-20-60; 10 learners (women's and misses' dresses).

Curtis Manufacturing Co., Ocoee, Fla.; effective 9-14-59 to 9-13-60; 10 learners (men's and boys' pants).

Dillsburg Dress Co., York Street, Dillsburg, Pa.; effective 9-15-59 to 9-14-60; four learners (cotton dresses).

Emerald Duster Co., Roseboro, N.C.; effective 9-17-59 to 9-16-60; five learners (ladies' cotton wearing apparel).

Grace Dress Shop, 197 Connecticut Avenue, South Norwalk, Conn.; effective 9-21-59 to 9-20-60; eight learners (women's and misses' dresses).

Gross Galesburg Co., 152-62 East Ferris Street, Galesburg, Ill.; effective 10-1-59 to 9-30-60; five learners (men's and boys' overalls and dungarees).

Malouf Company Plant No. 2, Whitesboro, Grayson County, Tex.; effective 9-18-59 to 9-17-60; six learners. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's dresses).

Park Avenue Foundations, Inc., Turrell, Ark.; effective 9-11-59 to 9-10-60; three learners (brassieres and girdles).

Southern Garment Co., Robbins, N.C.; effective 9-18-59 to 9-17-60; 10 learners (women's cotton wash dresses).

Valley Industries, West Point, Ga.; effective 9-17-59 to 9-16-60; 10 learners (ladies slacks).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Champ Trouser Co., Inc., Winfield, Ala.; effective 9-21-59 to 3-20-60; 50 learners (men's dress slacks).

Edmonton Manufacturing Co., Edmonton, Ky.; effective 9-21-59 to 3-20-60; 20 learners (men's pants, shirts, coveralls and jackets).

Glenwood Manufacturing Co. Inc., Clintwood, Va.; effective 9-21-59 to 2-26-60; 21 learners (supplemental certificate) (men's and boys' ready to wear clothing—pants and shirts).

Greensboro Manufacturing Corp., 1900 East Bessemer Avenue, Greensboro, N.C.; effective 9-25-59 to 3-24-60; 25 learners (women's and children's flannelette and cotton nightwear).

International Latex Corp., Manchester, Ga.; effective 9-21-59 to 12-9-59; 40 learners (supplemental certificate) (brassieres, infants' wear).

Kayler Manufacturing, Inc., 822 Anderson Street, New Kensington, Pa.; effective 9-17-59 to 3-16-60; 20 learners (misses' and women's blouses).

Madill Manufacturing Co., Madill, Okla.; effective 9-14-59 to 3-13-60; 25 learners (men's dress slacks).

Myrna Mills, Inc., Adamsville, Tenn.; effective 9-14-59 to 3-13-60; 20 learners (supplemental certificate) (men's and boys' sport shirts).

Henry I. Siegel Co., Inc., Gleason, Tenn.; effective 9-12-59 to 3-11-60; 50 learners (men's and boys' pants).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.80 to 522.85, as amended).

Budd Cigar Company of Alabama, Dothan, Ala.; effective 9-24-59 to 9-23-60; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.66, as amended).

Gant Madeleine, Inc., 47 Spring Street, Gloversville, N.Y.; effective 9-21-59 to 9-20-60; five learners for normal labor turnover purposes (ladies' fabric gloves).

Haynesville Manufacturing Co., Inc., Haynesville, La.; effective 9-25-59 to 3-24-60; 10 learners for plant expansion purposes (work gloves, canton flannel).

Monte Glove Co., Inc., Maben, Miss.; effective 10-1-59 to 9-30-60; 10 learners for normal labor turnover purposes (work gloves).

Leon F. Swears, Inc., 111-113 North Perry Street, 115 North Perry Street, 109 North Market Street, Johnstown, N.Y.; effective 9-15-59 to 9-14-60; 10 percent of the total number of factory production workers engaged in the authorized learner occupations (gloves—dress, knit; also glove inserts and linings).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

The following learner certificates were issued authorizing the employment of five percent of the total number of factory production workers for normal labor turnover purposes.

Burlington Industries, Inc., Scottsboro Hosiery Plant, Scottsboro, Ala.; effective 10-1-59 to 9-30-60 (seamless).

Claussner Hosiery Co., Plant No. 1, Hosiery Division, 28th and Adams Streets, Paducah, Ky.; effective 10-1-59 to 9-30-60 (full-fashioned).

Commonwealth Hosiery Mills, Inc., Randleman, N.C.; effective 10-1-59 to 9-30-60 (seamless).

Davenport Hosiery Mills, Inc., Ellijay, Ga.; effective 9-22-59 to 9-21-60 (seamless).

Diamond Mills Corp., High Point, N.C.; effective 10-1-59 to 9-30-60 (full-fashioned).

Franklin Hosiery Co., Franklin, N.C.; effective 10-1-59 to 9-30-60 (seamless).

Greensboro Hosiery Mills, Greensboro, N.C.; effective 10-1-59 to 9-30-60 (seamless).

Harriman Hosiery Co., Siluria Street, Harriman, Tenn.; effective 10-1-59 to 9-30-60 (seamless).

Kayser-Roth Hosiery Co., Inc., Dayton Division, Dayton, Tenn.; effective 10-1-59 to 9-30-60 (children's half-hose).

Kosciusko Hosiery Mills, Kosciusko, Miss.; effective 10-1-59 to 9-30-60 (seamless).

Newland Knitting Mills, Newland, N.C.; effective 10-1-59 to 9-30-60 (seamless).

Paul Knitting Mills, Inc., Pulaski, Va.; effective 9-15-59 to 9-14-60 (seamless).

Richmond Hosiery Mills, Rossville, Ga.; effective 9-11-59 to 9-10-60 (seamless).

Unique Knitting Co., Acworth, Ga.; effective 9-11-59 to 9-10-60 (seamless).

Wright-Knit Hosiery Mills, Inc., 876 East Highland Avenue, Hickory, N.C.; effective 9-18-59 to 9-17-60 (seamless).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Commonwealth Hosiery Mills, Inc., Ellerbe, N.C.; effective 10-3-59 to 10-2-60; five learners (seamless).

Walnut Cove Hosiery Mills, Walnut Cove, N.C.; effective 10-3-59 to 10-2-60; five learners (seamless).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Commonwealth Hosiery Mills, Inc., Randleman, N.C.; effective 9-28-59 to 3-27-60; 10 learners (seamless).

Ellen Knitting Mills, Inc., Spruce Pine, N.C.; effective 9-18-59 to 3-17-60; 25 learners (seamless).

Grenada Industries, Inc., Grenada, Miss.; effective 9-14-59 to 3-13-60; 15 learners (full-fashioned).

Van Raalte Co., Inc., Blue Ridge, Ga.; effective 9-16-59 to 3-15-60; 15 learners (seamless).

Walnut Cove Hosiery Mills, Walnut Cove, N.C.; effective 9-21-59 to 3-20-60; four learners (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

The following learner certificates were issued authorizing the employment of five percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Century Mills Division of A. H. Schreiber Co., Inc., Lincoln and Reeder Streets, Riverside, N.J.; effective 10-1-59 to 9-30-60 (ladies' and children's underwear).

Robinson Manufacturing Co., South Market Street, Dayton, Tenn.; effective 10-1-59 to 9-30-60 (men's and boys' woven cotton undershorts).

The Russell Manufacturing Co., Alexander City, Ala.; effective 10-1-59 to 9-30-60 (knit underwear and sleepers).

Salisbury Undergarment Co., Inc., Salisbury, Pa.; effective 9-14-59 to 9-13-60 (ladies' knitted undergarments).

Standard Romper Co., Inc., Building No. 7, 200 Conant Street, Pawtucket, R.I.; effective 9-23-59 to 9-22-60 (children's outer garments (shirts) of knit fabric).

Sylvester Textile Corp., Sylvester, Ga.; effective 9-18-59 to 9-17-60 (ladies' and children's underwear of knitted fabric).

Van Raalte Co., Inc., Main Street, Bristol, Vt.; effective 10-3-59 to 10-2-60 (women's nylon knitted underwear).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Keystone Mills, Inc., 325 South Lancaster Street, Annville, Pa.; effective 10-1-59 to 9-30-60; five learners (cotton polo shirts).

Mil-Dan Products, Inc., 32 River Street, Carbondale, Pa.; effective 9-25-59 to 9-24-60; five learners (ladies' sleepwear and lingerie).

Rhea Mills, Inc., South Market Street, Dayton, Tenn.; effective 10-1-59 to 9-30-60; five learners (men's and boys' woven cotton shorts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Ace Manufacturing Co., Inc., 333 East Market Street, San Antonio, Tex.; effective 9-21-59 to 3-20-60; 30 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 240 hours at the rate of 90 cents an hour (military caps for Army and Air Force male personnel).

Carroll Manufacturing Co., Westminster, Md.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's sack coats and pants).

Lion Manufacturing Co., Everett, Pa.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewing, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's sack coats).

Middleburg Manufacturing Co., Hanover, Pa.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's pants, slacks and vests).

Mount Union Manufacturing Co., Mount Union, Pa.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's sack coats).

Picariello and Singer, Inc., 183 Orleans Street, East Boston, Mass.; effective 9-19-59 to 3-18-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (boys' tailored suits, sportcoats, topcoats, slacks).

Staunton Manufacturing Co., Staunton, Va.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's sack coats).

Stewartstown Manufacturing Co., Stewartstown, Pa.; effective 9-14-59 to 2-29-60; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing each for a learning period of 480 hours at the rates of 90 cents an hour for the first 280 hours and 95 cents an hour for the remaining 200 hours (men's sack coats and topcoats).

The following learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Eastern Watch Co., Ltd., Bayamon, P.R.; effective 9-2-59 to 3-1-60; 100 learners for plant expansion purposes in the occupations of assembly and sub-assembly, inspection each for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (watches).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Part 527 of the regulations issued thereunder (29 CFR Part 527) a special certificate authorizing the employment of student-workers at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Act has been issued to the firms listed below. Effective and expiration dates, occupations, and learning periods for the certificates issued under Part 527 are as indicated below.

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9).

Indiana Academy, Cicero, Ind.; effective 9-8-59 to 8-31-60; authorizing the employment of 30 student-workers in the furniture (wood) industry in the occupations of woodworking machine operator assembler, furniture finisher helper and related skilled and semi-skilled occupations for a learning period of 600 hours at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours (supplemental certificate).

Monterey Bay Academy, Watsonville, Calif.; effective 9-11-59 to 8-31-60; authorizing the employment of 6 student-workers in the furniture (rustic redwood) industry in the occupations of millman, woodworking machine operator, assembler, painter, and related skilled and semi-skilled occupations including incidental clerical work in the shop for a learning period of 600 hours at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours (supplemental certificate).

Wisconsin Academy, Columbus, Wis.; effective 9-11-59 to 8-31-60; authorizing the employment of 33 student-workers in the furniture (outdoor and game room redwood)

industry in the occupations of woodworking machine operator, assembler, furniture finisher, and related skilled and semi-skilled occupations for a learning period of 600 hours at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

These student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificate, as interpreted and applied by Part 527.

Signed at Washington, D.C. this 24th day of September 1959.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 59-8216; Filed, Sept. 30, 1959; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 28, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 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. 35711: *Substituted service—Pennsylvania Railroad for Motor Cargo Inc., et al.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 116), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Cleveland, Ohio, and Baltimore, Md., on traffic originating at or destined to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35712: *Substituted service—Pennsylvania Railroad for Spector Freight System, Inc., et al.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 117), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Detroit, Mich., and Baltimore, Md., or Kearny, N.J., or Harrisburg and Philadelphia, Pa., on traffic from or to points beyond in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35713: *Substituted service—Pennsylvania Railroad for Associated Transport, et al.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 118), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Columbus, Ohio, or Ft. Wayne, Ind., on the one hand, and Baltimore, Md., on the other, on traffic from or to points beyond named points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff I.C.C. No. A-158.

FSA No. 35714: *Substituted service—PRR and NYNH&H for Spector Freight System, Inc.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 119), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between New Haven, Conn., on the one hand, and Chicago or East St. Louis, Ill., Cleveland or Toledo, Ohio or Indianapolis, Ind., on the other, on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35715: *Substituted Service—PRR and NYNH&H for Spector Freight System, Inc.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 120), for interested rail carriers. Rates on property loaded in trailers and transported on railroad flat cars between Detroit, Mich., and Boston or Worcester, Mass., or Providence, R.I., on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35716: *Substituted service—B&M, D&H, and PRR for Spector Freight System, Inc., et al.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 121), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Detroit, Mich., and East Cambridge, or Holyoke, or Worcester, Mass., on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff I.C.C. No. A-158.

FSA No. 35717: *Substituted Service—Erie and NHNH& H for Spector Freight System, Inc.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 122), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between New Haven, Conn., and Chicago, Ill., or Hammond, Ind., on traffic from or to points beyond in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35718: *Substituted service—Pennsylvania Railroad for Associated Transport, Inc.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 123), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Columbus, Ohio and Kearny, N.J., or Philadelphia, Pa., on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35719: *Substituted service—Pennsylvania Railroad for Motor Cargo, Inc.* Filed by The Eastern Central Motor Carriers Association, Inc., Agent (No. 124), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Baltimore, Md., and Chicago or East St. Louis, Ill., or Indianapolis, Ind., on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 6 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I.C.C. No. A-158.

FSA No. 35720: *Substituted service—MKT Lines for Jones Truck Lines, Inc.* Filed by J. D. Hughett, Agent (No. 21), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Muskogee, Okla., and Dallas or Ft. Worth, Tex., on traffic from or to points in territories described in the application.

Grounds for relief: Motor truck competition.

Tariff: Supplement 4 to Agent J. D. Hughett's tariff MF-I.C.C. No. 285.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-8214; Filed, Sept. 30, 1959; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—OCTOBER

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